

Somaliland: An "Oasis of Peace" to Somalia's Chaos

Charlotte Gleave Riemann & Sam Gregg-Wallace

The Greater Horn region of sub-Saharan Africa is one of the most volatile conflict zones in the world. As of 2008, Somalia in particular "claims the unenviable distinction of being the state most at risk of failure."¹ Unbeknownst and unrecognised by most of the world, however, is that in northern Somalia there exists a breakaway republic known as Somaliland which, since 1991, has worked to establish itself as an independent, moderate Muslim democracy. The purpose of this paper is to recommend that the government of Canada recognise Somaliland's sovereignty, first by taking an active role in facilitating Somaliland's current voter registration campaign, then by establishing a consulate within the country, and finally by calling on the international community to officially recognise Somaliland's independence as well.

The Somali people were colonized by three separate powers: France colonized present-day Djibouti, the north of Somalia was colonized by Britain, and south Somalia was Italian territory. After India's independence in 1947 the strategic importance of Somaliland dissipated, and Britain's attitude towards its protectorate became one primarily of neglect. As economic progress and development stagnated, cries within Somaliland for self government and union with the neighbouring Italian protectorate grew. Britain was happy to relinquish the financial burden of the colony and granted Somaliland independence on June 26th, 1960.² Multilaterally acknowledged independence, recognised by both the United Nations and Canada,³ lasted five days before Somaliland

voluntarily united with the former Italian-administered UN trust territory of Somalia to create the present-day Republic of Somalia.

Somaliland's enthusiasm for the union quickly waned. In their haste to reap the benefits of a united Somalia, leaders on both sides had given little thought as to the technicalities of amalgamation. As colonies, they had "two different judicial systems; different currencies; different organization... for the army, the police and the civil service; different taxation and customs; different governmental institutions...; different educational systems."⁴ They brought with them four different legal traditions: Italian law, British common law, Islamic *shari'a*, and traditional Somali law. A North-South divide was immediately apparent. Unification and democratization efforts were additionally undermined by the geographic distance between north and south which not only hampered political representation and communication, but also significantly reduced projected industrial and economic gains. Finally, Somalia fell prey to the all

"There have been no fewer than 14 UN sponsored peace and reconciliation attempts, and the UN peace-keeping mission to Somalia is the most expensive UN peacekeeping mission to date."

too common cause of political tension in postcolonial African states: the implementation of Western-style administrations and the appropriation of Western class systems and competitive values. In Somalia this resulted in increasingly competitive clan-based political parties, who

saw political power as a means of controlling state resources and establishing themselves firmly in the upper class. Less than a decade after the union, General Mohamed Siad Barre overthrew the "highly dysfunctional" government of Somalia in the military coup of 1969.⁵ So began the autocratic military rule and human rights violations that have characterized Somalia since independence.

Siad Barre, a member of the Daarood clan of southern Somalia, staffed his military regime through nepotism, obliterating the interests and

¹ The Failed State Index, *Foreign Policy* 167 (2008): 66.

² Mark Bradbury, *Becoming Somaliland* (London: Impressio, 2008), 32.

³ Paulo Contini, "Integration of Legal Systems in the Somali Republic," *The International and Comparative Law Quarterly* 16 (1967): 1088.

⁴ *Ibid.* 1088.

⁵ Seth Kaplan, "The Remarkable Story of Somaliland," *Journal of Democracy* 19 no. 3 (July 2008): 146.

opinions of other clans. With respect to Somaliland's quest for sovereignty it is essential to know that in the 1980s Siad Barre instigated a military campaign against northern civilians, killing 50 000, and displacing over 500 000 people. Opposing clan-based guerrilla armies, including the northern Somali National Movement (SNM), overthrew Siad Barre in 1991 but the anticipated return to peace never arrived. Instead, guerrillas from the south "reneged on an earlier agreement and unilaterally named a southerner president,"⁶ ruling the country, de facto, through coercion and intimidation, increasing inter- and intra-clan conflict throughout Somalia. It was at this point, when the country was in the most volatile state to date, that the leaders of Somaliland declared their independence from the union with Somalia and it is from this point on that we see the respective futures of Somalia and Somaliland branching out in two very polarized ways.

Somalia has experienced ongoing conflict since 1991. There have been no fewer than 14 UN sponsored peace and reconciliation attempts, and the UN peace-keeping mission to Somalia is the most expensive UN peacekeeping mission to date.⁷ In 2005 an UN-sponsored Transitional Federal Government (TFG) was set up in the town of Baidoa, while a council of 11 militia-backed Islamic Courts came into power in Mogadishu. The Islamic Courts, who promote radical Salafism and are suspected of having ties with Jihadist movements, won the support of the people by providing stability and security not offered by the TFG or the warlords. They hold far more power than the TFG and have announced their goal of creating a Somali state that would include Somaliland and regions of Ethiopia. In 2006 Ethiopian troops invaded Somalia and temporarily dispelled the Islamic Courts but the intervention "which Washington backed and supplemented with its own air strikes, has sown the

seeds for an Islamist and clan-based insurgency in the future."⁸

In comparison, Somaliland's recent history has been one of increasingly successful democratic developments. In 1996 regional elders, business elites, and clan leaders numbering 500 attended a *shirbeeled* (clan conference) that saw power peacefully handed from the transitional government of the SNM to a civilian administration. Unlike many poor states that are "held back by administrative and political systems built separately from the societies that they are meant to serve," Somaliland, having never been subject to foreign advice or interference, has an administrative structure formed solely on traditional and contemporary Somali values. This means that instead of Western-imposed systems whose top-down implementation often leads to methods of governance that are "illegitimate, ripe for exploitation, and a major hindrance to democratization and development,"⁹ Somaliland's political system stresses Somali notions of governance through consultation and consent, thus attaining more internal and external legitimacy.¹⁰ This mix of modern and traditional needs and values is addressed by having a governmental structure that is comprised of a president and a House of Representatives that are both directly elected by the people and a *Gaurti* or Upper House of Elders whose members are appointed by clan leaders.

Somaliland today operates on an annual budget of 25 million dollars.¹¹ Its largest source of income, other than money sent by the diasporic community, is livestock. The new government structure and new government policies have repeatedly gained the respect and support of the population. Of note is the constitutional referendum called by Somaliland president Mohamed Ibrahim Egal in May of 2001; 1.18 million people voted and the new constitution

⁶ Peter J. Schraeder, "Why the United States Should Recognise Somaliland's Independence," Centre for Strategic and International Studies: Africa Policy Forum, <http://forums.csis.org/africa/?p=19>.

⁷ Jahzbahy, Iqba. "African Union & Somaliland: Time to affirm 'Africa's best-kept secret'?" *Sub-Saharan Informer* (March 17, 2006): 8.

⁸ John Prendergast and Colin Thomas-Jensen, "Blowing the Horn," in *World Politics 2008/2009*, ed. Helen E. Purkitt (New York: McGraw-Hill, 2008), 123.

⁹ Seth Kaplan, "The Remarkable Story of Somaliland," 144.

¹⁰ *Ibid.* 144.

¹¹ International Republican Institute: Somaliland, "Parliamentary Election Assessment Report," International Republican Institute, <http://www.iri.org/africa/somaliland/pdfs/Somaliland2005ParliamentaryElections.pdf>, 12.

supporting sovereignty acquired a 97% approval rate.¹² Furthermore, Somaliland held peaceful parliamentary elections in 2005 to elect a president and members to the House of Representatives. According to the more than 70 international observers, the election was “the freest and most transparent democratic exercises ever staged in the Horn of Africa.”¹³ These international observers recommended that the government create a standard form of identification and a national voter registration system to further ensure the legitimacy of their elections.¹⁴ The government has taken up this daunting task, but needs outside help if it is to have a system ready in time for the already postponed federal parliamentary and presidential elections now set for March 2009.

WHAT SOMALIA ASKS OF THE INTERNATIONAL COMMUNITY

During an informal visit to Canada in May 2008, Somaliland MP Nasir Hagi Ali spoke before the Canadian Standing Committee on Citizenship and Immigration. He asked that Canada establish an office in Somaliland to regulate and improve the flow of Somalilanders traveling between Canada and Somaliland, and that Canada be supportive in granting visiting visas for official Somaliland politicians who desire to travel in order to promote their nation’s existence and needs.¹⁵

More generally, Somaliland asks of the international community to be recognised as a sovereign state. They understand that the isolation they have experienced was central to their development in both positive and negative ways. For instance, the fact that they cannot receive bilateral technical assistance from other countries; and that the World Bank, the International Monetary Fund, the African

Development Bank, and bilateral development agencies cannot offer it loans and financial aid has meant that they have total ownership over every step of their path to stabilization. The time has come, however, when the disadvantages outnumber the advantages.

Banks and insurance companies will not establish 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. Many diasporic professionals—whose return would help to invigorate Somaliland’s legal, accounting, health, and educational systems—are reluctant to come home for fear of Somaliland’s uncertain legal status.

Finally, the threat of continued unrest, factional fighting, or an increase in terrorist activities in the south will continue to hamper Somaliland’s development as long as its future is held hostage to events in Somalia.

WHAT INTERNATIONAL PLAYERS HAVE DONE THUS FAR

When François Lonseny Fall, the UN Special Representative to Somalia, was asked to comment about the status of Somaliland in 2006, he said that Somaliland was part of his mandate, that it had declared its independence, but that recognition of said independence was “up to all United Nations Member States.”¹⁶ This statement came after years of the UN refusing to acknowledge Somaliland’s secessionist claims, let alone offer it a place as a member state. Commenting on the quest for peace in Somalia, Kofi Annan reported to the General Assembly in 2000 that “‘Somaliland’, in particular, remain[ed] firmly outside the peace process.”¹⁷ So it is that the UN has seen Somaliland’s struggle for independence at best as an inconvenience, at worst as a sabotage to the Somali peace and reunification

¹² International Republican Institute: Somaliland, “Parliamentary Election Assessment Report”: 6.

¹³ Seth Kaplan, “The Remarkable Story of Somaliland,”: 150.

¹⁴ International Republican Institute: Somaliland, “Parliamentary Election Assessment Report,”: 6.

¹⁵ Standing Committee on Citizenship and Immigration, 2nd Session, 39th Parliament (March 12, 2008),

<http://www2.parl.gc.ca/CommitteeBusiness/SearchBrowseEvidence.aspx?arpi=s&arpiit=Somaliland&arpidf=2007%2f10%2f16&arpidt=2008%2f09%2f07&arpid=False&arpace=True&arpicl=&ps=Parl39Ses2&arpiisb=Publication&arpiirpp=10&arpiis=False&Language=E&Mode=1&Parl=39&Ses=2&arpicpd=3356438#Para989812>.

¹⁶ Department of Public Information, “Press Conference by Secretary-General’s Special Representative for Somalia,” United Nations, http://www.un.org/News/briefings/docs/2006/060619_Fall.doc.htm.

¹⁷ Annual Report, “Chapter I – Achieving Peace and Security,” Report of the Secretary-General on the Work of the Organization, http://www.un.org/documents/sg/report00/c_h1.htm.

efforts.

As for the role of the African Union (AU), a fact-finding mission report on Somaliland that they released in 2005 stated, "the AU should find a special method of dealing with this outstanding case."¹⁸ Unfortunately for Somaliland, the "special method" has not yet involved a formal recognition of sovereignty or their much sought-after admittance into the Union.

Canada, for its part, toes the blurry UN line, recognizing Somaliland's autonomy, but not its sovereignty.¹⁹

STRATEGIC ANALYSIS

The political events that have come to pass in the breakaway territory of Somaliland following the fall of Siad Barre's regime have been, arguably, the most democratic in the region. In addition, the organized

"The threat of continued unrest, factional fighting, or an increase in terrorist activities in the south will continue to hamper Somaliland's development as long as its future is held hostage to events in Somalia"

political climate has created an air of stability, opened the free market, and created "an oasis of peace."²⁰ Why then has the international community refused to acknowledge the territory as sovereign?

There is fear within the UN and AU that if Somaliland's secessionist goals are fulfilled, the situation will "open a

Pandora's Box" of separatist claims among African nations.²¹ What seems to have been forgotten is that Somaliland is a former colony that seeks a return to its colonial borders rather than an ethnic minority seeking new ownership over previously united land. Also overlooked is the fact that many African countries have entered into unions and later left them behind: Egypt - Syria (1958-61), Mali - Senegal (1960), Senegal - Gambia (1982-89), Rwanda - Burundi (1962).²² Precedence has been set, and Somaliland has the additional advantage of having existed for ten years now as a functioning democracy despite its geographical and theoretical ties to Somalia. Even the AU has said that "Objectively viewed, the case should not be linked to the notion of 'opening a Pandora's box.'"²³

Another concern among the international community has been the possibility that secession will intensify conflict between the Islamic Courts and the TFG. But time has shown that "Somalia will remain in crisis regardless of what is done with respect to Somaliland recognition."²⁴

While the global players deliberate over the appropriate course of action, inside Somalia what little control the TFG has is waning and support for the Islamic Courts continues to grow in regions outside the capital. If no changes are made to the way in which foreign aid and diplomatic intervention is deployed in Somalia, we will see the power of the Courts spread and begin to impede on the stable north: Somaliland. Radical Islamic ideals could polarize the populace of the region and lead to increased insecurity, human rights injustices, and an indefinite loss of productive capacity.

On a more positive note, examples of renewed faith in Somaliland are abundant. Since 1991, 700,000 of the 1.2 million Somalis who fled the Barre conflict in Somalia have returned to Somaliland,²⁵ and in 2005 landlocked Ethiopia signed a trade agreement

¹⁸ Jahzbahy, Iqba. "African Union & Somaliland: Time to affirm 'Africa's best-kept secret?': 8.

¹⁹ Issue Papers, Extended Responses and Country Fact Sheets, "Country Fact Sheet: Somalia," Immigration and Refugee Board of Canada, http://www.irb-cisr.gc.ca/en/research/ndp/ref/index_e.htm?docid=379&cid=0&sec=CH01&version=p rintable&disclaimer=sh.

²⁰ Ali Farhiya Ahmed, "Somaliland Elusive Independence," *New African* 447 (January, 2006): 34.

²¹ "Dilemma of the Horn: The West Pushes for Somaliland Recognition," *Defense & Foreign Affairs Strategic Policy* 34, no. 2 (2006): 7.

²² Jahzbahy, Iqba. "African Union & Somaliland: Time to affirm 'Africa's best-kept secret?': 8.

²³ *Ibid.*

²⁴ Peter J. Schraeder, "Why the United States Should Recognise Somaliland's Independence".

²⁵ Ali Farhiya Ahmed, "Somaliland Elusive Independence," 35.

with Somaliland to conduct marine trade through the port of Berbera and travel hence to the border town of Togwajaale.²⁶ These developments offer a valid sense of hope for the region, but they will come to an end if the political stability the government of Somaliland provides ceases to exist.

UN, AU, and Canadian policy will continue unimpeded without significant pressure from independent sovereign states. Furthermore, Somaliland will not attain recognition from the UN or the AU unless a member state initiates the process of acknowledgement.

POLICY OPTIONS

Canada's current foreign policy regarding Somalia asserts full support for the UN-backed Transitional Federal Charter, signed in 2004, and subsequently the Transitional Federal Government of Mogadishu. Canada has demonstrated this support, by the directive of the UN, by providing humanitarian assistance in Somalia. The Canadian International Development Agency (CIDA) is responsible for distributing the capital, and contributed \$16 million to multilateral organizations operating in Somalia from 2006-2007.²⁷ By promoting the actions of the TFG, Canada has in effect rejected Somaliland's claims to independence.

In continuing to support the TFG, Canada can choose to maintain its current role as a passive contributor of foreign aid, or to take an active role in calling for a new mandate of peace and reconciliation to be drafted within the UN framework. This new mandate, the fifteenth formal attempt at reconciliation, could reflect John Prendergast and Colin Thomas-Jensen's recommendations for a comprehensive multilateral diplomatic strategy centered on resolution and effective governance.²⁸

The strategy requires a three-part directive focusing on resolving conflicts, keeping the peace, and implementing multilateral penalties. Conflict between the TFG, the Islamic Courts, and warring clan factions remains to be resolved. The UN could broker a deal with participation from the African Union to negotiate the realization of a coalition government. Following negotiations, peace-keeping forces would be deployed in Somalia, through UN direction, to guarantee a smooth transition to new governance. The UN, rather than the AU, would assume leadership due to the inability of the AU to mobilize enough troops to successfully accomplish objectives. That said, the AU would have a significant role to play through garnering military support.

Following the successful implementation of a coalition government, the international community, organized through the UN, might then impose strict penalties on Somalia for any return to violence or anti-democratic practices. These penalties would come in the form of embargoes, sanctions, and prosecution of individuals by the International Criminal Court (ICC).

A multilateral peace agreement, UN leadership in peacekeeping, and punitive measures is a plausible policy alternative should the Canadian government decide to continue its policy of Somalian reconciliation.

Alternatively, Canadian foreign policy could be rewritten to reflect support for Somaliland's claims to independence, through both bilateral and multilateral cooperation and aid. Initially, Canada could simply recognise Somaliland's sovereignty as one sovereign nation to another. It could subsequently send people to support the administration of the internationally recommended voter registration process that Somaliland has undertaken in preparation for their parliamentary and presidential election in March 2009, and work towards establishing a consulate in Somaliland. Finally, Canada could use its position as a member state of the United Nations to pressure other member states into recognizing Somaliland's sovereignty.

²⁶ "Dilemma of the Horn: The West Pushes for Somaliland Recognition," 7.

²⁷ Canadian International Development Agency, "Somalia," Canadian International Development Agency, <http://www.acdi-cida.gc.ca/somalia>.

²⁸ John Prendergast and Colin Thomas-Jensen, "Blowing the Horn," 127.

POLICY RECOMMENDATION

Somaliland's biggest problems are inexperience and the international community's refusal to acknowledge their existence as a sovereign state. Canada can and should take an active role in ameliorating both of these problems by following the recommendations outlined in the latter of the two policy options.

Canada's ability to act is undeniable. It has a respected voice in the United Nations that could be used to bring Somaliland's story to the world stage, it has the experience needed to be an advisor on electoral processes, and given the millions of dollars CIDA contributes to Somali aid, it is clear that it could have the financial ability to set up a consulate.

What remains to be contested is whether Canada should change its foreign policy. A shift from passive donor to proactive supporter would not only benefit Somaliland, but would benefit Canadian interests and the interests of counterterrorism efforts around the world.

The benefits to Canada are apparent. Canada's military strength is limited, and yet Canada wishes to present itself as the world's peacekeeper. This is evident in Canada's push for the development of the Responsibility to Protect Doctrine, and in Canada's 2005 International Policy Statement, which reads:

"With our focus in the area of governance, we have the capacity to strengthen the ability of poor performing countries to use aid more effectively. We will, therefore, provide targeted bilateral support directly aimed at improving governance in a limited number of strategically significant poor-performing countries."²⁹

Canada's involvement in Somaliland could be entirely civilian, thereby avoiding the debate over R2P's potential neo-militarism. The suggested actions are also decisively not top-down aid, but rather an implementation of exactly what Somaliland has requested. On a domestic front,

recognition of Somaliland's existence would also recognise the history of Somalilanders living in Canada.

Finally, let us consider the benefits to Canadian-US relations and to counterterrorism as a whole. Somaliland is a stable, moderate Muslim democracy in a region characterized by faith-based conflict. By not recognizing Somaliland's accomplishments in stabilization and democratization, and instead repeatedly trying to instate western-style transitional governments and reunification, the UN and its member states are providing fuel for the Islamic Fundamentalist argument that the West is anti-Muslim; that the West will recognise no authority or solutions except those they put in place themselves. To date, Somaliland has remained relatively unscathed by Islamic extremist acts of violence, but that trend is turning. As recently as October 28th of this year, two UN staff members in Somaliland were killed when a suicide bomber blew up a car outside a UN office.³⁰

Recognizing Somaliland's independence would be an effective, high-impact, low cost form of foreign aid that more than fulfils Canada's desire to be a peace-keeping nation. It satisfies the ideological tenets of the Responsibility to Protect Doctrine, provides exactly what the nation in need asked for, and avoids accusations of neo-colonialism or neo-militarism. And lastly, support for Somaliland is support for counterterrorism initiatives around the world. The question now is not *should* Canada, but rather, *when* will Canada acknowledge the incredible success story that is Somaliland.

²⁹ Canadian International Development Agency, "Canada's International Policy Statement 2005," Canadian International Development Agency, <http://www.acdi-cida.gc.ca/ips>.

³⁰ Office of the Spokesperson of the Secretary-General, "Somalia / Two UN Staff Members Die," United Nations, (October 31st, 2008), <<http://appablog.wordpress.com/2008/10/31/somalia-two-un-staff-members-die/>>