

## **Somaliland has strong case for recognition**

by Iqbal Jhazbhay

As a success story Somaliland is Africa's best-kept secret. It is time for African states to let out the secret and engage a country which offers "one of the few genuinely good news stories in the troubled Horn of Africa".

Somaliland has been a *de facto* independent state for 15 years. At independence from Great Britain in 1960 it had joined its former Italian-ruled neighbour to form Somalia. But it broke away from the unruly remainder of Somalia in 1991 and re-constituted itself as an independent state within the same borders it occupied as a colonial state.

Its success since 1991, in state-building and economic recovery, coupled with its home-grown demobilisation, have won considerable admiration. So has its home-grown democracy, including recent local, presidential and parliamentary elections.

### **Unity, Secession & Separatism?**

Recently Somaliland sought *de jure* recognition as an independent state by applying for membership of the African Union (AU).

Last year, the AU Commission in Addis Ababa sent a fact-finding mission to the country to investigate the

application and returned with an encouraging report.

Among its findings were that “going by the clear presentation and articulate demands of the authorities and people of Somaliland concerning their political, social and economic history, Somaliland has been made a ‘pariah region’ by default. The Union established in 1960 brought enormous injustice and suffering to the people of the region.”

The AU also disposed of the conventional argument that Somaliland is a case of secession and separatism which would precipitate a rash of copy-cats.

It recommended that: “...the case should not be linked to the notion of ‘opening a Pandora’s Box ‘. As such, the AU should find a special method of dealing with this outstanding case.”

Not everyone would agree. Several key African countries are advocating what they would term “unity” -that Somaliland should re-join Somalia.

They are wrong, as the benefit of hindsight over recent history reveals.

The well-known pan-Somali “unity” nationalist vision to bring all the Somali territories together under one flag has created mayhem in the Horn. In 1977 Ethiopia found itself at war with the expansionist “unity” project of Somali dictator Siad Barre, which eventually led to his demise.

The AU report apparently concurs;

“The fact that the ‘union between Somaliland and Somalia was never ratified’ and also malfunctioned when it went into action from 1960 to 1990, makes Somaliland’s search for recognition historically unique and self-justified in African political history.”

Somaliland’s case is also not without historical precedent. Many African countries went into a union and subsequently abandoned it. Egypt and Syria (1958-61), Mali and Senegal (1960), Senegal and Gambia (1982-89), are just some of the derelict unions of Africa.

Some argue that recognition of Somaliland will further fragment the region and will render the very term “African Union” a misnomer and that the new Transitional Federal Government (TFG) in Somalia offers hope for change.

Reality suggests otherwise. Somalia remains in the grip of anarchy.

Even in the best-case scenario, Somalia’s TFG would remain very minimalist in scope and capacity, and most of Somaliland would remain a *de facto* zone of state collapse for the short term.

Despite this, and despite fourteen peace conferences, five transitional governments and the world’s most expensive peacekeeping mission, UNOSOM, some key African states still say: “Give them a chance.”

They should be more realistic. For the depressing alternative may be that this matter is settled militarily, as a brief glance around the region would suggest.

### **Ethiopia-Eritrea & Sudan**

That's how Eritrea and Ethiopia settled their differences, completing a bloody divorce only after 30 years of war.

It took even more years of fighting before North and South Sudan agreed last year on a possible separation, pending a referendum in 2011.

The UN-verified mass graves in Somaliland's capital Hargeisa provide witness to the atrocities which the country suffered under Somalia's military dictatorship.

It's leaders vow they will go back to war rather than rejoin Somalia.

Separation has its down side of course. Many Ethiopians, for example, complain bitterly that they have to carry passports to visit their relatives in now-independent Eritrea.

But Ethiopian Prime Minister Meles Zenawi put their complaints in perspective recently when he stated that it is better to carry a separate passport with all its inconveniences, rather than go to war.

### **AU & South Africa: Where to?**

South Africa has a vanguard role to play in the Horn of Africa because of our commitment to promoting peaceful resolution of conflicts. South African government International law advisers have concluded that Somaliland does have a very strong

legal case. President Mbeki has suggested that the AU lead on resolving this case.

Somaliland's case is consistent with the AU's charter, which calls for African states to remain within the borders inherited from the colonials at independence. Somaliland was, for that brief moment, independent.

The crucial question now, though, is; do African countries have the political will and time to advance the AU fact-finding mission's report?

The AU Commission has the will: its time for its members to translate this into action, and soon.

For the non-recognition of Somaliland is hurting its ability to sustain itself, as the AU report rightly observed:

“The lack of recognition ties the hands of the authorities and people of Somaliland as they cannot effectively and sustainably transact with the outside to pursue the reconstruction and development goals.”

Will Africa opt for clear thinking and decisive action or procrastinating continental drift - which may lead to a military solution by default? Can Africa afford another war to undermine the credibility of its flagship Nepad programme?

Nepad premises Africa's renaissance on peace, stability and good governance. Where such a prospect is offered, as in Somaliland, it should be grasped, with both hands.

*Iqbal Jhazbhay teaches at the University of South Africa, serves on the board of the Institute for Global Dialogue and the ANC Commission of Religious Affairs*