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The Port of Berbera: Somaliland's Gateway to International Recognition?

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The Port of Berbera: Somaliland's Gateway to International Recognition?

BSc Political Science: International Relations and Organisations

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Abstract

This thesis examines Somaliland's pursuit of international recognition since its declaration of independence from Somalia in 1991. Despite acting like an independent state, Somaliland faces significant hurdles in gaining official recognition due to political concerns of critical stakeholders. Recent agreements with Ethiopia and the UAE regarding the Berbera Port have heightened tensions in the Horn of Africa while providing Somaliland a chance to increase its international recognition. This study highlights the importance of political considerations of state recognition that can prevail over legal justifications. It emphasises the significance of evolving progress and the viewpoints of key actors in understanding the changing dynamics of Somaliland's international recognition as a sovereign state.

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List of Abbreviations

AMISOM - African Union Mission in Somalia

AU - African Union (formerly: Organisation of African Unity)

CDC - Development Finance Institution (United Kingdom of Great Britain and Northern Ireland)

DP World - Dubai Ports World

EAC - East African Community

IDP - internally displaced person

IGAD - Intergovernmental Authority on Development (Eastern Africa)

IMF - International Monetary Fund

MoU - Memorandum of Understanding

NGO - Non-governmental organisation

OAU - Organisation of African Unity

UAE - United Arab Emirates

UK - United Kingdom of Great Britain and Northern Ireland

UN - United Nations

UNAIDS - Joint United Nations Programme on HIV/AIDS

UNDP - United Nations Development Program

UNFPA - United Nations Population Fund

UNHCR - United Nations High Commissioner for Refugees

UNICEF - United Nations International Children's Emergency Fund

UNITAF - United Task Force

UNOSOM - United Nations Operation in Somalia

UNPOS - United Nations Political Office for Somalia

UNSC - United Nations Security Council

WB - World Bank

WHO - World Health Organization

WFP - United Nations World Food Programme

Introduction

A unique situation has unfolded: Somalia, acknowledged internationally despite being a failed state, retains all rights associated with recognition, while Somaliland, a relatively stable entity exhibiting state-like attributes, persists in its struggle for comparable recognition.¹ This paradox highlights a complex and multifaceted issue shaped by legal, political, and practical considerations regarding Somaliland's claim to international recognition as an independent state. Scholars have predominantly focused on the legal dimensions of Somaliland's quest for recognition, overlooking its inherently political nature. Yet, the political considerations of sovereign states play a pivotal role in determining whether Somaliland will achieve de jure recognition as a state and often prevail legal justifications. Hence, this paper seeks to address the following question:

How do political and practical dynamics affect the recognition process of Somaliland as a state?

By examining political practices on the ground in greater detail, this research diverges from existing theoretical and legal analyses. This thesis can enhance the academic understanding of international relations and law by prioritising African realities and practices. The issue of Somaliland's recognition carries significant implications for regional stability and developments in the Horn of Africa.

This thesis first provides the historical background to ensure a contextual understanding of how Somaliland's situation evolved. Subsequently, the theoretical framework is introduced, presenting essential definitions, theories, and ideas that guide this research. A review of existing legal research is undertaken. Afterwards, the adopted legal doctrinal methodology is established. Following this, Somaliland's treatment in practice and political realities are analysed. Finally, the implications of this are discussed and the research question will be answered.

¹ Poore, 2009

Historical background

To comprehend Somaliland's particular circumstances, it is essential to consider its historical context as background information for this thesis. In the early 19th century, European powers colonised Somalia and Somaliland, located in the Horn of Africa, and previously governed by decentralised clans based on shared agnatic lineage and led by clan heads and councils of elders.² The Isaaq clan, one of the largest, is located in Somaliland. Somalia had no record of stability as a state before being colonised, whereas Somaliland did, partially due to a notable trade axis situated within its borders.³

Italy controlled Somalia from 1889 to 1960. Somaliland was a British Protectorate from 1884 until its independence on June 26, 1960.⁴ The UN immediately received notification of Somaliland's independence, and thirty-five member states officially granted diplomatic recognition.⁵ Somalia received its independence from Italy on July 1, 1960.⁶



Figure 1: Somalia and Somaliland in the Horn of Africa⁷

² Gorka, 2011, p. 82; Gundel, 2009, p. 8

³ Pham, 2011, p. 212

⁴ Venugopalan, 2017, p. 1

⁵ Pham, 2011, p. 212

⁶ Venugopalan, 2017, p. 1

⁷ Bekele, 2024

Afterwards, Somali nationalism surged, and the shared colonial history united Somaliland and Somalia into a single state, the Greater Somalia. Somaliland drafted an Act of Union, but it was never ratified by Mogadishu's Legislative Assembly, which instead passed the Atto di Unione without Somaliland's consent. Consequently, Somaliland argued that the Atto di Unione was invalid, highlighting dissatisfaction with Mogadishu's legislative actions.⁸ Eventually, these tensions and divisions led to civil war. The Mogadishu dictatorial government under Barre specifically executed and tortured the Isaaq clan in Somaliland, resulting in the loss of over 50,000 lives, with numerous members becoming IDPs or seeking refuge in Ethiopia.⁹

Eventually, due to increasing internal dissent and armed resistance, president Barre and his followers fled Somalia in early 1991. The different clans had collaborated to take over Mogadishu but could not find common ground to form a new government.¹⁰ Somalia was left without government officials, many of whom had left the country, and the physical government structures were destroyed.¹¹ The 'Republic of Somaliland' (hereafter: Somaliland) declared independence, reflecting its former colonial boundaries.¹²

Theoretical framework

The theoretical framework establishes a comprehensive understanding of this research's foundational concepts and ideas. Firstly, it is crucial to distinguish between de facto and de jure recognition. De facto states successfully adopt numerous elements of statehood without officially achieving formal legal recognition as states in the international system.¹³ They are a practical reality without the legal rights associated with full recognition. De jure states are fully recognised by existing states and under international law, making effective participation in the international community possible.¹⁴

⁸ Lalos, 2011, p. 792

⁹ Hoyle, 2000, p. 84; Crawford, 2007, p. 413

¹⁰ Brons, 2001, pp. 25, 33

¹¹ Brons, 2001, p. 33

¹² Crawford, 2007, p. 413

¹³ Pegg, 2017, p. 1

¹⁴ Van Essen, 2012, p. 41

Liberalist theory encourages cooperation among states and non-state actors in the international system through interaction and trade. Liberalism posits that de facto states maintain their survival and independence by engaging with other states and actors through interactions and foreign relations. Adam suggests that the main goal of de facto states is to achieve official recognition and that liberalist foreign policy supports the essential principles of independence, recognition, and international engagement. Gaining de jure recognition can be achieved through interactions and forging connections with established states and other external actors.¹⁵ Liberalist theory implies that the process of granting state recognition primarily revolves around political assessments and the willingness of established states to incorporate a new entity into the global state system rather than on legal considerations.

International law and political science were once separate fields, but since the 1990s, interdisciplinary collaboration has grown. Scholars from both fields increasingly utilise each other's research and theories.¹⁶ "International law and international politics cohabit the same conceptual space. Together, they comprise the rules and the reality of 'the international system' [...] [and] it makes little sense to study one without the other."¹⁷ The creation of states highlights the inherently political nature of international law, making it one of the most debated and contentious issues in both politics and law.¹⁸ The law on recognition is frequently ambiguous and inconsistent, influenced by politics and characterised by the intertwining of legal and political considerations.¹⁹ State recognition entails existing states acknowledging a new state primarily based on political considerations, often overlooking legal criteria.²⁰ Although some emerging states may fulfil legal standards, state practice and politics of established states prevent them from joining the international community.²¹ According to Vidmar, statehood is formed through political actions, and the law only officially registers it.²² Achieving de jure statehood is not an automatic consequence of complying with the law but politics shape it. While political recognition expresses a willingness to

¹⁵ Adam, 2021

¹⁶ Slaughter, Tulumello, & Wood, 1998, pp. 367-368

¹⁷ Slaughter, 1995, p. 503

¹⁸ Agné et al., 2013, p. 96; Koskenniemi, 2007, p. 1; Riegl, & Doboš, 2018, p. 445; Visoka, 2022, p. 133

¹⁹ Richard, & Smith, 2015, p. 162; Slaughter, Tulumello, & Wood, 1998, p. 369

²⁰ Sterio, 2019, p. 82

²¹ Coggins, 2014, p. 16

²² Vidmar, 2019, p. 224

engage diplomatically and cooperate, legal recognition under international law establishes the recognised government as a legitimate entity with legal rights and responsibilities in the international community.²³

Existing states determine whether an entity becomes officially part of the international community; they can grant and withhold recognition. Rather than acting impartial, the existing states take into consideration their own political interests and the effects the potential recognition could have on the balance of power and the stability of the global state system. Differing approaches to an entity seeking independence can result in conflict among established states. As a result, state recognition is a deliberative process where interests must be balanced against potential risks.²⁴ Powerful states play a crucial role in determining the recognition of new states. Once regionally or globally influential states have officially recognised an entity, this paves the way towards full de jure recognition since other states will follow. Conversely, if powerful states withhold recognition, less influential states tend to follow suit to avoid conflict.²⁵ States take into consideration factors such as geopolitics, interests of their allies, and economic benefits.²⁶

Furthermore, while engaging in political interaction and cooperation with de facto states without officially recognising them is possible, Nagda asserts that de facto status precedes de jure recognition. De facto recognition is meant to be provisional and temporary, leading eventually to a reassessment and possible granting of official recognition.²⁷ According to Coggins, Berg, and Toomla, bilateral treaties, economic and consular relations, respect for the non-violation of territorial integrity, and non-interference in domestic affairs under international law serve as criteria for transitioning from de facto to de jure recognition.²⁸ External support cannot only be given by existing states but also non-state actors.²⁹ These various levels of interaction demonstrate the trust

²³ Van Essen, 2012, p. 40

²⁴ Coggins, 2014, p. 16

²⁵ Coggins, 2014, pp. 216-217

²⁶ Griffiths, 2019, p. 144; Sterio, 2019, p. 82

²⁷ Nagda, 2017, pp. 159-160

²⁸ Berg, & Toomla, 2009, pp. 30, 40; Coggins, 2014, pp. 39-40

²⁹ Caspersen, 2015, p. 187; Hagmann, & Péclard, 2010, p. 2010

and perception of stability and reliability within the legal framework of the de facto entity and ultimately culminate in formal de jure recognition.³⁰

This thesis will use insights from liberalism while taking into consideration politically motivated recognition. It will examine the political interests of existing states in their approach towards Somaliland. Moreover, the analysis will explore the progress made towards achieving recognition.

Literature review

Somalia

In conducting a literature review, this part of the thesis delves into the existing scholarship and summarises research findings. Scholars so far have to a great degree focused on the legal aspects of Somalia's and Somaliland's statehood claims. Since 1991, Somalia has been categorised as a failed state due to ineffective governance, ongoing armed conflict, lawlessness, and a consequent loss of state legitimacy.³¹ Despite recent improvements, minimal progress has been made in the three decades following the Barre regime. The country's infrastructure collapsed in 1991, leaving it without essential institutions like law enforcement, courts, bureaucracy, electricity network, or postal system, in return fostering criminal and terrorist activities.³² The absence of an accountable government capable of enforcing laws and regulations hinders the distribution of development aid, provision of public goods, and security. This situation contributes to stagnant development, increased crime rates, and radicalisation.³³

Nonetheless, Somalia has recently seen developmental progress. The WB reports improvements in debt sustainability, poverty reduction, and job creation. Additionally, IMF programs have been put into effect, and in 2023, Somalia became a member of the EAC.³⁴ Political relations are evolving, contributing to Somaliland's overall trajectory toward greater stability.³⁵ With international support, a government was established in 2012, leading to a period of relative stability. In 2022, Hassam

³⁰ Nagda, 2017, p. 160

³¹ Ali, 2014, p. 167; Battera, 2003, pp. 226, 234; Kibble, 2001; Menkhaus, 2003, pp. 405, 407; Menkhaus, 2006, pp. 25, 32

³² Hoyle, 2000, p.83; Menkhaus, 2006, pp. 93-94

³³ Menkhaus, 2003, p. 413; Menkhaus, 2006, pp. 93-94

³⁴ East African Community, 2024

³⁵ The World Bank in Somalia, 2023

Sheikh Mohamud was elected President by the parliament, having previously held the position from 2012 to 2017, succeeding Mohamed Abdullahi Mohamed Farmajo.³⁶ Despite some positive administrative and anti-terrorism developments, Somalia remains the highest-ranking failed state in the world.³⁷ Problems such as famine, violent extremism, lacking freedom of expression, corruption, low levels of human rights, and lacking control over the territory remain.³⁸ Despite some recent modest improvements under international oversight, the UN observed that Somalia's condition still signifies a lack of essential elements typically associated with statehood.³⁹ Nevertheless, Somalia retains its international recognition and UN seat because the "physical base of the state generally refers to the legal definition of state territory."⁴⁰ The UN and other international actors continue to recognise the borders of the united Somalia, including Somaliland, as a point of reference for their policies toward Somalia.⁴¹

Somaliland

Legal scholars have presented various legal arguments concerning Somaliland, both supporting and contradicting its independency claims. Roethke and Pham argue that the union between Somalia and Somaliland "fell short of the minimal standards for legal validity."⁴² According to the Vienna Convention, "a treaty enters into force as soon as consent to be bound by the treaty has been established for all the negotiating States."⁴³ The Somali union has not been established by a formal treaty, as two different treaties have been proposed but neither has obtained the necessary consent from both parties, as required by the Vienna Convention. According to Roethke, the unification cannot be considered legal under existing international law, which validates Somaliland's quest for independence.⁴⁴

³⁶ BBC News, 2024

³⁷ Fund for Peace, 2023; Wario, & Hassen, 2023

³⁸ Hassan, 2024; Wario, & Hassen, 2023

³⁹ United Nations, 2023a

⁴⁰ Brons, 2001, pp. 31-32; Pegg & Kalsto, 2015, p. 193

⁴¹ Brons, 2001, p. 32

⁴² Pham, 2011, p. 142

⁴³ United Nations. 1969, Article 24(2)

⁴⁴ Roethke, 2006, p. 43

Another group of scholars refers to the Montevideo criteria, which delineate the factual requirements for statehood. According to Article 1 of the Montevideo Convention, a state is characterised by “(a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with other states.”⁴⁵ Firstly, Somaliland’s current population stands at 3.5 million, compared to 3,390,000 in 1999.⁴⁶ These figures indicate that not only has Somaliland maintained a stable permanent population, but it has also experienced a slight increase, attributed in part to repatriation efforts. Secondly, Somaliland’s territory measures 68,000 square miles and mirrors the boundaries established during British colonial rule.⁴⁷ According to Eggers, Somaliland has demonstrated its ability to safeguard its territorial boundaries and maritime sovereignty on numerous occasions.⁴⁸ Thirdly, Eggers, Lalos, and Menkhaus argue that Somaliland’s government operates under a clearly defined structure, employing a community-based model with ministries and municipalities.⁴⁹ In May 2001, a referendum approved the new constitution with a 97% majority, establishing a bicameral legislature and an independent judiciary.⁵⁰ The criminal justice system effectively prosecutes criminals and terrorists, contributing to the strengthening of the central state structure and governance, thus preventing violence and conflicts.⁵¹ Security and peace have been achieved through reputable police forces and demobilising militias, with government oversight extending to air and sea travel and customs revenue collection.⁵² Somaliland’s high levels of stability compared to Somalia have fostered increased trust between communities and clans.⁵³ Somaliland has transferred from a clan-based governance structure to a multiparty democracy, holding the first local elections in December 2002. Following President Mohamed Egal’s death in 2002, Somaliland managed to resolve the contentious and extremely close presidential election in 2003 without resorting to violence. Eggers and Menkhaus assert that it then conducted a remarkably peaceful and constitutionally sound transfer of power.⁵⁴ Two opposition parties created a coalition government in October 2015, making Somaliland one of the first instances in Africa to achieve

⁴⁵ Montevideo Convention on Rights and Duties of States adopted by the Seventh International Conference of American States, 1933

⁴⁶ The Republic of Somaliland Government, n.d.; Lalos, 2011, p. 805

⁴⁷ Eggers, 2007, p. 218; Lalos, 2011, p. 805

⁴⁸ Eggers, 2011, p. 218

⁴⁹ Eggers, 2007, p. 218; Lalos, 2011, p. 806; Menkhaus, 2006, p. 91

⁵⁰ Pham, 2011, pp. 142-143

⁵¹ Ali, 2014, p. 167; Eggers, 2007, p. 221

⁵² Eggers, 2007, p. 213; Menkhaus, 2014, p. 164

⁵³ Eggers, 2007, p. 213; Menkhaus, 2006, p. 91

⁵⁴ Eggers, 2007, p. 218; Menkhaus, 2006, pp. 91-92

cohabitation between political rivals.⁵⁵ Overall, Menkhaus describes the elections as regular, free, and fair.⁵⁶ The roughly 26,000 government employees are elected or appointed.⁵⁷ Additionally significant is the economic development in Somaliland, according to Menkhaus and Eggers. The reconstruction of infrastructure, investments from the diaspora and repatriates in the service sector and real estate, along with business investments from external parties, have led to economic recovery.⁵⁸

The final Montevideo criteria, Somaliland's capacity to enter into relations with other states, is the most contested. According to Eggers, Somaliland meets the essential criteria of international law as it can partake in diplomatic relations.⁵⁹ Past diplomatic endeavours have included sending Somaliland delegations on official state visits and engaging with international organisations. Some scholars perceive entering into relations as a consequence of statehood, while others regard it as a prerequisite. Crawford and Abdikarim hold that the prevailing perspective suggests that if an entity meets the first three Montevideo criteria, it qualifies as a state and is eligible to initiate relations with other states.⁶⁰ Although Somaliland has already engaged in relations with other states and possesses the capability to maintain and expand them, there has not been a thorough assessment of these existing relationships.

Lalos, Pegg, and Kalstø claim that a region achieves statehood by declaring itself a state, provided it meets the Montevideo criteria, independent of international consent.⁶¹ These scholars declare that operating as a de facto state since 1991, Somaliland has consistently proven its capability to manage economic, political, and security challenges effectively and should therefore legally be a state.⁶² Opposing this view, Hoyle asserts that achieving statehood without adequate international support is practically impossible.⁶³ There is no duty for other states to grant recognition solely because of a

⁵⁵ Menkhaus, 2006, pp. 92

⁵⁶ Menkhaus, 2014, pp. 164, 168

⁵⁷ Davis, 2018, p. 118

⁵⁸ Eggers, 2007, pp. 213, 219; Menkhaus, 2006, p. 91

⁵⁹ Eggers, 2007, p. 219

⁶⁰ Crawford, 2007; Abdikarim, 2021, p. 24

⁶¹ Lalos, 2011, pp. 797, 805; Pegg, & Kalstø, 2015, p. 196

⁶² Pegg, & Kalstø, 2015, p. 196

⁶³ Hoyle, 2000, p. 80

declaration based on Montevideo criteria.⁶⁴ Therefore, simply declaring independence is insufficient for Somaliland to attain statehood. Rather than focusing on legal justifications, political practice needs to be considered. Kreuter affirms that Somaliland can only achieve statehood if it can demonstrate the required relations and recognition from existing states within the global order.⁶⁵ Raič and Schoiswohl argue that existing states in the international system act as gatekeepers to verify whether de facto states meet the criteria outlined in the Montevideo Convention. This gatekeeper role turns recognition from a legal issue into a political tool, with influential states effectively holding veto power. Ultimately, without international political recognition, a de facto state, such as Somaliland, is unlikely to attain de jure statehood.⁶⁶

Another group of scholars takes the right to internal self-determination as a starting point for Somaliland's claims. It would entail granting its people the right to pursue their policy objectives through Somalia's political procedures and self-governance mechanisms.⁶⁷ However, Somaliland was not given the right to internal self-determination but was instead suppressed by the Barre government, not given a political say, and denied to pursue economic development.⁶⁸ According to Davis, since 1991, Somalia's government has not been effective enough to allow Somaliland to exercise any form of internal self-determination through political channels.⁶⁹ Poore argues that the lack of internal self-determination allows for Somaliland's claims of independence. The legal possibilities for Somaliland to access internal self-determination are minimal. Therefore, Poore and Kreuter agree that its secession is a political endeavour necessitating international support and recognition.⁷⁰ The 'safeguard clause' in the Declaration on Friendly Relations among States declares that "all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development."⁷¹ The principle of territorial integrity is fundamental to the state system, yet the UN acknowledges that circumstances and exceptions exist where this principle may not hold. When people are unable to exercise internal

⁶⁴ Vidmar, 2019, p. 221

⁶⁵ Kreuter, 2010, p. 380

⁶⁶ Raič, 2002, pp. 29-31; Schoiswohl, 2004, pp. 42-43

⁶⁷ Kreuter, 2010, p. 383

⁶⁸ Kreuter, 2010, p. 384; Lalos, 2011, p. 809; Pham, 2011, p. 142; Poore, 2009, p. 150

⁶⁹ Davis, 2018, p. 115

⁷⁰ Kreuter, 2010, p. 384; Poore, 2009, p. 150

⁷¹ United Nations General Assembly, 1970

self-determination due to factors such as a lack of representation or oppression by the government, secession might become a viable option.⁷² According to international law, exercising the right to self-determination is typically expected to occur within the boundaries of existing sovereign states. Somaliland faces a dilemma in this regard because it lacks a functioning parent state from which it can seek secession. Consequently, Somaliland is left with few options under the framework of international law and the global state system.

Research gap

Many legal scholars support Somaliland's bid for statehood, while others argue against its legal right to secede. As some acknowledge, the political realities often overshadow legal considerations. Practical and political factors outweigh mere legal acknowledgement and justifications. Even if international law were to recognise Somaliland's right to statehood, the mechanisms to enforce it do not exist. Somaliland's lack of sovereignty is attributed mainly to political factors surrounding international recognition. However, in-depth analyses of these political dynamics have been limited, necessitating a closer investigation into Somaliland's pathway towards recognition in that regard. In essence, this research aims to investigate practical approaches by examining state practices and the underlying political motivations of existing states.

Methodology

This section will outline the methodology for conducting legal doctrinal research on Somaliland's independence. The approach involves analysing statements from officials and examining state practices to comprehend the factors contributing to Somaliland's recognition as a sovereign state. Legal doctrinal research examines the nature of law within a specific context, including its practical application.⁷³ This type of research necessitates an interpretive and qualitative analysis, which is crucial for comprehending the complexities of state recognition.⁷⁴ Furthermore, legal research also considers rapidly evolving societal, political, and economic contexts, along with potentially other relevant elements besides traditional aspects of law.⁷⁵ Looking at actions and decisions regarding

⁷² Roethke, 2006, p. 40

⁷³ Ngwoke, Mbano, & Helynn, 2023, p. 30

⁷⁴ Chynoweth, 2008, p. 30

⁷⁵ Langbroek, Van Den Bos, Simon Thomas, Milo, van Rossum, 2017, pp. 1-2, 7

Somaliland's recognition status makes it possible to provide a holistic view beyond traditional legal elements.

This thesis employs legal doctrinal methodology to investigate Somaliland's path to recognition. Legal doctrinal research delves into the nature of law within specific contexts, emphasising its practical interpretation. The research recognises the intricate link between legal scholarship and real-world practice.⁷⁶ The aim is to comprehend the political factors influencing the (non-)recognition of Somaliland. Legal doctrinal research is chosen for its capability to provide a robust analytical framework that integrates legal principles with practices and political influences on the ground.

The sources used include bilateral agreements, press releases and newspaper interviews with officials. Additionally, since the legal agreements often remain undisclosed, this research will rely on publicly available summaries, reports, or analyses from reputable sources such as academic institutions, NGOs, government statements, or media outlets. Efforts will be made to cross-reference information from multiple sources to ensure accuracy and reliability. Furthermore, "since state practice and statements can manifest in endless forms — from Twitter rants to official statements by heads of states [...] — there is no one-stop shop for this type of primary source."⁷⁷

The UN, AU, UAE, Ethiopia, Djibouti, as well as Somalia and their approach towards Somaliland and political motives will be looked at in more detail. They have been chosen for comparative analysis due to their significant roles and policies influencing Somaliland's recognition efforts. The UN and AU are key international organisations with substantial influence in global and African affairs, respectively. Their positions and actions regarding Somaliland's independence carry weight and can shape international perceptions and actions. Securing a seat in the UN and cooperating with existing countries are key aspects that lead to state recognition. The AU promotes cooperation and solidarity among African nations and has the ability to influence Somaliland's recognition. Both organisations are vital for Somaliland, as membership would signify international recognition. Additionally, it is essential to consider Somaliland's neighbouring states, Ethiopia, Somalia, and Djibouti. They significantly influence Somaliland's position in the Horn of Africa and regional and African developments, security, and stability. Additionally, the relationship between the UAE and

⁷⁶ Vranken, 2010, p. 112

⁷⁷ Lieblich, 2020, p. 65

Somaliland carries considerable weight in determining its international standing. This analysis is essential for understanding how political dynamics within Somalia, regional interactions with Ethiopia, Somalia, Djibouti, and broader international relations impact Somaliland's legal standing and prospects for recognition.

This marks a new approach that has not been taken yet. Existing theories and findings predominantly focus on legal aspects while acknowledging the importance of political considerations. However, a study of political factors has scarcely been taken. This study seeks to bridge the gap by employing legal doctrinal research to illuminate the interplay between legal norms, state practice, and political motivations in the context of Somaliland's independence. By doing so, it aims to offer a comprehensive perspective that enriches both legal scholarship and practical insights into the dynamics of state recognition.

Analysis

As outlined above, the existing academic literature does not accurately reflect how Somaliland is treated in practice. Therefore, this practical examination will be thoroughly undertaken. Notably, Western countries consider the resolution of this issue to be an internal African matter and have decided to recognise Somaliland only if the AU does so first. Hence, it is merely up to African states to evaluate the situation.⁷⁸ Several neighbouring countries favour a unified Somalia, which they see as a potential balance against Ethiopia, the predominant regional power in the Horn of Africa.⁷⁹

United Nations

While the UN supported the presidential elections and democratic developments “in the self-declared autonomous region of Somaliland”⁸⁰, it has not yet accepted it as a member state. The UN requires recognition from the AU before considering Somaliland's membership and is still determining how to address secessionist movements overall.⁸¹ The UN Charter acknowledges the principles of self-determination, territorial integrity, and sovereign equality as critical concepts for

⁷⁸ Venugopalan, 2017, pp. 5-6

⁷⁹ Kaplan, 2008, p. 154

⁸⁰ United Nations, 2009

⁸¹ Gorka, 2011, p. 91

the global state system, which complicates finding a resolution between Somaliland and Somalia.⁸² Currently, the only legal pathway to self-determination would be through the UNSC.⁸³ However, its members have repeatedly affirmed “their full respect for the sovereignty, territorial integrity, political independence and unity of Somalia.”⁸⁴ Nevertheless, 22 UN entities, including the UNDP, UNFPA, UNAIDS, UNHCR, UNICEF, WHO and WFP, remain in Somaliland’s cities Berbera and Hargeysa.⁸⁵

The UN primarily focuses on peacebuilding and reconciliation in Somalia, with the goal of achieving a unified nation that includes Somaliland. Two peacekeeping missions, UNITAF and UNOSOM, were deployed between 1992 and 1995. However, the mission’s goals were unclear, and several attacks and killings of UN staff led to its failure and the withdrawal of UN personnel.⁸⁶ After the missions ended, UNPOS and other mechanisms were established to continue efforts for peace and reconciliation.⁸⁷ Furthermore, in 2007, the UN authorised the AU to employ the AMISOM.⁸⁸ Recently, the UN has expressed its continued support for dialogue between Somalia and Somaliland, including the meetings led by special envoy Abdikarim Hussein Guled.⁸⁹

African Union

The principles of sovereignty, territorial integrity, and independence for member states are outlined in the OAU Charter, the Constitutive Act of the AU, and its subsequent amendments.⁹⁰ Since Somalia is a member of the AU, these principles safeguard it. According to the AU’s standpoint, self-determination is meant to be enacted solely during the decolonisation process and it was not intended to undergo ongoing reassessment.⁹¹ Officials in Somaliland assert that they fully comply

⁸² United Nations, 1945, Art. 1(2), 2(1), 2(4)

⁸³ Gorka, 2011, p. 92

⁸⁴ Security Council Press Statement on the Situation in Somalia, 2023; United Nations, 2023b

⁸⁵ Government of Somaliland, n.d.; United Nations, 2024, p. 13

⁸⁶ UNOSOM: United Nations Peacekeeping mission, 2014

⁸⁷ United Nations Development Programme, 2013, pp. 12-13

⁸⁸ United Nations Security Council, 2007

⁸⁹ United Nations, 2023a, p. 2

⁹⁰ About the African Union. n.d.; Constitutive Act of African Union, 2000, Art. 3(b); Protocol of the Amendments to the Constitutive Act of the African Union, 2003

⁹¹ Gorka, 2011, p. 92

with and adhere to the Charter and Constitutive Act.⁹² President Egal sent a letter in 1997 to the OAU outlining the reasons behind the declaration of independence.⁹³ In 2016, government representatives from Somaliland discussed the application for AU membership with the Chairperson of the AU Commission. However, the AU continues to prioritise the stabilisation of southern Somalia, while the membership status of Somaliland remains undecided.⁹⁴

In 2005, the AU launched a fact-finding mission, which noted a widespread sentiment among both the population and officials in Somaliland advocating for independence and sovereignty. It concluded that Somaliland is “historically unique and self-justified in African political history. Objectively viewed, 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.”⁹⁵ It acknowledges that Somaliland has many attributes of a functioning state but is hindered due to the political connection with Somalia and the missing international recognition. Moreover, the “AU should be disposed to judge the case of Somaliland from an objective historical viewpoint”⁹⁶ and provide financial aid. According to the Somaliland government, its “status is not only backed by international law, but by practice and precedence. This was stated by the AU Commission fact-finding mission who clearly and unequivocally acknowledged Somaliland’s qualification for independent nation statehood status and the fact that our claim to statehood does not in any way infringe or contrast the African Union’s Constitutive Act.”⁹⁷

Moreover, AMISOM was founded in 2007 to support peace in Somalia. However, because of insufficient troop contributions, logistical planning, and resources, it only had small success.⁹⁸ Due to the recent tensions between Somalia and Somaliland, the AU has urged the involved parties to engage in discussions.⁹⁹ Many see the AU as an essential player in resolving the dispute.¹⁰⁰ Some

⁹² Behabtu, 2009; Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland. [@somalilandmf], 2024e

⁹³ Hoch, & Rudincová, 2015, p. 44

⁹⁴ Behabtu, 2009

⁹⁵ AU Fact-Finding Mission to Somaliland (30 April to 4 May 2005), 2005, p. 4

⁹⁶ AU Fact-Finding Mission to Somaliland (30 April to 4 May 2005), 2005, p. 4

⁹⁷ Minister for Foreign Affairs and International Cooperation, Republic of Somaliland, 2024c

⁹⁸ United Nations Development Programme, 2013

⁹⁹ International Crisis Group, 2024

¹⁰⁰ Mahmood, & Yusuf, 2020

have even called upon the AU to reexamine the situation in Somaliland, considering its de facto existence.¹⁰¹ However, the AU has expressed continued “respect [for] the unity, territorial integrity and sovereignty of all AU Member States, including the Federal Democratic Republic of Ethiopia.”¹⁰² Furthermore, Somalia is recently showing some positive developments.¹⁰³ Those could, over time, lead to it overcoming the failed state status, making some of the legal justifications presented above irrelevant. Therefore, giving Somaliland official membership status would breach AU legislation.

The AU’s fluctuating stance between acknowledging Somaliland’s unique status and worrying about potential unintended consequences leaves Somaliland in a situation of unpredictability and uncertainty. Nevertheless, AU membership would ultimately lead to international recognition. The AU remains hesitant to grant membership to Somaliland due to concerns about establishing a precedent that encourages similar secessionist movements in other parts of Africa.¹⁰⁴ “The African Union is reluctant to recognize Somaliland for fear that it would increase pressure by other groups in Africa to support changes in borders inherited at independence. The fact that Somaliland does not fit in the same category seems to be of little importance.”¹⁰⁵

United Arab Emirates: DP World

Mohamed Behi Jonis, Somaliland’s Foreign Minister, disclosed in 2015 that Somaliland engaged in discussions with several shipping companies to choose a partner for developing and managing the port of Berbera.¹⁰⁶ An agreement between DP World, a Dubai-based and state-owned logistics company, and Somaliland’s government was reached in May 2016.¹⁰⁷ Somaliland’s president said, “[t]his is another proud and historic moment for Somaliland and its people.”¹⁰⁸ The investments allow Somaliland to “[move] away from Greater Somalia [...] [with] DP World coming to Berbera

¹⁰¹ Idaan, 2024

¹⁰² African Union, 2024

¹⁰³ BBC News, 2024; East African Community, 2024; Wario, & Hassen, 2023

¹⁰⁴ Behabtu, 2009

¹⁰⁵ David H. Shinn as cited in Pijovic, 2014

¹⁰⁶ Leong, & Maler, 2016

¹⁰⁷ Leong, & Maler, 2016

¹⁰⁸ Muse Bihi Abdi as cited in DP World and Somaliland Government open Berbera Economic Zone, 2023

show[ing] the stability of the country.”¹⁰⁹ Although the agreement’s specifics remain undisclosed, some information has been made public. According to DP World, the investment amounts to 442 million dollars (416 million euros).¹¹⁰ In return, the company has been granted a 30-year concession to manage the facility, with an automatic extension of 10 years. The total possible concession area is 4.25 square kilometres, with 11 square kilometres designated for the free zone, where customs do not apply.¹¹¹ Somaliland holds a trade office in Dubai.¹¹²

About two-thirds of the goods arriving in Berbera are intended for Ethiopia.¹¹³ Initially, Ethiopia aimed to acquire a 19% stake, with DP World obtaining 51% and Somaliland 30%.¹¹⁴ However, this plan was never implemented. Ethiopia could not pay its share due to economic difficulties exacerbated by the Covid-19 pandemic.¹¹⁵ According to Somaliland’s Finance Minister, “Ethiopia failed to meet the conditions needs to acquire the stakes before the deadline.”¹¹⁶ As a result, DP World now holds 65% and Somaliland 35%. Furthermore, some sources have leaked information about an undisclosed Abu Dhabi Development Fund, and the UK has invested \$23 million through the sovereign wealth fund CDC in collaboration with DP World. These funds will be used to construct the Berbera Corridor, the road linking Berbera Port to Ethiopia.¹¹⁷ However, details regarding this matter remain undisclosed.

Mohamed Atteye, the port’s shift manager, reported an increase in cargo and container turnover following DP World’s investments.¹¹⁸ Sultan Ahmed Bin Sulayem, Group Chairman and CEO of DP World, acknowledges that the changing dynamics of global trade make “Berbera a world-class trading ecosystem, now and for the future.”¹¹⁹ The Berbera Port is expected to handle 75% of the

¹⁰⁹ Saad Ali Shire as cited in Antonopoulos, & Garcia, 2020, p. 112

¹¹⁰ Leong, & Maler, 2016; Mason, 2020

¹¹¹ Gerding, 2022; Mason, 2020

¹¹² Somaliland UAE Office – UAE Somaliland Consulate, n.d.

¹¹³ Gerding, 2022

¹¹⁴ Van Marle, 2024

¹¹⁵ Gerding, 2022; Tekle, 2022; Van Marle, 2024

¹¹⁶ Saad Ali Shire as cited in Tekle, 2022

¹¹⁷ Mason, 2020; Van Marle, 2024

¹¹⁸ Mohamed Atteye as cited in Gerding, 2022

¹¹⁹ Sultan Ahmed Bin Sulayem as cited in DP World and Somaliland Government open Berbera Economic Zone, 2023

regional trade by 2035.¹²⁰ Supachai Wattanaveerachai, CEO of DP World Berbera, explains that they are looking for ‘sustainable profit’ that creates benefits, such as job opportunities, for the people in Somaliland in order to sustain their support.¹²¹ The goal is to establish Berbera as “a hub to attract the landlocked countries in the region”¹²² due to its strategic location on the south coast of the Gulf of Aden along the oil route and shipping lane to the Suez Canal.¹²³ This route connects Asia, Africa, and Europe, with approximately 20% of the world’s annual exports being transported along it.¹²⁴

In 2016, Ethiopian Prime Minister Hailemariam Desalegn requested that the UAE utilises the port in Berbera as a military base instead of the one in Assab, Eritrea. Eritrea is considered Ethiopia’s rival ever since it achieved independence.¹²⁵ According to Somaliland Representative to the UAE at the time, Bashe Awil Omar, the suggestion reached “the highest levels”¹²⁶ in the UAE, leading to discussions with ministers. A diplomat involved in these talks disclosed that the military base will include a coastal surveillance system and a military airport. Bashe stated that it will facilitate monitoring 800 kilometres of coastline and that the military base “will help the whole region [in overcoming] piracy, illegal fishing, toxic dumping. The U.A.E. has become the hub of the whole region in terms of trade. For the U.A.E. to secure that strategic position, it cannot do that if it does not secure the lifeline of trade.”¹²⁷ In return, training will be provided to Somaliland coastguards, which, according to an advisor, will allow Somaliland to “get a big piece of the cake”¹²⁸ as they are the only entity with the legal right to enforce maritime law along the Somaliland coast. The Somaliland Parliament has approved this agreement with a large majority.¹²⁹

¹²⁰ DP World and Somaliland Government open Berbera Economic Zone, 2023

¹²¹ Supachai Wattanaveerachai as cited in Gerding, 2022

¹²² Guleid Ahmed Jama as cited in Antonopoulos, & Garcia, 2020, p. 113

¹²³ DP World Berbera Somaliland: Full report & Latest news, 2018

¹²⁴ Antonopoulos, & Garcia, 2020, p. 109

¹²⁵ International Crisis Group, 2018b

¹²⁶ Bashe Awil Omar as cited in International Crisis Group, 2018b

¹²⁷ Bashe Awil Omar as cited in International Crisis Group, 2018b

¹²⁸ Captain Abdullah Omar as cited in International Crisis Group, 2018b

¹²⁹ BBC, 2017

Ethiopia

Ethiopia is one of Somaliland's neighbouring countries with historical and security connections involving the maintenance of long-established diplomatic relations and regular meetings.¹³⁰ Among all nations, Ethiopia has developed the closest cooperation with Somaliland, going as far as to establish a quasi-embassy, called liaison office, in Hargeisa and accepting Somaliland passports.¹³¹ Somaliland also has an embassy in Ethiopia.¹³² Furthermore, it has established bilateral agreements in several areas, most notably the Berbera Port.¹³³ Additionally, Ethiopia was the first country to refer to Somaliland as a sovereign state in 2007.¹³⁴ Besides some secessionist concerns about its own Somali population, Prime Minister Meles Zenawi expressed in 2006 Ethiopia's willingness to formally acknowledge Somaliland if another state extends recognition first.¹³⁵

In 1993, Ethiopia became landlocked after Eritrea seceded, leaving Ethiopia dependent on other countries for access to sea and ports.¹³⁶ Around 90% of foreign trade reaches Ethiopia through Djibouti. This presents a significant risk — if Djibouti were to block the trade route, Ethiopia would lose access to the international market. Ethiopia is trying to find other channels for trade and sea access, specifically through the Berbera Port.¹³⁷ That port holds significant geostrategic importance due to its proximity to Ethiopia, making it the most advantageous location for Ethiopian trade.¹³⁸ Wattanaveerachai explains that “Berbera is in a very strategic location. If you look at the distance from Berbera up to Addis Ababa, it is 900 kilometers.”¹³⁹ The connection will become even better when the land connection, the Berbera Corridor, is finished. The Ethiopian Prime Minister Abiy Ahmed announced publicly that the sea access is a “matter of existential importance to a growing

¹³⁰ Halbeeg News, 2020; Kosienkowski, & Ženková, 2024, p. 160; Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland, 2024a

¹³¹ Kaplan, 2008, p. 153; Kosienkowski, & Ženková, 2024, p. 160

¹³² Embassy Republic of Somaliland: Addis Ababa Ethiopia, n.d.

¹³³ Eggers, 2007, p. 213

¹³⁴ Government of Somaliland, n.d.; Kosienkowski, & Ženková, 2024, p. 161

¹³⁵ Kosienkowski, & Ženková, 2024, p. 161

¹³⁶ Antonopoulos, & Garcia, 2020, p. 110

¹³⁷ Mahmood, & Yusuf, 2020

¹³⁸ Cannon, & Rossiter, 2017, p. 8

¹³⁹ Supachai Wattanaveerachai as cited in Gerding, 2022

Ethiopia.”¹⁴⁰ This is especially true because Ethiopia is trying to establish itself as the regional hegemon in the Horn of Africa.¹⁴¹

The involvement in the DP World Berbera investment deal in 2016 failed. However, the Somaliland President, Muse Bihi, and the Ethiopian Prime Minister, Abiy Ahmed, signed a MoU for Partnership and Cooperation on January 1st, 2024.¹⁴² The 2024 MoU is not the first agreement of its type; a previous MoU was signed in 2014, focusing on trade, investments, and infrastructure collaboration.¹⁴³ The 2024 MoU remains undisclosed, with Ethiopian and Somaliland officials providing conflicting information about its contents.¹⁴⁴ It is certain that Somaliland will lease a coastal area to Ethiopia, with Ethiopia asserting its intention for both military and commercial utilisation, while Somaliland insists on its exclusive use as a naval base.¹⁴⁵ Somaliland’s Finance Minister explained that there is no need for a new commercial port to be built since the Berbera Port “will be available for all entities including Ethiopian business people and government to use.”¹⁴⁶ Initially, both partners announced the lease of twenty kilometres of coastline, but Ethiopia later claimed it encompasses twenty square kilometres. Furthermore, the exact location of the area remains unclear.¹⁴⁷ According to a Somaliland government official, three areas are possible, and it “will be decided together with the Ethiopian counterpart”¹⁴⁸ which one to bring into service. In return, Somaliland will receive shares in Ethiopian state-owned companies, such as Ethiopian Airlines, the only airline offering commercial flights to Somaliland.¹⁴⁹

According to Essa Kayd, Somaliland’s Foreign Affairs and International Cooperation Minister, “[a]s soon as we sign the agreement and agree on the naval base and all the conditions that are attached to

¹⁴⁰ International Crisis Group, 2024

¹⁴¹ Cannon, & Rossiter, 2017, p. 7

¹⁴² Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland, 2024a

¹⁴³ Kosienkowski, & Ženková, 2024, pp. 161-162

¹⁴⁴ Bekele, 2024

¹⁴⁵ FCRE Government Communication Service, [@FdreService], 2024; International Crisis Group, 2024; Presidency, Republic of Somaliland, [@Presidencysl_], 2024;

¹⁴⁶ Saad Ali Shire as cited in Bekele, 2024

¹⁴⁷ International Crisis Group, 2024

¹⁴⁸ Essa Kayd as cited in Bekele, 2024

¹⁴⁹ FCRE Government Communication Service, [@FdreService], 2024; International Crisis Group, 2024

it, [...] Ethiopia will do the proclamation and recognize Somaliland.”¹⁵⁰ Mohamed Farah, the Director of the Hargeisa-based Academy for Peace and Development, explained that “Somaliland has the right under international law to get international recognition. Ethiopia has the right unilaterally to recognize Somaliland.”¹⁵¹ Somaliland hopes that “[i]f Ethiopia leads the way, we will be the 55th member of the African Union.”¹⁵² According to Essa Kayd, the “MoU will be mutually beneficial and is likely to be implemented smoothly by Ethiopia and Somaliland.”¹⁵³ However, following international criticism, Ethiopian authorities have refuted allegations suggesting their intention to fully implement the MoU, especially its aspirations to recognise Somaliland.¹⁵⁴

Djibouti

Djibouti’s Council of Ministers supports a united Somalia and offers its support for regional stability and cooperation.¹⁵⁵ Djibouti has hosted several reconciliation meetings between Somalia and Somaliland.¹⁵⁶ Djibouti shares connections with Somalia and Somaliland due to its population comprising 60% Somalis.¹⁵⁷ Following recent agreements with DP World and Ethiopia regarding the Berbera Port, Somaliland is now positioned to contest Djibouti’s role as the leading military and shipping hub in the region.¹⁵⁸ The agreement between DP World and Ethiopia was reached soon after DP World was expelled from Djibouti’s port in Doraleh by a government decree.¹⁵⁹ Ethiopian Prime Minister Abiy Ahmed approached Djibouti to acquire a stake in the port, but the proposal was rejected due to concerns over sovereignty. Instead, the stakes were given to China Merchants.¹⁶⁰

¹⁵⁰ Essa Kayd as cited in Bekele, 2024

¹⁵¹ Mohamed Farah as cited in Bekele, 2024

¹⁵² Mohamed Warsame as cited in Bekele, 2024

¹⁵³ Essa Kayd as cited in Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland, [@somalilandmf], 2024

¹⁵⁴ Ethiopia: We are not intending to recognise Somaliland, 2024

¹⁵⁵ Aweys, 2024

¹⁵⁶ Halbeeg News, 2013; United Nations Development Programme, 2013, p. 5

¹⁵⁷ Antonopoulos, & Garcia, 2020, p. 109

¹⁵⁸ Antonopoulos, & Garcia, 2020, p. 107

¹⁵⁹ International Crisis Group, 2024; Mason, 2020; Tekle, 2022; Van Merle, 2024

¹⁶⁰ International Crisis Group, 2024; Mason, 2020; Van Merle, 2024

Djibouti managed the majority of Ethiopia's trade since 1993, when Ethiopia became a landlocked country without sea access.¹⁶¹ Thus, Djibouti was unprepared for the DP World Berbera deal and the 2024 MoU between Somaliland and Ethiopia, potentially leading to negative impacts on its economy. Djibouti will no longer receive the annual Ethiopian fee of \$1.5 billion for port usage, and the commercial trade will decrease overall.¹⁶² This poses a significant concern for the country, as it heavily relies on revenues generated from the port and the leasing of territory for military bases.¹⁶³ According to the Human Rights Centre in Somaliland, the Berbera Port "creates a competition between Somaliland and Djibouti."¹⁶⁴

In addition to the negative economic impacts, the port matter also affects Djibouti's politics. Djibouti has been actively involved in reconciliation efforts between Somaliland and Somalia, hosting numerous meetings for discussion and dialogue. The last meeting was hosted in Djibouti on December 29th, 2023, two days before the announcement of the MoU between Ethiopia and Somaliland.¹⁶⁵ Djibouti's efforts have been overshadowed by recent developments, prompting Djiboutians to question their politicians and their understanding of the political dynamics in the region.¹⁶⁶ The loss of income could exacerbate political instability within the Guelleh government. Several factions have already emerged, positioning themselves to seize power once Guelleh's tenure ends.¹⁶⁷

Meanwhile, Somaliland downplays the impact that the Berbera Port will have on Djibouti. According to the Director of the Human Rights Center in Somaliland, Djibouti should not be worried because "Ethiopia may not be willing to completely abandon Djibouti."¹⁶⁸ Somaliland's Foreign Minister asserts that the two ports "will rather complement each other [with] Djibouti port serving the central and western parts of Ethiopia [and Berbera] serving mainly the eastern part."¹⁶⁹

¹⁶¹ Mormul, 2016, pp. 263, 280

¹⁶² Dahir, 2024; Donelli, 2024

¹⁶³ Donelli, 2024

¹⁶⁴ Guleid Ahmed Jama as cited in Antonopoulos, & Garcia, 2020, p. 112

¹⁶⁵ United Nations, 2024, p. 2

¹⁶⁶ Donelli, 2024

¹⁶⁷ Donelli, 2024

¹⁶⁸ Guleid Ahmed Jama as cited in Antonopoulos, & Garcia, 2020, p. 112

¹⁶⁹ Saad Ali Shire as cited in Antonopoulos, & Garcia, 2020, p. 112

Furthermore, Somaliland “believe[s] that there is enough business for both ports”¹⁷⁰ due to the increase in Ethiopia’s population and its improving economy.

Somalia

Somalia’s government firmly opposes and contests the recent developments and agreements Somaliland engages in. Somalia considers the area of Somaliland to be part of its state territory and jurisdiction.¹⁷¹ The deal struck between DP World and Somaliland seems to make reconciliation with Somalia impossible. The Farmajo government expressed its objection to the DP World deal to the Arab League and subsequently passed legislation rejecting it and prohibiting DP World from operating within Somalia. This action was taken in an attempt to terminate the Berbera deal and prevent any similar agreements in the future.¹⁷² Somalia’s Prime Minister Kheyre even travelled to the UAE to hold discussions in an effort to block the deal. He argues that while he was visiting, “the Emiratis were secretly negotiating with Somaliland on the Berbera contract.”¹⁷³ Somalia views the UAE’s meetings and agreements with federal state leaders in Somaliland as actions that “undermine the national government”¹⁷⁴ and has warned of potential negative consequences for the UAE. Meanwhile, Somaliland considered the Somali opposition to be a “declaration of war.”¹⁷⁵ Nevertheless, no military action has been taken.

On January 2nd, 2024, the parliament enacted a law nullifying the MoU between Ethiopia and Somaliland, deeming it a violation of Somalia’s sovereignty. The National Consultative Council declared the MoU as “null and void.”¹⁷⁶ Despite calling back the Somali Ambassador to Ethiopia, the Somali government maintains political and economic connections with Ethiopia.¹⁷⁷ Instead of cutting those ties, Somaliland has called upon the UN and the AU to address this issue and de-escalate by hosting meetings.¹⁷⁸ Somalia has already engaged in discussions with the League of

¹⁷⁰ Saad Ali Shire as cited in Antonopoulos, & Garcia, 2020, p. 112

¹⁷¹ International Crisis Group, 2024

¹⁷² International Crisis Group, 2018a

¹⁷³ Hassan Khaire as cited in International Crisis Group, 2018a

¹⁷⁴ Somali Minister (name undisclosed) as cited in International Crisis Group, 2018a

¹⁷⁵ Muse Bihi as cited in International Crisis Group, 2018a

¹⁷⁶ United Nations, 2024, p. 2

¹⁷⁷ International Crisis Group, 2024

¹⁷⁸ Dahir, 2024

Arab States, the AU, the UGAD, and the UNSC, under the exclusion of Somaliland.¹⁷⁹ Somalia's greatest leverage over Somaliland is its continued recognition and international support.¹⁸⁰

According to the Somali President, "Somalia belongs to the Somalis [...] [and] [w]e will protect every inch of our sacred land and not tolerate attempts to relinquish any part of it."¹⁸¹ However, Somaliland's Ministry of Foreign Affairs and International Cooperation contends that the MoU "is a sovereign decision made by two independent nations and does not require third-party approval (i.e. Somalia)."¹⁸² Essa Kayd further declares that Somaliland is "aware that [Somalian] President Hassan Sheikh and his group have been running around different countries and different partners to have this MoU nullified, but I don't think that there's any possibility for them to do so. [...]" Somaliland is a sovereign state, a sovereign government, as such we can get into bilateral relations and sign agreements with every country."¹⁸³

Discussion

Somaliland currently finds itself navigating a delicate balance between risking tensions with neighbouring countries and making significant strides toward international recognition. The continued cooperation with Ethiopia and the UAE can significantly influence diplomatic dynamics and outcomes when considering their geopolitical influence and roles as regional and global leaders. Especially Ethiopia is a crucial partner because of its regional dominance and influential role in the AU. If Ethiopia recognises Somaliland as a state as part of the MoU, it could likely sway the AU and its member states towards a similar decision. This, in turn, will reduce international reluctance and lead to broader global recognition of Somaliland's independence. The MoU with Ethiopia and the port deal with DP World, a state-owned business, demonstrate Somaliland's capacity to enter into relations with other states. As mentioned in the theoretical framework, bilateral treaties and agreements are usually indicators of de jure rather than de facto recognition.

¹⁷⁹ International Crisis Group, 2024

¹⁸⁰ Pegg, 2023, p. 172

¹⁸¹ Hassan Sheikh Mohamud as cited in Dahir, 2024

¹⁸² Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland, 2024b

¹⁸³ Essa Kayd as cited in Bekele, 2024

First diplomatic engagements concerning the Berbera Port might elevate Somaliland's importance in regional trade and open the door to further agreements. These developments align with liberalist theory, which views interaction and trade with states and companies as essential elements for achieving de jure recognition. The deal with DP World grants Somaliland access to the international market and to trade relationships. In return, the UAE gains access and control over the strategically located port along a key trade route. Ethiopia's primary objective is to secure sea access to reduce its dependence on Eritrea. This decreased reliance enhances Ethiopia's ability to achieve regional hegemonic status. Therefore, Ethiopia might be inclined to officially recognise Somaliland, as the potential benefits outweigh the costs. Additionally, Ethiopia and Somaliland have established embassies and liaison offices in each other's countries. According to Van Essen, this type of two-sided diplomatic relationship normally only exists between de jure states.¹⁸⁴ Ethiopia and the UAE began engaging with Somaliland's government to advance their own political interests. However, Somaliland can benefit from this interaction by leveraging its port to enhance its recognition. Nevertheless, it remains to be seen whether Ethiopia or the UAE will indeed officially recognise Somaliland or if they are merely exploiting its vulnerable position for their own advantage. With few options so far to negotiate agreements with other states, Somaliland can be easily enticed with deals that appear beneficial but primarily serve the interests of existing states. Due to its lack of recognition, Somaliland has limited capacity to enforce these agreements, as it cannot access judicial bodies. Furthermore, Djibouti and Somalia strongly oppose the move towards de jure recognition due to fears of the economic and political implications. Djibouti's economy would suffer if Ethiopia opts for another port, which could also have negative repercussions on domestic politics. Somalia has tried to nullify Somaliland's deals with Ethiopia and the UAE. However, these efforts were unsuccessful, which could imply that Somaliland has attained full territorial control and non-interference in its affairs, another significant indicator for achieving de jure recognition. The failed attempts to block the deals demonstrate Somalia's limited state capacity and its lack of territorial control. Somaliland, realising it can enter into bilateral agreements without significant repercussions, will likely sign more deals and seek increased international recognition. This will further exacerbate discontent in Somalia and diminish prospects for reconciliation between the two entities.

¹⁸⁴ Van Essen, 2012, p. 45

Overall, this shows that the absence of an international forum where Somaliland can raise its legal claims means that determining whether to recognise Somaliland is confined to the political realm. While certain legal scholars find support for Somaliland's claims, practice shows that political considerations prevail. Noteworthy, in the last decade, Somaliland has attained de facto recognition through various channels and established close ties with certain states. While state practice is not entirely consistent, Ethiopia and the UAE have taken the first steps towards accepting Somaliland as a political reality. As outlined in the theoretical framework, when progressing from de facto to de jure recognition, key indicators include economic interactions, bilateral agreements, consular relations, and non-interference. To some extent, Somaliland has achieved all four of those indicators, albeit on a limited scale. So far, it seems that only a few states would be willing to take Somaliland's recognition one step further. Political interests and concerns continue to dominate, preventing de jure recognition despite existing legal arguments in favour of it. Recent developments such as the MoU with Ethiopia are the first important step towards full recognition, and it remains to be seen how the situation will develop further and if Nagda's theory that de facto recognition will result in de jure recognition can be proven to be correct.¹⁸⁵ This would not just be important in the context of Somaliland, but any other de facto state. Somaliland could be a precedent.

Conclusion

To conclude, the case of Somaliland highlights the complexities involved in achieving de jure recognition. The research question "How do political and practical dynamics affect the recognition process of Somaliland as a state?" has been approached in this thesis. While some existing states move towards increased recognition because of their own political interests, others oppose it for the same reasons. Hence, political and practical dynamics affect the recognition process of Somaliland as a state in two contradicting ways. Recent developments, including diplomatic and economic relations, could potentially pave the way for increased external legitimacy and eventual official recognition. A complex interplay of political and practical dynamics profoundly influences the recognition process of Somaliland as a state. The paradoxical nature of this issue, where legal justifications often diverge from political realities, underscores the challenges faced by Somaliland on its path to statehood. Political considerations, particularly those of existing sovereign states, emerge as the dominant force shaping Somaliland's recognition process. While an entity may

¹⁸⁵ Nagda, 2017

possess the capacity to enter the international community, the opportunity to do so relies largely on political rather than legal considerations. The reluctance of international bodies like the AU and the UN to endorse Somaliland stems largely from concerns over setting precedents for secessionist movements within Africa. Moreover, bilateral long-term engagements and economic partnerships with influential states like Ethiopia and the UAE illustrate how practical considerations often outweigh legal justifications in the recognition process. The DP World agreement and the recent MoU with Ethiopia exemplify Somaliland's strategy of leveraging economic partnerships to bolster its international standing despite objections from Somalia and Djibouti.

Looking ahead, the trajectory of Somaliland's recognition hinges on its ability to navigate these intricate dynamics effectively. Continued engagement with regional and international stakeholders, bolstering governance structures, and enhancing economic ties will be crucial in advancing its bid for statehood. Ultimately, the recognition of Somaliland as a *de jure* state will require a delicate balance between legal legitimacy and pragmatic diplomacy, ensuring that the political and strategic interests of existing states align with it.

Despite the theoretical foundation of this thesis that formal agreements with a *de facto* state might eventually lead to *de jure* recognition of statehood through increased interactions, other cases, such as Taiwan, demonstrate that it is not always the case. Nevertheless, it is yet to be seen whether Somaliland will be recognised in the future. Somaliland, if it were to achieve *de jure* recognition, could act as a precedence for other cases like Taiwan. This research has centred on analysing the involvement of prominent entities, including the UN and the AU, at the global and regional levels, neighbouring nations such as Ethiopia and Djibouti, along with the UAE as significant stakeholders. While this provides a solid foundation for researching Somaliland's position in the global system, it is essential to delve deeper into the perspectives of other influential actors like the Arab League and African powers such as Nigeria, South Africa, and Egypt. Their opinions could significantly impact the AU's stance on the matter and warrant further analysis. Moreover, the developments described in this research are recent and ongoing and will continue to evolve. Further research should continuously analyse these developments and monitor state practice and the process of recognition of Somaliland. While further progress is possible, there is also the possibility that agreements could be terminated, and Somalia's claims could gain prominence once again due to its recent improvements. Additionally, further research should analyse what Somaliland's secession would mean for Somalia. Nevertheless, this thesis offers new perspectives on a subject that has not

received adequate attention thus far. This thesis fills a critical gap in the existing research, providing a robust foundation for further investigation and development in the field.

Bibliography

Abdikarim, A. S. (2021). *The legitimacy of Somaliland statehood and international recognition* (Doctoral dissertation, Kampala International University, College of Humanities and Social Science). 1-69. Retrieved from: <https://irbackend.kiu.ac.ug/server/api/core/bitstreams/26e14065-8b96-472f-b5fd-224cad8a56fc/content>

About the African Union. (n.d.). *African Union*. Retrieved from: <https://au.int/en/overview>

Adam, N. M. (2021). Somaliland's foreign policy strategy: Exploring plausible options to statehood status. *Intergovernmental Research and Policy Journal*.

African Union Commission, Report of the AU Fact-Finding Mission to Somaliland (April 30 to May 4, 2005). *African Union*.

African Union. (2024, January 18). Press statement of the 1192nd meeting of the peace and security council held on 17 January 2024 to consider the situation between the Federal Democratic Republic of Ethiopia and the Federal Republic of Somalia. *African Union*. Retrieved from <https://www.peaceau.org/en/article/press-statement-of-the-1192nd-meeting-of-the-peace-and-security-council-held-on-17-january-2024-to-consider-the-situation-between-the-federal-democratic-republic-of-ethiopia-and-the-federal-republic-of-somalia>

Agné, H., Bartelson, J., Erman, E., Lindemann, T., Herborth, B., Kessler, O., Kessler, Chwaszcza, C., Fabry, M., & Krasner, S. D. (2013). Symposium 'The politics of international recognition'. *International Theory*, 5(1), 94-107. doi: 10.1017/S1752971913000018

Ali, N. M. (2014). Building state capacity in a post-conflict situation: the case of Somaliland. *American International Journal of Contemporary Research*, 4(1), 157-170.

Antonopoulos, P., & Garcia, A. G. (2020). Somaliland as a new shipping and military hub in the Horn of Africa: A challenge against Djibouti?. *Journal of Somali Studies*, 7(1), 107-122.

AU Fact-Finding Mission to Somaliland (30 April to 4 May 2005). (2005). *African Union*. Retrieved from: http://www.somalilandlaw.com/AU_Fact_finding_Mission_to_Somaliland_2005_Resume.pdf

Aweys, K. (2024, January 9). Djibouti's stance of unwavering support of Somalia's unity, and territorial integrity. *Somali National News Agency*. Retrieved from <https://sonna.so/en/djiboutis-stance-of-unwavering-support-of-somalias-unity-and-territorial-integrity/>

Battera, F. (2003). Some considerations on state building in divided societies and the role of the "international community": Somaliland and Somalia compared. *Northeast African Studies*, 10(3), 225-247.

BBC. (2017, February 13). Somaliland agrees to UAE military base in Berbera. <https://www.bbc.com/news/world-africa-38956093>

BBC News. (2024, January 2). *Somalia country profile*. Retrieved from: <https://www.bbc.com/news/world-africa-14094503>

- Behabtu, A. (2009, November 6). Somaliland surviving the agonizing process of international recognition. *Institute for Security Studies*. Retrieved from: <https://issafrica.org/iss-today/somaliland-surviving-the-agonizing-process-of-international-recognition>
- Bekele, E. (2024, May 17). Somaliland clings to Ethiopia for recognition. *Deutsche Welle*. Retrieved from: <https://www.dw.com/en/somaliland-eyes-ethiopias-recognition-amid-somalia-tensions/a-69015111>
- Berg, E., & Toomla, R. (2009). Forms of normalisation in the quest for de facto statehood. *The International Spectator*, 44(4), 27-45.
- Brons, M. H. (2001). Society, security, sovereignty and the state: Somalia. *From statelessness to statelessness*, 25-37.
- Cannon, J., & Rossiter, A. (2017). Ethiopia, Berbera port and the shifting balance of power in the Horn of Africa. *Rising Powers Quarterly*, 2(4), 7-29.
- Caspersen, N. (2009). Playing the recognition game: External actors and de facto states. *The International Spectator*, 44(4), 47-60.
- Caspersen, N. (2015). Degrees of legitimacy: Ensuring internal and external support in the absence of recognition. *Geoforum*, 66, 184-192.
- Chynoweth, P. (2008). Legal research. In A. Knight & L. Ruddock (Eds.), *Advanced research methods in the built environment* (28-38). Chichester: Blackwell Publishing Ltd.
- Coggins, B. (2014). *Power politics and state formation in the twentieth century: The dynamics of recognition*. Cambridge University Press.
- Constitutive Act of African Union. (2000). *African Union*. Retrieved from: https://au.int/sites/default/files/pages/34873-file-constitutiveact_en.pdf
- Crawford, J. (2007). *The creation of states in international law* (2nd ed). Oxford University Press.
- Dahir, A. L. (2024, January 2). Why a port deal has the Horn of Africa on edge. *The New York Times*. Retrieved from: <https://www.nytimes.com/2024/01/02/world/africa/ethiopia-somaliland-port-deal.html>
- Davis, T. (2018). International legal recognition after unilateral secession: The case of Somaliland. *The American Political Science Review*, 2, 112-122.
- Donelli, F. (2024, February 15). Djibouti and Ethiopia-Somaliland's memorandum of understanding. *Orion Policy Institute*. <https://www.orionpolicy.org/orionforum/245/djibouti-and-ethiopia-somaliland-s-memorandum-of-understanding>
- DP World Berbera Somaliland: Full report & Latest news. (2018, April 26). *SomalilandBiz - Business News, Guides & Insights in Somaliland*. Retrieved from: <https://www.somalilandbiz.com/watch-list-dp-world-berbera-deal/>

- DP World and Somaliland Government open Berbera Economic Zone. (2023, March 3). *DP World*. Retrieved from: <https://www.dpworld.com/news/releases/dp-world-somaliland-open-berbera-economic-zone/>
- East African Community. (2024, March 4). *Somalia finally joins EAC as the bloc's 8th Partner State*. Retrieved from: <https://www.eac.int/press-releases/3049-somalia-finally-joins-eac-as-the-bloc-s-8th-partner-state>
- Eggers, A. K. (2007). When is a state a state-the case for recognition of Somaliland. *Boston College International and Comparative Law Review*, 30, 211-222.
- Embassy Republic of Somaliland: Addis Ababa Ethiopia*. (n.d.). Retrieved from: <https://somalilandembassyaddis.com>
- Ethiopia: We are not intending to recognise Somaliland. (2024, May 7). *Garowe Online*. Retrieved from: <https://www.garoweonline.com/en/world/africa/ethiopia-we-are-not-intending-to-recognise-somaliland>
- FCRE Government Communication Service. [@FdreService]. (2024, January 3). A memorandum of understanding (mou) for partnership and cooperation has been signed between the Federal Democratic Republic of Ethiopia and Somaliland. [Tweet]. X (Formerly Twitter). <https://x.com/FdreService/status/1742511010315919641>
- Fund for Peace. (2023). *Fragile State Index 2023*. The Fund for Peace. Retrieved from: <https://fragilestatesindex.org/2023/>
- Gerding, J., (2022, December 26). At port of Berbera, Dubai invests in Horn of Africa shipping. *Deutsche Welle*. Retrieved from: <https://www.dw.com/en/at-port-of-berbera-dubai-invests-in-horn-of-africa-shipping/a-64198524>
- Gorka, H. (2011). Somaliland: A walk on thin ice. *International Reports, Konrad Adenauer Stiftung*. 79-98.
- Government of Somaliland. (n.d.). *The recognition of Somaliland: Growing international engagement and backing*. 1-7. Retrieved from: <https://recognition.somalilandgov.com/wp-content/uploads/2013/01/The-recognition-of-Somaliland-Growing-international-engagement-and-backing.pdf>
- Griffiths, R. D. (2019). Dynamics of secession and state birth. In *Routledge Handbook of State Recognition* (pp. 138-147). Routledge.
- Gundel, J. (2009). Clans in Somalia. *Austrian Red Cross, Vienna*.
- Hagmann, T., & Péclard, D. (2010). Negotiating statehood: Dynamics of power and domination in Africa. *Development and change*, 41(4), 539-562.
- Halbeeg News. (2020, July 22). *Ethiopian delegation arrives in Hargeisa*. Retrieved from: <https://en.halbeeg.com/2020/07/22/ethiopian-delegation-arrives-in-hargeisa/>
- Halbeeg News. (2023, April 10). *Djibouti pledges to work with Somalia-Somaliland talks envoy*. Retrieved from: <https://en.halbeeg.com/2023/04/10/djibouti-pledges-to-work-with-somalia-somaliland-talks-envoy/>

- Hassan, T. (2024, January 11). *Somalia: Events of 2023*. Human Rights Watch. <https://www.hrw.org/world-report/2024/country-chapters/somalia>
- Hoch, T., & Rudincová, K. (2015). Legitimization of statehood in de facto states: A case study of Somaliland. *AUC Geographica*, 50(1), 37-49.
- Hoyle, P. (2000). Somaliland: Passing the statehood test. *IBRU Boundary and Security Bulletin*, 8(3), 80-91.
- Idaan, G. (2024). *The African Union's silence on Somaliland: A call for recognition and resolution*. Retrieved from: <https://www.linkedin.com/pulse/african-unions-silence-somaliland-call-recognition-resolution-idaan-bb5df/>
- International Crisis Group. (2018a, June 5). *Somalia and the Gulf crisis*. Retrieved from: <https://www.crisisgroup.org/africa/horn-africa/somalia/260-somalia-and-gulf-crisis>
- International Crisis Group. (2018b, November 7). *U.A.E. to open its military base in Somaliland mid next year*. Retrieved from: <https://en.halbeeg.com/2018/11/07/14962/>
- International Crisis Group. (2024, March 6). *The stakes in the Ethiopia-Somaliland Deal*. Retrieved from: <https://www.crisisgroup.org/africa/horn-africa/ethiopia-somaliland/stakes-ethiopia-somaliland-deal>
- Kaplan, S. (2008). The remarkable story of Somaliland. *Journal of Democracy*, 19, 248-262. doi: <https://doi.org/10.1353/jod.0.0009>
- Kibble, S. (2001). Somaliland: Surviving without recognition; Somalia: Recognised but failing?. *International Relations*, 15(5), 5-25.
- Kosienkowski, M., & Ženková Rudincová, K. (2024). Client De facto states and quasi-patrons: Insights from the relationship between Somaliland and Ethiopia. *Ethnopolitics*, 23(2), 152-172. doi: <https://doi.org/10.1080/17449057.2022.2121470>
- Koskenmäki, R. (2004). Legal implications resulting from state failure in light of the case of Somalia. *Nordic Journal of International Law*, 73(1), 1-36.
- Koskenniemi, M. (2007). The fate of public international law: between technique and politics. *The Modern Law Review*, 70(1), 1-30.
- Kreuter, A. (2010). Self-determination, sovereignty, and the failure of states: Somaliland and the case for justified secession. *Minnesota Journal of International Law*, 19, 363-397.
- Lalos, D. (2011). Between statehood and Somalia: Reflections of Somaliland statehood. *Washington University Global Studies Law Review*, 10, 789-812.
- Langbroek, P. M., Van Den Bos, K., Simon Thomas, M., Milo, J. M., & van Rossum, W. M. (2017). Methodology of legal research: Challenges and opportunities. *Utrecht Law Review*, 13(3), 1-8.

- Leong, R., & Maler, S. (2016, May 30). DP World lands deal to manage port in Somaliland: WSJ. *Reuters*. Retrieved from: <https://www.reuters.com/article/idUSKCN0YL0G8/>
- Lieblich, E. (2020). How to do research in international law? *A basic guide for beginners. Harvard International Law Journal Online*, 62, 42-67.
- Mahmood, O., & Yusuf, Z. (2020, August 6). *Somalia-Somaliland: A Halting Embrace of Dialogue*. Crisis Group. Retrieved from: <https://www.crisisgroup.org/africa/horn-africa/somalia/somalia-somaliland-halting-embrace-dialogue>
- Mason, J. (2020). Notes on the port of Berbera. *Charter Cities Institute*. Retrieved from: https://chartercitiesinstitute.org/wp-content/uploads/2022/03/CCI_Notes_on_the_Port_of_Berbera_Somaliland.pdf
- Menkhaus, K. (2003). State collapse in Somalia: Second thoughts. *Review of African political economy*, 30(97), 405-422. doi: <https://doi.org/10.1080/03056244.2003.9659774>
- Menkhaus, K. (2006). Governance without government in Somalia: Spoilers, state building, and the politics of coping. *International security*, 31(3), 74-106.
- Menkhaus, K. (2014). State failure, state-building, and prospects for a “functional failed state” in Somalia. *The Annals of the American Academy of Political and Social Science*, 656(1), 154-172. doi: <https://doi.org/10.1177/0002716214547002>
- Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland. (2024a, January 3). *Somaliland government urges all concerned parties to respect the MoU between the Republic of Somaliland and Federal Democratic Republic of Ethiopia*. Retrieved from: <https://mfa.govsomaliland.org/article/somaliland-government-urges-all-concerned-parties-or-respect?category=press-release>
- Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland. (2024b, February 11). *The Republic of Somaliland Position on Somalia’s claims regarding the Ethiopia-Somaliland MoU*. Retrieved from: <https://mfa.govsomaliland.org/article/republic-somaliland-position-somalias-claims-regarding-ethio>
- Minister for Foreign Affairs and International Cooperation, Republic of Somaliland. (2024c, February 20). *Press statement: Somaliland diplomatic mission, Addis Ababa, Ethiopia*. Retrieved from: <https://mfa.govsomaliland.org/article/press-statement-1>
- Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland. [@somalilandmfa]. (2024d, May 6). In an interview with @BBCSomali today, Minister @DrEssaKayd reiterated “ the finalization of the MoU is a positive step forward, & any concerns about repercussions are likely unfounded. [Tweet]. X (Formerly Twitter). <https://x.com/somalilandmfa/status/1787476997339316688>
- Ministry of Foreign Affairs and International Cooperation, Republic of Somaliland. [@somalilandmfa]. (2024e, May 6). Office of the president: Response to misleading and false statements by Somalia’s president (press statement no

3: 2024). [Tweet]. X (Formerly Twitter). Retrieved from: <https://x.com/SLSpecialEnvoy/status/1750207362273546582>

Montevideo Convention on Rights and Duties of States adopted by the Seventh International Conference of American States. (1933). Retrieved from: [https://www.ilsa.org/Jessup/Jessup15/Montevideo Convention.pdf](https://www.ilsa.org/Jessup/Jessup15/Montevideo%20Convention.pdf)

Mormul, J. (2016). Ethio-Djiboutian relations in the 21st century - towards new African cooperation. *African Studies*, 263-285. doi: 10.12797/Politeja.13.2016.42.16

Nagda, P. (2017). A study of the concept of de facto and de jure recognition of government in public international law. *International Journal of Advanced Research and Development*, 2(3), 158-160.

Ngwoke, R. A., Mbanjo, I. P., & Helynn, O. (2023). A critical appraisal of doctrinal and non-doctrinal legal research methodologies in contemporary times. *International Journal of Civil Law and Legal Research*, 3(1), 8-17.

Pegg, S., & Kolstø, P. (2015). Somaliland: Dynamics of internal legitimacy and (lack of) external sovereignty. *Geoforum*, 66, 193-202. doi: <https://doi.org/10.1016/j.geoforum.2014.09.001>

Pegg, S. (2017). Twenty years of de facto state studies: progress, problems, and prospects. *Oxford Research Encyclopedia of Politics*. 1-36. doi: 10.1093/acrefore/9780190228637.013.516

Pegg, S. (2023). Somaliland: A partial, fragile, yet significant small de facto state victory. In *The Success of Small States in International Relations* (pp. 170-183). Routledge.

Pham, J. P. (2011). Somalia: Where a state isn't a state. *The Fletcher Forum of World Affairs*, 35(2), 133-151.

Pijovic, N. (2014). To Be or Not to Be: Rethinking the Possible Repercussions of Somaliland's International Statehood Recognition. *African Studies Quarterly*, 14(4), 17-36.

Poore, B. (2009). Somaliland: Shackled to a failed state. *Stanford Journal of International Law*, 45, 117-150.

Presidency, Republic of Somaliland. [@Presidencysl]. (2024, January 18). Presidential press office: Press release - council of ministers of the Republic of Somaliland (ref: M-JSL233-8040/01/24). [Tweet]. X (Formerly Twitter). https://x.com/Presidencysl_/status/1748036314350362989

Protocol of the Amendments to the Constitutive Act of the African Union. (2003). *African Union*. Retrieved from: <https://au.int/treaties/protocol-amendments-constitutive-act-african-union>

Raič, D. (2002). *Statehood and the law of self-determination* (Vol. 43). Brill.

République De Djibouti. (2022, February 21). *Le chef de l'état reçoit le président du Somaliland*. Retrieved from: https://www.presidence.dj/article/le-chef-de-l-etat-recoit-le-president-du-somaliland-1060?utm_source=algolia&utm_medium=instantsearch&utm_campaign%20=actualites

- Richards, R., & Smith, R. (2015). Statebuilding and the politics of non-recognition. In *Recognition in international relations: rethinking a political concept in a global context* (pp. 162-177). London: Palgrave Macmillan UK.
- Riegl, M., & Doboš, B. (2018). Power and recognition: How (super) powers decide the international recognition process. *Politics & Policy*, 46(3), 442-471. doi: <https://doi.org/10.1111/polp.12257>
- Roethke, P. (2006). The right to secede under international law: The case of Somaliland. *Journal of Modern African Studies*, 44, 35-48.
- Schoiswohl, M. (2004). Status and (human rights) obligations of non-recognized de facto regimes in international law: the case of 'Somaliland'. BRILL.
- Security Council Press Statement on the Situation in Somalia. (2023, June 8). *The Permanent Mission of Ghana to the United Nations*. Retrieved from: <https://www.ghanamissionun.org/06072023-3/>
- Slaughter, A. M. (1995). International law in a world of liberal states. *European Journal of International Law*, 6(3), 503-538.
- Slaughter, A. M., Tulumello, A. S., & Wood, S. (1998). International law and international relations theory: A new generation of interdisciplinary scholarship. *American Journal of International Law*, 92(3), 367-397.
- Somaliland Recognition Campaign*. (n.d.). Retrieved from: <https://recognition.somalilandgov.com/>
- Somaliland UAE Office – UAE Somaliland Consulate*. (n.d.). Retrieved from: <https://somaliland.ae/>
- Sterio, M. (2019). Power politics and state recognition. In *Routledge Handbook of State Recognition* (pp. 82-98). Routledge.
- Talmon, S. (2001). Part I meanings of recognition of governments in international law, 2 Recognition and its variants. In *Recognition of Governments in International Law*. Oxford University Press.
- Tekle, T. (2022, June 11). Ethiopia loses its 19pc stake in Berbera port: Somaliland minister. *The East African*. Retrieved from: <https://www.theeastafrican.co.ke/tea/rest-of-africa/ethiopia-stake-in-port-of-berbera-3845366>
- The Constitution of the Somali Republic. (1960, July 1). Retrieved from: <https://webapps.ilo.org/dyn/travail/docs/2176/Constitution1960.pdf>
- The Union of Somaliland and Somalia Law. (1960, July 5). Retrieved from: <http://citizenshiprightsafrika.org/wp-content/uploads/2020/11/Somalia-and-Somaliland-Union-Law-1960.pdf>
- The Republic of Somaliland Government. (n.d.). Retrieved from <https://somalilandgov.com/>
- The World Bank in Somalia*. (2023, February 26). World Bank. Retrieved from: <https://www.worldbank.org/en/country/somalia/overview>

- United Nations. (1945). Charter of the United Nations. Retrieved from: <https://www.un.org/en/about-us/un-charter/full-text>
- United Nations. (1969). Vienna Convention on the Law of Treaties. *Treaty Series, 1155*.
- United Nations. (2009, October 2). Top UN envoy welcomes agreement on presidential polls in Somaliland. *UN News*. Retrieved from: <https://news.un.org/en/story/2009/10/315852>
- United Nations. (2023a). *Situation in Somalia: Report of the Secretary-General (S/2023/758)*. Retrieved from: <https://digitallibrary.un.org/record/4024358?ln=en&v=pdf>
- United Nations. (2023b, June 7). *Security Council Press Statement on Situation in Somalia, SC/15313*. United Nations. Retrieved from: <https://press.un.org/en/2023/sc15313.doc.htm>
- United Nations. (2024). *Situation in Somalia: Report of the Secretary-General (S/2024/129)*. Retrieved from: <https://digitallibrary.un.org/record/4037356?ln=en&v=pdf>
- United Nations Development Programme. (2013). *Assessment of Development Results - Somalia*. 5-13. doi: <https://doi.org/10.18356/1816b011-en>
- United Nations General Assembly. (1970). Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. A/RES/2625(XXV). Retrieved from: <https://digitallibrary.un.org/record/202170?ln=en&v=pdf>
- United Nations Security Council. (2007). Resolution 1744, Adopted by the Security Council at its 5649th meeting, on 20 February 2007. S/RES/1744. Retrieved from: <http://unscr.com/en/resolutions/doc/1744>
- UNOSOM: United Nations Peacekeeping mission. (2014, March 25). *Encyclopedia Britannica*. Retrieved from: <https://www.britannica.com/topic/UNOSOM>
- UN Report of the Secretary-General on the situation in Somalia. S/1999/882. (1999) Retrieved from: <https://documents.un.org/doc/undoc/gen/n99/234/55/pdf/n9923455.pdf?token=RJQFywYh7mbEBSX6Og&fe=true>
- Van Essen, J. (2012). De Facto regimes in international law. *Merkourios-Utrecht Journal of International and European Law*, 28, 31-49.
- Van Marle, G. (2024, January 22). DP World: the winner in Ethiopia's Somaliland port play. *The Loadstar*. Retrieved from: <https://theloadstar.com/dp-world-the-winner-in-ethiopia-somaliland-port-play/>
- Venugopalan, H. (2017). Somalia: A Failed State. *Observer Research Foundation, Issue Brief, 170*, 1-16.
- Vidmar, J. (2012). Territorial integrity and the law of statehood. *The George Washington International Law Review*, 44, 697-747.

- Vidmar, J. (2019). Statehood and collective recognition: Practice of states and UN organs. In *Routledge Handbook of State Recognition* (pp. 220-230). Routledge.
- Visoka, G. (2022). Statehood and recognition in world politics: Towards a critical research agenda. *Cooperation and Conflict*, 57(2), 133-151.
- Vranken, J. B. M. (2010). Methodology of legal doctrinal research. In M. A. A. Hoecke (Ed.), *Methodologies of legal research. Which kind of method for what kind of discipline* (pp. 111-121). Hart Publishing.
- Wario, H., & Hassen, R. (2023, November 1). *Too much, too fast? Somalia joins the East African Community*. Institute for Security Studies. Retrieved from: <https://issafrica.org/iss-today/too-much-too-fast-somalia-joins-the-east-african-community>