

Well! Somaliland gained its independence from Great Britain (on 26 June 1960) and became a sovereign state, Somaliland state. Four days later, Somalia gained its independence from Italy. Then the two independent states – the Somalia STATE and the Somaliland STATE – agreed to form a union. And the name of the new state (i.e. the union) was the Somali Republic, not SOMALIA. This can be seen in the Act of Union.

The Act of Union clearly states “[t]he State of Somaliland and the State of Somalia do hereby unite and shall forever remain united in a new, independent, democratic, unitary republic the name whereof shall be the SOMALI REPUBLIC”.

So Somaliland is not, nor has it ever been part of SOMALIA; but it “was” part of the Somali Republic. I hope you see this important difference. In other words, it is technically wrong to suggest that Somaliland is seeking independence from SOMALIA or to say Somaliland is seceding from Somalia. Somaliland simply withdrew from a “union”, whose legal status under the international law was a suspect in the first place. Sure, you might ask “why legally dubious”? Here is the answer. The “union” honeymoon was short-lived and the people of Somaliland immediately realised they had made a colossal mistake; they overwhelmingly rejected the Union Constitution when it was put to a national referendum in 1961, although the people of Somalia ratified it. In simple terms, the legal basis for the existence of the Somali Republic is questionable as the “union” was never legally ratified by the people of Somaliland.

It took 30 years (July 1960 – May 1991) the Somaliland people to rectify their mistake of hastily going into “union” with Somalia. Sadly, in the process the Somaliland people paid a hefty price.

At any rate, it was their armed struggle that finally sent the so-called Somali Republic state to the cemetery in 1991. It was no surprise, therefore, that upon the collapse of central government in Mogadishu the Somaliland people exercised their right to self-determination and brought to an end the legally dubious union of the two states, Somaliland and Somalia.

In sum, Somaliland has never been part of Somalia; the case of Somaliland is legally impeccable!

I thought you might also find this short hand-wavy explanation useful www.docdroid.net/EsD4mug/somaliland-legitimate-case-for-international-recognition.pdf#page=15

Please consult www.somalilandlaw.com for more details.

Cheers,

Ahmed