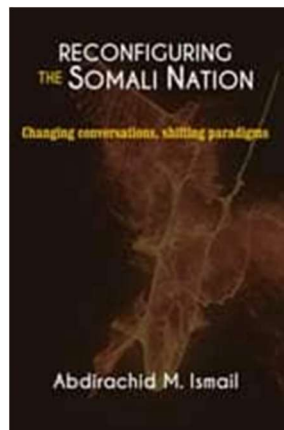


# THE 1<sup>ST</sup> JANUARY 2024 MEMORANDUM BETWEEN SOMALILAND AND ETHIOPIA:

## THE WARNING SIGNAL

**T**he agreement between the Federal Republic of Ethiopia and Somaliland has sparked numerous comments and emotions. It is a historic turning point, and it is important to have a clear vision of the situation. Geopolitical analyses from Mogadishu and its supporters are based on a vision of Somalia formalized on July 5, 1960; those from Hargeisa and its supporters are based on a vision that followed May 18, 1991. The former relies on a principle of law, on a *de jure* state, while the latter relies on a principle of reality, a *de facto* state. In between, Ethiopia chooses, like any country, the one that serves its interests. Hence, some call for war against Ethiopia, which is a strategic nonsense.

We have analysed this situation in our book *"Reconfiguring the Somali Nation; Changing conversations, shifting paradigms"* published in 2019. Drawing heavily from this work, we will offer here a perspective based on four simple questions. Was this agreement predictable? Is it dangerous for the unity of the Somali nation? Is it beneficial for Somaliland? How can it be viewed from Djibouti?



### 1. Was this agreement predictable?

The answer seems perfectly affirmative to us. Here are some paragraphs concerning this question in the book mentioned above:

*The non-resolution of the Somaliland issue has six negative effects:*

- 1. It weakens the Federal State Constitution and leaves it at a draft stage.*
- 2. It weakens also the FSS in view of the regional states and beyond, because it is unable to exercise its sovereignty in all of its territory.*
- 3. It allows foreign countries to take advantage of the rampant but artificial antagonism between Mogadishu and Hargeisa.*
- 4. It entertains the wounds of the civil war and indicates that Somalis have not been able to open a new page.*
- 5. It weakens the development of Somali territory (namely Somaliland) and pushes it to all kinds of adventurous agreements with foreign countries.*
- 6. It delays the reunification of the Somali nation.*

*These effects are serious and dangerous for the entire Somali nation, because the control of the Horn of Africa is much coveted, as it has always been. It is time to offer a new perspective for the Horn of Africa and for the Somali nation. For all these reasons it is important to get out from the status quo. Until now, the way the discussions between the two parties have been tackled seems to be a dialogue of the deaf, a yes or no deal, a question of take it or leave it, a kind of "Je t'aime, moi non plus"<sup>1</sup> play. Each party is considering the other party with mistrust or at least as an opponent, instead of seeing it as a partner within its own geostrategic interest.*

*Somaliland seems eager to obtain its independence in order to have easy access to international loans and aid, to build its necessary infrastructures and cope with the endemic drought which affects its territory...*

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<sup>1</sup>« I love, I don't » from a famous French song.

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*Second, Somaliland has experimented an original process of indigenous state building, with efficient economic growth...*

*Third, if Somaliland dreams of just steaming off from the rest of the Somali territories and severing historical relationships, it is a naïve and extremely hazardous strategy. In fact, Ethiopia is growing economically and logically, according to the Core-Periphery Theory, it expands into territorial holdings of the neighbours which it has. The recent tripartite agreement over the port of Berbera is an obvious proof of the validity of Ethiopia as a core nation. A core nation is a hegemonic nation which "is able to impose its set of rules on the interstate system and thereby create a world political order as it thinks wise." Ethiopia and Kenya, backed or not by their foreign allies, are trying their best to reinforce their positions as core nations in the Horn of Africa.*

*Somaliland as well as Djibouti, amidst the intense geostrategic game of the Horn of Africa, will either turn to become clients of Ethiopia or try to counterbalance the strong growing influence of this country with another core position. In any case, Somaliland has only two alternatives, either become a client of Ethiopia or to renew the contract with Moqadisho not only to build back their lost core position, but to strengthen it considerably...*

*That a portion of an unrecognized territory of less than five million inhabitants, compared to its one hundred million, stands in its way of the sea is indeed a source of deep concern for Ethiopia. And it is **certain that the latter will spare no effort to secure its export and import of products at the lowest cost...***

*The fact that a portion of an unrecognized territory with less than five million inhabitants, compared to Ethiopia's hundred million, lies in its path to the sea is indeed a source of deep concern for Ethiopia. And it is certain that Ethiopia will spare no effort to ensure its exports and imports at the lowest cost.*

*Finding a solution for the issue of Somaliland will mean for the FSS to take over leadership of the destiny of the Somali nation and open a new era. If it chooses*

*the status quo as a solution, it means that it leaves the destiny of Somali territories in the hands of the African core nations (Ethiopia and Kenya) and those of the Gulf States. If Somaliland has no other strategy than to avoid union with the FSS and FSS has no other vision than the old SUPP which is already dead, this is a bad game for all of the Somali nation. Instead, they both need to work on how to constitute a core or double-core nation, by satisfying each party's essential target. If there is not a strong enough agreement for mutual solidarity and a significant move on from the status quo, the Somali nation will again lose another historical opportunity to control its destiny and to live under the governance of its most valuable rule and institution...*

These lines indicate that the current situation, which is causing much concern, was perfectly predictable. The agreement with DP World on the port of Berbera had already hinted at it, and it was highly likely that Somaliland would persist in its efforts to find a partner for its recognition.

The question that arises then is why Mogadishu did not prepare and take the necessary actions to avoid the present situation? The answer seems to be this: Mogadishu has not arrived at another vision or another unionist doctrine other than that of 1960. A vision which has become obsolete since it referred to the *shanta soomaaliyeed* (the five Somalis), which is no longer in the agenda of the FSS. The leaders of the Federal Somali State has preferred to remain in the political cocoon of a status quo, which was not beneficial for either Somaliland or the Somali union. On this occasion, they demonstrated neither the ability to anticipate nor a genuine passion for the union of Somalis. They remained entangled in internal disputes, lacking grandeur and imagination, managing tribal micro-interests.

### 2. Is this agreement dangerous for Somali unity?

It is certain that this agreement inaugurates a new paradigm. It reshuffles the cards, shakes a status quo of over thirty years, and revives

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antagonisms and dark episodes in the history between Somalis and Ethiopians. Somalis have often tended to deal with major issues affecting their destiny under the influence of emotion. Somali history is not short of missed opportunities due to high emotion and the absence of a just strategic vision.

To answer the posed questions, we need to examine the facts. Is this agreement dangerous for the unity of Somalia? If Somalia is perceived as the territory formed on July 5, 1960, the answer is definitively affirmative. But if we must consider the reality that we have witnessed for over thirty years, the answer is not so categorical.

Today's Somalia is more divided than at the time of its independence, and yet it no longer has a unionist doctrine. Its only vision is based on two words, *midnimo* and *soomaalinimo*, repeated for 60 years, which have neither prevented its fragmentation nor resolved the thorny issue of Somaliland. If these terms were easily exploitable during the precolonial period because they addressed a non-Somali "enemy", in today's context, their semantic ambiguity prevents them from being operational. In fact, the term "*soomaalinimo*" has at least three dimensions: ethnic, linguistic, and political, leading each one to use one or the other. The frequent use of *soomaali diid*<sup>2</sup> in Mogadishu against Hargeisa reveals only a superficial game that poorly conceals the lack of a true unionist doctrine capable of addressing the challenges and issues facing the entire Somali nation and, more broadly, the Horn of Africa.

In *Reconfiguring the Somali Nation*, we extensively discussed the question of Somali unity and union, unfortunately translated by the same word, *midnimo*. Yet, the two terms reflect different realities. The unity of Somalis is an anthropological, linguistic, and cultural fact, even though there are nuances and differences

related to the historical developments of Somali regions. But the Somali union, or more precisely, the union of the Somalis, has never surpassed the stage of a project. A project fuelled by the sufferings caused by colonial occupation, and which became obsolete with the definitive end of Somalia's territorial claims, as outlined in the 2012 constitution.

The Somalis have always functioned as autonomous nation-states, in competition or symbiosis, and it is a factual reality that this cultural background still has a significant impact on their governance, behaviours, and representations. Their great anthropological homogeneity has prevented them from perceiving their institutional heterogeneity (territories, judicial authorities, solidarity systems, etc.) and continues to deprive them of understanding their situation and consenting to the sacrifices required for the creation of a living and enduring union, regardless of its form.

For a union to have meaning and full strength, it must result from the free consent of the parties joining and recognizing their mutual interest in this union. Speaking of *midnimo* implies de facto different or divergent parties, but if the parties do not recognize themselves, how can there ever be a union?

To come back to our initial question, this agreement does not endanger Somali unity, which is an anthropological fact, as we just mentioned, unless it is viewed in the very long term and the mixing that population movements implies. In this case, other Somali regions, such as the Somali region of Ethiopia, and especially the northern Somali counties of Kenya, are more at risk for ethnic mixing and loss of the Somali ethnos<sup>3</sup>.

On the other hand, the memorandum determines the fate of the entire Somaliland-Somalia entity. Is this entity capable of breaking out of the status

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<sup>2</sup> The idea of rejecting his/her somaliness.

<sup>3</sup> See Gunther Schlee's (1989) *Identities on the move*, Manchester University Press.

quo and building a reinvented, realistic, and fruitful union? If it does not do so very quickly, each party will go its own way and ally with others according to its short-term interests. Knowing that the path of confrontation against Ethiopia, which supporters of the status quo seem to opt for, is not viable. A conflict against Ethiopia, in the current situation, will inevitably be a large-scale intra-Somali conflict that will quickly lead to the decomposition of the entire Somali entity and play into the hands of predatory states circling around the entrance to the Red Sea.

### **3. Is this agreement beneficial for Somaliland?**

Somaliland decided in 1991, after several months of successive popular conferences, to separate from the Republic of Somalia and break "the Law of the Union of Somaliland and Somalia" signed on July 5, 1960, by four representatives of these two states. Since declaring its independence on May 18, 1991, it has operated as an autonomous entity from Southern Somalia. Did this territory make the right decision to break away from the 1960 union act? Everyone can have his/her own opinion, but the question that matters here is: is the agreement with Ethiopia beneficial for this territory?

The answer can be answered at two temporal levels: this territory has proclaimed its government autonomy for over thirty years and has functioned as an autonomous state de facto. And each state has the duty to seek to achieve its strategic objectives. That the state leaders have the distinguished duty of defending the paramount interests of their citizens is well-known. It is a well-established fact that "states have no friends; they only have interests." It's not a matter of approval or disapproval; it's a known fact. For Somaliland, the constant pursuit of

international recognition was no secret, as we saw in the first part.

This agreement allows Somaliland to regain control of its destiny and break free from the status quo which do not permit it to progress. The shockwave generated by the agreement proves that the territory has opened a breach in the relationship that had become stagnant with southern Somalia. President Bihi has played a card with a more significant emotional impact than the agreement with DP World, which also stirred many emotions. In terms of Somaliland's visibility and its repositioning against Somalia, this agreement is generally positive for Somaliland.

Besides, it is essential to note that this agreement is a "memorandum of understanding" that is not legally binding. It is a statement of intent that does not have the force of law and cannot be opposed to a signatory country. Furthermore, according to the Somaliland Constitution, any international treaty must be ratified by the House of Representatives, as per Article 53 of its Constitution. Once again, it is observed that emotion and hasty judgment have prevailed in the reactions of the Somali political and intellectual elite.

However, the memorandum of understanding signed on January 1, 2024, has not been fully published. The bits of information released in the media do not provide a precise idea of the agreement. Besides the shares of Ethiopian Airlines, we do not know what the approximately 20 km stretch of coastline in question corresponds to in terms of area, both on land and at sea. It appears to be for a naval, and therefore military, port with the aim of securing Ethiopian commercial traffic from Berbera to Togwajaale<sup>4</sup>. This is a technical matter that maritime strategy specialists can analyse for the

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<sup>4</sup> A town at the Ethiopian and Somaliland border.

relevance and potential danger of allocating such an area to an expansionist state like Ethiopia.

While we have some idea of Somaliland's expected contribution under this agreement, Ethiopia's contribution is largely a promise that does not commit the country to officially recognizing Somaliland as a sovereign state. In a statement by the Ethiopian government, it is indicated that they commit to "conduct a comprehensive assessment to take a position on Somaliland's efforts to achieve international recognition." In such a non-coercive document, the Ethiopian side strategically could not go beyond expressing their willingness to further examine Somaliland's case for recognition. At this stage of the agreement, they could not affirm their readiness to officially recognize Somaliland. In the current state of the memorandum of understanding, there is nothing to suggest that it is a done deal. It is a declaration of intent that serves as a warning signal and should prompt any responsible politician concerned about the balances, security, and prosperity of the Horn of Africa populations to take notice.

To answer the question posed here, if a bilateral treaty, approved by the national bodies of the signing parties, is signed based on the elements contained in this memorandum, it would be extremely advantageous for Ethiopia and, at the very least, risky for Somaliland. Leasing a 20km stretch of coastline in a hyper-strategic perimeter to a state that has been eyeing this territory for decades and does not hide its expansionist ambitions is quite adventurous. Furthermore, this agreement introduces a definitive shift, a schism in the interests of the two entities that united on July 5, 1960. The fate of Somaliland is getting closer to that of Ethiopia, for better or worse, and moving further away from that of Southern Somalia. But does Somaliland have any other choice but to seek autonomy when looking at its evolution since 1960? It's difficult to say. In any case, it is ready to associate with any state or political entity that will help it achieve its

political goals, as it did with Taiwan. This question has been extensively discussed in "Reconfiguring the Somali Nation."

#### **4. How to assess this memorandum from Djibouti?**

Djibouti has two major challenges to overcome to safeguard its development for the years to come: either find other users for its port facilities than just Ethiopia, or defend its logistical monopoly by making itself "indispensable" to Ethiopia. In the first case, developing trade relations with landlocked countries like South Sudan becomes a strategic necessity. For example, projects like the construction of oil pipelines from South Sudan to Djibouti and crossing Ethiopia should be part of any discussion that changes the dynamics with Ethiopia in the Horn. Ethiopia does not seem in a rush to complete such projects, even though it is a signatory to the agreements for building these pipelines. If it finds a port, constructing such pipelines would be a boon that it would eagerly pursue to connect them to its port.

If Djibouti opts for the second strategy of making itself "indispensable to Ethiopia," it may achieve this through the competitiveness and efficiency of its ports for a certain period. However, this competitiveness will not last long if Ethiopia gains access to a port that it owns outright. If Djibouti tries to maintain its monopoly position while politically obstructing Ethiopia in its negotiations with its neighbours, it will inevitably lead to deteriorating relations between the two countries. Djibouti already has strained relations with the United Arab Emirates, which supports Ethiopia and Somaliland, and Eritrea. It is unnecessary to alienate such a strategic partner and significant actor in the Horn of Africa. That is probably why the official statement on the mentioned memorandum was measured, based solely on the principle of international law, and did not include any condemnation. Similarly, the IGAD statement on January 18 did not go beyond

a simple reminder of the principle of respecting Somalia's territorial integrity and sovereignty.

Djibouti will need to demonstrate a great deal of pragmatism and realism to position itself in the emerging geopolitical landscape. The mediation between the Federal State of Somalia and Somaliland, organized a few days before the signing of the Memorandum of Understanding (MoU) with Ethiopia by President Guelle, is not without significance. The current source of the dispute surrounding the January 1st Memorandum does not actually pit Ethiopia against Somalia, but rather Somaliland and Somalia. Djibouti's primary interest is to enable both entities to move away from the current situation, establish a shared platform, and act as a counterbalance to Ethiopian dominance.

The Ethiopian Federal State is currently entangled in internal oppositions and conflicts with the Amhara region's Fano. If Prime minister Abiy envisions a future for Ethiopia with the acquisition of a port on the Red Sea, he will undoubtedly have unequivocal support from the significant Oromo region, in addition to the already supportive Somali and Afar regions.

A complex game is unfolding among different territories and regions in the Horn of Africa, with a reconfiguration of power dynamics globally and the emergence of new regional and international powers. Ethiopia is aiming for a significant shift, evident in its disregard for old orders during the Tigray conflict and its adherence to BRICS. This is a factor that needs to be considered.

The second consideration is that Djibouti shares a border with Somaliland, and due to the various ties between them, it will be impacted by the trajectory Somaliland takes. Destabilization or decomposition of Somaliland will affect Djibouti faster and more directly than other parts of the Horn of Africa. Having terrorist bases, armed rebel groups, extremists, and gangs at its doorstep, as typically occurs when a state

collapses, does not encourage reliance on a lasting status quo between Somalia and Somaliland, let alone the collapse of Somaliland.

Djibouti serves as the link between the Ethiopian and Somali entities; if one weakens, it will shift towards the other. If the Somali entity weakens, Djibouti may end up being the "spare wheel" for Ethiopia, as predicted by Osman Rabeh. However, the fifth wheel only holds value when utilized.

### **5. What does the current context of the Somali world inspire in us?**

When comparing the current context with the one that facilitated colonization (1820-1920) in Somali territories, striking similarities emerge, warranting caution: a) The five Somali territories are still divided into five regions; b) Somali clans continue to compete, each having specific treaties or relationships with different foreign states; c) They are either under the protection of former colonial powers (or their African successors) or under a new foreign power; d) They constitute a field of intense competition and rivalry among external forces (Ethiopia, Kenya, the United States, China, the United Arab Emirates, Saudi Arabia, Qatar, Turkey, etc.); e) The sole opposition to foreign presence is led by religious extremist groups ideologically controlled by external organizations.

If Somaliland and the Federal State of Somalia fail to agree on a common project that safeguards the broader Somali interest and, by extension, the geography inherited from colonization, there is a possibility that a form of domination over these territories emerge while the Somali intellectual and political elite remain entangled in a debilitating fantasy of the 1960 union.

The demise of the last-century union project was a result of a destiny imposed on the Somali people. In "*Reconfiguring...*," we attempted to broadly outline how the paradigm of the "grand union," which brought together all layers of the

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## Article

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population, from the humblest pastoralist to political leaders, from milk sellers to intellectuals of all kinds, from religious leaders to traders, etc., was trampled upon by a play of circumstances and historical events beyond anyone's control: a) Loss of Western Somalia (Ogaden) in 1948; b) Loss of the Haud in 1954;

c) Loss of the Northern Kenya region (NFD) in 1963; d) The coup against Haile Selassie in 1974 and the rise to power of a Marxist regime in Ethiopia, gradually shifting support from communist countries to Somalia; e) the massive support from these countries in 1977-1978 to Ethiopia against Somalia, altering the course of the war and signalling the end of the dream of a Greater Somalia; f) The Marxist regime's fall, occurring four months after the collapse of the Somali state. Had the collapse of the Ethiopian regime preceded that of Somalia, the dynamics might have been different. The new Ethiopian authorities offered self-determination to the regions that constituted the Ethiopian state, but the Somali-inhabited western territory (Somali Galbeed) chose to remain within Ethiopia's sphere.

The genocidal history of the Ethiopian state cannot be ignored, especially as it has never recognized or been compelled to acknowledge the fierce oppression and mass massacres against Somali and other Ethiopian populations committed by various Ethiopian regimes. Somalis have never been in a position to demand accountability, and in their current state of internal disunity, they have even fewer options for inventing a different positioning.

Historical circumstances did not favour the realization of the Grand Union design. The only two territories that united in 1960 did not withstand the blows of a history that unequivocally directs us toward a different course: transcending ethnic boundaries, opening up to other peoples in the Horn, growing through differences, and deriving richness from sharing and discovering others.

Those who offer nothing but the political project of the last-century union are inadequate to meet current challenges and can only lead to detours. Diplomacy based on indignation and victimization will have little effect once the shock of surprise has passed. The situation requires political decision-makers who are sufficiently pragmatic and insightful, capable of grasping the underlying historical movement and offering the Somali people a bold and enduring vision for living in harmony across their various territories, benefiting from the exchanges enabled by their broad presence in the Horn of Africa.

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### *To go further into the topic*

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