



Ref: SSE/DEK-093/26062020

Date: 26 June 2020

SSE PRESS RELEASE
Somaliland's 60th Anniversary of Independence

Another Important Milestone for Somaliland

1. The **Somaliland Societies in Europe (SSE)** extends to all the Republic of Somaliland nationals at home and abroad our good wishes on the auspicious occasion of the 60th Anniversary of the birth of the independent State of Somaliland on 26 June 1960. With Allah's grace, it is indeed auspicious that this 60th landmark anniversary of the short-lived State of Somaliland has fallen in a period which will, in 10 months, mark on next 18 May the 30th Anniversary of its successor state, the current Republic of Somaliland. This is the unbreakable golden thread that links the first and second republics of Somaliland.

2. The celebration of 26 June 1960 (Independence Day) is a national day for the Somaliland people and will always remain so. However, as we have stated in our PR on Somaliland's 59th Anniversary of independence¹, we reiterate our concern about the practice of various Somalian governments '*holding evening events for 26 June primarily not for the independence of the State of Somaliland, which they still insultingly refer to as the independence of the 'Northern Regions' (Gobollada Waqooyi), but for the fact that their 1956 designed 5 star blue flag was flown on that day in Hargeisa*'².

3. Without straying from our celebration of our independence day, we address also the fact that despite our everlasting happiness for independence, we cannot but remember always how we so easily gave up our sovereignty within 5 days and the dismal failure of our desire then to create a Greater Somali state that includes all the five Somali inhabited territories. Our commemorations will always, therefore, be a reminder of the euphoria of the independence gained, tinged with the sadness of its loss that, indeed, cost us very dearly in the long process of regaining it by 1991.

The 1960 Independent State of Somaliland

4. It needs repeating that the **State of Somaliland** was welcomed to the comity of free nations as a new state on 26 June 1960 and had all the trapping of a state with its

¹ For a copy of the SSE 2019 PR, see:

http://www.somalilandlaw.com/SSE_PR_on_the_59thAnniversary_of_SL_Independence_Final.pdf

² The Flag of Somalia (*Bandiera della Somalia*) was adopted under Ordinance No. 17 of 6 September 1954 - http://www.somalilandlaw.com/Somalia_Flag_Ordinance_1954.pdf. The Emblem of Somalia (*Emblema della Somalia*) was adopted under law No. 11 of 10 October 1956 - http://www.somalilandlaw.com/Somalia_Embem1956.pdf.

constitution³, a government headed by a Prime Minister, an elected Assembly, judiciary, Army, police, civil services, just like the other new African states coming out of colonial rule. It received the welcome of many countries (through telegrams⁴) and entered into treaties with Great Britain. What followed then was a hasty rush to unite with Italian Somalia, on its independence, in a bid to seek the union of all other Somali territories and, in particular for Somaliland, the re-acquisition of the Haud and the Reserved area.

5. The futility of the attainment of wider union became clear fairly soon with early lessons having been learnt from how Somalia itself dealt with the union-seeking Somaliland. Confining ourselves to what happened shortly after all the Somaliland leaders decanted to Mogadishu, the following issues are worth noting:

- a) Among the communique⁵ agreed at the Somaliland-Somalia talks (16 -22 April 1960) was that initially a Coalition Government of the two government parties then in power will be formed by the parties. The reality was that none of the Somaliland cabinet ministers was involved in or included in the setting up of the new Somali Republic government that was to run the new country. Indeed, during the first month, the existing Somalia government continued to function as if there was no union at all. It was only at the end of July when Abdirashid Ali Sharmarke was nominated as Prime Minister that a handful of Somaliland politicians were included in his cabinet⁶.
- b) It was agreed previously that a Treaty of Union of the same text will be passed by both states and exchanged so that there was an agreed text before the Constitution was accepted. Somaliland not only passed the Union of Somaliland and Somalia Law⁷ on 27 June 1960, as an independent state, but also sent to Somalia the text well before its independence. This step was enshrined in Transitional Article 2 of the (Somali Republic) Constitution which made it compulsory that it is only '*immediately after signing the Act of Union of the two Somali Territories (Somalia and Somaliland)*' that the new National Assembly shall elect a Provisional President of the Republic. The fact is that the Somalia Legislative Assembly, at a meeting on 30 June 1960 disregarded the Somaliland version of the Law of Union and passed a two article law, 'in principle'⁸ which was nowhere near identical to the Somaliland version. What followed the next day, on 1 July 1960 was, therefore, totally contrary to the constitution when a union of Somalia and Somaliland was proclaimed without a treaty. The Somalian Provisional President chosen on that day then issued a decree declaring a union that never became a law. The fact that in January 1961, an Act of Union⁹, that belatedly repealed the Somaliland Law of Union was passed on such a fundamental issue which should have been dealt with before 1 July by the two states separately. That speaks volumes for the claims of legality of this 'retrospective law'. After all the Assembly consisted of only 33 members from Somaliland and 90 from

³ http://www.somalilandlaw.com/somaliland_constitution_1960.HTM

⁴ For example the telegram from the US Secretary of State, dated 26 June 1960.

⁵ Il Corriere della Somalia, Saturday 23 April 1960 (Front page).

⁶ The late Somalia President, Ibrahim H M Egal, confirmed that they were in a hotel all that time and no one bothered to consult them. You can see his comments at this link:

<https://www.youtube.com/watch?v=58xW34Wourw>

⁷ http://www.somalilandlaw.com/The_Union_of_Somaliland_Somalia_Law_SL_Gazette1.pdf

⁸ Cotran E, Legal Problems Arising out of the Formation of the Somali Republic, 12 ICLQ, (July 1968), 1011.

⁹ http://www.somalilandlaw.com/Act_of_Union_Law_No._5_of_31_January_1961.pdf

Somalia and you cannot have a treaty of union of two states passed retrospectively by such an Assembly dominated by the members of one of the states.

- c) It was enshrined in the new Constitution that the new state will be named the Somali Republic. Nonetheless, on 1 July 1960, the Somalian Provisional President (of, as he put it, the Republic of Somalia) sent a telegram¹⁰ to the United Nations in which he wrote that *'the Republic of Somalia, having acceded on 1 July 1960 to full and complete independence ...'* has decided *'to apply without delay for admission of the Republic of Somalia to membership of the United Nations'*. The only state that became independent on 1 July 1960 was Somalia!
- d) There are many other issues concerning the early 'union' of Somaliland and Somaliland, but the above is only a small example of the myriad of issues concerning Somaliland that have gone wrong within a few days of Somaliland's independence on 26 June 1960. This culminated in the October 1969 military coup that got rid of the 1960 constitution, the democratic principles it espoused and the albeit controversial Act of Union that, at least, underlined these principles. This ended any semblance of a voluntary union, and was followed in the 1980s by the government at war with the Somaliland people and the restoration of Somaliland's sovereignty in May 1991.

Independence regained will never be lost again

6. We shall continue to commemorate our independence and being fully aware of the cost in life and liberty to our people during our first 30 years' entanglement with Somalia, since our independence, the following 30 years were ours to re-build our second independent Republic. 26 June 1960 will, therefore, always be in our hearts and minds and so would, of course 18 May 1991.

Long Live Somaliland

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¹⁰ Headed *'Cable dated 1 July 1960 from the Provisional President of the Republic of Somalia addressed to the Secretary General of the UN' - S/2360, 1 July 1960.*