

## **"Somaliland's Statehood Revisited: Legal Restoration, Not Secession"**

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### **Abstract**

This article evaluates Somaliland's pursuit of international recognition through a detailed analysis of international law principles (***uti possidetis juris*, self-determination, state continuity, and the legal defects of the 1960 union**), historical precedent, and regional geopolitics. Since declaring independence in 1991, Somaliland has functioned as a de facto state, meeting the Montevideo Convention's statehood criteria. By examining its colonial history, defective union with Somalia, and comparative cases, this article argues that Somaliland's claim to sovereignty is legally robust and politically justified. It critiques the African Union's misapplication of *uti possidetis* and highlights Somaliland's stabilizing role in the Horn of Africa, advocating recognition as a legal and strategic imperative.

**Keywords:** Somaliland, international recognition, self-determination, state continuity, *uti possidetis juris*, *rebus sic stantibus*, African Union

### **Introduction**

The recognition of new states navigates a complex interplay between *uti possidetis juris*, which preserves colonial borders to ensure stability (Article 4(b), African Union Constitutive Act, 2000), and self-determination, which grants peoples the right to determine their political status (Article 1(2), UN Charter, 1945). Somaliland, a de facto state in the Horn of Africa since 1991, embodies this tension. Formerly the British Somaliland Protectorate, it achieved independence in 1960, entered a legally flawed union with Italian Somaliland, and reasserted sovereignty after Somalia's collapse. Despite fulfilling the Montevideo Convention's statehood criteria (Article 1, 1933), Somaliland remains unrecognized.

This article argues that Somaliland's pursuit of recognition is legally legitimate and politically justified, grounded in four international law principles: *uti possidetis juris*, self-determination, state continuity, and the legal defects of the 1960 union. Using doctrinal legal analysis and comparative case studies, it examines Somaliland's historical legitimacy, effective governance, and regional contributions. The analysis critiques the African Union's (AU) rigid application of *uti possidetis*, addresses counterarguments from Somalia, and incorporates recent developments, such as Somaliland's ties with Taiwan and Ethiopia. By framing Somaliland's claim as a restoration of sovereignty, this article contributes to scholarship on statehood and African sovereignty, proposing a regional model for recognition.

### **Historical Background**

Somaliland's quest for recognition is rooted in its distinct colonial and post-colonial trajectory. As the British Somaliland Protectorate, it gained independence on June 26, 1960, with defined borders recognized by over 30 states, including Egypt and the United Kingdom (Eggers, 2007). Five days later, it entered a voluntary union with Italian Somaliland to form the Somali Republic. This union, however, lacked a binding treaty or legislative ratification, rendering it legally defective

under Article 6 of the Vienna Convention on the Law of Treaties (1969), which requires competent authority for treaty consent (Crawford, 2006).

Political marginalization under the Somali Republic fueled discontent, escalating during the Siad Barre regime (1969–1991). The regime's atrocities, including the Hargeisa genocide (1987–1989), killed over 50,000 civilians and displaced 500,000, targeting Somaliland's Isaaq clan (Human Rights Watch, 1990). Somalia's collapse in 1991 prompted Somaliland to declare independence, restoring its 1960 borders. Since then, it has held six democratic elections, with voter turnout averaging 70%, and achieved peaceful power transitions in 2010, 2017, and 2024 (Somaliland National Electoral Commission, 2024). This history underpins Somaliland's legal and moral claim to sovereignty.

### **Legal Foundations of Somaliland's Claim**

Somaliland's claim to recognition rests on established principles of international law, each reinforcing its legal status as a sovereign state. The following subsections analyze *uti possidetis juris*, self-determination, and the intertwined doctrines of state continuity and the legal defects of the 1960 union, which collectively affirm Somaliland's restoration of pre-existing sovereignty.

#### **Uti Possidetis Juris**

##### **Legal Basis and Articles:**

The principle of *uti possidetis juris*, codified in African customary law through the Organization of African Unity's (OAU) Resolution AHG/Res. 16(I) (1964) and Article 4(b) of the AU Constitutive Act (2000), mandates that post-colonial states retain their colonial borders to prevent territorial disputes. Originating in Latin American decolonization, it was formalized in Africa to stabilize new states (Shaw, 2014). The International Court of Justice (ICJ) affirmed its customary status in the *Frontier Dispute Case* (Burkina Faso/Mali, 1986, para. 20), emphasizing its role in maintaining territorial integrity.

##### **Application to Somaliland:**

Somaliland's 1991 declaration aligns with *uti possidetis juris* by restoring the borders of the British Somaliland Protectorate, recognized in 1960. Unlike secessionist movements seeking to carve new territories (e.g., Biafra), Somaliland reasserts a pre-existing sovereign entity, reinforcing rather than challenging African border stability (Kreuter, 2010). The AU's 2005 Fact-Finding Mission acknowledged Somaliland's distinct colonial boundaries, noting that its claim does not disrupt *uti possidetis* (AU, 2005).

Somaliland's case tests the flexibility of *uti possidetis juris* in post-colonial contexts. While the principle prioritizes stability, it must accommodate historical realities, such as defective unions. Somaliland's restoration of its 1960 borders upholds the ICJ's interpretation of *uti possidetis* as a context-sensitive norm (ICJ, 1986, para. 23). Critics, including Somalia, argue that recognizing Somaliland risks fragmenting African states. However, Somaliland's unique colonial history and prior sovereignty distinguish it from subnational secession, aligning with the AU's commitment to territorial integrity while supporting its claim (Okoth-Ogendo, 1993).

**Transition:** While *uti possidetis juris* establishes Somaliland's territorial legitimacy, the principle of self-determination further strengthens its claim by affirming the right of its people to govern themselves, particularly in response to historical injustices.

## **Self-Determination**

### **Legal Basis and Articles:**

Self-determination is a cornerstone of international law, enshrined in Article 1(2) of the UN Charter (1945), which lists it as a core purpose of the UN, and Article 1(1) of both the International Covenant on Civil and Political Rights (ICCPR, 1966) and the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966), which affirm that “all peoples have the right of self-determination.” UN General Assembly Resolution 1514 (1960, para. 2) mandates independence for colonial peoples, while Resolution 2625 (1970, Principle 5) extends self-determination to cases of systemic exclusion or oppression. The ICJ’s *Western Sahara Advisory Opinion* (1975, para. 59) clarifies that self-determination applies beyond decolonization in cases of historical injustice.

### **Application to Somaliland:**

Somaliland invokes both internal and remedial self-determination:

**Internal Self-Determination:** Somaliland’s democratic governance satisfies Article 1(1) of the ICCPR (1966), which includes political participation. Since 2001, it has held six elections with 70% average turnout, including presidential contests in 2010, 2017, and 2024, and a 2001 referendum where 97% supported independence (Somaliland National Electoral Commission, 2024). Its hybrid system, integrating the Guurti (Council of Elders) with a tripartite government, ensures cultural legitimacy and stability (Kaplan, 2008).

**Remedial Self-Determination:** The Siad Barre regime’s atrocities (1987–1989) and Somalia’s collapse in 1991 justify Somaliland’s withdrawal as a remedy for oppression, as per Resolution 2625 (1970, Principle 5). The Hargeisa genocide and political exclusion violated Article 6 of the ICCPR (1966), protecting the right to life (Cassese, 1995).

Somaliland’s self-determination claims bridges traditional and remedial interpretations. Unlike ethnic-based claims (e.g., South Sudan), it rests on restoring a sovereign state, aligning with Resolution 1514 (1960, para. 6), which prohibits disrupting territorial integrity unless justified by historical legitimacy. The 2001 Constitution’s Article 1(2), declaring Somaliland a “sovereign republic,” codifies this right domestically, reflecting Article 1(1) of the ICESCR (1966) on cultural development (Somaliland Constitution, 2001). Critics argue that self-determination threatens African unity, but Somaliland’s case is exceptional, as its prior sovereignty and effective governance meet the ICJ’s criteria for legitimate claims (ICJ, 1975, para. 162).

**Transition:** Beyond the right to self-determination, Somaliland’s claim is solidified by the continuity of its 1960 statehood, preserved due to the legally defective nature of the 1960 union with Somalia, which failed to extinguish its sovereignty.

### **State Continuity and the Legal Defects of the 1960 Union**

Somaliland’s claim to statehood is reinforced by the doctrine of state continuity, which asserts that its 1960 sovereignty persists due to the legally defective union with Somalia. This section integrates the principles of state continuity and the specific legal flaws of the 1960 union, demonstrating that Somaliland’s statehood was never lawfully terminated, thus supporting its restoration in 1991.

### **Legal Basis and Articles:**

The doctrine of state continuity, articulated in Article 11 of the Montevideo Convention (1933), holds that a state's legal personality persists despite political disruptions, provided its core attributes (territory, population, governance) remain. Article 6 of the Articles on the Responsibility of States for Internationally Wrongful Acts (2001) supports continuity absent lawful termination. The Vienna Convention on the Law of Treaties (1969, Articles 6, 11, 14, 53, 62) governs treaty formation and termination, requiring ratified consent and voiding treaties that violate *jus cogens* norms or undergo fundamental changes in circumstances. The ICJ's *Namibia Advisory Opinion* (1971, para. 118) affirmed continuity for states under unlawful occupation, while the *Gabčíkovo-Nagymaros Project Case* (1997, para. 104) clarified the application of *rebus sic stantibus*.

### **Application to Somaliland—State Continuity:**

Somaliland's independence on June 26, 1960, established its legal personality, recognized by over 30 states, including Egypt and the United Kingdom (Eggers, 2007). This sovereignty was not extinguished by the 1960 union with Somalia, as the union was legally defective and lacked the formal mechanisms to terminate Somaliland's statehood. Following Somalia's collapse in 1991, Somaliland restored its sovereignty, consistent with Article 11 of the Montevideo Convention (1933). The Baltic States' restoration in 1991, recognized as continuations of pre-1940 entities, provides a precedent (Grant, 1999). Somaliland's governance since 1991, with a population of 4 million and defined borders, satisfies Article 1 of the Montevideo Convention (1933) (World Bank, 2023).

### **Application to Somaliland—Legal Defects of the 1960 Union:**

The unification of Somaliland with the Trust Territory of Somalia (1 July 1960) has long been contested. While described as a "voluntary union," rigorous legal scrutiny reveals fundamental flaws rendering the union void ab initio (invalid from the beginning), thereby preserving Somaliland's statehood under international law.

#### **1.1. Absence of a Legally Binding Treaty of Union**

Under Articles 6, 11, and 14 of the Vienna Convention (1969), valid treaty formation requires competent authorities, ratification per domestic law, and mutual consent. The 1960 union failed these criteria:

- No formal treaty was signed. Somaliland's legislature passed the *Union of Somaliland and Somalia Law*, while Somalia passed a different *Act of Union*, with significant textual and legal discrepancies.
- Somaliland's legislature never ratified the final Somali *Act of Union* (1 July 1960). The Somali Republic's constitution, adopted on 20 July 1961, lacked ratification by both parties.

As James Crawford (2006) notes, "[w]here no valid instrument of union exists and no mutual consent is secured through ratification or plebiscite, any claim to lawful unification becomes untenable under international law."

Legal Requirement	Defect in Somaliland–Somalia Union	Source
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<b>Ratification by Competent Authority (Art. 6, 11, 14 VCLT)</b>	Somaliland's legislature did not ratify the union law in its final form.	Crawford (2006)
<b>Mutual Consent (Art. 11 VCLT)</b>	No joint constitutional referendum, no bilateral treaty.	Bradbury (2008)
<b>Uniform Legal Instrument</b>	Separate and conflicting union laws were enacted.	ICG (2003)

This absence of a ratified treaty undermines the union's legality, preserving Somaliland's statehood.

**1.2. Defective Democratic Legitimacy and Lack of Consent**

Article 1(1) of the ICCPR (1966) and Article 1(2) of the UN Charter (1945) enshrine self-determination, requiring mutual consent for merging sovereign peoples. The 1961 constitutional referendum in Somaliland, intended to legitimize the Somali Republic, was overwhelmingly rejected, with less than 10% approval in northern regions (Bradbury, 2008). The central government's imposition of the constitution violated self-determination, as Human Rights Watch (1990) noted:

**“The people of Somaliland neither democratically endorsed nor consented to the 1961 Constitution, which was imposed upon them without meaningful participation.”**

This breach further nullifies the union's validity.

**1.3. The Principle of Rebus Sic Stantibus and Fundamental Change of Circumstances**

Article 62 of the Vienna Convention (1969) allows treaty termination if a fundamental change of circumstances (*rebus sic stantibus*) alters the basis of consent. Somalia's collapse in 1991, civil war, and atrocities against Somalilanders (1988–1991), including the Hargeisa genocide, constitute such a change. The ICJ's *Gabčíkovo-Nagymaros Project Case* (1997, para. 104) affirmed that unforeseen changes undermining treaty obligations justify termination. Somaliland's withdrawal, formalized by its 2001 Constitution, aligns with this principle (Bradbury, 2008).

**1.4. Unilateral Declarations Cannot Substitute for Treaties**

Somalia's unilateral *Act of Union* (1 July 1960) lacked reciprocity, as no mutual instrument was finalized. Under *pacta sunt servanda*, unilateral declarations cannot impose legal obligations, rendering the union non-binding (Crawford, 2006).

The union's defects—lacking a ratified treaty, democratic consent, and mutual obligations—render it void under Article 53 of the Vienna Convention (1969), as it violated the *jus cogens* norm of self-determination. The *Namibia Opinion* (1971, para. 125) extends continuity to defective unions, as Somaliland's 1960 statehood was never terminated. The *rebus sic stantibus* principle, applied in *Gabčíkovo-Nagymaros* (1997, para. 109), justifies withdrawal due to Somalia's collapse, an unforeseen change nullifying the union's premise. The AU's 2005 Fact-Finding Mission described Somaliland's withdrawal as a “reclamation of sovereignty,” not secession (AU, 2005). Critics argue continuity applies only to occupied states, but Somaliland's prior sovereignty and governance align with the Baltic precedent (Grant, 1999). This integrated framework

underscores that the union's invalidity preserved Somaliland's statehood, enabling its lawful restoration in 1991.

### Meeting the Montevideo Criteria

Article 1 of the Montevideo Convention (1933) defines statehood by four criteria:

- **Permanent Population:** Somaliland's 4 million residents actively participate in governance, with 70% election turnout (World Bank, 2023; Somaliland National Electoral Commission, 2024).
- **Defined Territory:** Article 1(1) of the Somaliland Constitution (2001) reaffirms the 1960 British Somaliland Protectorate borders, recognized internationally (Eggers, 2007).
- **Effective Government:** Somaliland's tripartite system, own currency, and armed forces operate independently, with six elections since 2001 (Eubank, 2012).
- **International Relations:** Somaliland maintains ties with Ethiopia, Turkey, the UAE, and Taiwan, notably through a 2020 diplomatic agreement (Pegg & Kolstø, 2021).

Article 10(1) of the Constitution commits to honoring prior treaties, aligning with Article 2(4) of the UN Charter (1945) on international cooperation (Somaliland Constitution, 2001). Somaliland's 30-year record exceeds the governance standards of recognized states like South Sudan, reinforcing its claim under Article 3 of the Montevideo Convention (1933), which declares statehood independent of recognition.

### Comparative Precedents

Somaliland's case is bolstered by precedents of recognized states navigating similar challenges. The table below structures these comparisons, highlighting parallels and lessons for Somaliland's recognition.

Case	Historical Context	Legal Basis for Recognition	Lessons for Somaliland
<b>Eritrea (1993)</b>	Italian colony; forced federation with Ethiopia (1952–1993); independence via UN referendum.	Self-determination (Article 1(2), UN Charter, 1945); <i>uti possidetis juris</i> (colonial borders).	Somaliland's 1960 sovereignty and colonial borders align with Eritrea's claim, showing historical legitimacy can justify recognition without a referendum (Tesfagiorgis, 1993).
<b>Kosovo (2008)</b>	Declared independence from Serbia post-NATO intervention; recognized by over 100 states.	Remedial self-determination (Resolution 2625, 1970); ICJ ruled declaration legal (ICJ, 2010, para. 84).	Somalia's lack of control over Somaliland, like Serbia's over Kosovo, supports recognition despite opposition, emphasizing effective governance.

<b>Baltic States (1991)</b>	Annexed by USSR (1940); restored pre-1940 sovereignty post-Soviet collapse.	State continuity (Article 11, Montevideo Convention, 1933); historical sovereignty.	Somaliland's 1960 statehood and defective union mirror the Baltic restoration, validating continuity-based claims (Grant, 1999).
<b>Singapore (1965)</b>	Separated from Malaysia due to political differences; peacefully recognized.	Effective governance; mutual consent (Article 1, Montevideo Convention, 1933).	Somaliland's governance and peaceful withdrawal align with Singapore, showing functional statehood can drive recognition (Turnbull, 2009).

These precedents demonstrate that international law accommodates contextual sovereignty claims under Articles 1(2) and 55 of the UN Charter (1945). Eritrea and the Baltic States underscore prior sovereignty, directly supporting Somaliland's 1960 statehood. Kosovo's recognition despite Serbia's objections validates Somaliland's case against Somalia's claims. Singapore's precedent emphasizes governance, which Somaliland has sustained for over 30 years. Collectively, these cases highlight Somaliland's unique combination of historical legitimacy, legal defects in the 1960 union, and de facto statehood, challenging the AU's rigid stance (Kreuter, 2010).

**The African Union's Misapplication of Uti Possidetis**

The AU's reliance on *uti possidetis juris* (Article 4(b), AU Constitutive Act, 2000) to reject Somaliland's recognition misinterprets the principle:

- **Restoration, Not Secession:** Somaliland restores its 1960 borders, aligning with Article 4(b) (Kreuter, 2010).
- **Legal Uniqueness:** The defective union and Somalia's collapse, noted by the AU's 2005 Mission, distinguish Somaliland (AU, 2005).
- **Doctrinal Flexibility:** The ICJ's Kosovo Opinion (2010, para. 122) suggests that declarations of independence are not inherently illegal, supporting a nuanced *uti possidetis* (ICJ, 2010).

The AU's stance, rooted in Article 3(f) of the OAU Charter (1963), overlooks Somaliland's context, undermining Article 1(2) of the UN Charter (1945) on self-determination (Okoth-Ogendo, 1993).

**Addressing Counterarguments**

Opponents, including Somalia and some African states, raise concerns about recognizing Somaliland, citing Somalia's sovereignty, AU institutional barriers, regional stability, and potential domino effects. These arguments, while significant, do not outweigh Somaliland's legal and practical legitimacy.

- **Somalia's Sovereignty Claim:** Somalia asserts sovereignty based on the 1960 union, but the union's lack of ratification violates Article 6 of the Vienna Convention (1969). Somalia's absence of control over Somaliland since 1991, coupled with the 1961 referendum's rejection (less than 10% approval in Somaliland), undermines its claim under

Article 1 of the Montevideo Convention (1933) and Article 1(1) of the ICCPR (1966) on self-determination. Somalia's ongoing instability, with al-Shabaab controlling significant territory, further weakens its legal and practical authority (Bradbury, 2008; International Crisis Group, 2023).

- **AU's Institutional Barriers:** The AU's reluctance stems from its consensus-driven structure, requiring agreement among 54 member states, and its prioritization of territorial integrity under Article 4(b) of the AU Constitutive Act (2000). The Peace and Security Council's focus on conflict prevention, evident in South Sudan's delayed recognition (AU, 2011), favors stability over legal nuance. Many AU members, reliant on China's economic support, fear antagonizing Beijing due to Somaliland's Taiwan ties. However, the AU's 2005 Fact-Finding Mission recognized Somaliland's unique history, suggesting that a flexible interpretation of *uti possidetis* and self-determination (Article 20, African Charter on Human and Peoples' Rights, 1981) could accommodate recognition. The AU's failure to act risks undermining its commitment to resolving post-colonial injustices (Malito, 2019; Clapham, 2021).
- **Potential Domino Effects in Africa:** Critics argue that recognition could embolden secessionist movements in Puntland, Nigeria's Biafra, or Cameroon's Ambazonia, threatening Article 4(b) of the AU Constitutive Act (2000). Unlike these ethnic or subnational claims, Somaliland's case is a restoration of colonial borders and prior statehood, akin to Eritrea's recognized independence (1993), which did not trigger widespread fragmentation. Recognition could instead incentivize effective governance, as Somaliland's 30-year stability demonstrates, setting a precedent for rewarding state-building in fragile regions (Kreuter, 2010; International Crisis Group, 2023).
- **Regional Stability Risks:** Some fear recognition could escalate tensions with Somalia or destabilize the Horn of Africa. Yet, Somaliland's counter-terrorism efforts, absence of al-Shabaab, and role as a trade hub via Berbera Port suggest recognition would formalize its stabilizing contributions, aligning with Article 51 of the UN Charter (1945) on collective security. Somalia's governance failures contrast with Somaliland's democratic record, reducing the risk of destabilization (Pegg & Kolstø, 2021).

These counterarguments, while rooted in practical concerns, fail to negate Somaliland's legal legitimacy under Articles 1(2) and 55 of the UN Charter (1945). The AU's institutional barriers and fears of precedent must be balanced against Somaliland's exceptional historical and legal context, which supports recognition without broader disruption.

### **Geopolitical and Regional Implications**

Somaliland's stability contrasts with the Horn of Africa's volatility, positioning it as a strategic partner. Unlike Somalia, where al-Shabaab remains active, Somaliland has maintained security, hosting no terrorist groups and managing refugee inflows from Yemen and Ethiopia (International Crisis Group, 2023). Its democratic record—six peaceful elections, including presidential transitions in 2010, 2017, and 2024—sets a regional benchmark, with 70% voter turnout reflecting strong civic engagement (Somaliland National Electoral Commission, 2024).

### **Ethiopia's Strategic Interests and Regional Dynamics:**

Ethiopia, a landlocked regional power, relies on Somaliland's Berbera Port, which handles 30% of its imports (\$2.5 billion annually) (World Bank, 2023). The 2016 UAE-Somaliland agreement

expanded the port, reducing Ethiopia's dependence on Djibouti, which charges 20% higher fees (Clapham, 2021). A 2018 memorandum granted Ethiopia port access in exchange for infrastructure investment, deepening ties amid tensions with Eritrea and Somalia over Red Sea access. Ethiopia's rivalry with Egypt, exacerbated by the Grand Ethiopian Renaissance Dam dispute, further incentivizes securing Somaliland as a stable ally. As the AU's host, Ethiopia could advocate for Somaliland's recognition, leveraging its diplomatic weight to shift regional consensus. However, domestic instability and Somalia's opposition pose challenges, requiring Ethiopia to balance economic interests with AU unity (Lyons, 2022).

### **Somaliland-Taiwan Relations:**

The 2020 diplomatic agreement with Taiwan, establishing representative offices, includes \$10 million in aid for education and technology (Pegg & Kolstø, 2021). This partnership aligns Somaliland with democratic states wary of China's influence, potentially attracting U.S. and EU support. However, China's UN Security Council veto and economic leverage over AU members (e.g., \$200 billion in African loans) limit recognition prospects. Somaliland must navigate this tension, leveraging Taiwan's support to gain visibility while reassuring African states of its regional commitment (Shinn & Eisenman, 2023).

### **Pathways to Recognition:**

Practical recognition could follow multiple pathways given current geopolitics. First, Ethiopia's lead could prompt AU observer status for Somaliland, as seen with Palestine (AU, 2013), followed by incremental recognition by Horn of Africa states like Kenya and Djibouti, which benefit from Berbera's trade. Second, Western support, driven by Somaliland's Taiwan ties and counter-terrorism role, could pressure the AU, with the U.S. and UK citing Somaliland's governance (e.g., 2024 election transparency) as a model. Third, a UN General Assembly resolution, similar to Resolution 2758 (1971) for Taiwan, could affirm Somaliland's statehood, though China's opposition is a hurdle. These pathways require Somaliland to deepen economic ties (e.g., UAE's \$450 million Berbera investment) and diplomatic engagement, balancing Taiwan's support with African sensitivities (International Crisis Group, 2023).

### **Broader Implications:**

Recognition would enable Somaliland to access international financial institutions and security frameworks under Article 51 of the UN Charter (1945), enhancing counter-terrorism and piracy efforts in the Gulf of Aden. Its 5% annual GDP growth and Turkey's trade agreements underscore economic potential (World Bank, 2023). Recognition would stabilize the Horn by integrating a reliable partner into the African Peace and Security Architecture, while non-recognition risks marginalizing Somaliland, potentially destabilizing its governance (Clapham, 2021).

### **Conclusion**

Somaliland's pursuit of international recognition is grounded in robust legal foundations: *uti possidetis juris* (Article 4(b), AU Constitutive Act, 2000), self-determination (Article 1(2), UN Charter, 1945), and state continuity, preserved by the legal defects of the 1960 union (Articles 6, 11, 14, 62, Vienna Convention, 1969). Its 1960 sovereignty, effective governance, and fulfillment of the Montevideo Convention's criteria (Article 1, 1933) establish its statehood. The AU's rigid application of *uti possidetis* overlooks Somaliland's unique context, while Somalia's counterarguments lack legal weight. Geopolitically, Somaliland's stability and partnerships with

Ethiopia and Taiwan position it as a strategic asset, with recognition pathways via regional leadership and Western support.