

REPUBLIC OF SOMALILAND
MINISTRY OF FOREIGN AFFAIRS &
INTERNATIONAL COOPERATION



JAMHUURIYADDA SOMALILAND
WASAARADA ARRIMAH DIBEDDA
& ISKAASHIGA CAALAMIGA AH

THE MINISTER

H.E. Mr. Ban Ki-moon
Secretary-General
United Nations
New York

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EXECUTIVE OFFICE
OF THE SECRETARY-GENERAL

23 July 2014

Dear Secretary-General,

-05812 I have the honour to refer to the recent Proclamation by the Republic of Somalia of an Exclusive Economic Zone (EEZ) and the purported co-ordinates of the zone's outer limits on 30 June 2014, which were deposited with your office on the same day.

I have the further honour to enclose for your information a formal statement from the Government of the Republic of Somaliland, which was released in response to Somalia's Proclamation.

I hereby respectfully request that the contents of this letter and the accompanying statement be reflected in your next report to the Security Council on the situation in Somalia.

Please accept, Your Excellency, the assurances of my highest consideration.

for Muf

Mohamed Behi Yonis
Minister of Foreign Affairs and International Cooperation
Republic of Somaliland



Enc. Statement on the Declaration by the Republic of Somalia of an Exclusive Economic Zone (EEZ).

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THE MINISTER

Statement on the Declaration by the Republic of Somalia of an Exclusive Economic Zone (EEZ)

The Republic of Somaliland notes the Proclamation by the Republic of Somalia of an Exclusive Economic Zone (EEZ) and the co-ordinates of its outer limits on 30 June 2014, which were deposited with the Secretary-General of the United Nations on the same day.

The Republic of Somaliland emphatically rejects, opposes and will not recognise these proclamations by the Republic of Somalia to the extent that they purport to include or affect the waters, continental shelf and other maritime entitlements of the Republic of Somaliland. This statement constitutes a formal protest by the Republic of Somaliland to this effect, which it will lodge with all relevant governments, international organisations and authorities.

The Republic of Somaliland reserves its right to declare and exercise jurisdiction in accordance with its maritime entitlements under international law as reflected in the 1982 UN Convention on the Law of the Sea (UNCLOS), including with respect to an Exclusive Economic Zone. The Republic of Somaliland most recently made clear its position on this question to the Republic of Somalia in an official letter from Foreign Minister Mohamed Behi Yonis to Foreign Minister Abdirahman Duale Beyle, dated 17 June 2014.

The Republic of Somaliland remains supportive of all efforts to improve regional coordination and promote economic development in the Horn of Africa. However, Somaliland's cooperation and contributions to such efforts have always **been** on the understanding that **Somaliland** will continue to exercise sovereignty and sovereign rights with respect to the waters and continental shelf adjacent to the territory of the Republic of Somaliland in accordance with international law. Somalia **cannot** and does not exercise jurisdiction or physical control over the waters and continental shelf off the **coast** of Somaliland.

If the purpose of Somalia's EEZ declaration is to facilitate and promote the conservation, management and sustainable use of the marine living resources of Somalia's waters, including through the issuance and regulation of fishing licenses for straddling **stocks** and highly migratory species within this area, then the appropriate avenue to pursue such efforts is to consult and negotiate with Somaliland on the terms for such arrangements.

Somaliland continues to be willing to cooperate and reach mutually agreed arrangements to devise, establish and maintain a cooperative fisheries licensing regime, provided that it fully respects the maritime entitlements of the Republic of Somaliland, and that it is for the mutual benefit of Somalia and Somaliland. The Communiqué of the Somalia MRSS Fisheries Working Group of 6 April 2014 made clear that the *"Federal Government of Somalia may only issue licenses to fish for offshore highly migratory pelagic stocks after prior agreement with [...] Somaliland."* Furthermore, the Government of the Republic of Somaliland did not participate in the signing of a subsequent agreement between the Ministers of Somalia, Jubaland, Galmudug and Puntland on 3 May 2014 in Addis Ababa relating to the *"urgent need to establish a Federal Somali Fishing Authority"* and an interim agreement on *"license revenue sharing."*

The Government of the Republic of Somaliland notes that the most appropriate means to ensure that all bilateral issues are addressed in a coordinated and comprehensive fashion is in the context of the Dialogue between Somalia and Somaliland launched by the London Conference on Somalia in February 2012. It is unfortunate that, despite the agreement made by both countries at the Somalia/Somaliland Dialogue in Ankara on 13 April 2013 *"to refrain from using any inflammatory language and any other act which may put the continuation of the Dialogue at risk,"* Somalia nonetheless chose to proceed with an EEZ declaration that purported to include the waters and continental shelf adjacent to the sovereign territory of Somaliland, and to thereby undermine the spirit of cooperation that has thus far characterized the Dialogue.

The Government of Somaliland notes that paragraph 4 of Somalia's EEZ proclamation of 30 June 2014 envisages negotiations concerning delimitation between maritime entitlements of adjacent States. The Republic of Somaliland invites the Government of Somalia to undertake such negotiations with Somaliland in the **context** of the existing Dialogue between the two Governments.

The Government of the Republic of Somaliland hereby confirms its responsibility for the natural resources of the land and sea, and to protect and determine the best means of the exploitation of these natural resources in accordance with Article 11.4 of the Constitution of the Republic of Somaliland, adopted by the Parliament of Somaliland on 30 April 2000, and approved by an overwhelming majority of the population in a free and fair referendum on 31 May 2001.

