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International Civil Aviation Organization (ICAO)  
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To whom it may concern,

**Firstly**, reference is to AIRAC AIP SUP 60/2018/25 Jan 2018/PERM concerning the relocation of Mogadishu Flight Information Centre (FIC) from Nairobi to Mogadishu-Aden Adde Intl Airport in Somalia. I would like to bring to your attention that none of the following articles of Somalia and Somaliland agreements was at all respected by the government in Mogadishu prior to or after the relocation.

1. **Article 6 of the Communiqué of London Conference on Somalia on 23 February 2012:** “The Conference recognized the need for the international community to support any dialogue that Somaliland and the TFG or its replacement may agree to establish in order to clarify their future relations”
2. **Article 1 of the Communiqué of the Somaliland and Somalia 4th Dialogue Held in Istanbul On 7-9 July 2013:** “[Somalia and Somaliland] Agreed to the return of the air traffic management from the UN and decided to establish a joint control body that is based in Hargeisa to lead the air traffic control of both sides. It is also agreed that this body will propose a mechanism for equitable revenue-sharing”.
3. **Articles 7 & 8 of Istanbul II Communiqué - Somaliland and Somalia talks, 2014:**  
“Referring to the Communiqué of the two parties Dialogue in Istanbul, Turkey on 7-9/July 2013 the parties agreed to nominate Air Traffic Control Board to establish within 45 days.”  
“The parties agreed to appoint an ad-hoc technical committee composed of 4 members, (two from each party) to prepare the terms of reference of the Air Traffic Control Board. The Technical Committee work will be supervised by the respective two Ministers.”

**Secondly**, another important point is that Somaliland has never been part of the federal state of Somalia. In fact, following the collapse of the Somali state in the early 90’s, Somaliland withdrew from the union and proclaimed back the sovereignty they got in June 26, 1960. Somaliland autonomous has been fully in charge of its major airports since 1991. Therefore, without **joint agreement**, there will be absence of working relationships between Somalia and Somaliland otherwise beneficial to the administration of civil aviation matters.

**Thirdly**, another point to your attention is one recent incident in June 2018 resulting from the absence of coordination between Somalia and Somaliland in term of civil aviation matters. A non- scheduled plane carrying 50 passengers chartered by *IOM* was not granted permission to land at Egal International Airport though there was an initial permission from Mogadishu. Simple answer from Somaliland authority was that this airplane did not have a landing permission from Somaliland. In fact, Somaliland **Civil Aviation Regulation (CAR)** requires an international non- scheduled flight to obtain permission at least 72 hours prior to operation of the flight as published in Somaliland *eAIP*.

Another important point you should be aware is that air traffic controller licensing would be an issue between Somalia and Somaliland. Somaliland will not accept their ATCs hold license issued by Mogadishu.

**Fourthly**, Somaliland recently made clear their position concerning the relocation of the FIC. In a televised interview, Somaliland Minister of Transport rejected the decision that ICAO arranged to handover the airspace management to Mogadishu government and said that Somaliland government would take proper action. He added that as result, it is shocking news to know that Mogadishu government cancelled the agreement between the two sides and this decision can cause a new crisis that would not benefit the flow of air traffic within the entire Somali airspace. He pointed out that prior to the relocation of the FIC, Mogadishu government reiterated a joint binding at the table of their last meeting in Nairobi.

**Finally**, without compliance of the Istanbul accord on joint airspace control, Somaliland express the intent of taking over the provision of air navigation and air traffic services in the airspace over the territory under their control. It has all rights and capability to manage its air traffic services and airspace over its territory as defined by Somaliland Constitution Article 2. Article 2 of the Chicago Convention states: *“For the purposes of this convention, the territory of a state shall be deemed to be the land area and territory waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such state”*.

**In conclusion**, given the current situation and issues mentioned above, ICAO must take a responsibility to find an appropriate solution for both parties to manage air traffic jointly. ICAO must end this crisis by getting Mogadishu government accountable on implementation of the joint airspace agreement. In the past, aviation activity was quite good as the UN’s International Civil Aviation Organization (ICAO) was managing Somalia and Somaliland’s airspace for over the past two decades, following the collapse of the Somali state in the early 90’s.

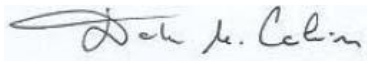
In the event that the Mogadishu government continues to withdraw from the joint airspace agreement and not respecting **Article 1 on 7-9 July 2013 and Article 7 & 8 of Istanbul II**, Somaliland has no choice but to take charge of its own destiny and manage its aviation accordingly. A good example would be the case of Taiwan managing its civil aviation.

Independent of the matters of recognition or contracting state being member of ICAO, there is no doubt in practice the authorities of Somaliland would exercise complete and exclusive sovereignty over the airspace above its territory. They should therefore have the equal opportunity as all other air-faring nations to participate in and contribute to the governance of civil aviation.

About aviation security and safety, Somaliland will endeavor to conform to international standards and practices and follow the continuously developed and updated set of ICAO technical Standards and Recommended Practices (SARPs) in place to cover every conceivable aspect of civil aviation.

Despite its unrecognized status, Somaliland has entered into informal and formal relationships with a number of other states, and has achieved de facto recognition from a number of other nations around the world. Somaliland is a functioning state and has its own flag, currency and passport.

Yours, truly

A handwritten signature in black ink, appearing to read "Daher M. Calin", is written over a light blue rectangular background.

Daher Muse Calin  
CNS Expert and Aviation Industry Analyst

Cc.

Minister of Transport and Road Development  
Hargeisa  
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