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Recognizing Somaliland's Independence

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Although no state has officially recognized its independence, Somaliland operates as a democratic, de facto state since the 18th of May 1991, when it unilaterally declared its independence from the Republic of Somalia. The purpose of this article is to attempt to construct a critical debate on Somaliland's independence and put forth arguments for and against the recognition of Somaliland's independence, taking into consideration the historic realities of the county and the region. I will use a multidisciplinary approach to examine the topic in question by including political, economic, and legal analysis. The first part of the article is dedicated to the historical background of the region without which it is not possible to achieve a fruitful debate. The second part argues against the recognition of Somaliland; observing the political entity as an illegal entity being created by a particular clan (Isaaq) in order to serve personal interests, and as a proxy being used by foreign powers (mainly Ethiopia) in order to keep Somalia divided and weak.

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Somaliland is situated in northwest Somalia in the Horn of Africa. It borders Djibouti, Ethiopia, the autonomous region of Putland and its coast lies on the Gulf of Aden. Although no state has officially recognized its independence, Somaliland operates as a democratic, de facto state since the 18th of May 1991, when it unilaterally declared its independence from the Republic of Somalia. The purpose of this article is to attempt to construct a critical debate on Somaliland's independence and put forth arguments for and against the recognition of Somaliland's independence, taking into consideration the historic realities of the county and the region. I will use a multidisciplinary approach to examine the topic in question by including political, economic, and legal analysis. The first part of the article is dedicated to the historical background of the region without which it is not possible to achieve a fruitful debate. The second part argues for the recognition of Somaliland's independence focusing on its historical democratic process, socioeconomic development, its respect for human rights and the stability it has achieved without any meaningful assistance from the so called 'international community'. The third part argues against the recognition of Somaliland; observing the political entity as an illegal entity being created by a particular clan (Isaaq) in order to serve personal interests, and as a proxy being used by foreign powers (mainly Ethiopia) in order to keep Somalia divided and weak. The argument that 'if the world recognizes this clan's right to have a state, then different ethnic groups in sub Saharan Africa will follow suit claiming their right for self determination' will also be examined. State borders in Africa are not demarcated according to ethnic groups, and often ethnic groups can be found divided between the borders of different countries that were carved out at the 1884 the Conference of Berlin, where the major European imperial powers divided the African continent according to their economic interests in the region, creating unhealed wounds for the African populace. A conclusion, as well as further reading suggestions, will follow.

Cultural and Historical Background

Behind the idea of a 'failed state' exists the idea that there is an optimal state and, more importantly, that societies require a state in order to function. Pre-colonial African realities challenge this Eurocentric notion of the state being the only remedy for social problems. Prior to the European colonization of Somalia, Somalis did not have a central state in the sense of a bureaucratic Weberian state. Several anthropologists emphasize the extremely decentralized political power of the pre-colonial Somali society. Political power was mostly based on kinship,

and society was organized through traditional norms and laws.

Although conflict existed, the Somali people used local mechanisms for conflict resolution called 'Heer' as well as the Islamic religion for resolving arguments among groups and individuals. In the case of war, women and children were protected; women had the role of healing the wounded and even mediating between warring factions. The prominent anthropologist and leading scholar of Somali Studies, Ioan Lewis, in his book 'Pastoralist Democracy' states that 'few societies can so conspicuously lack those judicial, administrative and political procedures which lie at the heart of the western conception of government' .

The majority of Somali people were (and still are) pastoralists depending on livestock and living a nomadic life which is a product of the semi-desert region that they inhabit. Scarcity of water and the need for grazing lands for their livestock force Somalis to migrate and the nomadic spirit is part of the nation's psyche. Their population is estimated to be 8 million and around 60% of them live a nomadic pastoralist life . As a people they are quite homogeneous, African in race and Muslim in faith. Although debates exist among scholars about whether Somalis are Arabs or Africans, most ethnological research shows that Somalis belong ethnically to the African-Cushitic speaking family, which includes the neighboring Afar, Oromo, Borana, Saho and Beja ethnic groups, who migrated northwards from the area close to the current Ethiopia-Kenya border, into the peninsula around the fifth century BC and can be found today in the countries of the Horn; in Eritrea, Ethiopia, Djibouti and Kenya .

The speakers of modern day Somali are estimated to date back to the sixth or seventh century AD . The very long tradition of trading relations with the Arabs greatly influenced Somali culture. Conversion to Islam is dated between the tenth and thirteenth centuries and is linked to the arrival from Arabia of the eponymous clan ancestors Sheikh Darod and Sheikh Isaaq who married local women . Genealogies studies show this union between indigenous Africans and migrants from Arabia descended from the noble Hashimite Qurayshi lineage of the Prophet Mohammed. Thus, Islam plays a crucial role in the Somali life and the majority of Somalis are Sunnis of the Sha'afi School of Law. The relations between the Somalis and the Arabs in modern days can be seen in Somalia's membership in the Arab League since 1974. Furthermore Islamic charities have been playing a crucial role in providing social services, especially since the breakup of the state in 1991.

The second major cultural characteristic of the Somali nation is that it is divided into clans, which are subdivided into smaller kin based groups, sub-clans and primary lineages. The clans are led by their elders. The six major grand clans are Dir, Isaaq,

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Darod, Hawiye, Digil and Rahanweyn. The Dir, Isaaq, Darod, and Hawiye are nomadic pastoralists and the Digil and Rahanweyn are cultivators inhabiting the fertile region between Shabelle and Jubba rivers in southern Somalia. Smaller and less powerful clans exist but their role is less important. Lewis claims that kinship is the major principle of social organization and the key to understanding politics, organized violence, trade and conflict management .

Kinship is the means through which Somalis interpret their own existence in relation to other individuals, the land and the cosmos. The clan system is the path that one will choose in order to acquire power, to resolve a conflict or gain wealth. Clan plays a crucial role in today's continuous conflict and politics in southern Somalia, although it is not the only factor. As Bradbrury argues, we need to escape from narrow debates over the role of kinship and try to appreciate the influence that trade, religion, regional and global politics have on inter-group politics in Somalia . The clan system is a hybrid system that in specific circumstances can unite people whereas in other circumstances it can divide them. The lines are not drawn in a clear way and different scholars have revealed that an individual can 'choose' his clan, depending on the time being and the power balances in the country. The reasons for division or unity depend on interests, e.g. competition over grazing land, water or commercial control in cities. More than sixty years of colonialism, nationalist civilian democratic rule (1960-69) and the Socialist experiment of Syadd Barres's dictatorship (1970-91) did not manage to destroy the clan system that is active and embedded in the daily lives of most Somalis.

1880-1960 European Colonization

The Europeans were not the first to show an interest for Somalia. Over a thousand years ago, Arab and Persian trading settlements had been established as trading coastal centers such Zeila in the North and Mogadishu in the South. From the 13th century until the arrival of European colonialism in the end of 19th century, the history of the Somali region is marked by the rise and fall of Arab city states and Ottoman Sultanates. Somalis attract attention in written records of the Middle Ages 'holy wars' between Christian Ethiopia and the surrounding Islamic sultanates. Since then the Arabs view Somalia as the entity that separates and protects them from the Christian dominated nation of Ethiopia. At the peak of the wars in the sixteenth century Ahmad Gurey, the Islamic Somali leader, briefly conquered much of the central Abyssinian Highlands. The recovery of Ethiopia was only possible after the help of the Portuguese.

Hostility continues to exist between the two nations.

In the nineteenth century, the two imperial powers competing in the Horn of Africa were the British and the French; their primary interest was the control of the Nile and to protect the vital trade routes in East Africa. Installed in Aden, the British signed protection treaties with a number of northern Somali clans (predominantly with the Isaaq), safeguarding the supply of Somali mutton and countering the French ambitions. The French and the Italians did likewise, as well as Ethiopia's Emperor Menelik who engaged on a policy of imperial expansion. In this process the Somali nation was divided into five parts.

Current day Djibouti was under French rule; the British Somaliland Protectorate, situated in northwest Somalia was part of the British Empire; south Somalia was part of the Italian Empire of East Africa; Somalis in northern Kenya were ruled at that time by the British Empire (today by Kenya) and finally the Ogaden region of Somalia was given to Ethiopia, a long-term ally of the West. These five divisions of the nation are represented in the five-star flag of the Republic of Somalia. This colonial division will have a central impact on future developments in the region since Somalia with irredentist policies and attitudes will try to unite all the regions in which ethnic Somalis live. Somalia's irredentism claims would bring them in open confrontation with Kenya and especially Ethiopia.

Colonial rule implanted a model of centralized state into a stateless society of nomadic pastoralists whose political system up to that point was based on family lineages. From its foundation, the state of Somalia was a foreign construct, subject to foreign strategic interests. The British doctrine of governance in the African colonies was 'Indirect Rule'. This had two immediate consequences; first, resistance against colonial rule was limited. Except the famous guerilla campaign of Sayyid Muhammad Hassan Abdile and his dervishes' forces who wanted to drive out the 'infidels' in the first decades of the twentieth century, no other major rebellion against the British forces took place. Second, colonialism changed the balance of power in Somali society. Whereas, before, Somalis depended on the elders' wisdom and the elders enjoyed popular acceptance as traditional rulers, colonialism transformed them into official organs of the foreign imperial state. Somaliland's senior elders received government salaries in order to impose the colonial rules upon the citizenry. They also became judges in the local courts and had revenue-collecting powers. Academics often indicate the benefits of maintaining traditional authorities under British rule, claiming that this is the reason why Somaliland is stable and has not followed the anarchic environment of southern Somalia. Southern Somalia was colonized by the Italians who replaced all traditional authority of the elders with formal western institutions.

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Later on, respect for the elders in the Somali context proved to be crucial.

Colonialism created borders which did not respect clan territories and stopped the mobility of pastoralists, leaving them more vulnerable to seasonal changes. The British never tried to establish a state in order to foster the social development of its colonial subjects. As late as 1956 there were only sixty places available in the Protectorate's two secondary schools, literacy rates were in urban areas as low as 4-8% and a healthcare system was inexistent. At independence, some 65% of the population was involved in subsistence herding .

1960-1969 Independence, Unification and Democratic Rule

Following India's independence in 1947 the strategic value of the protectorate lost its importance. On June 26th 1960 Somaliland became independent, and remained independent and self-governed for five days up to the 1st of July when it decided to unite with the Italian-administered territory of Somalia. The decision to unite with southern (Italian) Somalia was based on the deep rooted idea of a 'Greater Somalia' that would supposedly unite the five regions inhabited by Somalis. The unity, from the start posed serious problems since the two polities had different institutions, different ways of governance, different laws and even different official languages (English in the north, Italian in the south). On the 20th of June 1961, a referendum was drawn up to help approve the unity of the two ex-colonial territories under one state. Of the mere 100.000 people in the north who voted on this issue, half rejected the constitution whereas in the South it was supported with much enthusiasm. Another signal of the Northerners' discontent was when, in 1961, army officials from the North tried to stage an unsuccessful coup d' etat, against the government and the unity of the two parts.

Besides the fact that northern and southern Somalia were both colonized by different foreign countries, there is also a clear distinction between the clans that inhabit the two regions. The north is predominantly inhabited by the Isaaq clan. Since the 1991 proclamation of Somaliland's independence, the Isaaq have controlled most of the important positions in government. They own big businesses and most importantly the Somali National Movement which fought in the 80's against the government in the South was a pure Isaaq organization. Although there are members of different clans in Somaliland, the country, its institutions as well as its economic life are being dominated by the Isaaq clan.

Similarly, under British administration the Isaaq clan held

most administrative positions and they were the majority of the populace. With its unification with southern Somalia in 1960 they became a minority in the government. Hargeisa, once the capital city of the British protectorate, became just a regional administrative town. Only 26% of parliamentary seats were allocated to northerners and most senior minister and army positions were allocated to southerners. Northerners, and especially the Isaaq felt marginalized and realized that in the new entity they were just a weak minority.

In the early and mid sixties Nationalist leaders tried to eradicate the clan system and engaged in a power-sharing procedure which would distribute power in governance. Mohamed Egal, a prominent Isaaq politician (later to become the first president of Somaliland) became Minister of Defence while Abdilallahi Ise, another Isaaq politician, was appointed foreign minister. The opinions and views on the success of the first government of Somalia as well as the nine years of democracy to follow differ greatly, depending on whom you read or speak to. Some scholars point out that this government was the last and most democratic government which they ever had as a united country. Osma Daar, the first elected President of Somalia, made history in 1967 as the first leader in Africa to peacefully hand over power to a democratically elected successor. Others, however, point to the failure of the government to overcome the misery that colonialism had left behind, and suggest that corruption existed in the government, especially in the last years of democracy. These critics point to the fact that the 1969 elections were not a contest between competing ideologies but a race for the greatest personal access and use of state resources.

The pan-Somali struggle started realizing itself in 1963 against Kenya. The British granted independence to Kenya in 1963 which incorporated the Somali-inhabited Northern Frontier District (NFD). Britain did not take into consideration the results of a referendum in the NFD, in which the majority voted for union with Somalia, and handed the district to Kenya. This provocation started a four year insurgency, but in the end Somalia did not succeed to win back its lost territory. Naturally, the establishment of the Somali Republic inspired nationalist sentiments among the Somalis in the Ogaden region controlled by Ethiopia, the old enemy of Somalia. In 1963 a Somali uprising in the Ogaden led to brief confrontation between Ethiopia and Somalia. As one may understand, the primary target on which the unity of northern and southern Somalia was based - the creation of the 'Greater Somalia' - has not been met and it is unlikely to be met in the future.

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Socialist-Military Rule, Civil War and the Collapse of the State

By the end of the Sixties people had become tired with the corrupt and autocratic government which paid little attention to their needs. The assassination of President Shermarke on the 15th October 1969 brought the short democratic rule to an end. On October 21st 1969, the army took control of the government without encountering resistance. The reins of power were held strictly by General Muhammad Syiad Barre. Barre's government chose scientific socialism as the ideological framework for the country's development. This decision placed Somalia in the Socialist camp and made Somalia a huge recipient of Soviet assistance in military and economic terms. Marxism, Islam and anti-imperialism were all combined in an energetic effort to transform the state and modernize the nation. In the first years of his governance, Barre had some important successes. Unemployed youths were recruited for a whole series of public work projects. Destitute children and orphans were gathered into the Revolutionary Youth Center where they were fed, clothed and educated under revolutionary ideals. Serious programmes against corruption were introduced, and tribalism was blamed as the 'anathema' that for so long had kept the nation backward .

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The most important achievement of Barre's administration was probably the introduction of, for the first time in Somali history, orthography using a Latin script for the Somali language. Massive literacy campaigns started in the early Seventies that proved to be popular and successful. Women were empowered to take more active roles in society and the socialist government introduced inheritance rights for women. Schemes for health and veterinary care were introduced for the nomadic population in the rural areas. General Syiad Barre engaged in a process of improving the efficiency and education levels of state officials in 1973. These massive campaigns for social change were combined with strict control of the economy and brutal suppression of any opposition. The dictatorship of Siyad Barre has actually been rightfully characterized as one of the most repressive governments in Africa; and this is quite a weighty title, if we take into consideration that infamous Mobutu controlled Zaire and Bokassa was 'emperor' of Central African Republic at the time.

By the mid-seventies the political climate changed. In 1974 a catastrophic drought and famine lead to the forced displacement of the northern pastoralists into southern Somalia which was observed as an act against the Isaaq who preferred to remain in their home areas and receive aid from the government. Later on in 1977, French Somaliland became independent and voted against the union with the Republic of Somalia, thus becoming

the independent state of Djibouti. Meanwhile, inside Ethiopia in the Ogaden region, Somalis rebelled against the authority of Addis Ababa following Haile Selassie's overthrow. The establishment of the communist Derg in Ethiopia, in 1974, made the Soviet Union abandon its military assistance to Somalia and focused in supporting communist Ethiopia which seemed a bigger and more significant country in the global arena.

The Ogaden's Somali Nationalists had already set up their rebel organization – the Western Somali Liberation Front (WSLF) - and by the mid '70s were at open war with the Ethiopian forces. These political facts led Barre to order a full scale offensive in support of WSLF, with the goal to reclaim the Somali inhabited desert of Ogaden. By late 1977 the Somali troops controlled Ogaden and had advanced up to the point of Harar, a major eastern Ethiopian town. Russian and Cuban forces in support of the Ethiopian Army repelled Somali forces. After two years of war the Somalis had witnessed one of their most serious defeats which had destructive consequences in its internal affairs. This defeat led to the vast exodus of Ogadeni Somalis and Oromos from Eastern Ethiopia. Up to one million refugees entered Somalia from 1978 up to 1980 further straining the fragile economy. By the end of 1980 one out of every four people in Somalia was a refugee .

Public discontent was growing. With the dream of a 'Greater Somalia' dead and with an economy destroyed after decades of economic socialist experimentation, Barre and his allies turned against their own people in order to remain in power. Experiments in cooperative production and state farming proved a disaster. Agricultural as well as livestock production declined. The fact that the Somalian economy had depended for so long on one export – livestock - and on one market - the Arab states - made it vulnerable to price fluctuations. Up to 80% of Somalia's export revenues derived from selling livestock in the Gulf States . Improvements in social services such as education and health-care could not be sustained because of declining revenues and because most of the government's budget was spend for the military and internal security forces.

A further burden to national development and economic prosperity was the dependence of Somalia on foreign aid. Almost 75% of Somalia's resources came from foreign aid . Up to the Ogaden war in 1977-78, the main donors were China, the Soviet Union and Arab States. In the '80s United States policies in the Horn were changing. Following the fall of the Shah in Iran, and the Soviet Union's alliances with Ethiopia, Libya and South Yemen, the USA was forced to search for allies in the region. By 1982 Somalia was the third largest recipient of aid in Africa . Western Aid was conditioned on an agreement to liberalize the

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economy and in 1981 Somalia signed a deal with the IMF to implement a package of economic reforms. Scholars point out that this condition to 'minimize the state', had negative effects, since even the minimal services that the state provided to its citizens, now under the IMF deal, were not available. Individuals had to depend on family and clan lineages. The state became even more predatory and patronizing relations were reigning in the country. Since the state offered nothing to its citizens and only took from them, the populace became hostile towards it.

Barre abandoned any pretense of National Unity and strengthened his monopoly of power, restricting state benefits only to his extended family. Barre was part of the Darod clan, and favored only the sub clans in which he belonged as well as his mother and his son in law (Marrehan, Ogaden and Dhulbahante). National unity was jeopardized with the creation of rebel groups at the end of the '70s and early '80s. In 1978, the Somali Salvation Democratic Front (SSDF) was created, followed three years later by the Somali National Movement, the group which will declare Somaliland's independence in 1991 after 10 years of struggle against the Barre government in Mogadishu. The SNM was based in Eastern Ethiopia, up to 1988 when President Barre and his counterpart Mengistu Haile Mariam of Ethiopia finally signed a peace accord, normalizing their relations and guaranteed not to support each other's dissidents. Knowledge of this détente and the fact that Ethiopia could not aid SNM anymore triggered the SNM's reaction to attack the Somali military in Northern Somalia.

An all out civil war in 1988 broke out, between the regime and Isaaq clansmen (SNM) which since the early 80's had seen their power and rights minimized by the central government in Mogadishu. Different rebel groups took arms in southern Somalia, first against the government (1988-1991), later against the US led UN mission (1992-1993) and finally against each other (1993-2010) famously making Somalia the scene of daily violence. A violence, however, which has been exploited in every way possible by Western and Arab interests. For example, famous warlords in southern Somalia and in the autonomous region of Puntland have signed deals with western companies for dump waste in the shores of Somalia, as well as selling rights for illegal fishing to European fishing companies. These factors should be taken into consideration when we try to analyze piracy or violence in Somalia. Different scholars have pointed out the fact that pirates were ex-fishermen who went out of business because they could not compete with the more technologically advanced fishing companies from the West . The region has also become a haven for adventurous Arab jihadists. From this point onwards we will focus on northern Somali –Somaliland.

The 1988 attack of the SNM led to the brutal response of the

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government which killed tens of thousands of civilians in the north. Extrajudicial executions, rape, confiscation of private property and disappearances became commonplace in the north, especially against the Isaaq, who were believed to be supporters of the SNM. These barbaric actions forced the Isaaq population to unite and support the SNM, which in the beginning was not a separatist movement; instead it claimed to fight against the dictatorship of Siyaad Barre and for greater autonomy in the north. International observers in the region described the area as being occupied by a foreign army. Barre used the Ogaden refugees. The Ogadenis were sent to the North, which was not their area, and were encouraged to take over what was left of the Isaaq houses and businesses. The Ogadeni group which was created to fight the Isaaq was called the 'Isaaq Exterminating Wing' and, as Bradbury claims, carried out a genocidal campaign against the Isaaq. As Lewis put it 'those who had been earlier received as refugee guests in northern Somalia had supplanted their Isaaqi hosts, and many of the latter, in this bitterly ironic turn of fate, had become refugees in the Ogaden'.

In 1990 different dissent groups of Somalia met in Ethiopia and agreed to form a united front against the government. The major ones were the SSDF, SNM and the United Somali Congress in southern Somalia led by General Aidid. The USC had become primarily a Hawiye-clan organization. Barre ordered his clansmen (Darod) to kill the Hawiye citizens. This provoked the general uprising which led to Siyad's Barre flight on the 26th January 1991. Barre had foreseen the only way possible for him to leave, as he had famously stated 'When I came to Mogadishu... [t]here was one road built by the Italians. If you try to force me to stand down, I will leave the city as I found it. I came to power with a gun; only the gun can make me go. By the end of January 1991, the SNM has managed to overcome Siyad's forces in the north. Most of the Ogadeni refugees returned to their homes in Ethiopia, and with the new government in Addis Ababa in 1991, they were incorporated in the Ogaden Federal Region of Ethiopia.

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