



TV

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REFORMING SOMALILAND'S JUDICIARY

VIDEO

ISLAMIC COURT

INSIDE COURT

GESEI ON-CAMERA

INSIDE COURT

AUDIO

NARRATION

An Islamic or Sharia Court is in session in Somalia. (3")

It's a land ownership dispute between neighbours. The dispute is a consequence of years of civil war which displaced millions of Somalis. As people return, conflicts about land have become a common cause for legal action. At this court, Islamic law will decide the issues, says Judge Muhudin Sheikh Mohamed Gesei. (20")

GESEI: (In Somali)

"All the answers can be found in the Koran. So we use the Koran as our basis for legal judgements." (6")

NARRATION

Sharia or Islamic law is one of three legal systems used in the country. There is also

secular law of Italian and British origin, and a custom of traditional common law. These three legal systems coexist in an unharmonized tangle. Further some ninety percent of practicing legal professionals have had no formal training in all three disciplines. The result is law that is applied unevenly. (26")

LAW PROFESSIONALS/TRAINING The UN Development Programme, UNDP, is helping Somaliland, a self-declared but unrecognized republic in northwest Somalia, improve its judicial system by updating the skills of judges, prosecutors, investigators and lawyers. The objective is to create a judiciary that is effective, efficient, and impartial, says Alphonso Gaskings, UNDP's Judicial Advisor in Somaliland. (26")

GASKINGS ON-CAMERA GASKINGS:
"Our programme in respect to training members of the law profession is indeed one that is quite comprehensive and in effect it seeks to lay a foundation that will assist the large number of people who sit on the bench who have not had former judicial training." (17.5")

UNIVERSITY OF HARGEISA NARRATION
CLASSROOM Formal training is only one aspect of the programme, creating opportunities to put the training to use is another. Here at the University of Hargeisa, the largest in Somaliland, law students and professors have adopted an idea

practiced in many countries around the globe – law clinics dispensing legal aid. Mohamoud Hussein Farah is the dean of the University’s Law School. (24”)

FARAH ON-CAMERA

FARAH:

“This clinic (as I said to you) has two main objectives. To give students practical issues related to the law, another objective is to provide free legal aid.” (9.5”)

PEOPLE

NARRATION

That free legal aid is important in a place where most people can’t afford to hire a lawyer. Through UNDP and the University of Hargeisa, Somaliland’s poorest and most vulnerable now have full access to legal services. (13”)

CLIENTS WAITING

On the University campus, people line up to consult with the law students. Among them is Legesse Dugassa, from Ethiopia. (8”)

LAW STUDENT

Legesse, formerly an officer in Ethiopia’s military, is seeking refugee status in Somaliland. He’s desperate and fears for his life if forced to go home. His friends advised him to visit the clinic. (12”)

DUGASSA ON-CAMERA

DUGASSA: (In Amharic)

“I could be hanged if I went back. I would be prosecuted in Ethiopia. It’s better for me to stay here.” (6”)

LAW STUDENTS INTERVIEW
PRISONER

NARRATION

But some clients can't come here. For them, students go off campus.

At Hargeisa's Central Jail, students advise inmates of their rights. For many prisoners, this is the only way to receive high quality legal representation. University of Hargeisa students now handle more than 200 civil, criminal and human rights cases. (21")

The experience gained from hands-on practice of law is also helping to create a level of trust in the judiciary among the public. Together with the programme to upgrade the skills of legal professionals, Somaliland is moving to harmonize the separate legal systems, and bring its law into compliance with international standards of human rights. (20")

UN LOGO

This report was prepared by the United Nations.
(3")