

UNIVERSITY OF HARGEISA
FACULTY OF LAW LEGAL CLINIC

LEGAL CLINIC ANNUAL REPORT 2010

„„„„„ „Making justice reality“ „„„„„



“Increase Access to Justice and Legal Aid for Vulnerable Groups and Economically Deprived Individuals”

The lawyer of the legal clinic should assist in maintaining the integrity and competence of the legal profession.

Table of Contents

ACKNOWLEDGEMENT	4
1. EXECUTIVE SUMMARY.....	5
2. INTRODUCTION	6
3. MISSION, VISSION AND OBJECTIVES	7
4. LEGAL CLINIC STAFF, LEGAL CLINIC STRUCTURE, HOW WE SERVE.....	8
PART ONE.....	10
7. ACHIEVEMENTS AND PROGRESS MADE DURING THE LAST YEAR IN LEGAL AID PROVISIONS	10
<i>7.1 Overall aggregate cases provided legal representation through the legal clinic</i>	<i>10</i>
<i>7.2. The 2010 Received Criminal Cases and their Status</i>	<i>10</i>
<i>7.2The 2010 Received Criminal Cases and their Status</i>	<i>14</i>
<i>Error! Bookmark not defined.</i>	
8 . PARALEGALS.....	20
PART TWO: EDUCATIONAL VALUE AND PDC PERFORMANCES.....	22
9. <u>ACHIEVEMENTS AND PROGRESS MADE DURING THE LAST YEAR IN THE EDUCATIONAL VALUE AND LAW STUDENTS TRAINING</u>	<u>22</u>
<u>9.1 INTERNSHIP FOR FEMALE LAW GRADUATES.....</u>	<u>23</u>
<u>9 .2 MAJOR ACTIVATES IN THE EDUCATIONAL VALUE</u>	<u>24</u>
10 PUBLICATION AND DOCUMENTATION CENTER PERFORMANCE	27
PART THREE.....	33
11.1. PUBLIC LECURES DEBATES.....	33

Draft legal clinic annual report

11.2. IMPACT OF THE TRAINING WORKSHOPS	34
11.3. IMPACT OF THESE WORKSHOPS.....	34
133. CONSTRAINTS AND CHALLENGES ²	34
134.. LESSONS LEARNED.....	38
14. RECOMMENDATION AND WAY FORWARD FOR 2010.... 39 ERROR! BOOKMARK NOT DEFINED.	
ANNEX I AND ANNEX II	ERROR! BOOKMARK NOT DEFINED.

ACKNOWLEDGEMENT

We are grateful to UNDP-ROLS for their support technically and financially to the University of Hargeisa, faculty of law in general and particularly the legal aid programme.

We, remain grateful for the advice and discussion received from numerous colleagues in UNDP-ROLS, official state organs specially Judiciary, legislative organs and in particularly the active members of the Bar Association. Special thanks go to all UNDP/ROLS staff.

The legal clinic is now celebrating its 8th year of existence as institution whose main objectives was and remains to provide free legal aid services to the poor people who cannot afford to pay fee for legal professionals.

The year 2010 was a year in which the Legal Clinic witnessed into surefooted academic and legal institution possessing the capabilities to handle all matters pertaining to the rule of law and access to justice.

We also look forward to the year 2011 with a new outlook laden with good omen as a year that holds out much hope in faculty of law legal clinic activities on the assumption that the public will have grown accustomed to what these activities mean to their well being and their dignity as human beings, who deserves the highest respect of all living creatures on this planet.

The legal aid will remain the most important vocation that university of Hargeisa will be engaged in forever because of its nature being on vogue at all times provided that the legal clinic stays by securing the resources it needs to do so.

However, this report, the third of its kind presented for official scrutiny by institutions interested in becoming familiar with what the legal aid clinic has done since it was established in 2003.

Finally, we hope that you will find this report is comprehensive and useful.

1. EXECUTIVE SUMMARY

The executive summary of this annual report explores the summary achievements and progress made during the last year of 2010 and they are as outlined below:

SUMMARY ACHEIVEMENTS AND PROGRESS MADE IN 2010

I. legal aid provisions

- ✓ During the last year 2010 the legal clinic received **1999** during that period the legal clinic has increased in access to justice and provision of legal aid for vulnerable and economically deprived group such as IDPs juvenile offenders, women and minorities and individuals on remand status and in pre-trial detention with an additional protection in Somaliland criminal justice processes.
- ✓ **580 cases** have been provided legal representation and finished by the legal clinic.
- ✓ **215 cases** have been solved through legal advice by the legal clinic.
- ✓ **146** cases have been solved through mediation by the legal clinic.
- ✓ **3** cases were referred to the other legal aid providers
- ✓ **1055 cases** ongoing cases.

II. Access to justice and legal awareness

- ✓ The legal clinic conducted an awareness raising activities to increasing legal empowerment for all and that more people were aware of their rights under the law the below activities have made known improved protection is Somaliland justice system.
- ✓ The legal conducted a number of awareness raising activities in 2010.
- ✓ The LC conducted two days workshop for district police commissioners at imperial hotel. The two days workshop was aimed at sanitization of the police district commissioners and police investigators on the basic human rights instruments stipulated under Somaliland Constitution and international civil and political rights.
- ✓ The legal clinic conducted three days workshop for thirty Hargeisa district police commissioners and investigators held at Imperial Hotel and a second training workshop for custodian corps on the basic principles of human rights in Hargeisa.
- ✓ The legal aid clinic designed, edited and produced brochures, posters, signboards and made big new board for the faculty of law legal clinic.

Public Debates

- ✓ The legal clinic conducted two public debates for law students on the international and local refugee rights. Moreover, the public debate was incorporated with another debate organized by the human right for disseminating refugee rights.
- ✓ The LC held traditional elders coordination meeting for the purpose of increasing their legal awareness and the legal challenges they face.

III. Legal Education and Practical Skills

- ✓ The last academic year 2010, 82 students have been trained under the legal clinic units
- ✓ The faculty of Law Legal Clinic provided legal education to students and gave them the opportunity to learn the practical, substantive and ethical considerations to practicing law. In 2010 the total numbers of students those are attached with the legal clinic practical course are 82 those are disbursed to the different units of the clinic. In particular, the Legal Clinic provided the students the opportunity to

Practice as legal caseworkers by experiencing before graduating the challenge of legal practice and enhancing their classroom and theoretical learning by providing legal education to the public, assisting the Lawyers in the legal representation, attending court sessions and acquiring new practical legal skills, including but not limited to, legal analysis and research, judgment and problem-solving, legal writing and drafting, case and time management, interviewing and counseling clients, fact investigation, etc.;

24 female law graduate students have been given internship programme by Somaliland Women Lawyers Association (SWLA) with the help of UNDP.

2. Introduction

The legal clinic was established in November 2002 by UNDP with collaboration of university of Hargeisa. The Office of the Clinic is situated in the University of Hargeisa, under the umbrella of faculty of law legal clinic. However, in regard to the present situation of Somaliland whereby peace and stability are prevailing, it is also paramount to strengthening the rule of law. Therefore, since that day up to now UNDP has continued to support the legal clinic attached to the faculty of law at the university, technical and financial assistance.

With the help of UNDP, the focus was to strengthen the institutional capacity of the Legal Clinic in order to:

- Provide free sustainable and pro poor legal services for vulnerable groups in particular women, children, IDPs, and Minorities and individuals on remand status and pretrial.
- Deliver quality clinical legal education in order to provide students with an opportunity to learn the practical, substantive and ethical considerations to practice in law.
- Raise awareness among key criminal justice stakeholders and civil society on legal aid, access to justice and legal clinic's services as prerequisite for the development and maintenance for a just and fair criminal justice system and with a particular focus on marginalized individuals in the community.
- Provide training to the Somaliland police and protection of persons subjected to detention and imprisonment.

Apart from that, legal clinic is actively engaging with outreach service activities in Hargeisa and Buroa in which the beneficiaries are refugees and IDPs. These projects funded by UNHCR since December, 2006 which the legal clinic human right unit has its implementation. As such the fundamental aim of this outreach service is to ameliorate standard of protection mechanism and responding project beneficiary's needs. Hence, accessibility of access to justice would be realized.

Faculty of law third year student whom attached human rights unit at the part of outreach service project task force despite the fact its crucial for student while seeking practical aspect of the legal skills by mere having direct contact with clients in respective IDPs settlements and refugee welfare centers. On top of that, human rights unit established centres in six IDPs settlements which improved client accessibility to legal aid services.

To achieve all the above mentioned activities the legal clinic is committed to meet the challenges through its mission and vision. Therefore, the following are:

Mission

“To be a leading provider of quality legal aid and legal education services, ensuring effective access to justice for the poor and vulnerable groups as well as clinician students in an independent manner.”

Vision

“A just Somaliland in which the rights enshrined in our constitution are promoted, respected, defended, protected and fulfilled to ensure justice for all.”

Values

- Dedication;
- Commitment;
- Professionalism;
- Teamwork and integrity.

3. Objectives

The legal clinic has two main objectives:-

- To provide free legal aid to the poor people who can not afford to pay fee for legal professionals (lawyers) as there is a great need for justice, morality, law and equal protection; under the law.
- To provide theoretical and practical understanding to the third year students of the faculty of law to enable students to upgrade their legal backgrounds including critical thinking, reasoning, case briefing , case analysis, arbitration, mediation and research writing.

4. Legal clinic staff

In order to strengthen the institutional capacity of the Legal Clinic of Hargeisa University through provision of technical and financial support The Legal Clinic comprises of the following staff: -

1 Clinical Director who is based at Legal Clinic Office at Law Faculty who will be responsible for the day-to-day overall coordination, management and supervision of the clinic's work and staff; assistant director is assisting the legal clinic directors on matters of day to day activities.

5 Clinical Instructors those are based at Legal Clinic Office, these instructors are responsible to supervise, manage and coordinate the Legal Clinic practice units and case representations ; 3 Lawyers who are based in Hargeisa, 4 Paralegals those are based in Hargeisa whose are assisting and reporting to the lawyers, visit prison and police custody, 1 Secretary is based at Legal Clinic Office who will document and coordinate the delivery of legal assistance and clinical legal education, 1 Administrator/Accountant who is based at Legal Clinic Office;

Each employee of the Legal Clinic will carry out their duties and responsibilities in accordance with the Terms of Reference Anyone employed under the Legal Clinic cannot be simultaneously employed by any other faculty or department of the University of Hargeisa;

The dean of the Faculty of Law shall retain direct supervisory authority over the curriculum development and clinical teaching. The supervisory role does not extend to the management and oversight of the clinical caseload, which remain under the sole direction of the Clinical Director.

5. Legal structure (clinic units)

The legal clinic comprises five sections as per following demarcation

1. Human Rights Unit – IDPs/Refugees with the main task of advocating for refugees and IDPs rights and providing outreach services of legal representation and counseling;
2. Criminal Unit to provide student training participation in criminal proceedings and legal counseling and representation on criminal justice matters to individuals who are economically deprived and vulnerable;
3. Land and Property – Civil Unit to provide clinical students with training on civil law practice and represent marginalized members of the community who have property and other civil disputes;
4. Advocacy and Access to Justice Unit Clinic with the main task of promoting legal awareness and educating civil society and criminal justice stakeholders through public information campaign on legal aid and access to justice;
5. Family Law – Women and Child Rights Unit to provide legal advice and representation to women and juvenile in conflict with the law.

6. How we serve

- Outreach service
- Knock door service

To realize access to justice through these mechanisms the legal aid provided to:

- a) Walk-in clients. The Legal Clinic must continue to initiate its client intake process for individuals who “walk in” and those who are referred by cooperating Civil Society Organisations (CSOs), traditional elders, the Somaliland Judiciary, the Somaliland Lawyers Bar Association (SOLA) and the Somaliland Women Lawyers Association (SWLA);
- b) Remand cases. The Legal Clinic will give special attention to the legal needs of individuals detained in the prisons of Hargeisa, Mandera and Gabley who are classified as “remanded” or who were placed in prison due to an action of an entity other than the Somalia formal judicial system;
- c) Police custody. The Legal Clinic will give special attention to the legal needs of individuals detained in the Somaliland police stations;
 - Mobile Courts. The Legal Clinic must provide lawyers for the Mobile Courts to be established by the Ministry of Justice in collaboration with UNDP in an effort to increase access to justice for Somalilanders outside urban areas. The lawyers will travel with members of the judiciary and prosecutors to assist clients with identifying their legal claims and providing legal assistance as required.

PART ONE

7. Achievements and progress made during the last year in Legal Aid Provisions

Basically, the LC comprises five units, namely, the civil unit, criminal unit, human rights, women and child, and legal awareness and access to justice. Each of these units is run by respective unit directors/instructors. The main purpose of these units is to provide legal service and train students of law. The achievements made during last year of 2010 are as followings.

7.1 Overall aggregate cases provided legal representation through the legal clinic

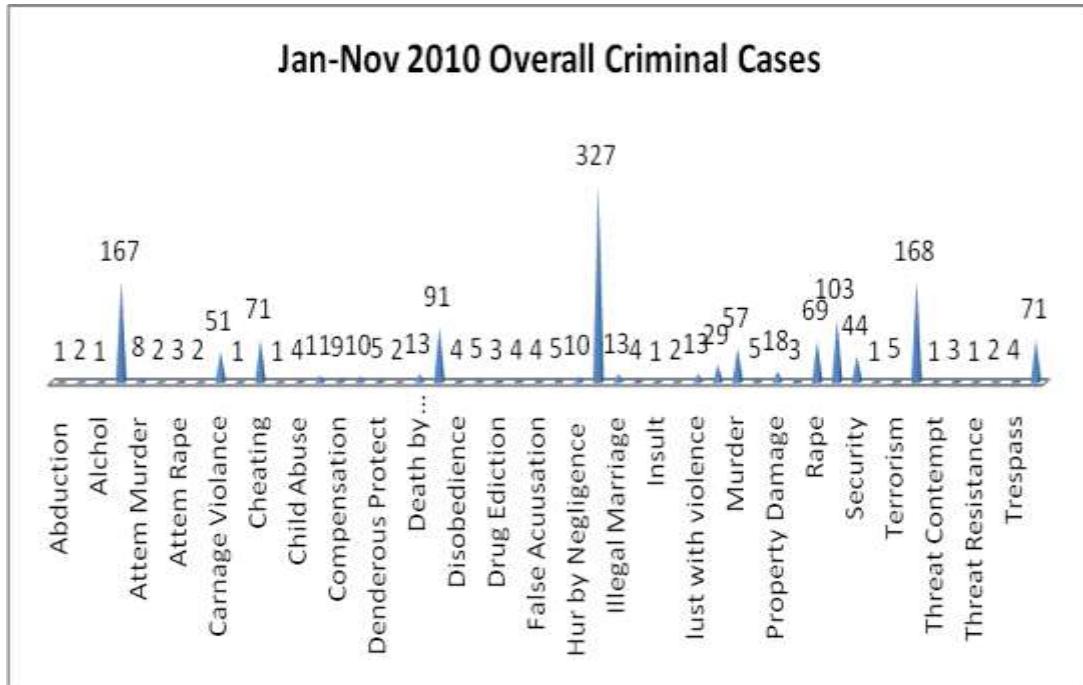
The total cases that the legal clinic received and provided the legal representation during the last year of 2010 were **1999**, these cases are including but not limited to cases provided legal advice and mediation by the way of traditional mechanism and action taken by each case. Also these aggregate cases will give you an explanation about the number of pending cases those on the process. For further clarification refer the annexes.

7.2. The 2010 Received Criminal Cases and their Status

- Annual Overall Criminal Cases

The LC received **1456** Criminal Cases in the year 2010. The cases are the aggregate criminal cases in which provided with legal representation, counseling and mediation through the traditional mechanisms including those are finished by the Legal Clinic and Pending cases those are still ongoing.

See the below chart to get the nature of these criminal cases and their variance.



- **Annual Finished Criminal Cases**

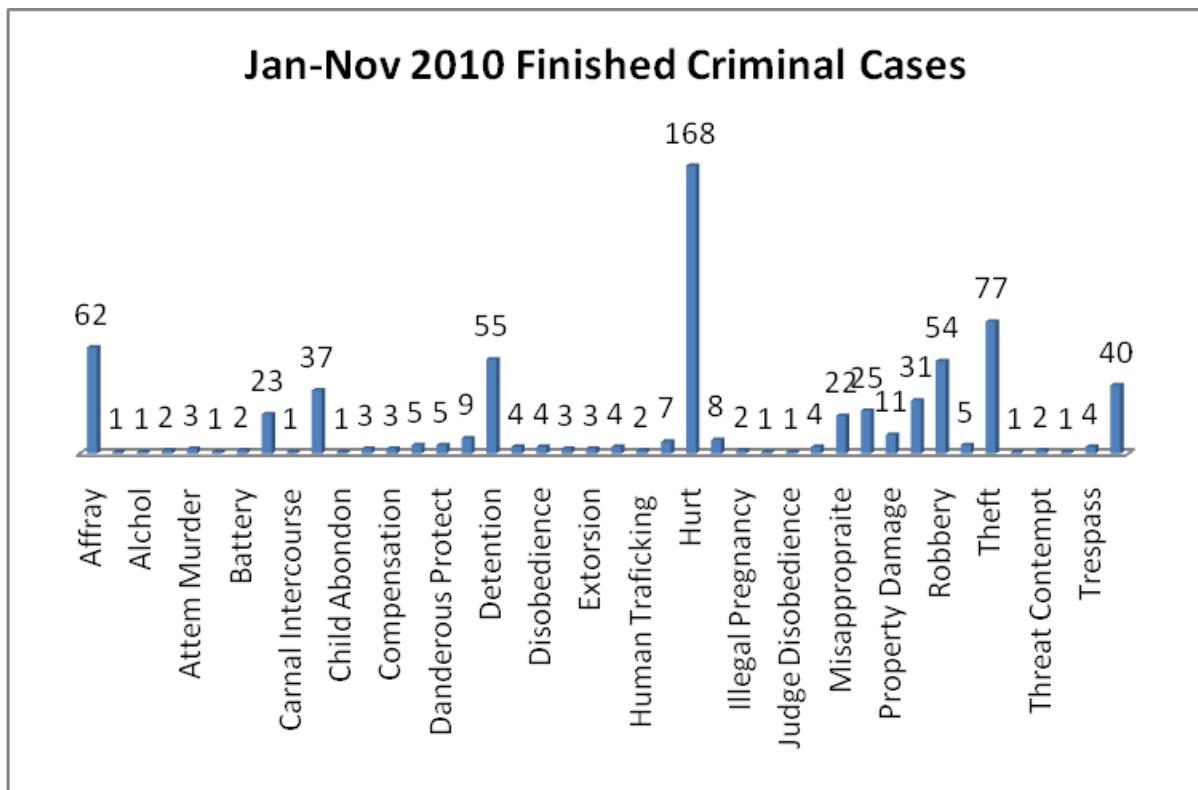
In the year of 2010, the Legal Clinic Finished 726 criminal cases. The method of solving these cases included representation before courts of law, legal counseling and through mediation.

365 cases have been finished through legal representation before courts of law

215 cases have been provided with legal counseling and advice

146 case have been resolved through traditional mechanisms

The following chart is illustrating the nature of these cases and their ranges and variances;



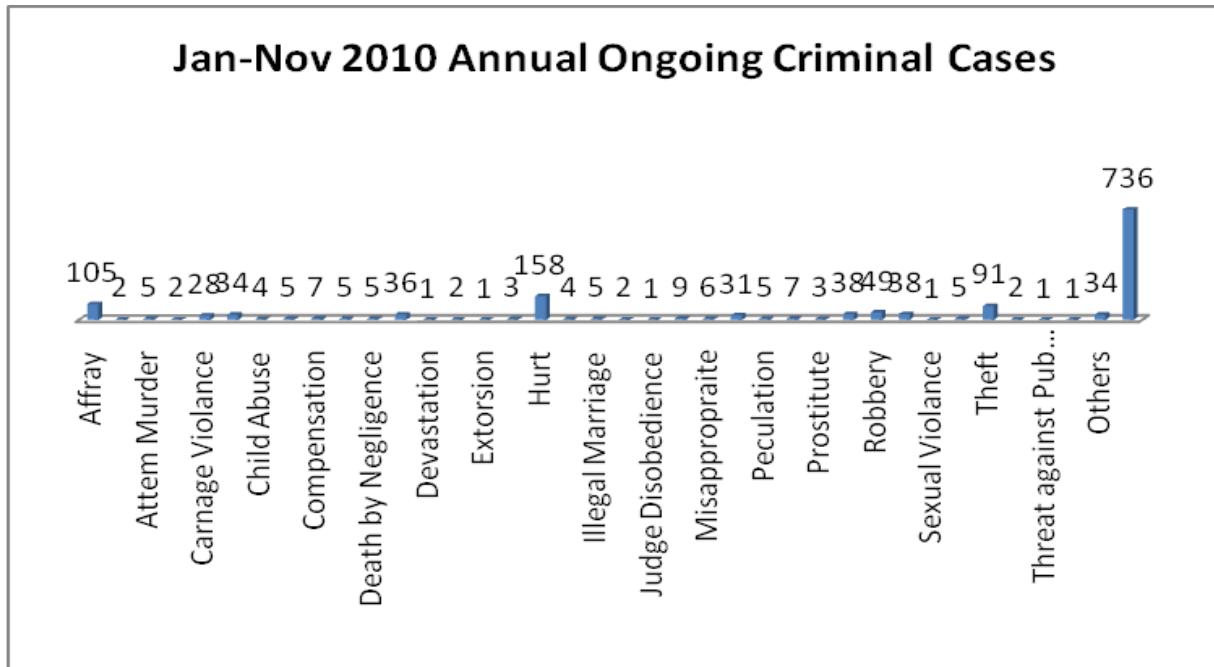
Illustration

According to the above chart, HURT crime is the highest among those received and provided with legal services, 2nd is THEFT, 3rd position has been secured by AFFRAY, 4th Position entered by DETENTION, 5TH position entered by ROBBERY crime, while CHEATING and RAPE entered in 6th and 7th ranks respectively.

Annual Ongoing Criminal Cases

In 2010, 730 criminal cases remained on going. The legal clinic provided legal service, namely legal representation before courts of law. Some of these criminal cases are remand cases, while some other criminal cases are on process and waiting the issuance of the court judgment.

See below the type and number variances of the 2010 ongoing criminal cases

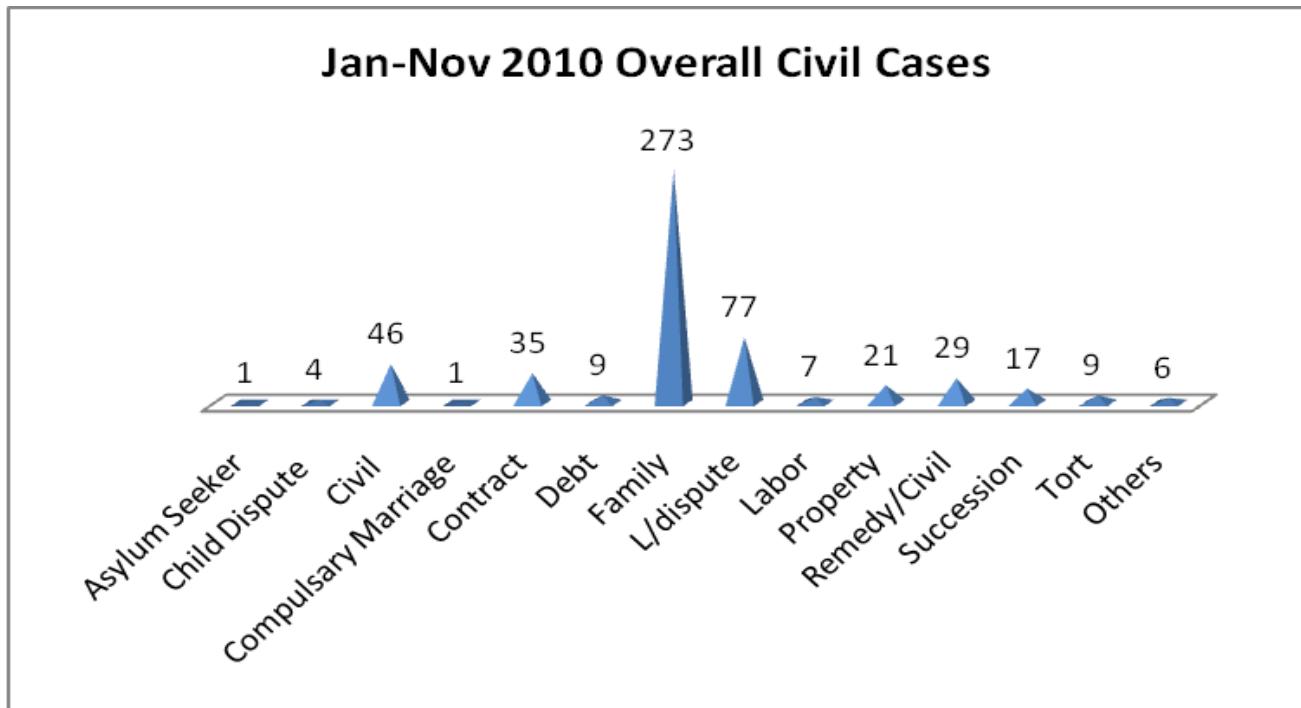


7.3. The 2010 Received Civil Cases and their Status

- 2010 Overall Civil Cases

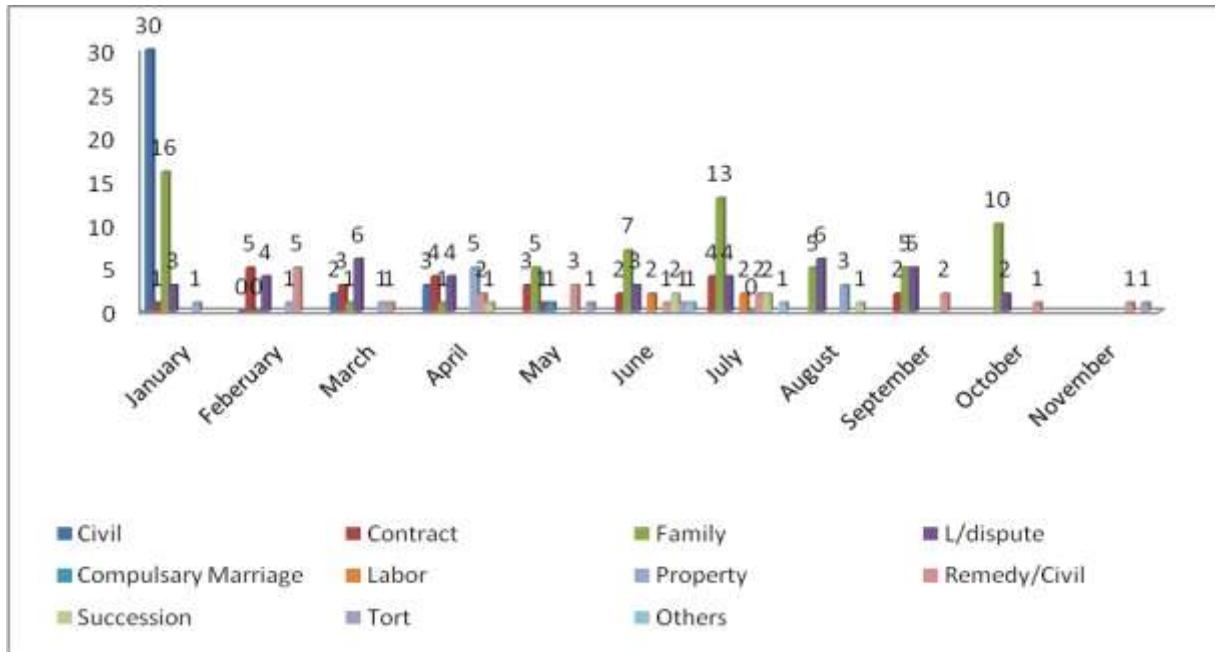
In 2010, the LC received 543 civil cases with different types from different social groups. These cases have been provided with legal services including legal representation before courts of law, legal counseling, and mediation through the traditional mechanisms. 204 cases have been finalized while 331 cases are still ongoing.

See the below chart for illustration of the cases in terms of their number and nature.



- 2010 Finished Civil Cases

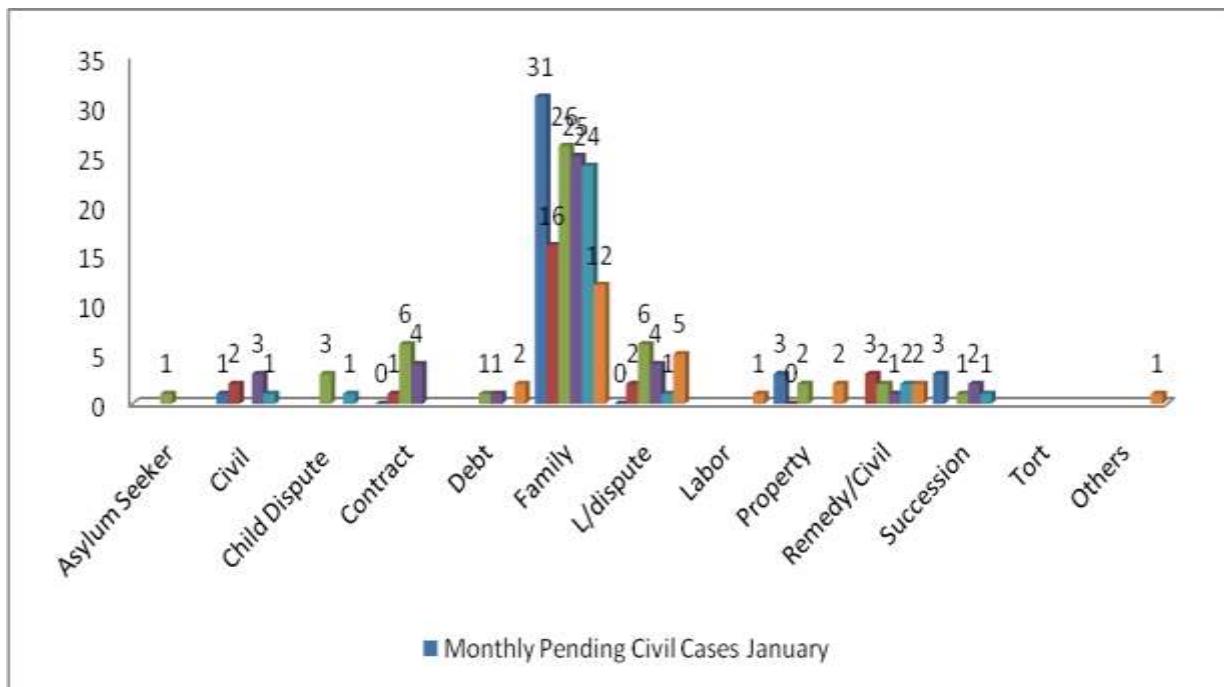
In 2010, the LC finalized 205 civil cases by providing them with legal representation, legal advice and mediation through the lines of traditional mechanisms. See the below chart to get the number and nature of these criminal cases



- 2010 Ongoing Civil Cases

In 2010, a number of 329 civil cases remained pending. These cases have been provided with legal representation and they comprise of cases those are in the process of issuing their final judgments from the courts while others are remand cases.

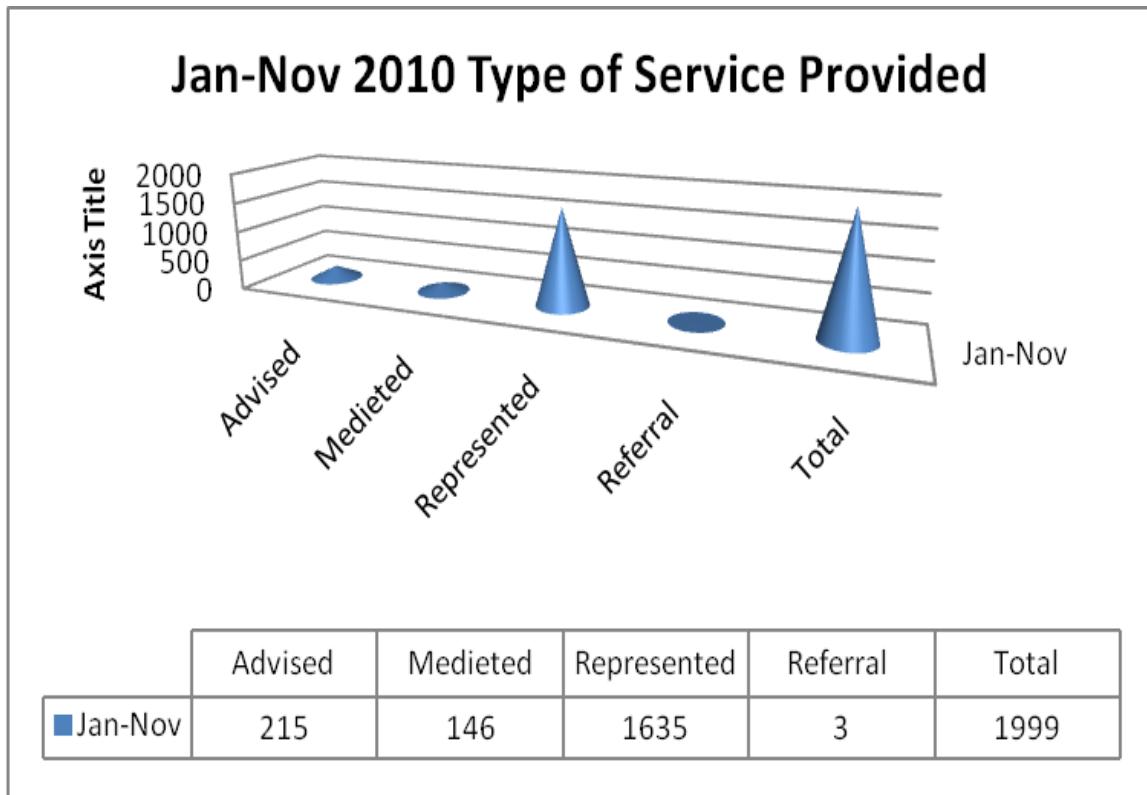
See the below chart for illustration of the nature and number of these civil cases;



7.4 Annual Type of Service Provided

In 2010, the legal clinic provided different legal services to its clients. The legal clinic lawyers represented 1635 clients before the courts of law, provided with legal counseling a number of 215 beneficiaries, provided mediation through the traditional mechanisms to a number of cases amounting to 146 cases, while three cases have been referred to other legal aid providers.

See the below chart for illustration of the services provided,

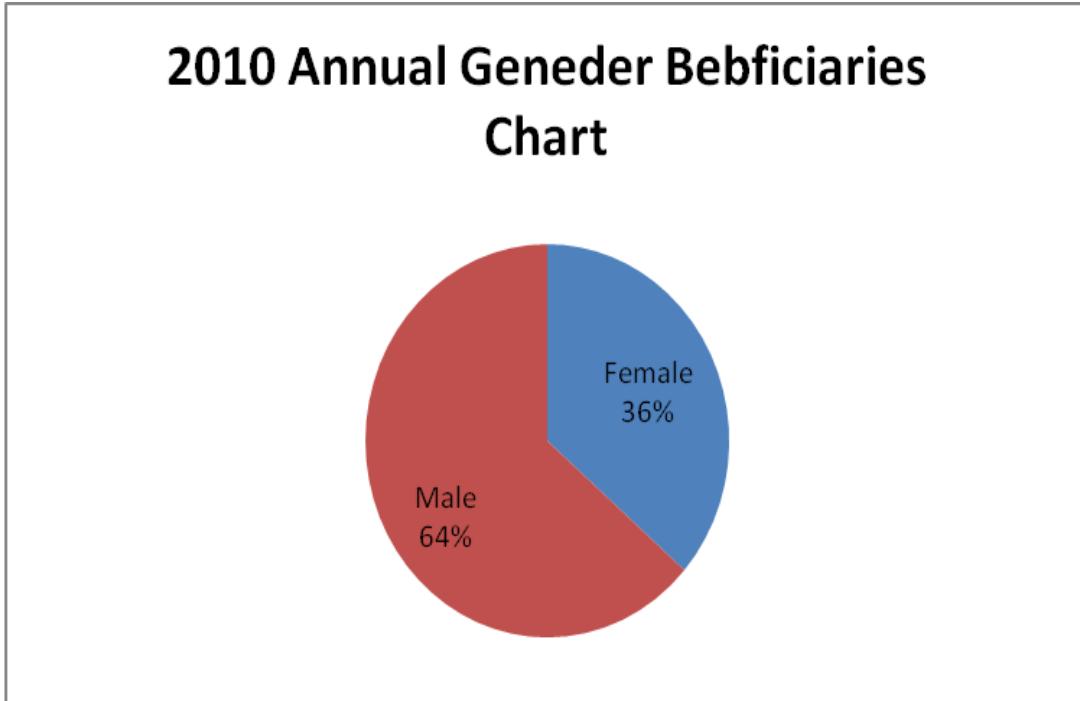


7.4 Annual of 2010 Gender Beneficiaries Chart

In 2010, the legal clinic provided legal service to the different gender groups. On the basis of providing equal service to gender groups, and the principle of gender equality, the clients of the legal clinic comprised of the two gender groups.

The number of female legal aid beneficiaries in 2010 was 715, whilst the number of legal aid beneficiaries was 1248.

See the below chart for illustration;

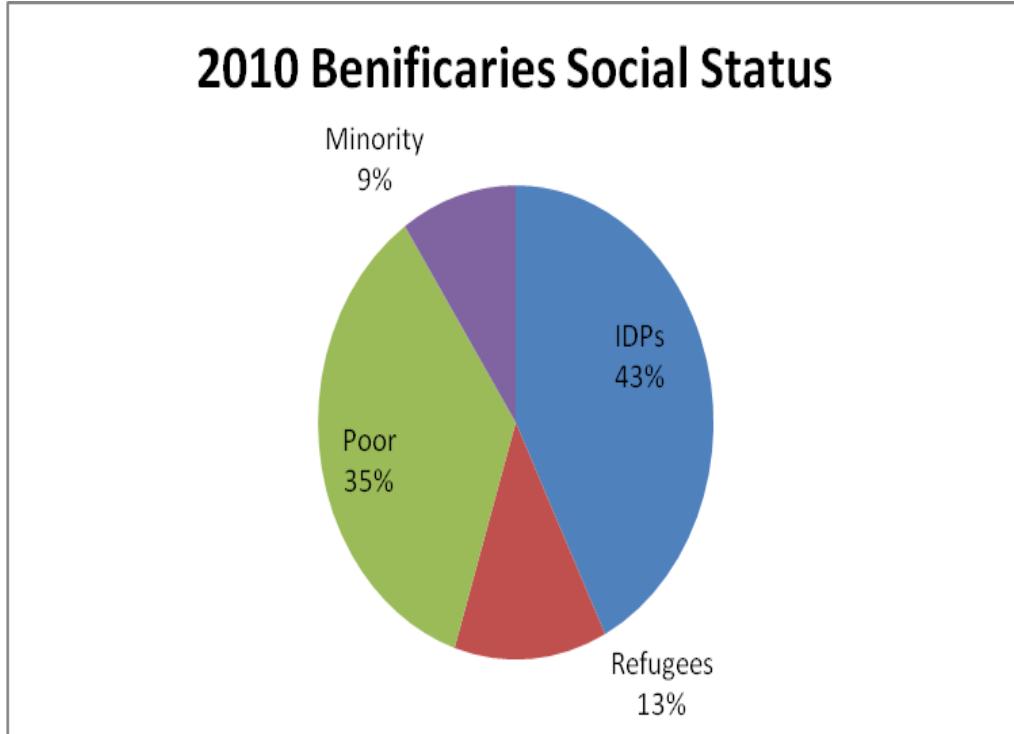


7.5 Social Status of the Legal Aid Beneficiaries in 2010

On the basis of the objective set forth for the providence of the legal which is “Increase Access to Justice and Legal Aid for Vulnerable Groups and Economically Deprived Individuals”,

The legal clinics served these groups with different social backgrounds, but finally share the characteristic of vulnerability, minority, and pro poor status.

See the following chart for illustration,



8. Annual Paralegal Movement

Paralegals

The two paralegals recruited by the legal clinic discharge their responsibilities in line with their job description. However, the daily visit to Hargiesa police stations namely:

- Central Police station;
- New Hargeisa police station;
- M/Mooge police station;
- Iftin police station;
- Dalodho police station;
- CID Hargeisa;
- First instance courts.
- Visit to Mahdera and Gabley prisons to assess remanded individuals and report to the legal clinic.

8.1 .1Number of cases reported by the paralegals

The legal clinic paralegals reported since January to November **859** in 2010. Whereby the legal clinic provided legal representation to 600 cases and have been released or solved through mediation, although 259 cases are on the process and being followed up the criminal lawyers.

The main purpose of the recruiting the paralegals was to collect accurate data for lawyers from specified destinations namely police stations, CID, remanded individuals in the courts of law.

These paralegals play a great role in interviewing detainees in the police stations though the police officers. However, the detailed data of the paralegals are brought to the legal clinic office on weekly basis. Such data is carefully examined by the director of the legal clinic who submits the data to the concerned unit directors to discharge their obligation.

The concerned unit directors take these detailed data to the court of law in order to represent the detainees before the court of law to defend their rights under the law.

Mostly the criminal unit is the concerned take the lead in criminal cases brought by the paralegals. Which are approximately 65 up to 70 cases per month.

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The legal clinic director conducts close supervision on the activities of both paralegals and lawyers in relation to their tasks.

The paralegals, specifically visit to all police stations in Hargeisa capital to assess and record number of detainees in those police stations, monitor the human rights situations in the police stations and report number of detainees based on their sex, nationality, age, reason for their arrest, articles they violated and other relevant information.

Based on this detailed information, lawyers act upon, and approach the detainees as quickly as possible to the place of arrest in order to secure the information and secure power of attorney from the detainees so that they can represent them before courts of law.

The cases brought by the paralegals increased the number of criminal and women and child cases handled by the two units respectively. Refer to the criminal and women and child unit's charts.

See the Paralegal Movement in 2010 and their Collection of Cases

S.N	Month	Number	Total
1	January up to march	267	267
2	April to June	115	115
3	July to Sep	285	285
4	October to November	190	190

The remaining uncompleted cases brought by the paralegals are under the follow up of the criminal unit.

PART TWO:

EDUCATIONAL VALUE AND PDC PERFORMANCES

9. Achievements and progress made during the last year in the Educational Value and Law Students Training

Educational value is one of the corner stone of the legal operation and it is the second objectives of the legal clinic where students of the faculty of law are part and parcel of the activities of the legal clinic, particularly theoretical and practical skills of the students. However, the LC practical students were attending the LC for case learning and analyzing, particularly those are prepared by the Publication and Documentation Center. The beginning semester, students restarted their practical sessions. The students interviewed and analyzed seven cases. In these cases students interviewed clients

9.1 Internship for Female law Graduates

The legal clinic students benefited from the courses and trainings offered to them by the legal clinic and skills of the students of the students has tremendously improved. In this respect, the 33 recently graduated female have tremendously took advantage of the legal activities and learnt remarkable lessons. Among these activities are care writing, case briefing, legal counseling, legal researching, site visiting. Male graduates were 66 in number and they also benefited from all legal clinic services mainly on lawyering skill such as trial techniques, client counseling and interviewing as well.

In fact, this internship program upgraded and enhanced the practical knowledge and shaped the legal understanding of these female students. They appreciate the UNDP full assistance of their education and development, while requesting from UNDP to maintain such assistance to further and develop women education and role in the society.

Currently, the legal clinic students who are engaging in the theoretical and practical skills of this year 2010 are 82 in numbers. These students are taking parting in class room activities in the afternoon and morning client counseling and case study with the supervision of the legal clinic respective instructors.

In addition, the lawyering skills of these students have tremendously improved when compared to status and level of the students in the past academic year. Moreover, legal clinician students have learnt both substantial and procedural lessons.

Among lessons taught to these students are trial techniques, conflict resolution techniques, case briefing, case analysis, client counseling and interviewing skills, legal writing, memo writing and legal research techniques.

All legal clinic units are assigned to the students and each unit provided them both practical skills and theoretical lessons to upgrade their experiences relating to the advocacy and lawyering skills.

Now, these students can advise clients, drawing up pleading and legal petitions for the clients, conduct basic legal research and can take part in any form legal services that have legal aspects.

In a nutshell, legal clinic have contributed to the upgrading standard of the students in relation to academic courses designed for these students were successfully taught to them in accordance with semester plan.

9.2 Major Activites in the Educational Value

- The legal clinician students on regular basis interview clients, assess their information, and give all case brief and analysis to the respective unit. On the basis of such case handling by the clinician students, cases are handled by the lawyers and directors accordingly. In January, 2010, students handled 20 cases of different natures. Such activities are aimed to increase the efficiency and practicality of the profession respectively.



Legal clinician students attending class.

- In 28th March, the LC Director and Assistant Director met with the LC Instructors to discuss with a new developed course outline for the legal clinic course. The course is comprehensive, updated and designed to enhance the student's practical potential. The new Legal Clinic Pedagogical Course Description has been approved and will be employed by

the instructors from this semester onwards. The developed course outline started in the same month, and each unit instructor has to train students in accordance with the outline.

- In March, 2010, students handled 25 cases of different natures. Such activities are aimed to increase the efficiency and practicality of the profession respectively.
- In 2010 the LC Instructors, on regular basis, applied the scheduled Legal Clinic classes while the approved pedagogical course outline was implemented. Instructors were monitored on the process while the attendance of the students and instructors were taken on class timings.
- The Civil Unit Students participated in preparing, interviewing, analyzing and writing Legal Memos in 10 civil cases those have been presented by the unit instructor before courts of law. These 15 cases in which the students in collaboration with the instructor prepared where among the monthly cases reported by the LC Civil Unit in May 2010.
- In 2010 The Human Rights Unit Students were operating in three IDP Sites for observance and report writing in the human rights conditions of these places. The assignment was reporting to unit instructor.
- In May, 2010, the Criminal Unit students attended in the courts for hearing purposes, while the number of cases practiced by them with the guidance of the Unit Instructor was 12 cases.
- The Women and Child Unit students also have court hearing as a part of the legal training.
- The Legal Awareness and Access to Justice Students were given an assignment of advocacy for vulnerable groups particularly the IDPs and Refugee. They have visited One IDP site and a Refugee Center near the Ministry of family. They reported the findings to the instructor.
- Similarly, the legal awareness unit students attended for practical purposes in a focus group discussion workshop held for the Child Protection Networks (CPN) in Juvenile Justice Law, and the best methods of disseminating the law to the community. As per course outline, student participated the group discussion and debated well during the FGD.



Legal Awareness Unit Students in FGD

- The LC Practical students participated unit activities in the month of June, 2010. They have attended court hearings, case briefings, case analysis and writing legal memos. In the Criminal Unit, Students involved in five cases, and in the Human Rights unit practiced in four cases, while in the civil unit students practiced in three cases and one case in the women and child unit.
- Students learnt many legal professional techniques including client interviewing, case briefing, case analyses, and writing legal memos.
- The LC course students entered the semester exam of the course in the last week of July, 2010. The course exam was a part of the faculty semester examinations. The faculty and the LC collaborated with the coordination of the examination. Students were tested the lessons they learnt from the theoretical classes and from the experience of their practical involvement in the legal practice profession. The LC course semester exam comprised of five different exam papers, each one of the LC units examined its students in accordance with the topics set in the LC course pedagogical and outline and exam results were announced. On other side students continued their practical lessons including attending courts and prosecutor office, as well interviewing writing cases and legal memos.
- The LC practical students were attending the LC for case learning, analyzing and management in the PDC. Students learnt many legal related lessons including Legal Forms as interview forms, letter of attorney, judgment letters, etc. Similarly, students learnt case analyzes through selected files.
- In October and November 2010 The LC practical students were attending the LC for case learning and analyzing, particularly those are prepared by the Publication and Documentation Center. In this semester, students restarted their practical sessions. On other side, students interviewed and analyzed ten cases. In these cases students interviewed clients
- As per Legal Clinic Pedagogical Course Outline, each LC unit students learnt their area of study, each unit instructor covered the course outline and students learnt the following;
- *LC Criminal Unit students learnt and studied the following;*
 - Fundamental substantive criminal law.
 - Basic criminal procedural law.
 - Trial techniques and handing of cases
 - Case briefing and analyzing
 - Client interviewing skills and counseling
 - Basic conflict resolution mechanisms for law such as arbitration, mediation process.
 - Basic research writings for legal memos.
- *LC Civil Unit students learnt and studied the following;*
 - Basic substantive civil law lessons.
 - Basic procedural law theoretical and practical lessons
 - Trial techniques and tools for lawyers
 - Case briefing and research techniques.

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- Client interviewing and counseling techniques.
- Basic conflict resolution mechanisms and research writing for legal memos.
- *LC Human Rights Unit students learnt and studied the following;*
 - Basic human rights theoretical lessons from Somaliland Constitution and international human rights instruments digest and analyze in detail.
 - Basic human right cases relevant to the Somaliland context.
 - Case briefing techniques and research
 - Trial techniques and conflict resolution mechanism for law students.
 - Basic human rights case investigation and monitoring process.
 - Basic research writing legal memos.
- *LC Women & Child Unit students learnt and studied the following;*
 - Basic JJ and CRC provisions in both theoretical and practical contexts.
 - GBV and child advocacy and counseling techniques.
 - Basic trial techniques and tools for lawyers.
 - Case briefing techniques.
 - Client interviewing and counseling process.
 - Basic conflict resolution for law.
 - Writing legal memos and research.
- *LC Legal Awareness & Access to Justice Unit students learnt and studied the following;*
 - Advocacy and lobbying process for law.
 - Basic techniques for access to justice theoretical lessons.
 - Basic debates and legal campaigns approach to the people.
 - Basic briefing and clients orientations.
 - Basic legal writing and oral arguments.
 - Conflict resolution and legal writing skills.

10. Publication and Documentation Center Performance

The publication and documentation center is a new initiative organized by the legal clinic and funded by United Nations Development Program (UNDP). However, the publication and documentation centre (PDC) became operational on 15th July 2010 at the legal clinic office of the University of Hargeisa.

The purpose of improving legal clinic documentation center and serve center that monitors and keeps all LC files. Likewise, center is aimed at publishing cases finalized by the courts of law so that it could play paramount role in the promoting provision of access to justice and promote capacity building of the judiciary lawyers, prosecutors and the students of the faculty of law who are expected to learn practical experience from the PDC.

The main objective of the PDC is documenting court judgment and analyze for academic purpose of which can provide information through potential beneficiaries. This documentation can be arranged inform of case report, which the beneficiaries could positively understand the contention of parties to the case and constructiveness of the final judgment. This documentation can have an impact on the weakness of judiciary where judges can learn their mistakes after carefully analyses and publication. In this context, legal clinic can be watch dog in the process of attaining justice and relevant stakeholders could take advantage of the high standards publication center PDC.

In addition, in order to improve Legal Clinic Database system, Publication and documentation centre is to document all legal clinic files for betterment of organized database system and monitor daily activities of legal clinic instructors about their movements towards case client representation.

10.1. Recruiting of the PDC staff

The legal clinic administration along with hiring committee of the University of Hargeisa and UNDP judiciary advisor Mr. Abdulhakim Mohamed hired one senior lawyer, monitoring office and one secretary who are engaging in the activities of PDC and playing an active role in filling, maintaining, collecting, analyzing, editing and publishing cases that have educational value for the students of the faculty and improving of the administration of justice in the judiciary organs in relation to cases that they decide. PDC also expected to promote positive relationship between legal clinic and justice actors.

10.2. Documenting all legal clinic files in PDC

The legal clinic administration, organized meeting will all legal unit instructors in order to inform them that legal clinic PDC will be responsible for keeping all legal clinic files for proper documentation system.

The center started collecting all completed and pending files to examine documents in the files such as relevant legal clinic administrative files (case opening files, income legibility form power of attorney, students' roles in the interview stage of the potential clients, pleading, decrees, and decisions of the courts as well).

All legal clinic files are now maintained in the PDC to serve as mere documentation system and monitoring and supervision of legal clinic unit instructors and lawyers as well.

The main purpose behind keeping all files the center is to ensure that legal clinic files are properly files, easily accessible by the legal clinic instructors, lawyers and administrative staff.

10.3. Activities undertaken by the PDC

The following detailed activities are carried out by the PDC during the period that it was operational.

So far, as explained by the schedule of work in the PDC staff completed following activities in the month of August, 2010:

A. Office working activities.

1. Fixing white boards on the walls.
2. Collecting and writing on-going cases in the boards.
3. Arranging the office activities and installing the devices.

B. Writing of six different cases for the publishing of the first volume book.

No.	Court	# cases	Civil cases	Criminal cases	Time frame
1	Supreme court	4	2	2	15 August -31 December 2010
2	Appeal court	8	4	4	15 August -31 December 2010
3	Regional court	10	5	5	15 August -31 December 2010
4	District court	10	5	5	15 August -31 December 2010
5	Tribunal court	4	4		15 August -31 December 2010
	Total	36	20	16	

C. Developed new forms and sheets.

D. Assorting, filling, Documenting and archiving all legal clinic finished cases from 2004-2010, received from different units of the legal clinic.

E. Initially, on 27 July 2010 PDC team met secretary of the legal clinic in order to see the filling system and documents available, but the team found almost nothing, particularly no files have been kept in the office for the paralegal.

F. Files were not properly neatly filled with the required information, while most of the documents were poorly shelved, for this reason the publication centre

have worked Eight(8) days to put documents Proper order, sorting them in Chronological dates, nature of the cases, and Finally, file numbers.

This new system will facilitate the reference of the Legal Clinic files. The total number of files kept in the documentation center is 815

The finished cases are as following.

- 8 (eight)cases are criminal and
- 8 (eight)cases are civil

DIAGRAM 1: Criminal Cases

S/N	Nature of the offence	Article	Case number	Court level
1.	Simple Hurt	440 (1)	MDH/DDL/64/2010	District
2.	Simple Hurt	440(1)	MDH/DDL/686/2010	District
3.	Forgery(money laundry)	348	MGH/DDL/118/2009	Regional
4.	Robbery	484	MGH/DDL/874/2009	Regional
5.	Cheating and land trespass	496, 491	MGH/DDL/80/2009	Regional
6.	Organized crime(complexity)	484,434,297,340.	MGH/DDL/01/2009	Regional
7.	Death by negligence and damage to property.	445,491	MRH/D-DRL/34/2010	Appeal
8.	Attempted murder	434	MRH/D-DRL/50/2009	Appeal

DIAGRAM 2: civil cases

S/N	Nature of the case	Nature of the claim	Case Number	Court level.
1.	Family	Maintenance for children	MDH/DML/1120/2009	District.
2.	Family	Unpaid family maintenance and divorce	MDH/DML/226/2010	District.
3.	Family	Divorce	MDH/DML/266/2010	District.
4.	physical injury	Execution of agreement for injury	MGH/DFL/47/2010	Regional.

		compensation		
5.	Family	Maintenance	MRH/D-MRL/06/2010	Appeal.
6.	Tort liability	Claim for compensation of physical damage	MRGH/D-MRL/88/2007	Appeal.
7.	Family	Claim for dissolution of marriage(nisi-decree)	MS/26/2009	Supreme
8.	Family	Claim for dowry	Ms/73/08	Supreme

10.4. Developed Data base system

The PDC started pr, pilot data base system in which all legal clinic data files will be placed in the data system. However, training of the data base system was conducted by the legal clinic. The new data system is expected to be operational in the coming new year of 2011.



PDC staff attending the training of the data base.

Next case publication documenting is in the pipe line

The documentation center has already selected, translated and edited next cases analysis that will be published in the coming months. The cases are 16 in number comprising both criminal, civil, human rights and women and children.

Draft legal clinic annual report

PCD is working properly and all legal files are professionally maintained and monitored in line with legal clinic administrative manual.PCD has played an active role in maintaining close monitoring of files handled by the legal clinic unit instructors and lawyers. It has also improved proper documentation system and publication process of the selected files from the completed cases.

PDC has brought about positive documentation system in the legal clinic and effective case monitoring system. Therefore, PDC is moving properly and it is recommended that to sustain its working mechanisms in order to safeguard the overall operation of the legal clinic.

PART THREE:

LEGAL AWARENESS RAISING ACTIVITIES

As a part of its activities, the LC conducts outreach campaigns throughout the regions of Somaliland with aim of increasing the awareness raising programs for the public through local media, training workshops, public meetings, public debates and public lectures as well.

This initiative enabled LC beneficiaries to perceive their basic rights recognized by the Somaliland Constitution. However, the LC target groups take advantage of the awareness raising activities undertaken by the legal clinic.

11. Public Lectures and Debates

11.1. Public Lecture Documentary Film

- ✓ In January 17th, 2010 the legal clinic students conducted an extra-curricular activity in which they displayed a documentary film about legal immigration. The public lecture was held in the main university hall where all the university students participated in addition to university officers and invited guests from the public institutions as well.. The documentary film was covering the immigration from the legal perspective, emphasizing that the move is illegal and placing the migrant in a danger position where he/she can lose his life. The documentary public lecture film unveiled many untold stories of migrants those vanished during their journey and others those have been arrested or returned to their home country. Immigration law was explicitly explained and indicated the necessity of following the immigration law procedures in case of traveling to a foreign country, and the dare consequences of practicing illegal routes.



- ✓ On 16th February, legal clinic conducted one night public debate for law students at the university of Hargeisa hall. The debate



11.2. Impact of the Public Lectures and Debates

The public lectures and debates held by the LC brought different impacts. Students expressed their ideas and gave their argumentation in the light of the topics of the lectures and debates. Such participation is enhancing their legal argumentative capacity as well strengthening their analytical methodologies.

Students acquired knowledge from the lectures and debates since topics selected were current and significant in the legal arena.

12. Training Workshops

- ✓ A workshop training of police officers on human rights was held in 6-th-7th January at Imperial Hotel, Hargeisa. The Legal Aid Clinic organized the workshop with the funding of UNDP/ROLS. The aim of the workshop training was to strengthen the knowledge of human rights within the police since their duties are closely related to human rights protection and promotion. The workshop training hosted thirty officers of different sections and locations from the Somaliland police force.



- ✓ On 13th ____ 15th February legal clinic conducted three days workshop for thirty Hargeisa district police commissioners and investigators held at Imperial Hotel. The aim of the workshop was to increase officers legal education in respect of Human Rights Law, both national and international levels, as well the criminal procedure law.



- ✓ On April 29 2010, a Legal clinic team leading by the Advocacy Coordinator held an Advocacy Focus Group discussion in Burao participated by 20 members from the Community Elders, Parents, Police, Judges, Prosecutors and Child networks in Burao. The participants were composed of the following parts of the community: -

1. Community Elders
2. Parents
3. Police
4. Judges
5. Prosecutors
6. Child networks

The Focus Group Discussion emphasized that child criminal criminals will be treated in accordance with JJ Law, while parents detention of their children is not a good method of improving the child's behavior, but oppositely jails and prisons may empower criminal mentality of the child.



- ✓ On 29th-30th of May, 2010 the LC organized a focus group discussion workshop held for the Child Protection Networks (CPN) from the six regions of Somaliland in Juvenile Justice Law, and the best methods of disseminating the juvenile law to the community. The Legal Clinic organized the FGD workshop with the support of UNDP/UNHCR.



- ✓ The LC organized a focus group discussion workshop in Awdal region for the purpose of disseminating Somaliland Juvenile Justice Law for the best protection and promotion of child rights. The JJ Law Dissemination team organized the program with the participation of the region CPN's, elders, parents, police, and other stakeholders from Awadl region



11.4. Impact of the Training Workshops

After end of these workshops and trainings the participants were well aware about the knowledge and human rights issues where the head of the Somaliland Police training promised to adopt from now on. That shows how Somaliland police force is committed to change their previous attitude in a positive way to practice human right knowledge, standards related to the administration of justice i.e. Standard Minimum Rules for the Treatment of Prisoners, Basic Principles for the Treatment of Prisoners, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment , United Nations Rules for the Protection of Juveniles Deprived of their Liberty ,

Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) , Code of Conduct for Law Enforcement Officials, etc.

13. Immediate Impact of the LC Activities

- ✓ Familiarity of Legal Rights and access to justice at grass root level through dissemination and communication tools including magazines, booklets, radio programs, community meetings, etc.
- ✓ Increase number of clients contacting LC offices. This is due to the familiarity of the LC activities and services to the pro-poor through monthly meetings, media, field visits, police stations visit, prisons and advocacy conducted by the paralegals as well client information and report to their communities and constituents.
- ✓ Proper documentation system improved.
- ✓ Legal skills of the faculty of law students improved gradually as the LC developed course description for clinician students and the respective units. This has brought about students learning by doing in case briefing, case analysis. Research, mediation, advocacy, arbitration and client counseling process has dramatically improved.
- ✓ Provision of pro-poor people

14. Constraints

- ✓ Lack of independent judiciary and delay of court judgment,
- ✓ Absence of capacity building for the legal clinic staff and lack of experience sharing visits to the other countries with successful legal clinic institutions.
- ✓ Outreach services decreased due to unavailability of fund, thus decrease of legal knowledge and education specially the public institutions.
- ✓ LC working environment is not favorable in terms of office utility space.
- ✓ Cut off the Legal Awareness Raising Fund in the 2010 MCG
- ✓ Lack of harmonized legal system in the country
- ✓ Unexpected Miscellaneous expenses, such as court judgment fees
- ✓ Poor people cannot reach the legal clinic due to problem of transportation.
- ✓ Delay of some unit directors' legal clinic activities report on time.
- ✓ Limited budget to implement planned activities.
- ✓ Absence of short term and long term experience sharing training for legal clinic staff.
- ✓ Limited office premises.

15. Lessons learned

The legal clinic learnt that conducting such workshops, debates and legal aid representations before court of law to be speed up and level of awareness raising initiatives to be increased.

Similarly, the clinic learnt that awareness required particular awareness raising activities aimed local community sanitization on the basic fundamental constitutional rights and other international human standards.

It is also important to underline that sing boards, leaflets and continuous short term and long term training activities for law enforcement, custodian corps, and judiciary to be concentrated in 2011 project work plan.

16. Recommendations

- UNDP should sustain the assistance of Technical and financial aspects to the faculty of law legal clinic
- Capacity Building for Faculty's Academic staff
- Increase capacity building for the legal clinic staff in order to enhance their performance
- Arrange exposure visit of the legal clinic staff to other countries
- New vehicle for the legal clinic is a matter of necessity due to the LC increasing activities
- PDC fund will be sustained due to its tangible benefits for research and academic study of the LC, Faculty of Law and Law Students.
- Recruit two-three researchers for PDC in order to accelerate the conduction of research and legal analyses.
- Separate premise for the LC is extremely important for the operational use.
- Fund for awareness raising programs including police and custodial corps training workshops, as well other concerned stakeholders including civil society organizations, media programs, etc
- Increase level of media debate and TV programs of the legal clinic activities on access to justice provisions.
- Increase community based sensitization to promote basic fundamental freedoms of the Somaliland Constitution in order to empower the community to perceive their rights.
- Increase and maintain the internship programs of the new graduates' students while the legal clinic is very keen to the clinician students.
- Allocate in the upcoming New MCG2011 miscellaneous amount of court judgment fee and applications for the poor people.
- Increase the administration cost of the legal clinic while the service of the legal clinic became strong academic institution which provides un-limited legal services for the students and clients as well.

END