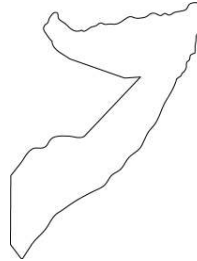
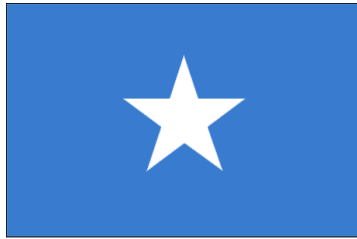


SOMALIA

(FORMER NAMES: SOMALI REPUBLIC, SOMALI DEMOCRATIC REPUBLIC)



BACKGROUND AND LEGAL SYSTEM

| | |
|------------------------|--|
| LEGAL SYSTEM | Currently no national legal system. <i>Shari'a</i> and secular courts based on customary Somali law exist in some localities. Accepts International Court of Justice jurisdiction with reservations. |
| POLITICAL SYSTEM | Transitional Federal Government. The Transitional Federal Government consists of a Transitional Federal Assembly, a Transitional President, a Transitional Prime Minister and a Transitional Cabinet. Other independent governing bodies exist in Puntland (a semi-autonomous region) and the Republic of Somaliland (a self-declared autonomous state). |
| HEAD OF STATE | Transitional President, elected by the Transitional Federal Assembly. |
| HEAD OF GOVERNMENT | Transitional Prime Minister, appointed by the Transitional Cabinet. |
| SUBNATIONAL ENTITIES | 18 regions. |
| SUBLOCAL ENTITIES | Various clans. |
| TRANSLITERATION SYSTEM | None. |
| LANGUAGES | Somali is the official language. Others include Arabic, Italian and English. |

CONSTITUTION

| | |
|-----------------|---|
| OFFICIAL NAME | Constitution of Somalia. |
| ENACTMENT | Adopted August 25, 1979; approved by president September 23, 1979. The existence of the Transitional Federal Government calls into question the validity of the Constitution. A Transitional Federal Charter was established in February 2004 and is expected to serve as the basis for a new constitution. |
| CITATION FORMAT | CONST. SOMAL. [Constitution] ART. ____ SEC. ____, CH. ____ (1979). SOMAL. CONST. [Constitution] ART. ____ SEC. ____, CH. ____ (1979). CONST. SOMAL. [Constitution] ART. 3 SEC. 1, CH. 1 (1979). |
| <i>Example</i> | SOMAL. CONST. [Constitution] ART. 3 SEC. 1, CH. 1 (1979). |

STATUTES

| | |
|----------------------|---|
| GOVERNMENT STRUCTURE | The Transitional Federal Assembly is a 275-seat unicameral legislative body. |
| LEGISLATIVE PROCESS | The Transitional Federal Charter gives regional administrations broad autonomy underneath a skeletal federal government. The Transitional Federal Assembly is located in both Mogadishu and Jowhar, which make it difficult for the Assembly to perform its duties. The main functions of the Assembly are to ratify laws submitted to it by the executive branch, to elect the president and to make votes of confidence for government ministers. |
| REPORTER | <i>Official Gazette.</i> |
| CITATION FORMAT | <Name of Act> Law No. <law number>, SOM-<Year>-L-<number>. |
| <i>Example</i> | Somalia Cooperatives: Cooperative Development (Amendment) Law No. 40, SOM-1980-L-32614. |

ADMINISTRATIVE REGULATIONS

| | |
|---------------------------|---------------------------|
| ADMINISTRATIVE SOURCES | None currently available. |
|---------------------------|---------------------------|

CODES

| | |
|------|--|
| CODE | None currently available. The Somali Law Council is currently attempting to gather and organize all Somali laws. |
|------|--|

CASE LAW

| | |
|----------------------|--|
| JUDICIAL OVERVIEW | <p>Most regions in Somalia have reverted to local forms of conflict resolution as a result of the central government breakdown. This judicial process relies on either secular, traditional clan-based arbitration or Islamic (<i>Shari'a</i>) law with a provision for appeal of all sentences.</p> |
|----------------------|--|

The judicial system in place at the time of the 1979 Constitution consisted of a four-tiered system: the Supreme Court, courts of appeal, regional courts, and district courts. The 84 district courts comprised the lowest level of Somalia's judicial system. Eight regional courts made up the next level of the court system, which was followed by the two courts of appeal.

The Supreme Court sat at Mogadishu and had ultimate authority for the uniform interpretation of the law. The Supreme Court heard appeals from the lower courts and settled questions of court jurisdiction. The Supreme Court was headed by a chief justice, referred to as the president. The other members included a vice president, nine surrogate justices and four laymen.

Although there is no final judicial authority at present, regional courts exercise broad judicial powers. In Somaliland, the Supreme Court oversees the judiciary and has authority over elections. The Constitutional Court of Puntland has the power to mediate disputes regarding the constitutional authority of government officials.

| | |
|----------|-----------------|
| REPORTER | None available. |
|----------|-----------------|

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