

respectively, on account of published articles which they wrote. Somali journalists were also briefly detained in Hargeisa by Mohamed Egal's militia.

In practice the judicial system hardly functions in most of the former Somali republic. The failure to develop a working system of justice or a national police force during the UNOSOM presence resulted in local law and order being arbitrarily maintained by factions and clan-based Islamic courts, some of which applied strict Islamic (Shari'a) law. The result has been arbitrary detentions, summary informal trials, cruel punishments and executions. Various groups have called for the use of Shari'a courts and penalties throughout Somalia. This may gain support in the absence of an effective judicial system to control high levels of crime. In the northwest, the self-declared Somaliland Republic has a functioning legal system based on the 1962 Penal Code. This has replaced Islamic law and includes a supreme court. Information is unavailable regarding the impartiality and independence of the judiciary.

Discrimination along clan and sub-clan lines, and by ethnic Somalis against Bantu farmers in river-plain areas and Swahili communities along the coast, is prevalent. Societal discrimination against women and widespread abuse of children also continue to be serious problems. Women as a group are not integrated into the political process and no women hold prominent public positions. Female genital mutilation remains widely accepted and practiced throughout Somalia. As for the youth, it is still common practice for boys 14 or 15 years of age to be engaged by various militias.

CANADIAN POSITION

In light of the political and security situation in Somalia, Canada maintains a watching brief on the country, and where possible, tries to provide assistance through various multilateral and NGO channels. Since 1991, Canada has provided more than \$43 million in emergency food and non-food humanitarian assistance, and taken in over 20,000 refugees. Although the \$150,000 Canada Fund was suspended due to the security situation, CIDA approved, in October 1995, a \$1.5 million grant to the International Committee of the Red Cross for their 1995/96 programs.

In Canada, the Commission of Inquiry into the deployment of Canadian Forces to Somalia continues its investigation and public hearings.

Canada continues to work with the donor community and the UN Secretary General to determine what future role the international community can and should play in Somalia.