



# 2015 | PRESS FREEDOM UNDER SEIGE IN SOMALIA



Ururka Qaranka Suxufiyiinta Soomaaliyeed  
National Union of Somali Journalists

The 2015 Annual Report  
of the National Union of  
Somali Journalists





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# Foreword

**BY: OMAR FARUK OSMAN, SECRETARY GENERAL  
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**Somalia’s journalists have long been forced to work under difficult and dangerous circumstances, and the year 2015 offered them no respite. Repression and acts of murder committed against journalists continued unabated. Rights abuses against journalists in Somalia have taken many forms but share a common purpose: influencing their reporting or silencing them.**

Multiple attacks against journalists and media outlets were carried out during the year. Six journalists were murdered in 2015. Twenty-five were arrested. Some of them were detained without charge. Others journalists who were arrested appeared in court, and several of them were convicted on spurious charges, sentenced and fined.

Media houses were closed down for nothing more than reporting truths that were unpalatable to some of the people in the news. Media outlets and journalists have faced pressure from various interests seeking to manipulate the news or

obstruct its reporting. These interests include government officials, businessmen pushing a political agenda or furthering their own interests and major advertisers seeking positive coverage or to neutralise critical coverage.

However, the most acute threat to independent reporting in Somalia is criminal violence. Journalists have faced charges from out-dated penal codes on defamation, publishing false news, sedition and public incitement. Fear of legal sanction muzzled them, preventing them from critically reporting on the country’s political leaders. The Penal Code was used to muzzle journalists when the widely-criticised Media Bill, passed while this report is being written, was being debated by parliament.

The responsibility of the Federal Government and the regional administrations of Puntland, Somaliland and Hiran for attacks against journalists in 2015 has been thoroughly documented.

Al-Shabaab has openly claimed responsibility for the

killing journalists. Ahlusunah Waljama significantly contributed to the oppressive environment in which the media functions in Somalia’s central regions.

The prevalence of threats and impunity for perpetrators has spread the practice of self-censorship among journalists. Impunity for violations of press freedom have remained the norm, and the pervasive climate of impunity has increased journalists’ insecurity.

However, not everything was grim in 2015. Journalists still have faith in their profession and are doing their job against all odds. The NUSOJ spearheaded the fight against impunity for attacks on journalists across the country. They were able to come out and openly demand an end to impunity on the International Day to End Impunity, and the union won what will hopefully be a precedent-setting freedom of association case against the government at the International Labour Organisation.





# Killings of journalists

**30**  
APRIL 2015

At around 1am, gunmen raided the home of 38-year old Daud Ali Omar in Bardale village, Baidoa. They sprayed Mr Omar, a reporter and presenter working for Radio Baidoa, with bullets, killing him, his wife Hawo Abdi Adan and a man sleeping in the next house.

The administration of the South-West Regional State announced that Al-Shabaab fighters had killed Daud Ali Omar, his wife and his neighbour. This was confirmed by Al-Shabaab, who described Omar as an “entertainer of government propaganda”.

**26**  
JULY 2015

Abdihakim Mohamed Omar, a producer for the Somali Broadcasting Corporation (SBC), and Mohamed Abdikarim Moallim Adam, a reporter for Universal TV in the Gedo region, were killed when an Al-Shabaab fighter drove a car packed with explosives through the gate of the Jasiira Hotel. Another journalist, Salman Jamal, a reporter for Universal TV accompanying Mohamed Omar and Moallim Adam, was seriously wounded.

The three journalists were on their way from Mogadishu's International Airport, driving past the front of the hotel when the attack happened. The two murdered journalists had just arrived from the Gedo region of south-western Somalia. Mohamed Omar had been in the town of Luq in the Gedo region visiting his family, but he was stationed in Bossasso, in Puntland. Jamal went to the airport to meet the journalists.

**08**  
SEPTEMBER 2015

Two men armed with pistols followed journalist Abdullahi Ali Hussein, known by his nickname Aano Geel, when he left a mosque near his home in the Dharkenley district of southwest Mogadishu after night prayers. They shot him four times in the head and chest, according to a family member that witnessed the murder.

Mr Hussein died immediately and his killers fled the crime scene. He was the English editor of the Waagacusub news website and a sports reporter. He had previously received threatening messages and calls because of critical reports on terrorism Waagacusub and other websites had published.

**01**  
NOVEMBER 2015

Mustaf Abdi Nur, known by his nickname Shafana, a journalist at Shabelle Media Network and a freelance cameraman for Doha-based Al-Jazeera TV, was killed in the explosion of a vehicle-borne Improvised Explosive Device (VBIED) used by Al-Shabaab in an attack on the Hotel Sahafi. The journalist was hiding behind the booby-trapped car, filming the ongoing attack. Faisal Omar Hashi, a journalist working for Reuters news agency, was slightly wounded in the attack.

**03**  
DECEMBER 2015

Hindiyo Haji Mohamed, a female journalist for government-controlled Radio Mogadishu and Somali National TV, died after sustaining serious injuries when an explosive device placed under her vehicle exploded near Mogadishu's KM4 junction. A pedestrian walking nearby was seriously wounded. Al-Shabaab fighters captured later by the National Intelligence and Security Agency (NISA) admitted they were behind the assassination.

# Arrests & Intimidation

**03**  
JANUARY 2015

At around 2pm, the National Intelligence and Security Agency (NISA) arrested Mohamed Abdiwahab Abdullahi and Mohamed Kafi Sheikh Abukar, the director and editor-in-chief of Radio Risaala, after they were summoned to NISA headquarters.

NISA agents subsequently visited the premises of the radio station at around 4pm, ordering the journalists and technicians there to turn off their mobile phones and shutting down the radio station. They also arrested journalist Mohamed Abdi Ali. The three Radio Risaala journalists were detained at NISA headquarters where they were interrogated over a news report broadcast the day before in which Mr Ali had interviewed an alleged Ebola patient who had recently returned from Guinea-Conakry.

Mr Abdullahi and Mr Abukar were released on 4 January. Mr Ali was charged with broadcasting false news and found guilty on 1 March 2015. He was sentenced to imprisonment for the period of his detention (from 3 January to 1 March). He was fined US\$500, and released after the fine was paid.

**20**  
JANUARY 2015

Puntland police arrested the editor of the Somalinews website, Hussein Yasin Godo-Godo, for publishing "security sensitive information". Mr Yasin was kept overnight and released on 21 January on bail.

**01**  
MARCH 2015

At a hearing at Banadir Regional Court in Mogadishu, three of the four Shabelle journalists who had been charged on 15 August 2014 were found guilty of all counts. Abdimaalik Yusuf Mohamud, the chairman of Shabelle Media Network, was found guilty and sentenced to imprisonment for the period he had already served in detention (15 August 2014 to 21 October 2014). Shabelle Media Network was ordered to pay a US\$10,000 fine. Ahmed Abdi Hassan, deputy editor of Radio Shabelle, was convicted and sentenced to imprisonment for the period of detention he had already served (15 August – 21 October) and ordered to pay a US\$500 fine.

Mohamud Mohamed Dahir (known by his nickname Arab), the director of SkyFM, was convicted and sentenced to imprisonment for the period of detention he had already served (15 August 2014 to 1 March 2015) and ordered to pay a US\$2,000 fine. Mr Yusuf and Mr Abdi were released on bail on 21 October 2014 and attended their court hearings while free on bail.

The three media workers and the Shabelle Media Network were ordered to pay the fine before 10am on 2 March. If they had failed to do so the court would have ordered the rearrest of Abdimalik Yusuf. The fines, totalling US\$12,500 were paid to the court before the deadline and Dahir, director of SkyFM at Shabelle Media Network, was released from Mogadishu's central prison.

**23**  
MARCH 2015

Radio Shabelle editor Mohamed Bashir Hashi was released on bail after 198 days in detention on trumped-up charges of "terrorism" and "assassination" designed to silence him and Radio Shabelle. He was detained by seven armed men from the NISA on 6 September 2014 at around 13:15 at the KM4 junction in Mogadishu. He was first detained at the NISA-run prison of Godka Jilicow, and later transferred to Mogadishu's central prison.



**03**  
APRIL 2015

Five heavily armed NISA battlegroups raided the premises of Shabelle Media Network at around 17:40, shutting down the radio station and SkyFM. The NISA agents confiscated all the network's computers and arrested 25 people, including 23 journalists and media workers.

All of the journalists arrested, including NUSOJ Secretary General Omar Faruk Osman who was visiting Shabelle at the time of the raid, were taken to the regional headquarters of the NISA for interrogation. Most were released at around 23:50, except for Mohamed Muse, the director of Radio Shabelle, Ahmed Abdi Hassan, the deputy editor of Radio Shabelle, and Abdiasis Mohamed Ali, the head of personnel at the station. Ali was released on 4 April, but Muse and Hassan were not released until 17 April 2015.

NISA officials stated this raid happened because Radio Shabelle had broadcast a statement from Al-Shabaab spokesperson Ali Dhere, who claimed responsibility for a terror attack at Garissa University. The NISA had prohibited Somali media from broadcasting any statement from Al-Shabaab, a recognised terrorist group. The NISA, which later dropped the case, said it was looking for the chairman of the Shabelle Media Network, Abdimalik Yusuf, who was in hiding at the time.

17 May 2015: Abdulkadir Gure Malin, the deputy director of Radio Galgadud, was detained for 48 hours in Guriel by the armed group Ahlusunah Waljama, which controls some districts in central Somalia. The group accused Malin of "biased reporting" against them.

**23**  
MAY 2015

Puntland security forces stormed the Garowe Branch of Radio Daljir and arrested the director of the station, Abdirahman Hussein Hassan, also known as Gaardi, and Jamal Farah Adan, the station's programme producer.

Puntland authorities did not state the reason for the arrest of the two journalists. However, other journalists in Garowe said they believed the arrest was because of a programme aired by the radio station the day before in which some participants "harshly criticised" the Puntland government for "inefficiency" and "poor performance". The two journalists were released the next day.

**27**  
MAY 2015

The Voice of America (VOA) Reporter in Bossaso, Faduma Yasin Jama, and Yusuf Mohamud Yusuf, a reporter for the Somali Broadcasting Corporation (SBC), were briefly arrested by Puntland Police after the chairperson of the Bari Region Appellate Court, Ahmed Ali Ahmed, accused them of "insulting judges". The journalists denied the charge.

**11**  
JULY 2015

Abdirashid Mohamed Abdullah of Radio Kalmiye, commonly known by his nickname Sandhere, was briefly arrested by security at Mogadishu's Madina hospital after he wanted to cover wounded people admitted to hospital following a terrorist attack.

**19**  
JULY 2015

The Puntland Presidential Guard had beaten up three journalists, Said Nadara, a universal TV reporter in Puntland, Mohamed Abdiasis, a reporter for Somali Channel TV, and online journalist Iman Mohamed.

The three journalists were photographing and filming the departure of Somali Prime Minister Omar Abdirashid Ali from Garowe for Mogadishu when the guards attacked them. The guards pushed journalists to the ground and beat them, damaging their cameras, even though they were aware the journalists were there to cover the prime minister's departure.

**31**  
JULY 2015

The armed group Ahlusunna Waljama arrested three journalists whom they accused of "negative reporting" and disobeying their orders. Radio Mogadishu/SNTV reporter Mohamed Deq Abdi Mohamed, Kalsan TV reporter Abdijamal Moallim Ahmed and HornCable TV reporter Bashir Mohamed Salad were arrested at their homes in the town of Dhusamareb, and taken to the town's police station. The trio were released on 9 August 2015.

**01**  
AUGUST 2015

As part of its campaign to silence the local media, Ahlusunna Waljama arrested two more journalists. Abdullahi Warsameh Robleh and Laylo Nur Elmi of Radio Codka Bartamaha (Radio Voice of Central) were arrested at the station, in Dhusamareb town. The duo were released on 9 August 2015.

<p><b>02</b> AUGUST 2015</p>	<p>Nafiso Hersi Mohamud, the director of Radio Codka Bartamaha (Radio of Voice of Central) was arrested by Ahlusunna Waljama in the town of Dhusamareb, while she was on air. She was released on 9 August 2015.</p>
<p><b>18</b> AUGUST 2015</p>	<p>Twenty-six journalists in the towns of Dhusamareb and Guriel stopped reporting on news and information after threats from Ahlusuna Waljama and ongoing censorship on reporting the activities of Galmudug Regional State. Ahlusuna Waljama has barred journalists from reporting on news Galmudug State since it does not recognise. Journalists resumed their work on 24 August after local communities pressured Ahlusuna Waljama.</p>
<p><b>02</b> OCTOBER 2015</p>	<p>The NISA arrested two Universal TV journalists, Awil Dahir Salad, a senior producer and TV show host, and Abdullahi Hersi Kulmiye, Universal TV's Eastern Africa Director. That evening, the NISA closed down the Universal TV office in Mogadishu.</p>
<p><b>30</b> SEPTEMBER 2015</p>	<p>Universal TV broadcast a debate moderated by Awil Dahir Salad with two parliamentarians, Honourable Mohamed Abdi Yusuf and Honourable Abdi Hashi Abdullahi. The MPs talked about the impeachment motion submitted by some MPs and the presence of Ethiopian forces in Somalia. The two journalists were released on 7 October without charge.</p>
<p><b>05</b> OCTOBER 2015</p>	<p>Somaliland police in Berbera arrested Ahmed Said Mohamed, a reporter for Kalsan TV in Berbera, and Abdirahman Egeh, a reporter for SOM NEWS TV. Police said they were acting on the orders of Somaliland deputy minister for livestock and industries. The two journalists were held in the police station and released without charges on 8 October. He was also briefly arrested on 25 September.</p>
<p><b>19</b> OCTOBER 2015</p>	<p>Journalist Osman Adan Areys was wounded in Beledweyne when he was reporting on fighting between two clans in the centre of Beledweyne. He was injured in his left hand and shoulder by bullets.</p>
<p><b>05</b> DECEMBER 2015</p>	<p>Karar Adan Rukow, a freelance journalist, was arrested by Somali government security forces in the town of Garbaharey in the Gedo region. He was arrested for giving interviews to Mogadishu Radio on an Al-Shabaab attack on an Ethiopia Military base in Bardhere and Garbaharey. After 16 days in detention, Rukow was forcefully deported from his hometown of Garbaharey to Mogadishu. The plane ticket was reportedly bought for him by the local administration.</p>
<p><b>20</b> DECEMBER 2015</p>	<p>Somali Federal Police arrested Ahmed Omar Ahmed, a reporter for Radio Shabelle, who was assigned to cover a ceremony in which the police force was commemorating the anniversary of its foundation. Police at the gate turned the journalist away. The commander at the gate, Ali Muhiadin, ordered other officers to arrest Mr Ahmed and take him to Hamar Jajab police station. He was released on the same day according to the director of Radio Shabelle.</p>
<p><b>29</b> DECEMBER 2015</p>	<p>at around 14:00, Omar Faruk Osman, Secretary General of NUSOJ, was coming back from the city centre and his vehicle was parked at the gate of the NUSOJ headquarters, waiting for the gate to be opened, when three armed men in a white sedan sprayed his vehicle with bullets in an attempt to assassinate him. Omar's bodyguards exchanged fire with the assailants, until the attackers were overpowered and ran away from the scene. One of Omar's bodyguards and two other pedestrians on Taleex Street were seriously wounded in the attack.</p>



## Attacks on Media Houses

**18 MAY 2015:** Militias from Ahlusunah Waljama closed down Radio Galgudud in Guriel. This armed group accused the Radio station of broadcasting “falsehoods” and “inciting the public” against them. Radio Galgudud was allowed to resume its operations on 30 May 2015.

**19 MAY 2015:** The Puntland Ministry of Interior, Local Government and Rural Development ordered the closure of the Puntland office of Somali National Television (SNTV), a federal government controlled TV Station. The Puntland government accused SNTV of broadcasting false news about support it allegedly provided for people fleeing the conflict in Yemen. Following negotiations between authorities in Garowe and Mogadishu, SNTV was allowed to resume its operations in Puntland on 23 May.

**21 AUGUST 2015:** Ahlusunah Waljama closed down Radio Galgudud in the towns of Dhusamareb and Guriel, and Star FM Radio in Guriel. The radio stations were closed after they broadcast the arrest of an Ahlusunah Waljama official in Adado by the Galmudug Regional State authorities.

Ahlsunah Waljama barred the media in the areas it controls on reporting on anything related to the Galmudug authorities. The three radio stations were allowed to resume operation on 26 August.

**17 SEPTEMBER 2015:** In a decree issued by the Puntland Information Minister, Mohamud Hassan So’adde, the Puntland administration ordered private broadcasters not to rebroadcast Radio Mogadishu, the federal government controlled radio station in Mogadishu. The Puntland authorities accused Radio Mogadishu of being a “malice and threat to regional stability and peaceful communities”.



# RESTRICTIVE MEDIA LAW

**On 28 December 2015, the Federal Parliament of Somalia passed a restrictive Media Bill. The President of Somalia, Hassan Sheikh Mohamud, signed this bill into law on 9 January 2016.**

The effect of this Law and its 42 articles seriously damages the independence of the media and freedom of the media in the country, allowing for undue state interference in the regulation of the media.

The National Union of Somali Journalists (NUSOJ) was swift in calling on the Somali Federal Government to urgently review this law and ensure it is amended to comply with international standards of freedom of expression.

Article 4 prohibits the media from disseminating “false news”, “inciting hatred”, “encouraging tribalism”, “defamation of persons or institutions”, “hate speech” and “news based on extremist views”. These are vaguely-worded terms that could be used to prosecute independent media and censor journalists, who are committing no crime other than telling an inconvenient truth.

Article 5 stipulates that any journalist or media outlet that infringes this law will be fined between US\$500 and US\$3000, after a written warning to the journalist or the head of the media outlet. This is a punitive penalty contrary to recognised regional and international standards.



Article 14 establishes the nine-member Somali Media Committee (SMC). Three of the committee's members are from the state-controlled media, three are selected from private media and three are from civil society groups like the National Human Rights Commission, the Somali National Women's Organisation and the Somali Bar Association. The Minister of Information proposes the names of prospective SMC members to the Council of Ministers and after the council approves them, the President of the Republic ratifies the appointments.

***This will undermine the independence and credibility of the Somali Media Committee (SMC) as an independent self-regulatory body, which will be dominated by individuals not from the independent media community.***

Article 16 stipulates that all media houses, including newspapers, must be registered with the Ministry of Information and obtain a licence from the ministry. There is an unspecified registration fee to be paid for registration, and there is also an annual license fee. The NUSOJ categorically rejects the inclusion of newspaper registration and licensing, which is contrary to internationally accepted standards.

Article 18 requires journalists to register with the Ministry of Information. Registration requires approval from the SMC, which examines the journalist's credentials and sets an examination. Article 35 stipulates that journalists must hold a university degree in journalism and pass the SMC's examination before they can be authorised to practice their profession.

Articles 18 and 35 impose unjustifiable restrictions on the

practice of journalism by setting minimal educational standards to qualify as a journalist.

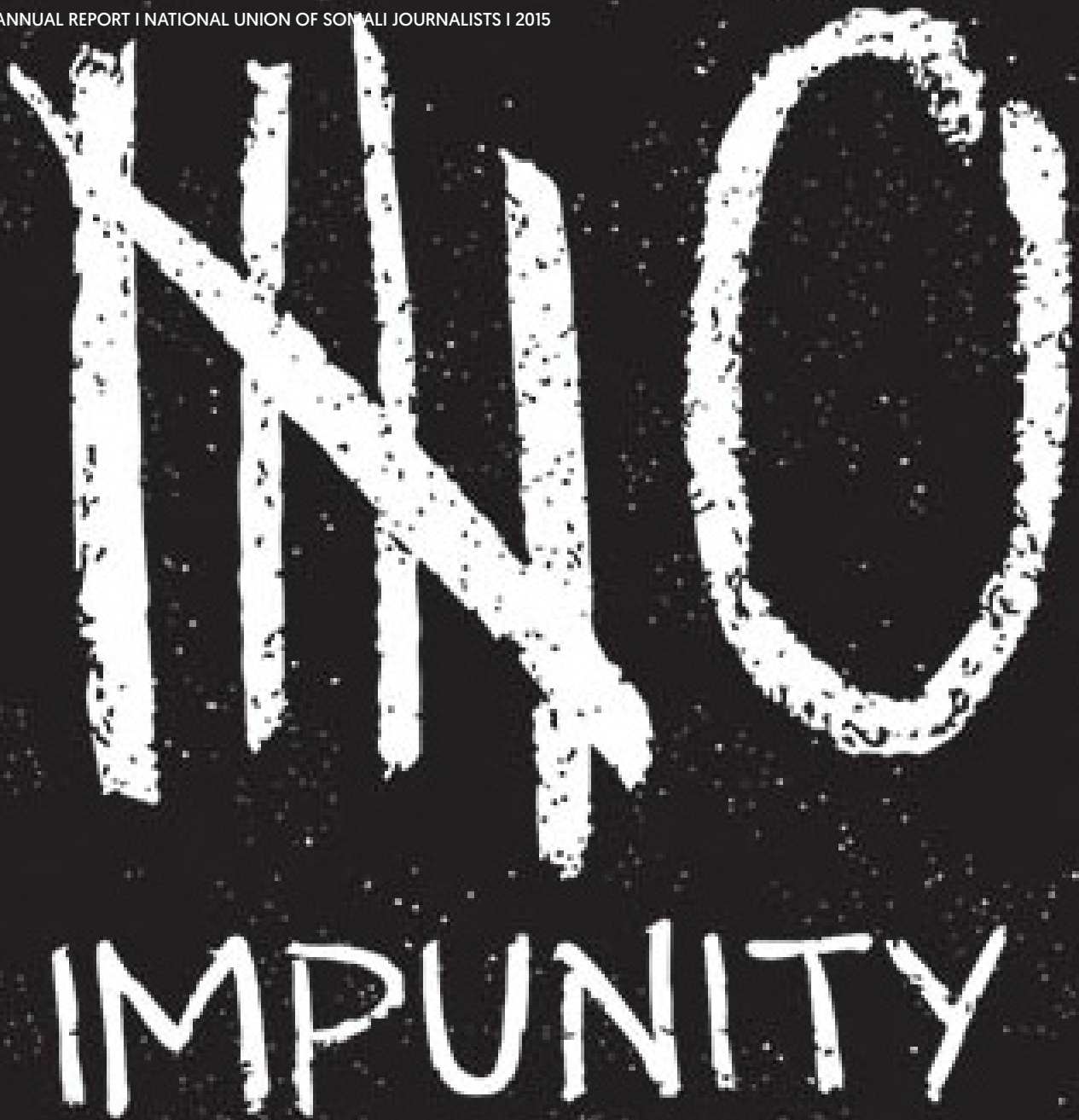
This restricts the space for open journalism and brings entry into the profession under government control. Almost no journalists currently working have a university degree in journalism, which means that this law effectively bars them from their chosen profession. The NUSOJ strongly opposes this provision in the new law.

Article 25 stipulates that the Ministry of Information and the SMC in consultation with media organisations prepare a code of ethics for journalists, which will include respect for the Islamic religion and Somali culture, the accuracy of news and other programmes, and the protection of confidential sources unless a court orders a journalist to reveal that source.

A code of ethics developed by the Ministry of Information with the input of people who are not journalists that is imposed on journalists is objectionable. It indicates that the ministry's purpose is to police journalists. Journalists should be free to develop a code of ethics without government interference.

The NUSOJ is strongly opposed to courts having the power to compel a journalist to reveal confidential sources. There will be nothing to stop the authorities taking journalists to court to force them to reveal confidential sources. For journalists, the ability to protect their sources is paramount.

The Media Law passed by the Somali Council of Ministers on 29 September 2014 purports to regulate the media industry by promoting professionalism, but will in fact cripple it.



NO  
IMPUNITY

## Flagrant impunity

**In Somalia the rule of law is still weak, and impunity reigns supreme. A culture of impunity has existed for decades. Abuses and violations of the rights of those working in the media from killings and illegal arrests to death threats remain unpunished.**

More than any other factor, impunity has been responsible for prolonging the crisis the press is facing in Somalia. Not only are the perpetrators of violations of media freedom not held to account, but those who work to prosecute those perpetrators, including witnesses, union activists, defenders of press freedom and families of victims, are threatened with violence and coercion.

The Federal Government has failed to respond adequately to crimes against journalists, including murders, physical attacks and threats, creating a climate of impunity that only encourages more severe violations.

Weak federal and regional administrations pose a major threat to journalists because they have demonstrated little capability or interest in ending impunity for those



who commit violations against journalists. Ending impunity is simply not a priority for the justice system.

With six journalists killed since the start of 2015, the southern regions of Somalia remained the most dangerous in the country for journalists. Although there were fewer murders than previous years, the trend was toward other forms of violence: the number of attempted killings doubled, the number of arbitrary arrests increased and the number of threats journalists received remained constant.

Often the attacks against media have targeted journalists not just to directly impede their work but also to intimidate them and prevent them reporting attacks or harassment.

Despite some progress, like the NISA's arrest of the killers of two journalists in Mogadishu and their subsequent trial and conviction, impunity remains the norm and most perpetrators have never been identified, let alone brought before a court.

A staggering 96 percent of all assassinations of journalists and other media workers committed since 2006 have not resulted in a court case. The NISA extradited one of Al-Shabaab's senior leaders, Hassan Hanafi, from Kenya. A former journalist himself, many Journalists believe he is behind the assassination of many journalists.

While the NISA has arrested suspects in journalists' killings, not a single case documented by the NUSOJ since

2006 has been fully solved through the work of the Somali Federal Police and its Crimes Investigation Department (CID), the primary bodies of law enforcement in Somalia.

Each killing is an attack on journalists as individuals and against the right of all people to seek, receive and impart information. The failure of the Somali authorities to hold those responsible for attacks on journalists to account is an assault on the freedom of the press and freedom of expression.

The killings of journalists represent only a small fraction of the staggering number of murders in Somalia. Yet given the context, the campaign to silence the media in Somalia has particularly devastating consequences. In the absence of a media free to investigate politicians, business and the links between the two, criminal elements have expanded and consolidated reign of terror, and corruption among elected officials is rife and generally underreported.

This impunity affects Somali media in two important ways. First, it perpetuates violence and can quite literally kill the story. Second, impunity has led to a climate of self-censorship among the media. Journalists, fearing for their own lives or for the lives of their families, do not cover certain stories, and these are often the ones that need to be told the most.

Self-censorship is especially destructive in Somalia because it is an undetectable, often unnoticeable phenomenon. The number of media killings has fallen since 2012, when 18 media professionals were killed. The reason is not that the killers do not want to kill any more, but because high levels of self-censorship that fear of the killers has instilled in journalists in Somalia has meant there is less reason to.

Media professionals practice self-censorship because they have had to bury many of their colleagues, and because they themselves have been threatened or coerced. They choose to sit on a story or ignore it rather than risk retaliation.

Because of the fear under which they work, self-censorship, misinformation, propaganda and incitement trump deliberative, balanced, factual reporting. Independent investigative journalism is almost entirely absent. Impunity means the loss of truth and as a consequence corruption, the abuse of public office and unlawful activities have flourished.

With government forces unable and unwilling to take steps to ensure the security and protection of civilians, militias have taken advantage of the prevailing lawlessness and operated with unprecedented freedom, committing crimes with impunity. This has fuelled the culture of impunity for widespread violations of press freedom.

Far from working toward a state of justice, some senior government officials have facilitated the continuation of impunity for government officials who abuse their authority to suppress media, and undermined the work of those who defend media freedom.

Senior officials have provided near total impunity for the abuses of the security forces, while other government leaders have remained silent on gross abuses committed by the government, the infringement of media rights, and continued impunity for grave abuses committed by the government.



A Woman speaking during impunity day commemoration





Leading advocacy campaign for media freedom in the country, the rights of journalists and the crusade against impunity for crimes committed against journalists.

# Advancing the rights of the Media

The core mandate of the National Union of Somali Journalists is to lead the advocacy campaign for media freedom in the country, the rights of journalists and the crusade against impunity for crimes committed against journalists.

## Somalia's Universal Periodic Review at the UN

The NUSOJ contributed to the second cycle of the Universal Periodic Review (UPR) on Somalia, making a submission with the help of the International Federation of Journalists (IFJ) on the state of press freedom in the country. The union also engaged in a discussion with the federal government to provide input for its submissions and recommendations. This is the second time the NUSOJ has made a submission to the UPR.

In conjunction with other human rights groups, the NUSOJ is planning to monitor and participate in Somalia's implementation of the UPR's recommendations, and is now lobbying members of the UPR Working Group.

## The UN Human Rights Council on Somalia

With the support of the IFJ, the NUSOJ participated in an Interactive Dialogue with the the UN Independent Expert on the situation of human rights in Somalia, Bahame Tom Mukirya Nyanduga, at the 30th session of the UN Human Rights Council in Geneva, Switzerland.

While welcoming the report of the independent expert, the IFJ and the NUSOJ expressed their serious and continuing concerns over attacks on journalists and violations of press freedom in the country.

In a oral statement to the UN Human Rights Body, the NUSOJ Secretary General, Omar Faruk Osman, said: "murder, arrest, threats and the

judicial

harassment of journalists have become 'routine' in Somalia. Journalists are gagged and persecuted under Somalia's outdated and draconian penal code because of their media work."

The IFJ and the NUSOJ believe that the state's failure to protect journalists has resulted in de-facto impunity for most crimes against them. Somali journalists



who reported threats and attacks described cursory police investigations that rarely led to the identification of perpetrators and the downplaying of violent attacks and threats against journalists.

In

Somalia,” the NUSOJ secretary general said. “In a number of cases, politicians have pressured media owners and editors to drop critical stories, undermining free media space. Moreover, there are efforts by public officials to muzzle the free media by government operatives within the media.”

## The NUSOJ and the IFJ urged the UN Human Rights Council and the

UN Independent Expert on the situation of human rights in Somalia to call on the Federal Government of Somalia and other relevant regional authorities to take immediate steps to ensure that journalists can do their job safely and without improper government or third party interference.

The two journalists’ unions said that the Somali authorities should conduct prompt and effective investigations into crimes against journalists and bring those responsible to justice. High-ranking government officials should also refrain from interfering with the media and instead publicly condemn crimes against journalists. The media law should be updated to respect and protect media freedom.

## The International Day to End Impunity for Crimes against Journalists

The NUSOJ organised two commemorative activities on the International Day to End Impunity

of Crimes against Journalists on 2 November 2015, in the two most dangerous cities for journalists in the country: Mogadishu and Galkayo.

More than 70 journalists, including victims of various crimes committed against journalists, attended the Mogadishu commemoration. Family members of journalists who have been victimised also addressed the injustices they have suffered without redress. The Mogadishu commemoration also adopted an action plan to fight impunity.

Addressing participants at the Mogadishu event, NUSOJ Secretary General Omar Faruk Osman said: “Through the killing of a journalist with impunity, the Somali people are robbed of an informed, unified voice with which to speak out against injustices committed against them as a whole.”

In an unprecedented move, the Minister for Internal Security of the Federal Government of Somalia, Abdirisak Omar Mohamed, joined the END IMPUNITY campaign the NUSOJ has championed. The minister vowed to instruct the authorities to carry out proper, transparent and credible investigations into the killings of journalists to end impunity.

The NUSOJ organised a second round of commemorations for the International Day to End Impunity for Crimes against Journalists in Galkayo, the second most deadly town for journalists in Somalia. Some 50 journalists, civil society representatives and officials from the senior regional administration took part in this commemoration.

Journalists in Galkayo highlighted the life-threatening risks they regularly faced, and the killings of their colleagues. They also addressed the ways the conflict in Mudug has affected their safety and well-being. The Journalists stressed it wasn’t just Al-Shabaab who was behind the killings of journalists and other acts of violence against them.



the face of inaction by the police, journalists

who reported threats or harassment continued to experience physical violence and abuse after their initial attack, while those responsible often enjoy complete impunity.

“Political interference with media outlets and journalists, both at a national and local level, is a seriously increasing problem in



“The Government must also ensure that the right to freedom of movement is fully respected and enjoyed by the union leaders.”

ORATEUR ONG

# UNION RIGHTS TRIUMPH

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*In November 2015, the NUSOJ won a case at the International Labour Organization (ILO), which found that officials of the Government of Somalia were responsible for gross violations of the rights of members of the NUSOJ, the national trade union centre - the Federation of Somali Trade Unions (FESTU).*

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These ranged from violations against the right to freedom of association, interference in internal union affairs and the arbitrary interrogation of trade unionists and the imposition of travel restrictions on them. The case was presented by the NUSOJ and The FESTU with the backing of the International Trade Union Confederation (ITUC).

The ILO is the UN agency responsible for drawing up and overseeing international labour standards, including protection and promotion of freedom of association and trade union rights.

On 11 November 2015, the ILO Governing Body approved the conclusions and recommendations put forward by the ILO Committee on Freedom of Association, which asked the Somali government to “refrain from any further interference in the NUSOJ and observe the right of the union to administer its own affairs and activities without let or hindrance and in line with the principles of freedom of association and democracy, and to ensure that the elected leaders of the union are free to exercise the mandate given to them by their members and to that extent enjoy the recognition of Government as a social partner.”

The ILO deplored the decision of the Somali Minister of Labour to withdraw recognition of the union’s leaders without providing any information as to the legal basis for this decision, which should only be made by a judicial body.

Referring to the intimidation and death threats against the leaders and members of NUSOJ, the ILO said it deeply regretted that the government had not addressed grave matters such as threats to the safety and security of journalists and union leaders. It also requested the Somali government take all measures necessary to ensure the protection and guarantee the security of NUSOJ leaders and members, and establish a full and independent judicial inquiry into the allegations of intimidation and death threats made against them.

The ILO demanded Somali government officials refrain from making derogatory remarks against the leaders of the unions in the future, adding: “The Government must also ensure that the right to freedom of movement is fully respected and enjoyed by the union leaders.”

The ILO requested the government promptly review the Somali Labour Code in consultation with its freely elected social partners with a view to ensuring its full conformity with ILO Conventions numbers 87 and 98, and ensuring the protection of trade union rights within a democratic legal framework. The organisation also requested the government provide a full report to the Committee of Experts on the Application of Conventions and Recommendations (CEACR).

On several occasions the ILO summoned Somali government officials to answer to an ILO Committee on Freedom of Association because of the seriousness of the violations of trade union rights and freedoms of association. The organisation interrogated the government over the violations it had committed and the implementation of the recommendations made by the ILO’s Governing Body.

“This is a wonderful victory for NUSOJ and the entire Somali labour movement,” Omar Faruk Osman, the NUSOJ Secretary General, said. “This ILO report vindicates our union in that the world’s tripartite body did discover that there were serious trade union and human rights violations in Somalia, well documented with evidence, and this is quite significant. We feel vindicated.”

Osman added: “The ILO report and decision are both clear. They confirm interference in trade union work, a violation of the freedom of association and movement, and a contravention of ILO conventions committed in order to deny our union to exist as a free and independent trade union that is not controlled by government.”

The NUSOJ expresses its sincere appreciation to the International Trade Union Community for their undivided support and solidarity in securing this milestone achievement, including their support in ILO Committees on Freedom of Association and in its governing body. The NUSOJ particularly appreciates the support of the leadership of the ITUC, ITUC-Africa and the IFJ for its campaign to protect human rights and trade union rights in Somalia.

This was the first time the government of Somalia has been taken to the ILO Committee on Freedom of Association and the organisation’s governing body since Somalia joined the ILO in 1960.



**The National Union of Somali Journalists (NUSOJ)** is a fervent champion for media freedom, the rights of journalists, workers' rights and for social justice in Somalia. Member journalists work across the whole industry as reporters, editors and sub-editors and photographers. Members work in broadcasting, newspapers, magazines, and in the new media.

NUSOJ systematically monitors and conducts investigations into violations of press freedom and human rights of journalists. The union provides accurate, prompt and impartial information concerning attacks on journalists such as killings, arrests, death threats and harassments, as well as acts of aggression against media organizations. NUSOJ is a member of the International Federation of Journalists (IFJ), Federation of African Journalists (FAJ), and Eastern Africa Journalists Association (EAJA).

It is also a member of International Freedom of Expression eXchange (IFEX), African Freedom of Expression Exchange (AFEX) and Federation of Somali Trade Unions (FESTU).



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