

NUSOJ



**NATIONAL UNION OF
SOMALI JOURNALISTS**

**SOMALIA JOURNALISTS: UNDER ARBITRARY ARRESTS, HARASSMENT,
INTIMIDATION AND THREATS!**



**NUSOJ ANNUAL REPORT
2016**

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Introduction

The National Union of Somali Journalists (NUSOJ) today releases the union's annual report on state of freedom of the press in Somalia. The report summarizes major press freedom violations and challenges, which journalists and media workers faced during the year 2016. The annual report highlights cases of killings, arrests, injuries, expulsion, death threats, imprisonment, closure of media houses and storming of media houses which NUSOJ systematically documented since the election of new leadership in May 2016. It is a huge challenge to the continuing of violence against journalists and the media in and the records of 2016 indicate that a lot of work need to be done to make tangible improvements over the situation of the media and the journalists in Somalia. We expect the new year 2017, to create new hope, a media with full constitutional freedom and a media without any third part third. Our moto is end the 'impunity' and stop attacks against the freedom of expression.

Mohamed Moalimuu,

NUSOJ Secretary General.





SUMMARY

2016 was another difficult year for the Somali media and Journalists. Human rights Violations against the journalists and media workers systematically continued through the year. Six media houses were shut down and illegal detentions and arbitrary arrests increased throughout the country compared to 2015 with over 50 cases of unlawful arrests and detentions aimed at restricting the media freedom which is at stake.

Those violations against journalists took place in the capital Mogadishu and other parts of the country including Jubaland, Hirshabelle, Galmudug and Puntland.



Freedom of Speech

A fundamental right!

This annual report presents violations and abuses against journalists and the right to freedom of expression. These include murder arbitrary arrests and detentions of journalists, harassment of media professionals, unfair trials and impediments to justice. and the report also raises the continued impunity for perpetrators of human rights violations against journalists and media.

NUSOJ systematically monitors, investigates and documents attacks against journalists and media outlets and other repressive acts against freedom of expression,

The report reminds the Federal Government of Somalia, the regional federal administrations of Puntland, Jubbaland, Interim South West Administration, Galmudug and Hirshabeelle of their obligations to project and respect of rights of Somali people to freedom of expression, and to create an environment conducive for enjoyment of that right. .

Issues in particular focus in this report are: The Killing of Journalists; Violence and Threats against Media Professionals; Restrictions on Freedom of Expression under the pretext of Defamation, Terrorism or National Security; Total Lack of Justice System or an independent Judiciary; Crimes Committed against Journalists - The Pervasive Culture of Impunity and the disrespect of the Federal Government to the Somali Media Law, which was passed by federal parliament and signed by the President of the nation.

IMPUNITY



Impunity is still a fundamental problem in Somalia. Journalists in almost every region of Somalia commonly face Harassment, Blackmail, Political Maneuvering, Police Detention and Threats. Despite this, the authorities provide no support to journalists, and the perpetrators operate with impunity.

In addition, Somali journalists face threats from criminal elements hired to suppress them, and are often physically and verbally attacked for their reporting. Despite this, a veil of impunity persists, and no action has ever been taken following a case of violence against a journalist.

As the perpetrators continue to commit acts of violence and go free, victims and their families are left to endure the pain and nurse the injuries. Many of the killers might be known to the public but they are not brought to justice for the crimes they committed against journalist victims.

The lives of journalists have become worthless and dispensable. A sense of trepidation is deeply rooted in their hearts as they are endlessly threatened with baseless judicial proceedings and investigations, attacks, arrests, raids and killings.

No crime committed against a journalist has been properly investigated, still less has anyone been convicted of carrying out, or being responsible in chain-of-command terms for, the killing of a journalist.

Thus, proper and credible investigations into the killings of Somali journalists, to explain the facts of the killing, identify the culprits, make arrests, and bring perpetrators to trial, have been consistently missing.

The National Union of Somali Journalists (NUSOJ) considers impunity the foremost, albeit silent, enemy of journalists and right to freedom of expression

As mentioned above the year 2016 was a challenging year for Somali journalists and media workers across the country.

Three journalists were killed and two of those killings were targeted assassinations in a direct link with their journalistic profession during the period under the review, a serious press freedom violation and human rights of the journalists.

No case has so far been resolved by the federal government and culprits weren't caught at all. However, the culture of impunity is the factor that contributes to the violence against the media professionals and criminals enjoying total impunity in addition to the government's inability to investigate and bring the journalists' killers to justice.

ARBITRARY ARRESTS, HARASSMENT, INTIMIDATION AND THREATS AGAINST MEDIA PROFESSIONALS DOCUMENTED.



Thus this created a climate of fear, self-censorship and completely threatens the existence of any free press in the country.

Media professionals were subject to pragmatic tactics as such arbitrary arrests, harassment, threats and intimidations, in an attempt: To curb the media freedoms. To intimidate the media professionals and the media. These were tactics largely employed by the Federal Government and its regional authorities in Puntland, Interim Jubba Administration and Somaliland and, Ahlu Sunna Waljama'a and members of the Shabab.

Over 50 journalists were arrested without charges during 2016, 19 media professionals were wounded and five media houses were raided. While, threats against the journalists remain the norm.

The following incidents are the violations against Somali media documented after NUSOJ new leadership on May 2016.

On 14 November, 2016, heavily armed security personnel loyal to Ahlu Sunna Waljama' raided and closed down an independent radio station in Guri'el, committing serious violations against the press. Ahlu Sunna Waljama forces came to the premises of the radio and ordered us the radio to go off without warrant and court order and they later confiscated all radio equipment and took away with their vehicles," Abdulkadir Gure Barre deputy director of the radio Galgaduud told NUSOJ, "We were on our regular duty and we don't know why our radio station was silenced." Abdulkadir added Galgaduud radio was re-opened on Dec 30 2016 after it was closed for 15 days. The reopening of the radio came when members from local society requested it and after much discussion Ahlu Sunna Waljama' allowed the resumption of Galgaduud radio.

On 19 November 2016, Galmudug regional administration arrested Ahmed Abshir Geedi arrested in Galkayo The arrest of Ahmed Khalif Geedi who worked for Kulmiye Radio, came after the journalist reported a shooting between local forces in the heart of the city but the authority didn't want media to report.

On Saturday 12 November, 2016 Three journalists were arrested in Kismayo , the capital of Jubbaland regional state, located around 500 km South of the Somali capital Mogadishu.

The arrest of Omar Yasin Omar, Masud Abdullahi Aden and Sakariye Abdulkadir was ordered from Jubbaland Information Ministry as all three journalists were taken from their stations by members of the Regional Intelligence Service.

They were arrested for two days and they were compelled to delete some posts in their Facebook before they were officially released.

On November 06 2016: A Somali Journalist Mahad Ali Mohamed was killed by a stray bullet during a heavy fighting in the town of Galka'ayo in central Somalia.

The late Mahad was working with radio Codka Mudug and he died around 4:30 pm, soon after he left home for work at the station of Radio Mudug.

On 22 October, 2016 A local journalist Jamaal Ali Yare was arrested in Beledweyne after police accused him that he falsely predicted that a prominent clan Chief would attend a meeting in Jowhar . Despite the journalist insisted he only reported that the clan Chief might attend the meeting in Jowhar but didn't surely confirmed his attendance.

On October 15, 2016 NISA members snatched and briefly arrested the Editor in Chief of Xogdoon Website after he was mistaken Editor in Chief of Xog Ogaal newspaper who security agencies were chasing to arrest.

On October 15, 2016 Somalia National Inelegancy Agency (NISA) raided to Xog Ogaal newspaper in Mogadishu, stormed the building, shut down of main office of the paper and arrested the Editor in Chief of the Xog Ogaal newspaper. Intelligence guys also confiscated the whole stuff of the paper.

With the assistance of National Union of Somali Journalists Abdi Aden was freed on Tuesday October 18, 2016, around 8:30 PM local time and office stuff were given back the following

day on Wednesday.

NISA accused Xog ogaal guys that they published graphic pictures including slaughtered civilians by the militant group Alshabaab.

On 19 October 2016 Aljazeera crew including Hamza Mohamed were detained by Somalia Intelligence Agency NISA. Hamza Mohamed his cameraman and the fixer were released two after their arrest because of local and international pressure.

On Tuesday 27th of September 2016, The latest in a series of attacks against the press in Somalia armed men with pistols shot Abdiaziz Mohamed Ali known as Haji several times on the chest and head in Yaqshid neighborhood in Mogadishu. He was pronounced dead few minutes after he was shot. Abdiaziz Mohamed Ali (Haji) was working for many years with Shabelle radio in the Somali capital.



On Tuesday 21st of September 2016. General Manager of Mogadishu Airport Security General Abdi Abshir Jaamac bans journalists to report from Mogadishu airport but two days later On 23 September Prime Minister of Somalia issued a press statement and dismissed the decision by the, by the General Manager of Mogadishu Airport Security General Abdi Abshir Jaamac Since then Journalists were allowed to report from airport.

On September 18, 2016 Spokesman of Banadir regional Administration Abdifatah Omar Halane told media that no group or candidate can't organize a political rally or gathering in Mogadishu without prior notice or informing to the regional administration. He also warned any media which tries to cover a rally would meet a bad consequence.

On September 4 2016 The National Union of Somali Journalists NUSOJ welcomed a joint report by the United Nations Assistance Mission in Somalia (UNSOM) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) focusing on the right to freedom of opinion and expression in Somalia in the context of the country's democratic transition.

"The trend of arrest and detention of journalists and other media workers seems to indicate an intention to intimidate or harass journalists and media owners which inevitably leads to self-censorship or to media workers eventually leaving the profession," said the report produced jointly by the UN Assistance Mission in Somalia (UNSOM) and the Office of the UN High Commissioner for Human Rights (OHCHR)

On August 30 2016 Jeylani Hussien Yusuf a freelance journalist was detained by intelligence officers in Kismayo town who accused that he is not registered and suspected he links with the militant group but he was released on bail after two days of detention. Intelligence officers who arrested the journalist didn't bring any evidence and freed.

On 18 August 2016. Two Radio Shabelle journalists, Ali Ahmed Abdulle and Mohamed Adan Ibrahim, who were arrested in this evening for their journalism work. NISA raided Radio Shabelle on that day and briefly shuts down the station and took two journalists to NISA regional headquarters for interrogations.

After hours of continues pressure the head of Somali National Intelligence Agency General Gaafow handed over journalists to General Secretary of National Union of Somali Journalists Mohamed Ibrahim Moalimuu who thanked to the release of Journalists.

August 15, 2016 A media worker Ali Dahir Herow was arrested by the former governor of Hiiraan region Yusuf Ahmed Hagar (Dabageed) his arrest was related to his remarks at an internet chatting room, where he expressed his personal views on the current regional governor's behaviour.

On Thursday on 21 July: Somali government arrests six researchers from Mogadishu Research Center Researchers were accused for writing a baseless research on Somalia's Intelligence Agency NISA. They were arrested more than three weeks and they released without trail.

On July 17 2016 A female Journalist Rahma Yusuf Jimale and Ahmed Yusuf Suleyman a cameraman were arrested by the police at Banaadir Stadium while they were going to do a TV report for the inter-state foot ball tournament kick off.

Police officers accused of two the journalists that a sniffer dog suspected several times their bag in which they were carrying for their equipment and ordered further investigation but no dangerous materials were later found in their bags.

On July 3, Former Puntland information Minister Mohamud Hassan Soocade who had offensively threatened to use bullets and death against journalists in Puntland.

On 25, June 2016 Ibrahim Elmi known as Ibrahim Sujuu was among many people killed in Mogadishu after Alshabaab militant group attacked Nasaahablood Complex a in Waberi neighbourhood. Ibrahim Elmi was a freelance and professional photographer who used to work mainly with international media organisations but when get killed he was working with an NGO.

On 23 June 2016 Puntland closes down Daljir radio stations and were off air for twelve days. On 4 July 2016 An official statement released by Puntland Ministry of Information, Communication, Post, Culture and Heritage on Monday 04 July 2016, radio Daljir station was allowed to resume its activities after receiving what they called a presidential pardon



On June 5 2016 A female journalist Sagal Salad Osman was shot dead in Mogadishu. The incident happened around 2:30, minutes after Sagal Salad Robleh came out from her university in Hodan neighborhood. Sagal has been working for the state run radio Mogadishu. She was confirmed dead on spot after armed men with pistols shot her several bullets on the chest and head.

TERRORISM & SECURITY AGENCY

On 18 August 2016, members of the NSA raided and forced shutdown radio SHABEELLE for a short period for airing a piece mentioning Al-Shabaab related story, citing national security issues.

Several Journalists working in Mogadishu who requested not be named because of their security informed to NUSOJ that they were threatened by unknown individuals suspected to be Alshabaab militants or sympathizers, some of them contacted international media watchdog Reporters Without Borders (RSF) and requested for help including evacuating from Somalia.

Judicial Harassment/Absence of Press Laws

Despite media law is in place, the existing Judiciary system both at federal government and regional administrations levels continue to restrict the work of the journalists, while the justice system is either weak or corrupt and used by the authorities as a tool to silence the independent media for facing harsh judgements. The use of justice system became part of means used to threaten or intimidate journalists and the media outlets.



Jamhuuriyadda Federaalka Soomaaliya

XEERKA SAXAAFADDA

The president of Somalia signed a new media law on Jan 10 2016 following passage of it by the the Federal parliament on 28 December 2015.

Despite strong opposition by Somali journalists in Somalia, the media law has formally come into effect on that day Jan 10 2016, following the president's signature.

NUSOJ sees some articles in that bill as harsh and suppressive because they were only designed to control and suppress the independent and free media in the country.

NUSOJ will continue to lobby in 2017 with the new federal parliament for the review and amendment of the law.

Here are some of the articles which journalists are complaining about:

According to article 35, provision 35.1, An individual can only become a journalist when he/she has a Journalism University degree.

According to article 36, provision 36.8, the media house must record and keep the voice of the “confidential source” or the voice of its unidentified reporter to disclose before a court of law. This provision orders that the court can compel the media house to disclose the sources.

Internal and external relations

After the election of new NUSOJ leadership in Mogadishu in May 2016, the elected team have focused on restoring the relationship NUSOJ had with local and international organizations. As a result of this NUSOJ now has close working relationship with the following journalist associations.

- Media Association of Puntland (MAP)
- Somali Media Association (SOMA)
- Somali Independent Media Houses Association (SIMHA)
- Somali Women's Journalist Association (SWJA)
- Jubbaland Independent Journalist Association (JIJA)
- SOMALI SOUTH WEST JOURNALISTS ASSOCIATION (SOWEJA)

Moreover, NUSOJ have officially joined the biggest civil society umbrella in South and Central Somalia Somalia South-Central Non-State Actors (SOSCENSA on December 6 ,2016.

In addition, NUSOJ is member of UN human rights cluster and works with UNSOM.

NUSOJ leaders had meetings with EU Somalia office and established with good understanding which can lead better partnership in near future.

The Federation of African Journalists (FAJ) has officially announced to work with the democratically elected legitimate leadership of NUSOJ led by Mohamed Ibrahim Moalimuu.

On 21 December 2016, FAJ issued a communique following the outcome of their meeting in Abidjan 7-10 December in which the African regional organization agreed to work with the elected leaders of National Union of Somalia.

East African Journalists Association (EAJA) similarly welcomed to collaborate with elected leadership of NUSOJ.

NUSOJ has the partnership and exchanges information with Committee to Protect Journalists (CPJ) and RSF Reporters Without Borders.

To extend the outreach of the Somali journalists NUSOJ General Secretary, paid visits to London and Nairobi during June and July 2016 which are the two places in which most Somali journalists outside Somalia live and all journalists unanimously pledged to contribute to and support the development of NUSOJ

CONSTRAINS

In 2016 NUSOJ didn't get a fund or assistance to run its main office in Mogadishu and its branches in regional administrations, and has only been depending on contributions provided by members which definitely can't maintain in the future for long.

We also have huge challenges such as security, lack of institutions, lack of capacity etc.

Somali journalists face huge challenges as security forces sometimes arrest journalists arbitrarily.

Somali security forces lack professionalism and at times cause more problem than they solve - lack of understanding the importance of human rights, good governance and accountability exist within the security forces.

International Federation of Journalists, IFJ refused to recognize the democratically elected leadership of NUSOJ due to close ties between few individuals among IFJ steering committee and former SG of NUSOJ.

NEEDS

Somali journalists have experienced many years of civil war, most of which they had been reporting daily. Since Somalia is rebuilding and getting out from the anarchy, it is appropriate that media takes a very important role in engaging peace reporting.

Most local reporters do not understand the causes of conflict from a balanced multiplicity of perspectives.

As a reflection of this, their analysis of the actions and motives of the numerous actors in the conflict and, for that matter, the peace initiatives and –processes as well, leaves much to be desired.

At the same time, it is clear that presenting the conflict in an impartial manner to the wider public can play a critical role in reducing the violence and bring the conflict closer to a peaceful solution.

RECOMMENDATIONS TO THE FEDERAL GOVERNMENT

- Take all necessary measures to combat impunity against the media professionals and investigate thoroughly and persecute those responsible. By doing so,
- End unlawful detentions, arbitrary arrests, intimidation and harassment against journalists and the media workers and create safe environment for the media professionals and guarantee the safety of journalists by prioritizing the eradication of the continuing impunity against freedom of expression and other human rights violations, especially among law enforcement agents and the armed forces and strenuous efforts need to be made to put to an end these extremely serious crimes against journalists.
- Strengthen the justice system and rule of law and Guarantee the independence of the judiciary and halt the use of the Penal Code and Terrorism laws to suppress the right to freedom of expression and of the press, decriminalize media offenses, and review media laws in line with international standards of freedom of expression.
- Review Somali media bill in line with the International norms and standards and with the full participation of the Somali media stakeholders

RECOMMENDATIONS TO INTERNATIONAL COMMUNITY

- Provide practical support and expertise to the media on safety issues and documentation of atrocities committed against media;
- Provide resources to the media in Somalia to rebuild itself and improve on the capacities of its practitioners;
- Support journalists and other media workers on initiatives to enhance self-protection.

Provide assistance mechanism to help urgently to the wounded journalists who suffer after sustaining injuries.



RECOMMENDATIONS TO JOURNALISTS

- Adopt a formal code of conduct to encourage self-regulation and abide by the highest ethical standards for journalists and other media workers.
- Somali journalists and media should practice responsible journalism which is balanced and impartial.
- Journalists should avoid anything that could jeopardize their lives and the lives of others.



Truth and Freedom!

Fundamental rights