

# Somalia

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## Freedom of the Press

The media environment in Somalia varies significantly from region to region, with differing conditions in unstable south-central Somalia, semiautonomous Puntland in the northeast, and the breakaway territory of Somaliland in the northwest. In 2013, the security situation remained challenging despite political progress in south-central Somalia. While the new draft constitution, renewed international engagement, and a consultation process on new media laws were steps forward, the government and African Union (AU) troops continued to battle with the Shabaab, a militant Islamist group, and other local militias for control of areas outside Mogadishu, the capital. Journalists continued to face an extremely high level of physical threats and attacks.

Somalia's provisional federal constitution, adopted by the National Constituent Assembly in August 2012, provides for freedoms of speech and of the press. However, due to pervasive violence across much of the country, journalists continue to face restrictions on their reporting in practice. There is no freedom of information law to guarantee access to public information, and defamation is a criminal offense, although many cases are resolved outside the formal court system, either according to *xeer* (customary law) or in Sharia (Islamic law) courts. Authorities proved sensitive to potentially critical reporting when they jailed freelance reporter Abdiyaziz Abdinuur in January 2013 for interviewing a woman allegedly raped by soldiers. Abdinuur was sentenced in February to a one-year prison term for "offending state institutions" and "false reporting," despite the fact that he had not yet published any news reports based on his interview. The incident was condemned domestically and internationally, and he was released by the Supreme Court in March.

The year saw considerable activity in the realm of media and communications lawmaking, and consultations were organized both nationally and among the diaspora in the United Kingdom and Kenya to provide input for a draft media law. At the end of the year the government was considering the comments provided and planned to prepare a new draft of the media law to go before the National Parliament. Numerous Somali and international media organizations had criticized the initial draft of the bill, with 35 high-profile civil society organizations submitting a letter in protest of the measure. The law would have regulated both electronic and print media contrary to international standards, empowered authorities to force journalists to reveal their sources in court, and undermined the position of foreign media operating in Somalia, among other issues. Meanwhile, the draft Communications Act appeared to be on hold and its relationship to the media law had yet to be determined. However, given the government's inability to impose its authority over much of Somalia, the practical implications of any new laws remained unclear.

In October 2013, the Minister of Information implemented a new media licensing system that was widely denounced by activists as a blow to the freedoms of expression, information, and the press. All print and broadcast outlets were required to apply for licenses through the ministry, and those without them would be forced to close. However, no transparent application process or associated fees were presented. Somalia's existing media laws do not grant the ministry the powers to operate such a system.

The ongoing violence has dramatically affected the media environment in south-central Somalia. Numerous journalists have been killed in recent years, either for their perceived political affiliations or as accidental casualties in armed clashes. Media outlets have aligned themselves with political factions as a means of survival, making neutral or objective reporting a rarity. In 2012, Jamal Osman wrote an article in

Britain's *Guardian* newspaper in which he noted that Somali journalists were "dying from corruption as much as conflict." The article sparked a broad debate and was met with protest and condemnation by the media, despite the fact that such corruption had been documented before by journalist groups, including the National Union for Somali Journalists (NUSOJ). While there is self-censorship, it is often along political or clan lines. Concerns about safety also make journalists who gain access to militant leaders reluctant to conduct critical interviews or edit the resulting products. Direct censorship also remained a problem in 2013. In October, Somali government forces raided the headquarters of the Shabelle Media Network, the country's leading media group. Police ransacked the offices of its two popular radio stations, assaulting and detaining reporters and confiscating equipment and broadcast archives. Journalists in areas under the control of the Shabaab were forbidden to report information deemed to "undermine Islamic law," and residents of these areas were barred from listening to foreign radio broadcasts. The Shabaab also continued to harass journalists and threaten them to report positively on the group's activities.

Somalia remains one of the most dangerous countries in the world for journalists and other media workers. Four journalists were killed in 2013, an improvement from 2012—one of the deadliest years on record for Somalia, with 12 journalists killed across the country, according to the Committee to Protect Journalists (CPJ). Abdihared Osman Aden was killed in January 2013, marking a continuation of violence against journalists at the Shabelle Media Network; four Shabelle journalists were killed the previous year. Mohamed Mohamud of the popular London-based satellite television station Universal TV was shot outside his home in Mogadishu in October. The Shabaab claimed responsibility for the attack through its Twitter account. From the government media, Mohamed Ibrahim Raage of Radio Mogadishu and Somali National Television was shot outside his home in April, not long after having returned from exile in Uganda. In Puntland, where there has generally been less violence against journalists, Liban Abdullahi Farah of Kalsan TV was killed outside his home in Galkayo in July. It was unclear who targeted him but he was known for his comprehensive coverage of local council elections that had been postponed.

Despite the violence, dozens of radio stations continued to broadcast in Mogadishu and other parts of the country. The government supports Radio Mogadishu, which carries official news and information and provides space for a variety of groups and individuals to voice their opinions. The joint United Nations–AU radio station Radio Bar Kulan shifted its operations from Nairobi, Kenya, to Mogadishu in 2012, as part of a plan to develop it into a public-service broadcaster and a reflection of some improvement in security. Like Radio Mogadishu, the station has sought to offer a platform for voices that may be critical of the extremists and more sympathetic to the government and AU forces. Many Somalis also access news via foreign radio transmissions, including the Somali services of the British Broadcasting Corporation (BBC) and Voice of America. There is one state-run television network, Somali National Television, which broadcasts from Mogadishu. There are also a handful of private networks that are based in the autonomous regions of the county but are viewed throughout Somalia. The print media sector is weak, and consists mainly of photocopied dailies distributed in large urban centers.

The Somali diaspora in Europe, North America, and the Persian Gulf states has established a rich internet presence. There are several websites that offer print content in English and Somali, as well as television stations that broadcast over the internet. While there are local journalists who operate via web-based platforms, the Somali diaspora has the advantages of greater economic resources, access to technology, and a more stable security environment, affording them great influence in the media landscape, including the internet. Internet service is available in large cities in Somalia, and users enjoy a relatively fast and inexpensive connection, including through mobile devices. Around 7 percent of Somalis owned a mobile phone, and 1.5 percent accessed the internet in 2013. Although there were no reports of consistent government restrictions on the internet, some factions reportedly monitored internet activity.

The advertising sector is weak, and advertising revenue is often not enough to sustain media houses. This leads some outlets to depend on financial support from wealthy owners or politicians, which compromises

editorial independence. Journalists in all regions of Somalia receive low or even no pay and rely on trainings, corruption, or blackmail for additional income. Many media outlets also prefer to hire cheaper, less-skilled workers or even relatives over more experienced journalists. Because there is an abundance of journalists, those who complain about low wages usually face threats of dismissal and replacement.

The status of press freedom is somewhat better in Puntland, a self-declared semiautonomous region. Puntland's interim constitution provides for press freedom as long as journalists demonstrate "respect" for the law, but the region recognizes the Somali federal government. A 2010 Puntland counterterrorism law includes a provision that prohibits media outlets from reporting on the Shabaab. In 2013, Puntland put forward a new draft media law that received international input but also substantial criticism as being too repressive toward journalists. It was unclear how this media law would relate to the new draft being prepared by the federal government. In 2013, journalists in the region faced threats, attacks, and harassment from security forces and militias, who usually enjoyed impunity for their actions. At the end of the year, President Abdirahman Mohamud Farole remained in power and despite his stated commitment to greater openness, restrictions remained harsh, and coverage of political and security issues were particularly dangerous for journalists. Puntland continued to be the region of Somalia that most often suspended news outlets, including periodically banning Universal TV, Somali National Television, Radio Daljir, Radio CodkaNabadda, 1 Nation Radio, Radio Ergo, Bar Kulan, and Radio Hirad. The duration of the bans varied but was typically for 1 to 10 days.

In 2013, the government of Somaliland—whose claims of independence have not been internationally recognized—continued to tolerate a relatively free media sector compared with the rest of Somalia, although the relationship between the government and the media was tense. The Somaliland constitution guarantees freedoms of speech and of the press. According to the 2004 Press Law, defamation and libel are not criminal offenses; aggrieved parties may seek redress in civil courts, and libel cases are sometimes also settled through the clan system of arbitration. However, authorities have ignored this legislation and journalists have incurred criminal penalties for defamation and libel. There is no access to information law in Somaliland, and public officials often choose not to divulge information unless it is favorable to the government. The media law has long been controversial, with the government arguing that since it was largely drafted by journalists themselves, it has been far too lenient. In 2013, the government proposed a new Press Act that was condemned by the private media and human rights advocacy groups as having been drafted without sufficient public consultation.

In a pattern that began in the run-up to the 2010 elections, many journalists and media outlets are aligned with or financially supported by political parties. The Somaliland government under President Ahmed Mohamed Mahamoud Silanyo has been accused of dealing harshly with the media, often summoning journalists for questioning at the Central Investigations Department, closing media outlets, or arresting journalists under various pretexts for relatively short periods of time. For example, at the end of 2013 four reporters from Bulsho TV, Universal TV, and *Hadhwanaag* newspaper were arrested and detained for a week for covering a peaceful protest. In January, Somali police arrested 21 journalists from the HornCable TV network after raiding their offices in Hargeisa. The following day at a protest against the crackdown, police attacked demonstrators and arrested 18 more staffers from the station. The journalists were released several days later.

There are about 10 newspapers in Somaliland, although this number fluctuates, as some publish intermittently. Most local outlets are not economically sustainable and are heavily subsidized by the diaspora as well as by political parties and businesses. While they tend to be aligned with particular political or individual interests, Somaliland media largely share a pro-independence agenda. Newspaper reporting is often critical of the government but has limited reach due the relatively high cost of papers and low levels of literacy. The Hubaal Media Group, which operates numerous outlets, was repeatedly harassed by the government throughout 2013. In July, the editor and manager of the group's *Hubaal*

newspaper received heavy fines and jail terms for defamation charges, but both were pardoned by presidential decree in August. At the end of the year, *Hubaal* was closed down and the owner reportedly went into hiding after police conducted a raid and detained several journalists and employees. The paper was accused by the Somaliland Police Commissioner of publishing articles that were threatening to the country's internal security.

Radio remains the most accessible and widely used medium for news in Somaliland. The establishment of independent radio stations is banned, and the region's government has been reluctant to liberalize the sector, citing the danger that stations could instigate clan violence; some Somalilanders support this argument. Government-owned Radio Hargeisa remains the main FM station, although the BBC is available. There has been a small but notable growth in internet-based radio stations operating both within Somaliland and from the diaspora. There is one government-owned television station, Somaliland National Television. A number of Somali-language satellite stations, such as HornCable TV and Universal TV, broadcast from the Middle East and London, and they are accessible and highly influential. The advertising sector is gradually growing but remains small.

## **2014 Scores**

### **Press Status**

Not Free

### **Press Freedom Score**

**(0 = best, 100 = worst)**

82

### **Legal Environment**

**(0 = best, 30 = worst)**

26

### **Political Environment**

**(0 = best, 40 = worst)**

34

### **Economic Environment**

**(0 = best, 30 = worst)**

22