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“WE LIVE IN PERPETUAL FEAR”

VIOLATIONS AND ABUSES OF FREEDOM OF EXPRESSION IN SOMALIA

**AMNESTY
INTERNATIONAL**



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Cover photo: Somali journalists denied access to photograph an Al-Shabaab attack site in Mogadishu in January 2020. © Private

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GLOSSARY

WORD	DESCRIPTION
AMISOM	The African Union Mission in Somalia
BRA	Banadir Regional Administration
CGTN	China Global Television Network
CID	Criminal Investigations Department
CPJ	Committee to Protect Journalists
FESQJ	Federation of Somali Journalists
FGS	Federal Government of Somalia
GDP	Gross Domestic Product
IED	Improvised Explosive Device
NISA	National Intelligence and Security Agency
SJS	Somali Journalists Syndicate

1. EXECUTIVE SUMMARY

Somalia has been without a properly functioning government since 1991 making it one of the world's worst human rights and humanitarian crises. The election of President Mohamed Abdullahi "Farmajo" in February 2017 presented an important opportunity for the new administration to address, with international support, Somalia's many outstanding human rights challenges, including by respecting, protecting and promoting the right to freedom of expression and media freedom. Instead, the authorities have resorted to using heavy-handed techniques to suppress media freedom and the right to freedom of expression in general.

Since late 2017, media freedom in Somalia has been suppressed by the Federal Government of Somalia's (FGS) security forces and officials, authorities in regional states and by the armed group Al-Shabaab.

This report documents allegations of threats, harassment and intimidation of the media including physical attacks, killings and attempted killings of journalists, arbitrary arrests, harassment and intimidation of journalists and other critics, restrictions on access to information, in south central Somalia since 2018 and in some instances from 2017, by both the government and Al-Shabaab. In addition, it documents new techniques employed by the authorities to bribe media outlets to engage in self-censorship and through online harassment, intimidation and social media manipulation. The report also covers a few cases from Puntland that are relevant to some of the violations and abuses documented in the report.

The report is based on interviews with over 70 individuals, including 55 journalists, media activists, representatives of journalists' unions, media directors and editors, lawyers, opposition politicians, civil society groups, representatives of international organizations, Facebook staff as well as government officials. In addition, the report also draws from analysis of a range of documents including court decisions, national laws, articles published in Somali and international media as well as postings on Facebook, Twitter and other internet sites, academic articles, relevant reports from non-governmental organizations (NGOs) and international bodies, as well as photographic and video evidence.

For the fifth year in a row, Somalia tops the Committee to Protect Journalists' (CPJ) Global Impunity Index on countries where those who kill journalists escape prosecution. The Somali authorities rarely investigate cases of killings or attacks on journalists, media outlets and critics. At least eight journalists were killed in south central Somalia and Puntland since 2017 when president Farmajo took office. Four of the journalists were killed in 2018 and two in 2019. Another journalist survived – albeit with serious injuries – an attempt on his life in 2018 when an improvised explosive device (IED) was fitted to his car and detonated. Aside from two cases including one in which a policeman who killed a journalist in Mogadishu in 2018 was convicted in absentia, no one has been held accountable for the killings or the attempted killings of the other journalists. The policeman remains at large.

Journalists were attacked, beaten and arbitrarily arrested by Somalia security forces, including by police, military and other government officials, in 2018 and 2019 throughout south central Somalia. Most journalists were attacked while on duty covering stories at national events, at blast sites covering the aftermath of Al-Shabaab attacks, during demonstrations against government policies and while going through security checkpoints in Mogadishu. The authorities in Mogadishu and in Puntland have also raided and temporarily closed media outlets to prevent or discourage coverage of news events or to extort money from media owners or as retaliation.

Journalists in south central Somalia told Amnesty International that senior government officials including security officials refused to provide them with information on issues of public interest or denied them interviews and access to government buildings including parliament, major events and to the scenes of incidents, including sites of Al-Shabaab attacks. Some journalists said security forces restricted them from recording videos or taking photographs even when they managed to have access to government buildings or to scenes of Al-Shabaab attacks.

Several journalists, media freedom advocates, a senior government official, a former media director, civil society members, opposition leaders and former government employees told Amnesty International that between late 2017 and early 2019, government officials from the office of the President had been allegedly bribing some of the owners and directors of the main media outlets, as well as some Somali social media influencers who live in the country and abroad, for positive media coverage. Journalists told Amnesty International that the bribing of their bosses and media outlets has had a chilling effect on them and that they were not able to freely report on sensitive stories and topics that are deemed unfavourable by the authorities.

Topics journalists found particularly difficult to freely report on without risking reprisals from government officials include reporting on Al-Shabaab attacks in the city and security related coverage in general, stories about government policy failure, particularly those touching on the offices of the President and the Prime Minister, reporting or publicizing news from opposition figures, as well as corruption and human rights.

Due to self-censorship and co-optation by a majority of the media houses, journalists and other individuals in Somalia opted to use social media as a platform to air their views and share critical content. But the Somalia authorities are also closely monitoring discussions on social media. The government has allegedly set-up social media monitoring teams that monitor and report on critical coverage. Journalists and other government critics including opposition leaders are threatened, intimidated and harassed online, including on social media, by the authorities. Facebook accounts of 16 individuals – including 13 journalists – were permanently disabled or deleted in 2018 and 2019 alone. All the individuals whose Facebook accounts were disabled told Amnesty International that they had previously posted critical content. There were also attempts to hack the Facebook accounts of five journalists while the accounts of four more were compromised in the past two years.

Some journalists could not bear the sustained pressure of threats, harassment and intimidation by government and Al-Shabaab and have decided to flee the country and seek refuge elsewhere. Amnesty International has documented at least eight journalists who fled Somalia since October 2018. Seven of them told Amnesty International that they had fled the country due to serious threats to their lives because of their media work. Two of the journalists, Munasar Mohamed Abdi and Zakariye Mohamud Timaade, are currently seeking asylum in Sweden, one is in Turkey while the other five are in locations that cannot be disclosed for their own safety.

In 2018 and 2019, Somalia experienced another period of heightened political and security instability that undermined the much-needed human rights and justice reforms. Much of the attention of the federal and regional authorities, as well as their international partners, has focused on regional state electoral processes – including those of South West, Puntland, Jubaland and Galmudug – and the fight against Al-Shabaab. Somalia authorities did not spare their international partners in their pursuit to silence critics. In January 2019, for the first time in the history of Somalia, the authorities expelled the UN's Special Representative to Somalia, Nicholas Haysom, after he raised concerns about the killing of protesters in Baidoa following the South West regional state's controversial presidential elections. After the expulsion of its boss, the UN suspended its monthly human rights reports in the country.

Somalia authorities have often invoked alleged national security concerns and the fight against Al-Shabaab as a basis to restrict the right to freedom of expression and access to information. International human rights law provides that restrictions to the right to freedom of expression can only be permitted if they are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals, or the protection of the rights and freedoms of others. Thus, enjoyment of human rights including the right to freedom of expression, is to be considered the rule and any restrictions to them, the exception. The right to freedom of expression applies to information and ideas of all kinds including those that may be deeply offensive. To protect a

government from embarrassment or exposure of wrongdoing, or to conceal information about the functioning of its public institutions for example, is not a legitimate basis to restrict the right to freedom of expression.

Any restrictions on national security and public order grounds should respect the role of the media in the effective realization of the right to freedom of expression; for example, the media should not be prevented from simply publishing information issued by or about a group or organization deemed to threaten national security or a related interest. A state may not refuse access to all national security-related information but must designate specific and narrow categories that are necessary to withhold to protect a legitimate national security interest.

The harassment and intimidation of independent reporting, and lack of investigations into such violations and abuses, are growing ahead of the country's upcoming elections. Ahead of the elections expected in late 2020 and early 2021, the government should respect, protect, promote and fulfil human rights including the right to freedom of expression and media freedom and ensure that no government or security official seeks to silence journalists or arbitrarily obstruct their access to information. Authorities should also thoroughly, impartially and effectively investigate the alleged violations and abuses including physical attacks, killings and attempted killings, arbitrary arrests and intimidation of journalists and allegations of online harassment and social media manipulation. They must also guarantee the safety of all journalists and other media practitioners.

Ahead of the elections, Somalia's international partners should support efforts to improve the safety of journalists and encourage the Somalia government to stop human rights violations and abuses, and attacks on media freedom and carry out impartial, independent, transparent and effective investigations into all allegations of violations and abuses including attacks against journalists and other media practitioners.

The armed group Al-Shabaab must also stop attacks on civilians in Somalia including on journalists, and all other violations of international human rights and humanitarian law.

2. METHODOLOGY

This report is based on research conducted by Amnesty International in Mogadishu, Somalia, in July 2019 and remotely between August 2019 and January 2020.

Amnesty International researchers interviewed over 70 individuals including 55 journalists, media activists, representatives of journalists' unions, media directors and editors, lawyers, opposition politicians, civil society groups, human rights defenders, activists, representatives of international organizations, Facebook employees as well as government officials.

Amnesty International interviewed journalists from Mogadishu, Afgooye, Garowe, Jowhar, Dhusamareb Galkayo, Bosaso and Kismayo. Several individuals including some journalists interviewed for the report were already out of the country and were interviewed remotely while in Kenya, Uganda, Ethiopia, Sweden, UK, USA and Turkey. Journalists interviewed for the report worked for both government-owned stations and privately-owned media outlets, however, a majority worked for privately-owned media outlets.

The interviews were conducted in Somali or in English, in person in Mogadishu and Nairobi, Kenya, or remotely through encrypted voice calls or via email.

In addition to testimonies from interviewees, the report also draws from analysis of a range of documents including court decisions, national laws, articles published in Somali and international media as well as postings on Facebook and other internet sites, academic articles, relevant reports from non-governmental organizations (NGOs) and international bodies. We also analysed photographic and video evidence obtained from interviewees.

Amnesty International informed all interviewees about the nature and purpose of the research, as well as how the information they provided would be used. We obtained oral consent from each interviewee at the start of interviews. Interviewees were also given the option – both before and at the end of the interview – to choose not to have their names included in the report. No incentives or monetary compensation were provided to interviewees in exchange for their accounts or the information they provided. Individuals were told that they could end the interview at any time and that they could choose whether to answer any specific question.

Somali interviewees in the report are referred to initially with their full name and then either with their first or full name in line with the Somali naming tradition. It is common for Somalis, and more so Somali journalists, to be given nicknames which they regularly use; nicknames are used for journalists when they are commonly referred to as such or if they explicitly informed Amnesty International to be called so. Identifying information for many interviewees in this report has been removed to protect their identity and to prevent any reprisals. Individuals in the report are identified by their real names in cases where the incidents described have already been published and widely circulated in the media and when the journalists themselves asked to be named.

This report focuses on threats, intimidation, harassment including online harassment, and attacks including killings and attempted killings of journalists in south central Somalia since 2018 by government and Al-Shabaab. It also includes a few cases from 2017 to illustrate patterns of certain forms of violations and abuses that occurred since the current federal government took office. The report also covers a few cases from Puntland. The report does not in any way attempt to list and cover all attacks on the right to freedom of

expression and media freedom in Somalia and therefore more research is needed to focus on violations and abuses against journalists and media freedom, especially in Puntland.

On 13 November 2019, Amnesty International sent a letter to Facebook summarizing the report's findings and requesting response to a list of questions regarding shutdown of accounts of journalists and other critics by Facebook. Facebook officially responded to some of our questions and concerns on 3 December 2019. Details of the response from Facebook is included in the relevant sections of the report.

On 23 January 2020, Amnesty International sent letters to the Somalia Minister for Information, Culture and Tourism; Minister for Internal Security, the Directorate of Communications at The Presidency, and the Puntland Minister for Information, seeking their response to a list of questions on our research findings.

The Directorate of Communications at the Presidency and the Minister for Information, Culture and Tourism, Mohamed Abdi Hayir (Maareeye), officially responded to our inquiries on 3 and 9 February 2020, respectively. Details of their responses are included in the relevant sections of the report as appropriate.

At the time of writing, Amnesty International had received no response to the letters sent to the other two government officials.

3. BACKGROUND

3.1 CONFLICT AND CIVILIAN SUFFERING

Somalia has one of the world's longstanding conflicts and has been without a properly functioning government since 1991.¹ Decades of conflict, coupled with drought, famine and constant emergence of armed groups,² have left the country suffering one of the world's worst humanitarian and human rights crises. The conflict has negatively impacted the country's economy and faces significant long-term economic challenges. According to the World Bank, the population has been growing faster than real gross domestic product (GDP). As a result, the incidence of poverty is high and is about 69 percent.³

According to the World Bank, multiple deprivations in living standards, education, health, water, and sanitation affect most Somali households. Somalia's health indicators are among the worst in the world. Access to education and learning outcomes are also low. Decades of conflict and state fragmentation have left the country with a shortage of qualified teachers and poor school infrastructure.⁴

Military operations by Somali government and foreign troops including the African Union Mission in Somalia (AMISOM) and the US military against Al-Shabaab, continue to take a heavy toll on civilians.⁵ All parties to the conflict have violated international human rights and humanitarian law.⁶ Civilians have been killed indiscriminately by Somali and allied forces during clashes with Al-Shabaab, as well as in the crossfire of interclan violence which continues in some parts of the country.⁷

The armed group Al-Shabaab, Al-Qa'ida's affiliate based in Somalia,⁸ continues to regularly target civilians and civilian structures,⁹ including in indiscriminate attacks, and through the summary killing of individuals perceived to have links with the government, as well as journalists and other civilians.¹⁰ It

¹ "Somalia: The Forgotten Story", Al Jazeera, 2 November 2016, <https://www.aljazeera.com/programmes/aljazeeraworld/2016/10/somalia-forgotten-story-161027115655140.html>.

² "Armed groups in Somalia, Al Jazeera", 6 June 2018, <https://www.aljazeera.com/indepth/interactive/2018/06/armed-groups-somalia-180604110516975.html>.

³ This is according to the World Bank. See "Somalia Economic Update" by the World Bank, August 2019, available at <https://bit.ly/2R8ndSq>.

⁴ "Somalia Economic Update" by the World Bank, August 2019, available at <https://bit.ly/2R8ndSq>.

⁵ Amnesty International, "The Hidden US War in Somalia, Civilian Casualties from Air Strikes in Lower Shabelle" 19 March 2019, <https://www.amnesty.org/en/documents/afr52/9952/2019/en/>

⁶ For more information on the prolonged conflict in Somalia and violations of international human rights and humanitarian law by all parties, see Human Rights Watch, Harsh War, Harsh Peace: Abuses by Al-Shabaab, the Transitional Federal Government and AMISOM in Somalia, April 19 2010, <https://www.hrw.org/report/2010/04/19/harshwar-harsh-peace/abuses-al-shabaab-transitional-federal-government-and-amisom>.

⁷ "Somali clan clashes kill more than 40 in two days: officials", News24, 24 October 2018, <https://www.news24.com/Africa/News/somali-clan-clashes-kill-more-than-40-in-two-days-officials-20181024>. See also, "Somalia Forces Capture Key al-Shabab Town of Bariire" VOA, 19 August 2017, <https://www.voanews.com/africa/somalia-forces-capture-key-al-shabab-town-bariire>.

⁸ Al-Shabaab formally declared its allegiance to al-Qa'ida in 2012 though they had ties prior to that.

⁹ Counter Extremism Project, Al-Shabab, <https://www.counterextremism.com/threat/al-shabab>

¹⁰ OHCHR, *Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia*, December 2017, p.21, <https://www.ohchr.org/Documents/Countries/SO/ReportProtectionofCivilians.pdf>

forcefully recruits children as soldiers,¹¹ and carries out rape and torture and other serious human rights abuses.¹²

3.2 MEDIA AND SOCIAL MEDIA USE

During the prolonged conflict in Somalia, media has been a key propaganda platform for all parties to the conflict to communicate their messages to the public. Both Al-Shabaab and the Somalia government and its partners, in their public relations war use media to communicate what they consider to be military successes, show each other in bad light and manipulate the public's access to accurate information, including access to casualty figures.¹³ Many journalists join the media profession while young and in most cases without formal trainings.¹⁴ Journalists, media advocates and international media experts told Amnesty International that many journalists operating in Somalia lack professionalism which exacerbates the risks journalists and other media workers face in a very dangerous and highly politicized environment.¹⁵

The use of social media has increased in recent years in Somalia. A significant number of the Somali diaspora and the young and urban population in the country are connected to the internet and social media sites. Facebook, YouTube and Twitter are popular social media platforms where Somalis at home and abroad use to discuss politics, national issues, religion and identity.¹⁶ The current administration of President Farmajo has significantly used social media as a platform to manage public debates and narratives and promote government policies and agenda.¹⁷

3.3 TREATMENT OF MEDIA AND JOURNALISTS

Successive governments in Somalia have violated the rights of journalists and media freedom.¹⁸ In 2019, for the fifth year running, the country topped the Committee to Protect Journalists' (CPJ) Global Impunity Index on countries where those who kill journalists escape prosecution.¹⁹ The Somali authorities rarely investigate cases of killings or attacks on journalists.²⁰ The absence of credible investigations and continuous harassment and intimidation leads to self-censorship among the media.²¹

Many Somalis celebrated the election of President Mohamed Abdullahi Mohamed Farmajo in February 2017²² and it presented an important opportunity for the new administration to address the country's many outstanding human rights challenges,²³ including protecting media freedom and promoting the right to

¹¹ See: Human Rights Watch, Somalia: Al-Shabab Demanding Children, 14 January 2018, <https://www.hrw.org/news/2018/01/14/somalia-al-shabab-demanding-children> and; Human Rights Watch, No Place for Children: Child Recruitment, Forced Marriage, and Attacks on Schools in Somalia, 20 February 2012, <https://www.hrw.org/report/2012/02/20/no-place-children/child-recruitment-forced-marriage-and-attacks-schools-somalia#2fe00>.

¹² See, Human Rights Watch, Harsh War, Harsh Peace: Abuses by Al-Shabaab, the Transitional Federal Government and AMISOM in Somalia, April 19 2010, <https://www.hrw.org/report/2010/04/19/harsh-war-harsh-peace/abuses-al-shabaab-transitional-federal-government-and-amisom>

¹³ Amnesty International interviews with Somali journalists, media advocates and international media experts between July and December 2019. For more information on the use of media in Somalia, please See, Human Rights Watch, "Like Fish in Poisonous Waters", 2016, available at: https://www.hrw.org/sites/default/files/report_pdf/somalia0516web_1.pdf.

¹⁴ Amnesty International interviews with Somali journalists, media advocates and international media experts between July and December 2019.

¹⁵ Amnesty International interviews with Somali journalists, media advocates and international media experts between July and December 2019.

¹⁶ See for example, Internet World Stats, Usage and Population Statistics available at: <https://www.internetworldstats.com/africa.htm>.

¹⁷ Amnesty International interviews with Somali journalists, media advocates and international media experts between July and December 2019.

¹⁸ See, Human Rights Watch, "Like Fish in Poisonous Waters", 2016, available at: https://www.hrw.org/sites/default/files/report_pdf/somalia0516web_1.pdf.

¹⁹ See, Committee to Protect Journalists, "Global Impunity Index 2019", available at: <https://cpi.org/reports/2019/10/getting-away-with-murder-killed-justice.php>.

²⁰ See, Human Rights Watch, "Like Fish in Poisonous Waters" 2016, available at: https://www.hrw.org/sites/default/files/report_pdf/somalia0516web_1.pdf.

²¹ See, Human Rights Watch, "Like Fish in Poisonous Waters" 2016, available at: https://www.hrw.org/sites/default/files/report_pdf/somalia0516web_1.pdf.

²² "Somalia's Mohamed Abdullahi Farmajo chosen as president", BBC, 8 February 2017, <https://www.bbc.com/news/world-africa-38904663>.

²³ "Somalis greet 'new dawn' as US dual national wins presidency" 8 February 2019, <https://www.theguardian.com/world/2017/feb/08/somali-presidential-election-won-mohamed-abdullahi-mohamed>.

freedom of expression. Instead, the administration resorted to using heavy-handed techniques to suppress media freedom and the right to freedom of expression.²⁴

Journalists and media freedom advocates as well as government officials told Amnesty International that the current administration of President Farmajo had faced fierce opposition from opposition politicians and other influential individuals later on in 2017 and the government response was to crackdown on the right to freedom of expression and association, including by manipulating the media through bribes and threats²⁵ and attacking opposition figures and government critics.²⁶ The government is pushing to shrink the civic space and to control public debates and narratives.²⁷

In addition to the generalized violence against journalists in Somalia, female journalists face additional challenges including social and cultural restrictions, gender-based violence, access restrictions - including access to premises to cover events and access to career developments and trainings - and discrimination in the work place.²⁸ Several female journalists told Amnesty International that they no longer go to cover attack scenes because they fear being targeted for being women.²⁹ Other female journalists said they face discrimination in the work place including being excluded from decision making and not being given enough employment benefits compared to their male counterparts.³⁰

3.4 HEIGHTENED POLITICAL TENSION IN 2018 AND 2019

Somalia is currently composed of a central federal government that is based in the capital Mogadishu, and five Federal Member States including Jubaland,³¹ South West,³² Galmudug,³³ Hirshabelle³⁴ and Puntland.³⁵ Puntland, in north eastern Somalia, declared itself a semi-autonomous state in 1998 and has more stable and functional institutions compared to the other regional states. Puntland recognizes its status as a constituent part of Somalia. Somaliland, an area in north western Somalia, declared independence from Somalia in 1991; however, its independence has not been formally recognized by any country.³⁶ The status of the Banadir Regional Administration (BRA) within the federal system in which Mogadishu is located has not yet been determined.³⁷ BRA is not a federal state on its own but has a functional regional administration headed by the Mayor of Mogadishu.

In 2018 and 2019, Somalia experienced yet another period of heightened political tension. Much of the attention of the Somali federal and regional authorities, as well as their international partners, focused on regional state electoral processes including the South West presidential elections in late 2018,³⁸ Puntland

²⁴ Amnesty International Interviews with several journalists, media freedom advocates and government officials between July 2019 and November 2019.

²⁵ Amnesty International Interviews with several journalists, media freedom advocates and government officials between July 2019 and November 2019.

²⁶ "Somali security forces arrest former minister in raid" Reuters, 18 December 2017, <https://www.reuters.com/article/us-somalia-politics/somali-security-forces-arrest-former-minister-in-raid-idUSKBN1EC14D>.

²⁷ Amnesty International Interviews with several journalists, media freedom advocates, opposition figures and government officials between July 2019 and November 2019.

²⁸ Amnesty International interviews with female journalists, Fathi Mohamed Ahmed, Rahma Hassan Mohamed, Amal Yusug Moalim and others, Mogadishu, Somalia, July 2019.

²⁹ Amnesty International interviews with female journalists including Rahma Hassan Mohamed, Mogadishu, Somalia, 17 July 2019.

³⁰ Amnesty International interviews with female journalists including Farhiya Mohamud Yusuf and Nafiso Hersi Mohamed, Nairobi, Kenya, 31 October 2019. For more on the unique challenges facing female journalists in Somalia, see Human Rights Watch, "Like Fish in Poisonous Waters" 2016, available at: https://www.hrw.org/sites/default/files/report_pdf/somalia0516web_1.pdf.

³¹ This includes Gedo, Middle Juba and Lower Juba regions.

³² This includes Lower Shabelle, Bay, and Bakool regions.

³³ This includes Galgaduud and the southern part of Mudug regions.

³⁴ Hiraaan and Middle Shabelle regions.

³⁵ See UN Security Council, "Report of the Secretary-General on Somalia," S/2017/751, 5 September 2017, para. 7. And "Report of the Secretary-General on Somalia," S/2018/411, 2 May 2018, para. 8.

³⁶ The Economist, Why Somaliland is not a recognized state, 1 November 2015, <https://www.economist.com/the-economist-explains/2015/11/01/why-somaliland-is-not-a-recognised-state>

³⁷ See UN Security Council, "Report of the Secretary-General on Somalia," S/2017/751, 5 September 2017, para. 7. And "Report of the Secretary-General on Somalia," S/2018/411, 2 May 2018, para. 8.

³⁸ Crisis Group, "Somalia's South West State: A New President Installed, a Crisis Inflamed", 24 December 2019, <https://www.crisisgroup.org/africa/horn-of-africa/somalia/somalias-south-west-state-new-president-installed-crisis-inflamed>.

parliamentary and presidential elections in early 2019,³⁹ the Jubaland parliamentary and presidential elections in August 2019,⁴⁰ and the Galmudug elections in early 2020.⁴¹

All these elections were marred by tensions and allegations of political infighting and rigging.⁴² It is against this backdrop that authorities both at the federal and regional levels cracked down on critics and muzzled human rights including the right to freedom of expression and media freedom⁴³ and in some instances used excessive force and committed human rights violations and abuses including killing civilians.⁴⁴

Somalia authorities did not spare their international partners in their pursuit to silence critics. In January 2019, the authorities, for the first time in the history of Somalia, expelled the UN's Special Representative to Somalia, Nicholas Haysom, after he raised concerns about the killing of protesters in Baidoa following the South West regional state's controversial presidential elections.⁴⁵ After the expulsion of Haysom, the UN suspended its monthly human rights reports in the country.⁴⁶

³⁹ "Somalia's Puntland Region Elects New President", VOA, 8 January 2019, <https://www.voanews.com/africa/somalias-puntland-region-elects-new-president>.

⁴⁰ "Somalia's Jubaland region re-elects Ahmed Mohamed as president" Aljazeera, 22 August 2019, <https://www.aljazeera.com/news/2019/08/somalia-jubaland-region-elects-ahmed-mohamed-president-190822091045118.html>.

⁴¹ "Somalia opposition cry foul ahead of Galmudug State election", The Star, 22 September 2019, <https://www.the-star.co.ke/siasa/2019-09-22-somalia-opposition-cry-foul-ahead-of-galmudug-state-election/>.

⁴² Crisis Group, "Somalia's South West State: A New President Installed, a Crisis Inflamed", 24 December 2019, <https://www.crisisgroup.org/africa/horn-africa/somalia/somalias-south-west-state-new-president-installed-crisis-inflamed>. Also see, "Somalia opposition cry foul ahead of Galmudug State election", The Star, 22 September 2019, <https://www.the-star.co.ke/siasa/2019-09-22-somalia-opposition-cry-foul-ahead-of-galmudug-state-election/>.

⁴³ "Somalia: Journalists Face Threats, Intimidations Ahead of Jubaland Elections" AllAfrica, 1 June 2019, <https://allafrica.com/stories/201906030287.html>.

⁴⁴ Amnesty International, "Somalia: Use of lethal force to quell protests in Baidoa unjustifiable" 14 December 2018, <https://www.amnesty.org/en/latest/news/2018/12/somalia-use-of-lethal-force-to-quell-protests-in-baidoa-unjustifiable/>.

⁴⁵ "Somalia expels UN envoy Nicholas Haysom" BBC, 2 January 2019, <https://www.bbc.com/news/world-africa-46734994>.

⁴⁶ Amnesty International interviews with UN officials, July 2019, location withheld.

4. INTERNATIONAL AND REGIONAL LEGAL FRAMEWORK

International human rights law requires governments to respect, protect, promote and fulfil human rights including the right to freedom of expression and media freedom. Independent media plays a vital role in informing citizens about public affairs and monitoring and scrutinizing government actions at all levels. Among others, media freedom helps the public to remain informed about government policies and exposes abuses of power and human rights violations and abuses.

Various international instruments anchor and lay out the importance of media freedom. Article 19 of the Universal Declaration of Human Rights (UDHR) states “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers,⁴⁷ and article 19 of the International Covenant on Civil and Political Rights (ICCPR), which Somalia ratified in 1990, states “everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.⁴⁸ The African Charter on Human and Peoples’ Rights (ACHPR), to which Somalia is also a state party, states in article 9 “every individual shall have the right to receive information” and “every individual shall have the right to express and disseminate his opinions within the law.”⁴⁹ All the human rights instruments emphasize the importance of media freedom and the right to freedom of expression.

The exercise of the right to freedom of expression may be subject to certain restrictions but only if they meet all elements of a stringent three-part test: they must be provided by law (which must be formulated with sufficient precision to enable an individual to regulate their conduct accordingly); and demonstrably necessary and proportionate (the least restrictive measure to achieve the specified purpose) for the purpose of protecting specified public interests (national security, public order, or public health or morals) or the rights or reputations of others. There must be procedural safeguards against abusive imposition of restrictions, including provision for appeal to an independent body with some form of judicial review.

Restrictions within this framework must never jeopardize the right to freedom of expression itself. Restrictions which do not comply with this test violate freedom of expression even where no penalty results. They violate not only the right to freedom of expression of those people on whom the restriction is imposed, but also the right of others to receive information and ideas.

⁴⁷ Universal Declaration of Human Rights, art. 19.

⁴⁸ International Covenant on Civil and Political Rights (ICCPR), art. 19.

⁴⁹ African Charter on Human and Peoples’ Rights (ACHPR), art. 9.

According to the Declaration of Principles on Freedom of Expression and Access to Information in Africa adopted by the African Commission on Human and Peoples' Rights in November 2019, states may only limit the exercise of the right to freedom of expression and the right of access to information if the limitation is: prescribed by law; serves a legitimate aim; and is a necessary and proportionate means to achieve the stated aim in a democratic society.⁵⁰

It further explains what it means to be necessary and proportionate, stating the limitation must: originate from a pressing and substantial need that is relevant and sufficient; have a direct and immediate connection to the expression such that it is the least restrictive means of achieving the stated aim; and be such that the benefit of protecting the stated interest outweighs the harm to the expression, including with respect to the sanctions authorised.⁵¹

Amnesty International's research in Somalia shows that in most instances where authorities restricted human rights including the right to freedom of expression and media freedom, they did so in the context of security and fighting terrorism. However, the government actions were not in line with international human rights law.

The Johannesburg Principles on National Security, Freedom of Expression and Access to Information adopted on 1 October 1995 by a group of experts in international law, national security, and human rights, contains principles aimed at resolving the tension between the right to freedom expression vis-à-vis national security. It states that "governments must use the least restrictive means possible in prohibiting speech that is contrary to legitimate national security interests; a restriction sought to be justified on the ground of national security is not legitimate if its genuine purpose or demonstrable effect is to protect interests unrelated to national security, including, for example, to protect a government from embarrassment or exposure of wrongdoing, or to conceal information about the functioning of its public institutions, or to entrench a particular ideology..."⁵²

Governments also have an obligation to prevent, investigate and appropriately prosecute violations and abuses against journalists and media organizations. The Human Rights Committee in General Comment No. 31 explains that governments violate their obligations under the ICCPR not only when state actors are responsible for human rights violations, but also when the government fails to take necessary steps to prevent abuses caused by private actors: governments must "take appropriate measures or to exercise due diligence to prevent, punish, investigate or redress the harm caused by such acts by private persons or entities."⁵³

The Declaration of Principles on Freedom of Expression and Access to Information in Africa also outlines certain principles that States must consider to guarantee the safety of journalists and other media practitioners. It says that "States shall guarantee the safety of journalists and other media practitioners and shall take measures to prevent attacks on journalists and other media practitioners, including murder, extra-judicial killing, torture and other forms of ill-treatment, arbitrary arrest and detention, enforced disappearance, kidnapping, intimidation and threats which undermine independent journalism and the free flow of information to the public." It further states, "States shall take effective legal and other measures to investigate, prosecute and punish perpetrators of attack against journalists and other media practitioners and ensure that victims have access to effective remedies."⁵⁴

⁵⁰ The Declaration of Principles on Freedom of Expression and Access to Information in Africa adopted by the African Commission on Human and Peoples' Rights in November 2019.

⁵¹ The Declaration of Principles on Freedom of Expression and Access to Information in Africa adopted by the African Commission on Human and Peoples' Rights in November 2019. https://www.achpr.org/public/Document/file/English/draft_declaration_of_principles_on_freedom_of_expression_in_africa_eng.pdf

⁵² The Johannesburg Principles on National Security, Freedom of Expression and Access to Information adopted on 1 October 1995, <https://www.article19.org/wp-content/uploads/2018/02/joburg-principles.pdf>.

⁵³ General Comment No. 31 [80], The Nature of the General Legal Obligation Imposed on States Parties to the Covenant Adopted on 29 March 2004 (2187th meeting), <https://www.refworld.org/docid/478b26ae2.html>.

⁵⁴ The Declaration of Principles on Freedom of Expression and Access to Information in Africa adopted by the African Commission on Human and Peoples' Rights in November 2019.

4.1 NATIONAL LEGAL FRAMEWORK

Somalia's provisional Constitution which was adopted in 2012, guarantees in article 18 the right to freedom of expression and media freedom, as well as the right to impart information in any way.⁵⁵ It also guarantees in article 32 the right of access to information.⁵⁶ The Somalia media law which was passed by the Upper House in January 2020 and is before the President for his assent,⁵⁷ also provides for the right to freedom of expression⁵⁸ and media freedom, including the rights to security and access to information.⁵⁹ It also prohibits censorship and forced reporting.⁶⁰ Therefore, the Somali government is obligated under its own domestic laws to respect, protect, promote and fulfil the right to freedom of expression and media freedom.

However, the media law still contains problematic provisions including several content restrictions that are vaguely worded that can be misused by authorities if interpreted in their broader meanings. These include prohibiting reporting on issues conflicting with “national interest”,⁶¹ “false information”,⁶² “incitement to violence and clannism”⁶³ and “dissemination of propaganda”.⁶⁴

Many journalists and media freedom advocates told Amnesty International that these vaguely defined provisions in the media law threaten to have a chilling effect on the right to freedom of expression, as journalists would steer clear of covering stories that could subject them to the application of these provisions by the authorities.

The draft amendment to the media law in article 18 makes it mandatory for all local and freelance journalists operating in the country to be registered by the national media committee in the national register of journalists and subsequently send their names to the ministry of information who will then issue the journalists with identification. Many journalists and media freedom advocates see this provision as one giving the Ministry of Information a broad mandate to regulate media and media practitioners as the authorities could simply bar certain individuals from practicing their journalistic profession.⁶⁵

Each year, The UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression, adopt a Joint Declaration setting out standards relating to important freedom of expression issues. In the 2003 Declaration, they stated: “Individual journalists should not be required to be licensed or to register and therefore under international law, registration of media workers is prohibited.”⁶⁶

In a response to Amnesty International, the Minister for Information, Culture and Tourism, Mohamed Abdi Hayir (Maareeye) stated that “...the ministry is willing to listen to national private media and its local and international partners to make amendments to the media law in accordance with the international standard in support of the freedom of expression and speech.” Amnesty International urges the minister and all other

⁵⁵ Somalia Provisional Constitution, art 18.

⁵⁶ Somalia Provisional Constitution, art 32.

⁵⁷ The Somalia Media law was first assented into law by President Hassan Sheikh Mohamud in 2016. In early 2017, the then Minister of Information promised a fresh review before it was approved by cabinet in July 2017. The draft Bill was sent to the Lower House of Parliament and was passed again in July 2019. The reviewed law was also approved by the senate in January 2020 and is currently at the Office of the President for his final assent.

⁵⁸ Somalia Media Law article. 3.

⁵⁹ Somalia Media Law article. 36.

⁶⁰ Somalia Media Law article. 3.

⁶¹ Somalia Media Law, article 3.4.

⁶² Somalia Media Law, article 4 (t)

⁶³ Somalia Media Law, article 4 (j)

⁶⁴ Somalia Media Law article 4 (x)

⁶⁵ Amnesty International interviews with media advocates between July and December 2019.

⁶⁶ See, International Mechanisms for Promoting Freedom of Expression JOINT DECLARATION by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression: 2003, at <https://www.osce.org/fom/28235?download=true>.

relevant authorities to take urgent and immediate steps to review the media law and ensure all its provisions conform to international human rights standards.⁶⁷

Similarly, Somalia's 1963 Penal Code also limits freedom of expression because it contains broad and vaguely worded provisions that criminalize various forms of expression and conduct by journalists such as defamation,⁶⁸ offending the honour and prestige of the head of state,⁶⁹ the publication or dissemination of false, exaggerated or tendentious news,⁷⁰ insulting a public officer or institution,⁷¹ and contempt against the nation, state or flag,⁷² or Islamic religion.⁷³ Most of these offences attract penalties including sentences of up to three years in prison.

⁶⁷ Letter of response from Minister Mohamed Abdi Hayir (Maareeye) dated 9 February 2020, on file with Amnesty International.

⁶⁸ Somalia Penal Code, article 452.

⁶⁹ Somalia Penal Code, article 220.

⁷⁰ Somalia Penal Code, article 328.

⁷¹ Somalia Penal Code, article 269.

⁷² Somalia Penal Code, article 219.

⁷³ Somalia Penal Code, article 313.

5. KILLINGS AND ATTEMPTED KILLINGS OF JOURNALISTS

For the fifth year in a row, Somalia tops the Committee to Protect Journalists' (CPJ) Global Impunity Index on countries where those who kill journalists routinely escape prosecution.⁷⁴ The Somali authorities rarely investigate cases of killings or attacks on journalists, in general.⁷⁵ This makes Somalia one of the worst countries to work as a journalist. According to CPJ, 68 journalists have been killed in Somalia since 1992.⁷⁶

At least eight journalists were killed in Somalia since 2017 when President Farmajo took office.⁷⁷ Five of the journalists died as a result of Al-Shabaab attacks⁷⁸, two were targeted and killed by unidentified attackers⁷⁹ and one was shot dead by a federal police officer in Mogadishu.⁸⁰ Two of the journalists were killed in 2017, four in 2018 and two in 2019.⁸¹ There was also an attempt on the life of another journalist through an Improvised Explosion Device (IED) fitted in his car. He survived the attack but sustained serious injuries.⁸² Apart from two cases including one in which a policeman who killed a journalist in Mogadishu in 2018 was convicted in absentia but remains at large, no one has been held accountable for the killings or the attempted killings of the other journalists.⁸³

⁷⁴ Committee to Protect Journalists (CPJ), "Getting Away with Murder", 29 October 2019, <https://cpj.org/reports/2019/10/getting-away-with-murder-killed-justice.php>.

⁷⁵ Amnesty International interviews with numerous journalists and three media freedom advocates in Mogadishu and Nairobi between July and November 2019. See also, Human Rights Watch, "Like Fish in Poisonous Waters" 2016, available at: https://www.hrw.org/sites/default/files/report_pdf/somalia0516web_1.pdf.

⁷⁶ Amnesty International telephone interview with Muthoki Mumo, CPJ Sub-Saharan Africa Representative, 22 January 2020, Nairobi, Kenya. See Committee to Protect Journalists (CPJ), Somalia page, at <https://cpj.org/africa/somalia/>.

⁷⁷ Amnesty International interviews with numerous journalists and 3 media freedom advocates in Mogadishu and Nairobi between July and November 2019. Amnesty International interviews with relatives of the journalists killed in 2018 and 2019, between July and December 2019 and Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16, November 2019.

⁷⁸ Awil Dahir Salad, Mohamed Sahal Omar, Hodan Nalayeh, Abdullahi Osman Moalim and Ali Nur Siyad.

⁷⁹ Abdirizak Said Osman and Abdullahi Mire Hashi.

⁸⁰ Abdirizak Qassim Iman.

⁸¹ Amnesty International interviews with numerous journalists and two media freedom advocates, Mohamed Ibrahim Moalimuu of the Federation of Somali Journalists and Abdalle Ahmed Mumin of Somali Journalists Syndicate, Mogadishu, Somalia, 21 July 2019 and 16 July 2019 respectively, Amnesty International interviews with relatives of the journalists killed in 2018 and 2019, between July and December 2019 and Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16, November 2019.

⁸² Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16 November 2019. Note that this the journalist who sustained the serious injuries as a result of an Improvised Explosion Device (IED) fitted in his car. He is now recovering well in Turkey but has serious and permanent injuries.

⁸³ Amnesty International interviews with numerous journalists and three media freedom advocates in Mogadishu and Nairobi between July and November 2019. And Amnesty International telephone interview with Qassim Iman Osoble, the father of the journalist whose killer was found guilty by a military court in Mogadishu in November 2018, Mogadishu, Somalia, 16 November 2019. In a response to our questions, the Minister for Information, Culture and Tourism, Mohamed Abdi Hayir (Maareeye) said that two men were found guilty by a military court in Mogadishu in May 2019 and were executed for involvement of planning the bomb attack that killed Universal TV journalist Awil Dahir Salad in December 2018.

On 26 July 2018, **Abdirizak Qassim Iman**, 17, an SBS TV cameraman was shot dead in Mogadishu by Abdullahi Nur Ahmed, a police officer.⁸⁴ According to information gathered by Amnesty International, the journalist was shot in the head by the police officer as he tried to pass through a security checkpoint in the city.⁸⁵ The journalist was reportedly returning from Mogadishu's Waberi district where he was recording footage for a story he was working on.⁸⁶

According to court documents seen by Amnesty International, in November 2018, a military court in Mogadishu found Abdullahi Nur Ahmed guilty of murdering the journalist in absentia and sentenced him to five years in prison and 100 camels in compensation to his family.⁸⁷ The trial and the subsequent conviction of the police officer was not made public until July 2019.⁸⁸ The family members of the journalist were allowed to attend the military court proceedings but are not happy with the outcome.⁸⁹

Qassim Iman Osoble, the father of the slain journalist told Amnesty international:

“Justice has not been served in this case, the police officer who killed my son ran away and is in Galmudug at the moment, he was not arrested, and we haven’t been compensated despite the court order”⁹⁰

Although the trial of the police officer is seen by some observers⁹¹ as a small step towards accountability for killings of journalists in Somalia generally and specifically for this case,⁹² the family of the journalist is still waiting for justice for their loved one as the perpetrator remains at large.⁹³

In the evening of 18 September 2018, **Abdirizak Said Osman**, 32, a reporter with Codka Nabadda (Radio Voice of Peace) was stabbed twice by unknown assailants in Gaalkayo, a city in Puntland's southern border.⁹⁴ Abdirizak died in the Mudug Regional Hospital the following morning where he was undergoing treatment for the injuries he sustained during the attack. The motive of the attack is unclear but one journalist from Gaalkayo said that Abdirizak had previously received threats from people perceived to be Al-Shabaab members.⁹⁵

Amnesty International is not aware of any investigations carried out in relation to this case and no one was brought to justice for the death of Abdirizak.

“Our journalist was stabbed to death as he was heading home from work, no one claimed responsibility for his death and to date, no one is held accountable”⁹⁶

Ahmed Caano Geel, Director of Codka Nabadda, Radio Voice of Peace.

⁸⁴ Amnesty International telephone interview with Qassim Iman Osoble, the father of the journalist, Mogadishu, Somalia, 16 November 2019. Amnesty International interview with Mohamed Ibrahim Moalimuu, secretary general of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019. According to his father, Abdirizak was 17 years old.

⁸⁵ Amnesty International telephone interview with the father of the journalist, Qassim Iman Osoble, Mogadishu, Somalia, 16 November 2019.

⁸⁶ Amnesty International interview with Mohamed Ibrahim Moalimuu, secretary general of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019. See also, Committee to Protect Journalists (CPJ), “Somali cameraperson shot dead in Mogadishu”, 31 July 2018, <https://cpj.org/2018/07/somali-cameraperson-shot-dead-in-mogadishu.php>.

⁸⁷ Court document on file with Amnesty International.

⁸⁸ Amnesty International interview with Mohamed Ibrahim Moalimuu, secretary general of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019.

⁸⁹ Amnesty International telephone interview with Qassim Iman Osoble, father of the journalist, Mogadishu, Somalia, 16 November 2019.

⁹⁰ Amnesty International telephone interview with Qassim Iman Osoble, the father of the journalist, Mogadishu, Somalia, 16 November 2019.

⁹¹ Including some media freedom advocates in Somalia and the Independent Expert on the situation of human rights in Somalia.

⁹² The Independent Expert on the situation of human rights in Somalia, for example, in his September 2019 report noted inter alia, “while the penalty remains inadequate, the conviction sent a signal that justice and accountability for attacks on journalists is possible”. See, “Situation of human rights in Somalia”, Report of the Independent Expert on the situation of human rights in Somalia, 16 September 2019, para 59, https://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_42_62_AEV.pdf.

⁹³ Amnesty International telephone interview with Qassim Iman Osoble, the father of the journalist, Mogadishu, Somalia, 16 November 2019.

⁹⁴ Amnesty International telephone interview with Ahmed Caano Geel, Director of Codka Nabadda, Radio Voice of Peace, Mogadishu, Somalia, 16 November 2019. Also see, RSF, “Radio reporter stabbed to death in central Somalia”, 20 September 2019, <https://rsf.org/en/news/radio-reporter-stabbed-death-central-somalia>.

⁹⁵ Amnesty International telephone interview with a journalist from Gaalkayo, date of the interview and name of the journalist withheld for security reasons and on the request of the journalist.

⁹⁶ Amnesty International telephone interview with Ahmed Caano Geel, Director of Codka Nabadda, Radio Voice of Peace, Mogadishu, Somalia, 16 November 2019.

On **27 October 2018**, two unidentified gunmen shot and killed **Abdullahi Mire Hashi**, 26,⁹⁷ a producer and host of a daily show that is broadcasted on the privately-owned Darul Sunnah radio station in the town of Elasha Biyaha, outside of the capital, Mogadishu. The gunmen escaped the scene of the attack and no one has claimed responsibility for the killing. Although the circumstances of this attack remain unclear, two journalists told Amnesty International that Abdullahi Mire Hashi had received threatening phone calls from individuals who said they were Al-Shabaab members, questioning why his radio station was not covering the group's operations in the region.⁹⁸

Abdirahman Matan Diriye, director of Darul Sunnah radio where Abdullahi worked, questioned why the journalist was targeted as their radio station only aired Islamic lectures and is not involved in political or any other reporting that would be deemed to be controversial. No one was arrested in connection with this case and no investigations were carried out.⁹⁹

On **22 December 2018**, **Awil Dahir Salad**, 48, a popular journalist who worked for the privately-owned Universal TV was killed in a car bomb attack in Mogadishu.¹⁰⁰ Three other Universal TV employees including Awil's two body guards and driver were also killed in the attack.¹⁰¹

The four were heading to the Universal TV studios and were attacked while crossing a security checkpoint near the presidential palace. Two car bomb attacks took place in succession that day and the four were reportedly killed in the first attack. A total of 26 people died in the twin attacks.¹⁰² Awil and his colleagues died on the spot. The armed group Al-Shabaab claimed responsibility for both attacks.¹⁰³ In response to one of the questions Amnesty International sent him relating to this case, the Minister for Information, Culture and Tourism, Mohamed Abdi Hayir (Maareeye) said that two men were found guilty by a military court in Mogadishu in May 2019 and were executed for involvement of planning the bomb attack that killed Awil and others in December 2018.¹⁰⁴

On **12 July 2019**, SBC Somali TV reporter **Mohamed Sahal Omar**, also known as Ga'madhere, 34, and Somali-Canadian journalist and founder of Integration TV **Hodan Nalayeh**, were killed in Kismayo's Asasey Hotel attack.¹⁰⁵ The two journalists were among 26 people who were killed in the attack on one of the popular hotels in the capital city of the Jubaland regional state.¹⁰⁶ The attack was carried out by four gunmen who stormed the hotel in the evening of 12 July. The armed group Al-Shabaab claimed responsibility for the attack.¹⁰⁷

Two more journalists, **Abdullahi Osman Moalim** who worked for the privately-owned Radio Codka Hiiraan and the state-owned Jubaland TV, and **Ali Nur Siyad**, a freelance cameraman, were killed in Somalia in 2017 making the total number of journalists killed since President Farmajo took office eight. Ali Nur Siyad

⁹⁷ Amnesty International telephone interviews with two journalists from Mogadishu. See also, "Somali journalist shot dead outside Mogadishu", Xinhua, 28 October 2018, http://www.xinhuanet.com/english/2018-10/28/c_137562949.htm. And, Committee to Protect Journalists (CPJ), "Radio journalist gunned down in Somalia", 31 October 2018, <https://cpj.org/2018/10/radio-journalist-gunned-down-in-somalia.php>

⁹⁸ Amnesty International telephone interview with two journalists from Mogadishu, date of the interview and name of the journalist withheld for security reasons and on the request of the journalists.

⁹⁹ Amnesty International telephone interview with Abdirahman Matan Diriye, director of Darul Sunnah, Elasha Biyaha, Somalia, 16 November 2019.

¹⁰⁰ Amnesty International telephone interview Abdullahi Ahmed Nur, head of news and programs and editor of universal TV in south central Somalia, 16 November 2019. See also, Committee to Protect Journalists (CPJ), "Awil Dahir Salad", <https://cpj.org/data/people/awil-dahir-salad/index.php>.

¹⁰¹ UNESCO, "Director-General condemns terror attack in Somalia that claimed numerous lives including that of journalist Awil Dahir Salad", 3 January 2019, <https://en.unesco.org/news/director-general-condemns-terror-attack-somalia-claimed-numerous-lives-including-journalist>.

¹⁰² "Somali death toll rises to 26 from weekend blasts in capital", AP, 24 December 2018, <https://apnews.com/c524f4572e864517815adde08337fd64>.

¹⁰³ Amnesty International telephone interview Abdullahi Ahmed Nur, head of news and programs and editor of universal TV in south central Somalia, 16 November 2019. Also see, "Somali death toll rises to 26 from weekend blasts in capital", AP, 24 December 2018, <https://apnews.com/c524f4572e864517815adde08337fd64>.

¹⁰⁴ Letter of response from Minister Mohamed Abdi Hayir (Maareeye), dated 9 February 2020, on file with Amnesty International.

¹⁰⁵ "At Least 26 Dead in Somalia Hotel Attack Claimed by Shabab", New York Times, 13 July 2019, <https://www.nytimes.com/2019/07/13/world/africa/somalia-shabab-hotel-kismayo.html>.

¹⁰⁶ Amnesty International telephone interview with Farah Omar Sahal, Kismayo, Somalia, 4 December 2019 and Amnesty International interview with Abdalle Ahmed Mumin, Mogadishu, Somalia, 16 July 2019.

¹⁰⁷ "At Least 26 Dead in Somalia Hotel Attack Claimed by Shabab", New York Times, 13 July 2019, <https://www.nytimes.com/2019/07/13/world/africa/somalia-shabab-hotel-kismayo.html>. Minister Mohamed Abdi Hayir (Maareeye) stated in a letter he sent us on 9 February 2020, that Jubaland CID arrested one suspect and are continuing investigations, however, the minister did not provide further details including whether the suspect was formally charged or not.

was killed in a truck bomb attack that killed more than 500 people in Mogadishu on **14 October 2017**¹⁰⁸ and Abdullahi Osman Moalim died on **13 September 2017** from injuries he sustained during a suicide bomb attack in a restaurant in Beledweyne in the Hirshabelle regional state. Al-Shabaab claimed responsibility for this attack.¹⁰⁹

5.1 AN ATTEMPTED KILLING



Veteran journalist and media rights activist, Ismail Sheikh Khalifa, was critically injured when a bomb planted in his car exploded in Mogadishu on 4 December 2018. Ismail is currently being treated in Istanbul, Turkey for the serious injuries he sustained in that attack. © Ismail Sheikh Khalifa

In the evening of **4 December 2018**, the veteran Somali journalist and media rights activist with Kalsan TV, **Ismail Sheikh Khalifa**, 47, was critically injured when a bomb planted in his car exploded in Mogadishu.¹¹⁰ Ismail and a friend had just left the TV studio where Ismail recorded a weekly show he hosted, when his car exploded a few minutes after he drove off.¹¹¹

Ismail Sheikh Khalifa, who is currently being treated in Istanbul, Turkey for the serious injuries he sustained in the attack, explained to Amnesty International what happened to him that day:

“I parked my car outside the Kalsan TV studios and went in to record a program at around midday. I left the studios at 3 p.m. with a friend whom I hosted that day. When I drove for five minutes, I heard a huge explosion. I was shaken and immediately saw parts of my lower body on the car floor. My friend was unhurt, he asked what had happened, I told him our car exploded. He was shocked and could not move. I was bleeding profusely. I opened the car door and threw myself on the ground. Journalists who came to cover the explosion realized it was me, and they took me to Digfeer hospital.”¹¹²

Ismail Sheikh Khalifa.

Ismail underwent several surgeries on his lower body and back in Mogadishu. The injuries were too serious, however,¹¹³ and in October 2019, with the help of his friends and other well-wishers, he was flown to

¹⁰⁸ Amnesty International interview with Mohamed Ibrahim Moalimuu, secretary general of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019. This was the world’s deadliest car bomb ever and Somalia’s deadliest single attack to date. Although widely assumed to have been carried out by Al-Shabaab, the group has not claimed responsibility for it. See, UN Panel of Experts on Somalia, UN Doc: S/2018/1002, Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2385, 9 November 2018.

¹⁰⁹ Amnesty International interview with Mohamed Ibrahim Moalimuu, secretary general of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019. Also, see, Committee to Protect Journalists (CPJ), Somali journalist dies after suicide bomber targets café, 14 September 2019, <https://cpj.org/2017/09/somali-journalist-dies-after-suicide-bomber-target.php>.

¹¹⁰ Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16, November 2019. See also, Human Rights Watch, “Somali Journalist Critically Hurt in Car Bombing”, 7 December 2018, <https://www.hrw.org/news/2018/12/07/somali-journalist-critically-hurt-car-bombing>.

¹¹¹ Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16, November 2019.

¹¹² Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16, November 2019.

¹¹³ Photos of the injuries Ismail sustained in the attack show serious body burns in his lower body, thighs and back. Photos on file with Amnesty International.

Istanbul for further treatment.¹¹⁴ No one has claimed responsibility for the attack. Amnesty International did not find evidence of any investigations into this case and no one has been brought to justice for it.¹¹⁵

Several other journalists who spoke with Amnesty International said they no longer drive their own cars because they could easily be targeted by people who wanted to kill or harm them.

“We live in perpetual fear. I no longer drive myself, I use different cars, I was brought by a friend here to interview with you and I will call for another car when I am going back. You don’t know who is planning to kill you”¹¹⁶

A journalist in Mogadishu.

Media freedom advocates told Amnesty International that the authorities and other unknown individuals intimidate and harass them when they speak out for the rights of their fellow journalists. They said the attack against Ismail is an example of how real the threats can be.¹¹⁷

“This was a clear attempt on his life, someone wanted him killed. He was a champion for the rights of Somali journalists and media in general. We are devastated by this attack and we wish him the quickest recovery. He is still in hospital. So many well-wishers supported through generous contributions to cater for his medical bills. I don’t know who attacked him, but I am sure he was attacked for his work.” Abdalle Ahmed Mumin, Secretary General of Somali Journalists Syndicate (SJS) said.¹¹⁸

The Minister for Information, Culture and Tourism, Mohamed Abdi (Maareeye) told Amnesty International that the government is committed to ensuring the safety of journalists and that it has established a National Coordination Committee on Safety of Somali Journalists. He added that the government is also considering making it a constitutional committee. However, the minister did not provide further details particularly on the capacity of the committee to investigate attacks on journalists and the specific steps it has taken to ensure accountability for previous violations and abuses against Somali journalists including those listed in this report.¹¹⁹

¹¹⁴ Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16, November 2019.

¹¹⁵ Amnesty International telephone interview with Ismail Sheikh Khalifa, Istanbul, Turkey, 16, November 2019 and Amnesty International interview with Abdalle Ahmed Mumin, Mogadishu, Somalia, 16 July 2019. Review of government responses to Amnesty International on this case.

¹¹⁶ Amnesty International interview with a journalist (name withheld), Mogadishu, Somalia, 16 July 2019.

¹¹⁷ Amnesty International interview with Abdalle Ahmed Mumin, 5 November 2019, Nairobi, Kenya.

¹¹⁸ Amnesty International interview with Abdalle Ahmed Mumin, 5 November 2019, Nairobi, Kenya.

¹¹⁹ Letter of response from Minister Mohamed Abdi Hayir (Maareeye), dated 9 February 2020, on file with Amnesty International.

6. PHYSICAL ATTACKS, ARBITRARY ARRESTS OF JOURNALISTS AND RAIDS OF MEDIA OUTLETS

Journalists were attacked, beaten and arbitrarily arrested by Somalia security forces, including by police, military and other government officials, in 2018 and 2019 throughout south central Somalia. Most journalists were attacked while on duty covering stories at national events, at blast sites covering the aftermath of Al-Shabaab attacks, during demonstrations against government policies and while going through security checkpoints in Mogadishu.¹²⁰ The authorities in Mogadishu and in Puntland have also raided and temporarily closed media outlets to prevent or discourage coverage of news events and as retaliation.¹²¹

Although there were instances where authorities reacted to and recognized attacks against some journalists by either publicly apologizing to the affected journalists or saying that the security personnel responsible for the attacks had been arrested and investigations opened,¹²² there were no meaningful investigations into those incidents and no prosecutions were opened against suspected perpetrators, except for one case in which two military officers were arrested and taken to court for beating and harassing two journalists but were later released after the journalists allegedly forgave them.¹²³

6.1 PHYSICAL ATTACKS

On **26 June 2019**, a military officer beat **Abdulqadir Ahmed Mohamed**, popularly known as ‘Moalim’, a journalist with the Radio Voice of Banadir Regional Administration (BRA). Abdulqadir was badly beaten by the military officer at the Banadir Regional Administration premises while trying to cover the celebrations of the Somalia Independence Day.

¹²⁰ Amnesty International multiple interviews with Somali journalists who were beaten, harassed and arrested by security forces between July and December 2019 in person in Mogadishu and remotely from Nairobi.

¹²¹ The media outlets that were raided by security forces include Universal TV in Mogadishu, RTN TV and Radio Daljir offices in Puntland.

¹²² See for example, <https://www.facebook.com/Shariifunaa/posts/3321840577841348>, statement by Abdinur Mohamed Ahmed, the Director of Communications at the Office of the President, on his Facebook page.

¹²³ Amnesty International telephone interview with Abdullahi Dahir Abdi and Said Warsame Sabriye, Mogadishu, Somalia, 4 December 2019. The two journalists told Amnesty International that the military officers who beat them were arrested but after requests from family members they voluntarily forgave the two officers. The two military officers were then released and were not prosecuted for this attack on the two journalists.

Amnesty International viewed a video clip posted on social media showing the military officer beating, punching and throwing the journalist to the ground while people in attendance watch.¹²⁴

“I went there to celebrate and enjoy the happiness of the day with fellow citizens and to also cover the celebrations, but I ended up physically and emotionally distressed” Abdulqadir told Amnesty International.¹²⁵

Through a post on his Facebook page, Abdinur Mohamed Ahmed, the Director of Communications at the Office of the President, apologized for the attack against the journalist and said that the officer who attacked Abdulqadir was arrested.¹²⁶

Abdulqadir says he was later pressured by senior government officials and friends of the arrested officer to record a video forgiving the officer and publish it on his Facebook page.¹²⁷ The officer was then released without any charges after Abdulqadir had posted the video.¹²⁸

“I could have resisted but no one would guarantee my security. If I were to go to court, the guy who wasn’t afraid to publicly beat me wouldn’t be afraid to come and kill me if he found me. So, given my security and my capacity, I decided to drop the issue.”¹²⁹

Abdulqadir Ahmed Mohamed.

Similarly, on **1 July 2019**, a senior official at the office of the Prime Minister physically assaulted and harassed China Global Television Network (CGTN) correspondent **Abdulaziz Billow Ali** and his cameraman **Mohamed Ahmed Mohamed**.¹³⁰ The two journalists were covering celebrations of the Somalia Independence Day inside the Prime Minister’s residence.

According to Abdulaziz, the senior official wanted them to interview him, but they informed him that there was no need for them to do so as they had enough material from government officials and were only interested in talking to ordinary people attending the celebrations. “He felt offended that we were not going to interview him, so he started threatening us and pushing us out of the venue”, Abdulaziz said. “He almost broke our tripod and camera” he added.



Journalist Abdulaziz Billow alongside other local and international journalists covering an attack by Al-Shabaab on a police station in Afgooye, 30 kms SW of Somalia’s capital, Mogadishu. (October 2016). Abdulaziz was physically assaulted by a government official on Somalia Independence Day inside the Prime Minister’s residence. © Abdulaziz Billow

¹²⁴ Watch, <https://www.facebook.com/Daacad1414/videos/2274618195987527/> Video posted on Facebook in June 2019 showing the military officer beating, punching and throwing the journalist to the ground.

¹²⁵ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

¹²⁶ See <https://www.facebook.com/Shariifunaa/posts/3321840577841348>, statement by the Director of Communications at the office of the President, Abdinur Mohamed Ahmed on his Facebook page. On 23 January 2020, Amnesty International sent letters to the Somalia authorities with specific questions relating to actions it has taken to investigate and prosecute perpetrators of attacks on journalists and media outlets including this incident. At the time of writing, we have not received a specific response relating to this incident.

¹²⁷ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

¹²⁸ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

¹²⁹ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

¹³⁰ Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019.

Abdulaziz later posted the ordeal on his Twitter page, explaining what happened and how the official “frustrated his efforts of interviewing young people.... and that the incident happened in full glare of the public who came to celebrate Independence Day celebrations...”. He also urged the Somali authorities to ensure that their officials respect and uphold the rights of journalists to work in a free and safe environment.¹³¹

Shortly after he sent out the tweets, Abdulaziz started receiving calls from officials at the Prime Minister’s office asking him to take down the post, but he refused. The journalist kept receiving more calls, including from very senior individuals at the Prime Minister’s office who apologized for what had happened to him and his cameraman. “They asked me to either remove the tweets or add a line thanking the government for intervening, and I did the latter because I did not want more pressure.”¹³²

On **4 November 2019**, police officers beat up and harassed a group of journalists, including **Jama Nur Ahmed** of Al Jazeera Arabic and **Feisal Omar Hashi** of Reuters.¹³³ The journalists were returning from Mogadishu airport where they had been covering a humanitarian story related to the excessive flooding in some regions in the country. The police officers fired in the air and pointed their guns at the journalists to stop them. They then started beating and punching some of the journalists.¹³⁴ Two of the journalists suffered slight injuries from the beatings. The police officers also briefly confiscated the two cameras belonging to the Al Jazeera journalists.¹³⁵

The Director of communications at the office of the President, Abdinur Mohamed Ahmed, said that two police officers were arrested on Tuesday 5 November 2019 in relation to their involvement in beating these journalists,¹³⁶ but Amnesty International did not find evidence that the police officers were arrested and prosecuted for beating up the journalists.¹³⁷

Feisal Omar Hashi of Reuters told Amnesty International that he found it increasingly difficult to work in Mogadishu as a photojournalist in the past two years. “we are facing increased harassment from the security forces, but we will not be discouraged, we shall continue with our work” he said.¹³⁸

It is unclear why the journalists were attacked in this incident, but this was part of a broader pattern in Mogadishu and in other regional states showing a worrying increase in attacks and arbitrary arrests of journalists. At least 14 journalists were physically attacked in south central Somalia in 2018 and 2019.¹³⁹ According to Mohamed Ibrahim Moalimuu, Secretary General of the Federation of Somali Journalists (FESJ), the trend of arresting and attacking journalists and other media workers is an indication of the growing attacks on freedom of expression and media freedom in the country.

“This trend of arresting, detaining and attacking journalists and other media workers seems to indicate an intention to intimidate and harass journalists and media workers. This will eventually lead to self-censorship and weaken independent media,”¹⁴⁰ he said.

On 3 February 2020, the Directorate of Communications at the Presidency responded to our findings on attacks on journalists and actions the government has taken to investigate and prosecute the attackers, but the response falls far short of clarity on steps taken to address the specific cases we listed. It says:

¹³¹ Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019. Also see, the tweets here, <https://twitter.com/AbdulBillowAli/status/1145767371312963589?s=20>.

¹³² Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019. On 23 January 2020, Amnesty International sent letters to the Somalia authorities with specific questions relating to actions it has taken to investigate and prosecute perpetrators of attacks on journalists and media outlets including this incident. At the time of writing, we have not received a specific response relating to this incident.

¹³³ The other journalists who were in the car were, Abdinasir Abukar Hared and Mohamed Ali Dahir of Aljazeera.

¹³⁴ Amnesty International telephone interview with Feisal Omar Hashi, 27 January 2020, Mogadishu, Somalia.

¹³⁵ Amnesty International telephone interview with Feisal Omar Hashi, 27 January 2020, Mogadishu, Somalia; Amnesty International telephone interview with Mohamed Ibrahim Moalimuu Mogadishu, Somalia, 3 December 2019. Review of government responses to Amnesty International on this case.

¹³⁶ <https://www.facebook.com/Shariifunaa/posts/3711486702210065>

¹³⁷ Amnesty International telephone interview with Feisal Omar Hashi, 27 January 2020, Mogadishu, Somalia. Review of government responses to Amnesty International on this case.

¹³⁸ Amnesty International telephone interview with Feisal Omar Hashi, 27 January 2020, Mogadishu, Somalia.

¹³⁹ This is the number recorded by Amnesty International, but it is likely higher.

¹⁴⁰ Amnesty International telephone interview with Mohamed Ibrahim Moalimuu, Mogadishu, Somalia, December 2019.

“On the cases of prosecution of government officials encroaching on the freedom of the press, the law enforcement agencies and the judiciary have on several occasions arrested and prosecuted officials found guilty of violating the rights of journalists. All officials found convicted of engaging in arrests, physical harm, and damage to property have suffered the consequences of their actions under the full force of the law”¹⁴¹

6.2 ARBITRARY ARRESTS OF JOURNALISTS

On 8 February 2018, Jubaland police arrested **Sabir Abdulkadir Warsame**, a journalist who was working with the privately-owned Somali Cable TV in Kismayo.¹⁴² Sabir told Amnesty international that he was interviewing members of the public about the first anniversary of the election of Somalia's President Mohamed Abdullahi Mohamed (Farmajo) in Kismayo when he was arrested by Jubaland regional state police. “They asked me to put down my camera and then took me to the Criminal Investigation Department (CID) centre in Kismayo and was then transferred to the “Fiat” detention facility,” he said.¹⁴³

Sabir was kept in detention for four days and was released on 11 February 2018.¹⁴⁴ He was neither taken to court nor shown an arrest warrant before his arrest.¹⁴⁵ He said police had beaten him badly while he was in detention and questioned him on why he filmed a vehicle carrying charcoal, something Sabir said he did not record.¹⁴⁶ The UN Security Council banned charcoal exportation from Somalia in 2012 and reporting on it is considered to be very sensitive.¹⁴⁷

“On the night of 10 February, several police officers took me out of the detention centre, blindfolded and put me in a car boot. They drove me to the beach and started beating me badly. They immersed me in the water and tried to strangle me at times. I was bleeding from both my mouth and nose until I became unconscious. I found myself in the cell the following morning while other inmates were helping me. A CID officer whom I know came to the detention facility in the morning and was shocked by how badly I was beaten. He ordered for my release and I was released on 11 February,” Sabir told Amnesty International.¹⁴⁸



Sabir Abdulkadir Warsame, a journalist who was working with the privately-owned Somali Cable TV in Kismayo was arrested, detained and tortured in February 2018 by the Jubaland Regional State Police. © Sabir Abdulkadir Warsame.

¹⁴¹ Email response from the Directorate of Communications at the Presidency, received on 3 February 2020, on file with Amnesty International.

¹⁴² Amnesty International telephone interview with Sabir Abdulkadir Warsame, location withheld, 3 December 2019.

¹⁴³ Amnesty International telephone interview with Sabir Abdulkadir Warsame, location withheld, 3 December 2019. “Fiat” is a detention facility in Kismayo used by the Jubaland intelligence agency to temperedly detain people.

¹⁴⁴ Amnesty International interview with Mohamed Ibrahim Moalimuu, Secretary General of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019 and Amnesty International telephone interview with Sabir Abdulkadir Warsame, location withheld, 3 December 2019.

¹⁴⁵ Amnesty International telephone interview with Sabir Abdulkadir Warsame, location withheld, 3 December 2019.

¹⁴⁶ Amnesty International telephone interview with Sabir Abdulkadir Warsame, location withheld, 3 December 2019.

¹⁴⁷ UN Security Council, Resolution 2036 (2012), Adopted by the Security Council at its 6718th meeting, on 22 February 2012. [https://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2036\(2012\)](https://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2036(2012)).

¹⁴⁸ Amnesty International telephone interview with Sabir Abdulkadir Warsame, location withheld, 3 December 2019.

Sabir said he was unable to operate in Kismayo as a journalist after this incident and decided to flee to Mogadishu.¹⁴⁹ He also later fled Mogadishu for another country due to continuous threats to his life coming from Jubaland security forces.



Nur Ismail Sheikh was arrested in Mogadishu in November 2018 over critical Facebook posts he made against senior government officials. He had to flee the country in November 2019 due to threats to his life by security officials. © Nur Ismail Sheikh

On **20 November 2018**, police arrested **Nur Ismail Sheikh**, 30, an editor of the privately-owned website Shaaciye, in Mogadishu. Nur told Amnesty International that he wrote articles and posted short videos that were critical of senior government officials on his Facebook account. He was later released on bail on 2 December after spending twelve days in detention, four at the CID headquarters in Mogadishu and eight at the Mogadishu Central Prison.¹⁵⁰

Nur told Amnesty International that he was taken to the Banadir Regional Court on 24 November 2018, where the police officers asked the court to keep him for more days, but the judge refused to entertain the allegations, saying that he had the right to freely express himself and report as a journalist.

“The judge was surprised that they were saying I was inciting the public and asked them to release me, but they said a senior government official wanted me to be detained for a few more days. The judge was annoyed but he allowed them to keep me for more days” he told Amnesty international. “That was outrageous, the court is not independent, I had to spend 8 more days at the Mogadishu central prison” he added. Nur was later released on bail on 2 December.¹⁵¹ Nur was arrested without a warrant and was not represented by a lawyer.

On **28 May 2019**, police in Mogadishu arrested **Ali Adan Mumin**, a popular journalist working with the privately owned Goobjoog Media TV and Radio without a warrant. Ali told Amnesty international that he was taken to the Banadir Regional Court and was accused of insulting public officials, disrupting government work, spreading propaganda and being “dangerous to the public”.¹⁵²

According to court documents seen by Amnesty International and Ali’s lawyer, the journalist was accused of being “dangerous to the public” in relation to a Facebook post on his page in which he claimed to be in possession of leaked copies of the Somalia national secondary schools’ examinations and that he would not share them.¹⁵³ On 29 May 2019, a judge at the Banadir Regional Court dismissed the police case against Ali but ordered that he be detained until the national exams were concluded.

“It was unacceptable that the judge dismissed the allegations against my client and again ordered for his continued detention” Ali’s lawyer, Abdirahman Hassan who was surprised with the decision, told Amnesty international. Ali was later released on 31 May 2019.¹⁵⁴

On **14 October 2019**, **Abdiaziz Hassan Moalim**, known as Abdiaziz Folyarey, a freelance journalist working with various media outlets including Somali Cable TV was arbitrarily arrested at his house and detained at the Jowhar police station in Hirshabelle State. The journalist was arrested after covering public protests in Jowhar that day. Security forces in Jowhar had carried out a security operation the previous night arresting

¹⁴⁹ Amnesty International telephone interview with Sabir Abdulkadir Warsame, location withheld, 3 December 2019.

¹⁵⁰ Amnesty International telephone interview with Nur Ismail Sheikh, undisclosed location, 7 November 2019.

¹⁵¹ Amnesty International telephone interview with Nur Ismail Sheikh, undisclosed location, 7 November 2019.

¹⁵² Amnesty international interview with Ali Adan Mumin, Mogadishu, Somalia, 17 July 2019. And Amnesty international interview with Hassan Mohamud Mohamed, Director Goobjoog Media, Mogadishu, Somalia, 17 July 2019.

¹⁵³ Court documents on file with Amnesty International; and Amnesty International Interview with Abdirahman Hassan, lawyer, Mogadishu, Somalia, 17 July 2019.

¹⁵⁴ Amnesty International Interview with Abdirahman Hassan, lawyer, Mogadishu, Somalia, 17 July 2019. Amnesty international interview with Ali Adan Mumin, Mogadishu, Somalia, 17 July 2019. And Amnesty international interview with Hassan Mohamud Mohamed, Director Goobjoog Media, Mogadishu, Somalia, 17 July 2019.

several people following an attack that had killed the Deputy Governor of Middle Shabelle and his son on 13 October. The journalist was initially called and threatened by senior officials from the Hirshabelle administration before the police came and arrested him from his house.¹⁵⁵

“The police were not happy that I had covered the story and had taken photos of the protests. They said I should have said the police carried out security operations and arrested terrorists. One of them said that I will be taught a lesson. They have arrested me without a warrant from court,”¹⁵⁶ Abdiiaziz said. He was released the following day without being taken to court.

Amnesty International documented 11 additional cases where journalists were arbitrarily arrested and detained in south central Somalia and in Puntland in 2018 and 2019.¹⁵⁷

6.3 RAIDS OF MEDIA OUTLETS

On **30 March 2019**, armed federal police raided the offices of **Universal TV**, a privately-owned station, in Mogadishu and started shooting inside the premises of the TV station.¹⁵⁸ The motive of the attack is unclear but according to Abdullahi Ahmed Nur, Head of News and Programs and editor of Universal TV in south central Somalia, the policemen who attacked the station said they were from the taxation department and were there to collect taxes from the TV station.¹⁵⁹ Abdullahi also said it was unusual for police to come to the premises of the TV station in that manner and that the normal TV programs were ongoing at the time of the attack.¹⁶⁰

After quarrelling with the TV management, the police officers started to shoot inside the building prompting the journalists on duty to scamper to safety. The shooting continued for a while until military guards from the presidential palace near the Universal TV premises intervened and disarmed the attackers.¹⁶¹ Although no one was injured in the attack, Abdullahi said the TV’s program was interrupted for a few hours and that one camera was damaged.¹⁶²

¹⁵⁵ Amnesty International telephone interview with Abdiiaziz Hassan Moalim, Jowhar, Somalia, 13 November 2019.

¹⁵⁶ Amnesty International telephone interview with Abdiiaziz Hassan Moalim, Jowhar, Somalia, 13 November 2019.

¹⁵⁷ Amnesty International Interviews with numerous journalists and media advocates between July 2019 and January 2020.

¹⁵⁸ Amnesty International telephone interview Abdullahi Ahmed Nur, head of news and programs and editor of universal TV in south central Somalia, Mogadishu, Somalia, 16 November 2019 and Amnesty International interview with Mohamed Ibrahim Moalimuu, Secretary General of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019. See also, Committee to Protect Journalists, “Armed men raid Somalia’s Universal TV, fire guns in station” 3 April 2019, <https://cpj.org/2019/04/somalia-raid-universal-tv-shooting.php>.

¹⁵⁹ Amnesty International telephone interview Abdullahi Ahmed Nur, head of news and programs and editor of universal TV in south central Somalia, Mogadishu, Somalia, 16 November 2019.

¹⁶⁰ Amnesty International telephone interview Abdullahi Ahmed Nur, head of news and programs and editor of universal TV in south central Somalia, Mogadishu, Somalia, 16 November 2019.

¹⁶¹ Amnesty International telephone interview Abdullahi Ahmed Nur, head of news and programs and editor of universal TV in south central Somalia, Mogadishu, Somalia, 16 November 2019, and Amnesty International interview with Mohamed Ibrahim Moalimuu, Secretary General of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019.

¹⁶² Amnesty International telephone interview Abdullahi Ahmed Nur, head of news and programs and editor of Universal TV in south central Somalia, Mogadishu, Somalia, 16 November 2019.



The Universal TV offices in Mogadishu. © Universal TV

Mohamed Ibrahim Moalimuu, Secretary General of FESJ told Amnesty International that this attack was another attempt by the police to scare Somali journalists and intimidate the Universal TV management and stop them from doing their media work.¹⁶³

Abdinur Mohamed Ahmed, the Director of Communications at the Office of the President in a post on his Facebook page condemned the attack and said it was unacceptable for a section of the security forces who are meant to enforce the rule of law to carry out such an attack. He also added that it was an attack on freedom of expression and the suspected perpetrators will be brought to justice.¹⁶⁴ However, Amnesty International research shows no evidence of anyone arrested or prosecuted in relation to this attack.¹⁶⁵

On 3 February 2020, The Directorate of Communications at the Presidency told Amnesty International via email: “On the Universal TV attack, the Director’s remarks and reaction to the attack itself expresses the government’s position and discourages any form of attacks whatsoever against the press.”¹⁶⁶ However, the response does not provide clarity on what steps if any, taken by the authorities to address the attack on Universal TV.

Puntland police officers raided **Radio Daljir** offices in the towns of Garowe and Bosaso on **14 and 15/16 September 2019** respectively and briefly shut down the radio transmitter in Bosaso on Monday 16 September 2019. The police officers also harassed journalists on duty and ordered them to leave as they searched the stations.¹⁶⁷

¹⁶³ Amnesty International interview with Mohamed Ibrahim Moalimuu, Secretary General of the Federation of Somali Journalists, Mogadishu, Somalia, 21 July 2019.

¹⁶⁴ See https://www.facebook.com/Shariifunaa/posts/3096784440346964?_rdc=1&_rdr, Facebook post by Abdinur Mohamed Ahmed on 30 March 2019.

¹⁶⁵ On 23 January 2020, Amnesty International sent letters to the Somalia authorities with specific questions relating to actions it has taken to investigate and prosecute perpetrators of attacks on journalists and media outlets including this incident. At the time of writing, we have not received a specific response relating to actions taken in relation to this incident.

¹⁶⁶ Email response from the Directorate of Communications at the Presidency, received on 3 February 2020, on file with Amnesty International.

¹⁶⁷ International Federation of Journalists (IFJ), “Somalia: Police search two prominent radio stations in Puntland” 16 September 2019, <https://www.ifj.org/media-centre/news/detail/category/press-freedom/article/somalia-police-search-two-prominent-radio-stations-in-puntland.html?share>.

Somali Journalists Syndicate, “Puntland police carry out multiple raids on Radio Daljir and briefly shut down radio transmitter”, 16 September 2019, available at: <https://sjsyndicate.org/2019/09/16/puntland-police-carry-out-multiple-raids-on-radio-daljir-and-briefly-shut-down-radio-transmitter/>



Radio Daljir offices in Bosaso. © Radio Daljir

According to media advocates and one individual who has knowledge of the activities that led to the raids, the raids came a few days after Radio Daljir aired interviews and reports relating to a detainee who allegedly died as a result of police mistreatment in Bosaso.¹⁶⁸ The police did not produce a court order allowing for the search and the temporary closure of the radio station.¹⁶⁹

On **15 October 2019**, Puntland police officers from the CID raided the privately-owned **RTN TV** offices in Garowe and harassed the journalists on duty.¹⁷⁰ According to journalists working for RTN TV, including one of their producers in Nairobi, Abdiiaziz Ahmed Barrow, the police were looking for Abdiqani Ahmed Mohamed, popularly known as Abdiqani “Fantastic” -- one of their reporters from Garowe -- who filed a report¹⁷¹ that featured interviews allegedly criticizing Puntland State president’s attendance at the controversial inauguration of Jubaland president in Kismayo on 14 October.¹⁷² The police briefly searched the offices without showing search warrants and ordered the journalists on duty to close the office and leave.¹⁷³

“The police said they were looking for Abdiqani Fantastic, but he was away from the office at the time; they then asked the journalists who were present to close the office without giving them any explanation.” Abdiiaziz Ahmed Barrow said.¹⁷⁴

Journalists present at the TV station during the police raid alerted Abdiqani Fantastic about the police visit.¹⁷⁵

“I was shocked when the journalists called and said that police were looking for me, I did not know what my mistake was. I went to hide in a relative’s house in Garowe but a police officer called asking me to come to

¹⁶⁸ Amnesty International telephone interview with an individual with knowledge of Radio Daljir and the activities that led to the raids, location withheld, 12 December 2019. See also, <https://www.daljir.com/ciidamada-gaarka-ah-ee-janaraal-muxyadin-oo-lagu-eedeeeyey-dil-maxbuus-iy-dhac-hanti-dhegayso/> link to the Radio Daljir report alleging torture by police.

¹⁶⁹ Amnesty International telephone interview with an individual with knowledge of Radio Daljir and the activities that led to the raids, location withheld, 12 December 2019. Amnesty International interview with Abdalle Ahmed Mumin, Nairobi, Kenya, 29 November 2019.

¹⁷⁰ Amnesty International telephone interview with Abdiqani Ahmed Mohamed, Abdiqani Fantastic, Garowe, Puntland, Somalia, 03 December 2019, Amnesty International telephone interview with Abdiqani Ahmed Mohamed, Abdiqani Fantastic, Garowe, Puntland, Somalia, 03 December 2019. See also, Somali Journalists Syndicate, “Puntland police raid RTN TV office in Garowe, threaten journalists after vox pop”, 15 October 2019, available at: <https://sjsyndicate.org/2019/10/15/puntland-police-raid-rtn-tv-office-in-garowe-threaten-journalists-after-vox-pop/>

¹⁷¹ RTN Somali TV YouTube Channel in Somali, available at: <https://www.youtube.com/watch?v=rxF6KsMslY4>

¹⁷² Amnesty International telephone interview with Abdiiaziz Ahmed Barrow, Nairobi, Kenya, 03 December 2019.

¹⁷³ Amnesty International telephone interview with Abdiiaziz Ahmed Barrow, Nairobi, Kenya, 03 December 2019.

¹⁷⁴ Amnesty International telephone interview with Abdiiaziz Ahmed Barrow, Nairobi, Kenya, 03 December 2019.

¹⁷⁵ Amnesty International telephone interview with Abdiqani Ahmed Mohamed, Abdiqani Fantastic, Garowe, Puntland, Somalia, 03 December 2019.

the police station for questioning, I refused because I knew they wanted to arrest me.” Abdiqani Fantastic said.¹⁷⁶

Although the journalist was not arrested, RTN journalists including Abdiqani Fantastic said they found the raid and the subsequent police calls to be a clear threat, harassment and intimidation by the Puntland authorities to make clear that they do not tolerate critical reporting.¹⁷⁷

¹⁷⁶ Amnesty International telephone interview with Abdiqani Ahmed Mohamed, Abdiqani Fantastic, Garowe, Puntland, Somalia, 03 December 2019.

¹⁷⁷ Amnesty International telephone interview with Abdiaziz Ahmed Barrow, Nairobi, Kenya, 03 December 2019, and, Amnesty International telephone interview with Abdiqani Ahmed Mohamed, Abdiqani Fantastic, Garowe, Puntland, Somalia, 03 December 2019.

7. JOURNALISTS IN EXILE DUE TO THREATS

Amnesty International has documented at least eight journalists who fled Somalia since October 2018.¹⁷⁸ Seven of the journalists who spoke to Amnesty International said that they had fled the country due to serious threats to their lives. The threats were directly related to their work. Two of them, Munasar Mohamed Abdi and Zakariye Mohamud Timaade, are currently seeking asylum in Sweden, Ali Adan Mumin is in Turkey,¹⁷⁹ while the other five are in other locations that cannot be disclosed for their own safety.¹⁸⁰

Ali Adan Mumin, the journalist with Goobjoog media who was arrested and prosecuted in May 2019, told Amnesty International that he faced increased harassment and intimidation from a NISA official in Mogadishu for his critical reporting and had to leave the country in January 2020. Ali is currently in Turkey and says he took a break from his work in Mogadishu because of serious threats to his life and is assessing the situation to see if he can return to Mogadishu.¹⁸¹



Ali Adan Mumin, a popular journalist working with the privately owned Goobjoog Media Group was arrested in May 2019 and had flee the country in January 2020 due to threats from a NISA official. He is currently in Turkey. © Ali Adan Mumin

¹⁷⁸ These are Munasar Mohamed Abdi, Zakariye Mohamud Timaade, Nur Ismail Sheikh, Hassan Kafi Hussein, Abdishakur Hussein Mohamed, Ali Adan Mumin, Sabir Abdulqadir Warsame and another journalist who requested not to be named.

¹⁷⁹ Amnesty International telephone interview with Ali Adan Mumin, 27 January 2020, Ankara, Turkey.

¹⁸⁰ Amnesty International telephone interviews with Munasar Mohamed Abdi, Zakariye Mohamud Timaade and Nur Ismail Sheikh on 18 September 2019 and 7 November 2019 from Sweden and from undisclosed location.

¹⁸¹ Amnesty International telephone interview with Ali Adan Mumin, 27 January 2020, Ankara, Turkey.



Munasar Mohamed Abdi, a former reporter for the privately-owned Dalsan media fled Somalia in October 2018. He is currently seeking asylum in Sweden. © Munasar Mohamed Abdi

Munasar Mohamed Abdi, a former reporter for the privately-owned Dalsan Media, fled Somalia in October 2018 after he was threatened by members of an influential clan in relation to series of reports he did on an incident where a man from the marginalized Bantu clan was burnt alive in Mogadishu because the Bantu man's nephew had married a woman from a more powerful clan.¹⁸²

"Members from the powerful clan of the woman who was married by the Bantu man were not happy with my reporting. So, they threatened me with death. I was hiding for a few days, but I could no longer bear the pressure. I fled the country and I am now seeking asylum in Sweden,"¹⁸³

Munasar told Amnesty International.

"No one including the government could protect me from the threats I was facing from the powerful clan. Close friends advised me to leave the country, so I left for Turkey first and then proceeded to Sweden" he added.

Hassan Ali Gesey, Director of Dalsan Media Group, where Munasar worked, also said that at least three journalists from his media house including Munasar were threatened in relation to the coverage of the story of the Bantu man.¹⁸⁴

"The journalist who covered the story fled and is now in Sweden. He received threatening calls from the family of the woman, and her family came out on Facebook to say that they will kill him if he doesn't remove the story. The girl's family did not want the story publicized or covered at all" Hassan Ali Gesey said.¹⁸⁵

On **20 November 2018**, police arrested **Nur Ismail Sheikh**, 30, an editor for the privately-owned website Shaaciye, in Mogadishu. Nur told Amnesty International that he wrote articles and posted short videos that were critical of senior government officials on his Facebook account. He was later released on bail on 2 December after spending twelve days in detention, four at the CID headquarters in Mogadishu and eight at the Mogadishu Central Prison.¹⁸⁶

After his release, Nur continued to receive threatening calls from individuals he believes were members of the CID and sometimes from anonymous callers. He fled the country on 30 November 2019.¹⁸⁷

Nur described to Amnesty International why he decided to leave Mogadishu:

"Life has become difficult for me, so I decided to leave the country. I was afraid from the CID, they could easily kill me, and no one would do anything. I now live here, far away from my family but at least I am not afraid of being killed".¹⁸⁸

Nur Ismail Sheikh.

¹⁸² Amnesty International telephone interviews with Munasar Mohamed Abdi, Sweden, 18 September 2019. Amnesty International first became aware of the threats against Mr. Munasar in October 2018 from Mohamed Ibrahim Moalimuu of FESQJ.

¹⁸³ Amnesty International telephone interviews with Munasar Mohamed Abdi, Sweden, 18 September 2019.

¹⁸⁴ Amnesty International Interview with Hassan Ali Gesey, Dalsan Media Group Director, Mogadishu, Somalia, 16 July 2019.

¹⁸⁵ Amnesty International Interview with Hassan Ali Gesey, Dalsan Media Group Director, Mogadishu, Somalia, 16 July 2019.

¹⁸⁶ Amnesty International telephone interview with Nur Ismail Sheikh, undisclosed location, 7 November 2019.

¹⁸⁷ Amnesty International telephone interview with Nur Ismail Sheikh, undisclosed location, 7 November 2019.

¹⁸⁸ Amnesty International telephone interview with Nur Ismail Sheikh, undisclosed location, 7 November 2019.

Another journalist, **Zakariye Mohamud Timaade**, a former reporter at Universal TV also fled the country in June 2019. Zakariye said he fled due to threats to his life from officials from the NISA as well as Al-Shabaab.¹⁸⁹

In early March 2019, Zakariye received a phone call from an unknown individual who said they were an Al-Shabaab member threatening him with death.¹⁹⁰ The caller was allegedly unhappy with Zakariye's reporting on three suspected Al-Shabaab members who were reportedly captured by Somali security forces. Amnesty International viewed the said report by Zakariye which showed three men confessing to be members of Al-Shabaab who were allegedly caught while planning to carry out operations in Mogadishu.¹⁹¹

"The caller sent me 20 dollars via mobile and asked me to buy my "shroud" [Kafan] because I would be killed before the three Al-Shabaab men were executed" Zakariye told Amnesty International.

It is not only Al-Shabaab threats that forced Zakariye to flee. He was equally harassed and threatened by officials from NISA.

NISA was allegedly unhappy with an investigative report produced by Zakariye on 3 May 2019 for Universal TV, detailing how Al-Shabaab gave and implemented orders to businessmen in Mogadishu banning the use of CCTV cameras in their business premises.¹⁹²



Zakariye Mohamud Timaade, a former Universal TV journalist reporting from an Al-Shabaab attack in Mogadishu in 2018. Zakariye fled the country in June 2019 due to threats to his life from NISA officials and from Al-Shabaab. © Zakariye Mohamud Timaade

"NISA was not happy, they were angered by my reporting because the report showed Al-Shabaab were still active in Mogadishu and were able to implement such orders with ease. Therefore, NISA looked ineffective. If you report on such sensitive topics about security, they come after you"¹⁹³

Zakariye Mohamud Timaade.

In early May, a few days after his reporting, Zakariye was called by NISA officials who took him for interrogation at the CID headquarters opposite of Sahafi Hotel in Mogadishu. The officials asked him for his sources and where he got the information from. Zakariye said he refused to share the identity of his sources.

¹⁸⁹ Amnesty International telephone interview with Zakariye Mohamud Timaade, Sweden, 7 November 2019.

¹⁹⁰ Amnesty International telephone interview with Zakariye Mohamud Timaade, Sweden, 7 November 2019.

¹⁹¹ Reporting on Al-Shabaab members confessing to carrying out operations in Mogadishu. Facebook, <https://www.facebook.com/universalsomali/videos/2130834870562077/>.

¹⁹² Reporting on Al-Shabaab ban of CCTV cameras in Mogadishu by Zakariye Mohamud Timaade, Facebook, <https://www.facebook.com/universalsomali/videos/2306066146379301/>.

¹⁹³ Amnesty International telephone interview with Zakariye Mohamud Timaade, Sweden, 7 November 2019.

“I was called for interrogations, but I told them that I was not willing to share my sources,”¹⁹⁴ he told Amnesty International.

The NISA officials warned him not to report on security related issues in the future. He then started receiving threats from individuals who said they were members of NISA. “Unknown individuals called my mother and told her that I was going to be killed if I did not stop reporting on sensitive issues. That was my breaking point” Zakariye said.

“The biggest fear for me was from NISA... I knew they wanted to kill me. In Mogadishu, you can hide from Al-Shabaab, but you cannot hide from NISA, they could easily pick me from my office. I decided to leave”¹⁹⁵

Zakariye Mohamud Timaade.

Zakariye is currently in Sweden seeking asylum. “It is not easy to flee your country and start life from scratch in a new country, but I had to save my life,” he said.¹⁹⁶

Despite all these cases that Amnesty International has documented, the Minister for Information, Culture and Tourism, Mohamed Abdi Hayir (Maareeye) said: **“The ministry is not aware of any Somali journalists who fled the country since 2017 for fear of persecution or actual persecution.”¹⁹⁷**

¹⁹⁴ Amnesty International telephone interview with Zakariye Mohamud Timaade, Sweden, 7 November 2019.

¹⁹⁵ Amnesty International telephone interview with Zakariye Mohamud Timaade, Sweden, 7 November 2019.

¹⁹⁶ Amnesty International telephone interview with Zakariye Mohamud Timaade, Sweden, 7 November 2019.

¹⁹⁷ Letter of response from Minister Mohamed Abdi Hayir (Maareeye), dated 9 February 2020, on file with Amnesty International.

8. RESTRICTIONS ON ACCESS TO INFORMATION

Journalists in south central Somalia told Amnesty International that senior government officials including security officials refused to provide them with information on issues of public interest or denied them interviews and access to government buildings including parliament, major events and to the scenes of incidents including scenes of Al-Shabaab attacks.¹⁹⁸ Some journalists said security forces restricted them from recording videos or taking photographs even when they managed to access scenes of Al-Shabaab attacks.¹⁹⁹

Ali Adan Mumin, a journalist working for Goobjoog Media said it is increasingly becoming difficult for journalists to access information from government sources.

“The authorities know some journalists like me will ask difficult questions, so they restricted me from accessing important government events. I am not allowed to enter government buildings like Villa Somalia”²⁰⁰

Ali Adan Mumin.

Another journalist working for an international media outlet said he was stopped from interviewing senior government officials, including the President and the Prime Minister, by their respective media teams. “I wanted to interview the President and the Prime Minister, but I was frustrated by their communications teams. They asked me to provide questions in advance and they would select the ones that I can ask. I refused to do so, then I was denied. I had to give up”²⁰¹ he said.

In April 2019, in an apparent attempt to curtail media workers from accessing accurate information, a senior federal police official and two officials from the offices of the President and the Banadir Regional Administration ordered management of Amin Ambulance—the only free ambulance service in Mogadishu—not to share casualty figures of Al-Shabaab attacks in Mogadishu with journalists.²⁰² The officials also asked the ambulance service providers to inform the authorities prior to going to attack scenes.²⁰³

Dr Abdulkadir Abdirahman Haji Adan, the founder of Amin Ambulance told Amnesty International that they had to comply with the government directive.

¹⁹⁸ Amnesty International interviews with numerous journalists and editors in Somalia, between July and December 2019.

¹⁹⁹ Amnesty International interviews with numerous journalists and editors in Somalia, between July and December 2019.

²⁰⁰ Amnesty international interview with Ali Adan Mumin, Mogadishu, Somalia, 17 July 2019.

²⁰¹ Amnesty International interview with a male journalist (name withheld), Mogadishu, Somalia, 19 July 2019.

²⁰² Amnesty international interview with Dr Abdulkadir Abdirahman Haji Adan, founder of Amin Ambulance, Mogadishu, Somalia, 20 July 2019. Also see, “The man behind Somalia's only free ambulance service”, BBC, 15 April 2019, <https://www.bbc.com/news/world-africa-47880548>.

²⁰³ Amnesty international interview with Dr Abdulkadir Abdirahman Haji Adan, founder of Amin Ambulance, Mogadishu, Somalia, 20 July 2019.

“We were working for the most vulnerable people in Mogadishu since 2006 and this was the first time, we were given such orders. We had to comply, we don't share casualty numbers anymore. When journalists call us to tell them casualty figures resulting from Al-Shabaab attacks, we tell them ‘silence is golden’” he said.²⁰⁴

On 19 October 2019, government officials denied independent journalists in Mogadishu the access needed for them to report from the parliament buildings due to what they said was limited space in the parliament building.²⁰⁵ However, several journalists and one media advocate told Amnesty International that it was another move by the authorities to deny journalists access to government information.²⁰⁶

“The country’s democratic processes will be undermined if independent media is not allowed to access and freely report from the house of representatives. The work of the journalists includes scrutinizing what the elected representatives are doing, and that is not possible unless journalists are given full access to parliament proceedings.”

Abdalle Ahmed Mumin, Secretary General of Somali Journalists Syndicate (SJS).²⁰⁷

In May 2019, the Somalia Education Minister, Abdullahi Godah Barre had threatened to shut down social media in the country from 27 to 31 May that year as a measure to curb examination cheating during the national secondary school examinations.²⁰⁸ However, due to public outcry, the threats to shutdown social media were not implemented.²⁰⁹

A joint declaration by the inter-governmental experts on freedom of expression in May 2015 said that shutting down entire parts of communications systems, “can never be justified under human rights law.” States should not respond to crisis situations by adopting additional restrictions on freedom of expression and administrative measures should not be used to restrict media coverage of events of public interest. Government restrictions should be law-based, necessary and proportionate response to a specific concern of legitimate interest, not simply to curtail the flow of information.²¹⁰

Minister Mohamed Abdi Hayir (Maareeye) also told Amnesty International that **“the ministry was not aware of any restrictions on access to information in 2018 or 2019”**. He however said, **“In very rare cases, journalists have been stopped for their own security.”**²¹¹

204 Amnesty international interview with Dr Abdulkadir Abdirahman Haji Adan, founder of Amin Ambulance, Mogadishu, Somalia, 20 July 2019.

205 Somali Journalists Syndicate (SJS), “SJS calls Somali Parliament to allow access of independent journalists”, 19 October 2019, <https://sjsyndicate.org/2019/10/19/sjs-calls-somali-parliament-to-allow-access-of-independent-journalists/>. See also, report from Universal TV on Facebook, <https://www.facebook.com/universalsomali/videos/719704798546643/?v=719704798546643>.

206 Amnesty International interview with Abdalle Ahmed Mumin, Nairobi, Kenya, 14 November 2019. Amnesty international telephone interview with a female journalist in Mogadishu (name withheld), Mogadishu, Somalia 14 November 2019.

207 Amnesty International interview with Abdalle Ahmed Mumin, Nairobi, Kenya, 14 November 2019.

208 Watch <https://twitter.com/HarunMaruf/status/1128008990259077122> to see the minister threatening to shut down social media.

209 See, Amnesty international, “Somalia: Social media shut down over exam leakages unjustified”, 14 May 2019, <https://www.amnesty.org/en/latest/news/2019/05/somalia-social-media-shut-down-over-exam-leakages-unjustified/>.

210 See “Joint Declaration on Freedom of Expression and responses to conflict situations” <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15921&LangID=E>.

211 Letter of response from Minister Mohamed Abdi Hayir (Maareeye), dated 9 February 2020, on file with Amnesty International.

9. CENSORSHIP THROUGH BRIBES AND THREATS

Several journalists, three press freedom advocates,²¹² a senior government official,²¹³ a former media director,²¹⁴ two civil society leaders²¹⁵, opposition leaders²¹⁶ and former government employees²¹⁷ told Amnesty International that between late 2017 and early 2019, government officials have allegedly been bribing most of the main media outlets, their directors and editors and some Somali social media influencers who live in country and abroad, for positive coverage.²¹⁸ The bribes, they alleged, are facilitated by officials from the office of the President.²¹⁹

A former media director of a well-known media house in Somalia alleged that he personally collected the bribe for his media outlet at the end of every month from senior officials at the Office of the President.²²⁰ He also said that he was aware of several other media outlets that were regularly paid. “I used to get a phone call from the official at the office of the President and would meet with him at a hotel and collect the cash from him. He never allowed to deposit the money in my bank account, he insisted on giving me cash,” the former media director said.²²¹

Many journalists who spoke to Amnesty International said the bribing of their bosses and media outlets has had a chilling effect on them and that they were not able to freely report on sensitive stories and topics that were deemed unfavourable by the current administration.²²² This is because the editors would kill the story before it is aired or published.²²³ Journalists said that their editors would openly tell them that they were paid by the government and had to self-censor and not report on certain issues.²²⁴

²¹² Amnesty International interviews with three press freedom advocates, Mogadishu, Somalia, 16 July 2019.

²¹³ Amnesty International interview with a senior government official, Mogadishu, Somalia, 19 July 2019.

²¹⁴ Amnesty International telephone interview with a former media director, location withheld, 13 November 2019.

²¹⁵ Amnesty International interview with two civil society leaders, Mogadishu, Somalia, 18 July 2019.

²¹⁶ Amnesty International interview with an opposition leader, location and date withheld.

²¹⁷ Amnesty International interview with a former government employee, location withheld, 31 October 2019.

²¹⁸ Amnesty International interview with a senior government official, Mogadishu, Somalia, 19 July 2019. See also, “The Biggest Threat to Press Freedom in Somalia is Not al-Shabab – it’s Farmajo’s Regime”, International Anti-Corruption Conference, 21 February 2019 <https://iaccseries.org/blog/press-freedom-in-somalia/>.

²¹⁹ Amnesty International telephone interview with a former media director, location withheld, 13 November 2019. And Amnesty International interviews with numerous journalists including 3 media freedom advocates in Mogadishu and Nairobi between July and December 2019.

²²⁰ Amnesty International telephone interview with a former media director, location withheld, 13 November 2019.

²²¹ Amnesty International telephone interview with a former media director, location withheld, 13 November 2019.

²²² Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

²²³ Amnesty International interview with Mohamed Ibrahim Osman (Bulbul), Mogadishu, Somalia, 16 July 2019. And Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

²²⁴ Amnesty International interview with Mohamed Ibrahim Osman (Bulbul), Mogadishu, Somalia, 16 July 2019. And Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

Several journalists had to leave their jobs at certain media houses to work for others that are reportedly not on government payroll while others were fired by multiple media owners after they refused to self-censor.²²⁵ Senior government officials demanded the firing of critical journalists from certain media houses.²²⁶

A senior government official told Amnesty International that the current administration in Mogadishu had faced fierce opposition from opposition politicians earlier on and the response was to crackdown on opposition leaders, influence and control the media including through bribes.²²⁷ That way, the authorities were able to manage public debates and control national narratives, he said. “Most influential media owners were guaranteed monthly payments depending on the size of their audience and they paid back with positive coverage,” he added.²²⁸

Mohamed Ibrahim Osman, popularly known as “Bulbul”, a journalist currently with Universal TV said he was fired from at least two media outlets since 2017 for refusing to self-censor.²²⁹ He said government officials called and ordered his bosses to fire him because he covered critical stories. At one time, one of his former bosses reportedly told him that his radio station was in contract with the government and that he was not able to cover critical topics.²³⁰



Mohamed Ibrahim Osman popularly known as “Bulbul”, a journalist currently with Universal TV reporting from an IDP camp near Mogadishu in December 2019. Bulbul was fired by at least two media outlets since 2017 for refusing to self-censor. © Mohamed Ibrahim Osman

“I was called by a senior government official from the office of the president and they had asked me to fire you because you are very critical of the government on social media, so you have to leave, I cannot afford to lose the money,” one of his former bosses told Bulbul.²³¹

It is not only Bulbul who was fired by media owners for refusing to self-censor. Amnesty international has documented three other cases where journalists were fired by media owners for posting critical reports on their social media accounts.

Another male journalist who was working for a media outlet in Mogadishu wrote a story quoting a security source about a bombing in a meeting hall where the President was supposed to attend. The journalist posted the story on his Twitter and Facebook accounts. The radio manager immediately received a phone call from

²²⁵ Amnesty International interview with Mohamed Ibrahim Osman (Bulbul), Mogadishu, Somalia, 16 July 2019. And Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

²²⁶ Amnesty International interview with Mohamed Ibrahim Osman (Bulbul), Mogadishu, Somalia, 16 July 2019. And Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

²²⁷ Amnesty International interview with a senior government official, Mogadishu, Somalia, 19 July 2019.

²²⁸ Amnesty International interview with a senior government official, Mogadishu, Somalia, 19 July 2019.

²²⁹ Amnesty International interview with Mohamed Ibrahim Osman (Bulbul), Mogadishu, Somalia, 16 July 2019.

²³⁰ Amnesty International interview with Mohamed Ibrahim Osman (Bulbul), Mogadishu, Somalia, 16 July 2019.

²³¹ Amnesty International interview with Mohamed Ibrahim Osman (Bulbul), Mogadishu, Somalia, 16 July 2019.

a senior official from NISA ordering that the article be removed from social media and the journalist fired. The radio manager complied with the order and fired the journalist.²³²

“NISA has spies everywhere including in the media and they know the critical journalists. If the media owner refuses to abide by their orders and fire a journalist, they would raid and shutdown the station” Abdalle Ahmed Mumin, Secretary General of Somali Journalists Syndicate said.²³³

The aim of bribing the media owners is to get positive coverage for the government. “It is basically to exaggerate the positive government achievements, avoid negative coverage and shape public perceptions and opinion”, Abdalle Ahmed Mumin added.²³⁴

On 3 February 2020, the Directorate of Communications at the Presidency responded to our inquiries on these bribery allegations: “...**the Presidency, Federal Republic of Somalia denies any wrongdoing including involvement of any of its officials towards any acts that violate press freedom or encourage unethical journalism...**” they further stated, “We will continue to discourage and shun all forms of bribery that drives towards influencing the media. We deny all claims of financial transaction between the Presidency, Federal Republic of Somalia and media institutions intended to translate to biased coverage.”²³⁵

The Directorate of Communications at the Presidency has not further articulated exactly how it has discouraged unethical journalistic practices nor has it proffered any additional information to disprove the allegations that Amnesty International has presented in this report.

²³² Amnesty International interview with two media advocates, Mogadishu, Somalia, July 2019.

²³³ Amnesty International Interview with Abdalle Ahmed Mumin, Secretary General of Somalia Journalists Syndicate, Mogadishu, Somalia, 16 July 2019.

²³⁴ Amnesty International Interview with Abdalle Ahmed Mumin, Secretary General of Somalia Journalists Syndicate, Mogadishu, Somalia, 16 July 2019.

²³⁵ Email response from the Directorate of Communications at the Presidency, received on 3 February 2020, on file with Amnesty International.

10. ONLINE HARASSMENT AND SOCIAL MEDIA MANIPULATION

Due to self-censorship and co-optation by many media houses, journalists and other individuals in Somalia have opted to use social media as a platform to air their views and share critical content, but authorities are also closely scrutinizing discussions on social media.²³⁶ The government has set-up social media monitoring teams in the Prime Minister's and President's office that monitor and report on coverage critical of the government.²³⁷ Journalists and other government critics including opposition leaders are threatened, intimidated and harassed by government officials due to their social media journalism.²³⁸

Several journalists described how senior government officials from the communications teams at the office of the President, Prime Minister and Ministry of Information called and demanded that they remove critical content from their social media accounts especially on Facebook and Twitter. Some journalists said they were also harassed and threatened for posting critical contents on their social media accounts.²³⁹

One journalist told Amnesty International that he was compelled to leave his place of employment due to his support for a political opposition figure on his personal Facebook profile.²⁴⁰ He was offered an increase in salary by an official from the office of the President allegedly to stop publicly supporting the candidate, which he declined. According to the journalist, an official from the President's Office then contacted his old teacher to convince him to stop his journalism and went as far as to offer him a job working in the President's Office of Communications.²⁴¹ Shortly thereafter, his employer announced that they were receiving money from the government, and that journalists working there were no longer permitted to post information that was critical to the government in either a personal or professional capacity. The journalist was forced to resign and to start working at another news agency.²⁴²

Approximately six months later, the journalist covered a story involving the President and the controversial extradition of a prominent Somali-Ethiopian opposition leader to Ethiopia. Again, the journalist was contacted

²³⁶ Amnesty International interview with a senior government official, Mogadishu, Somalia, 19 July 2019; Amnesty International interview with two civil society leaders, Mogadishu, Somalia, 18 July 2019; Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019; Amnesty International interviews with two press freedom advocates, Mogadishu, Somalia, 16 July 2019.

²³⁷ Amnesty International interview with a senior government official, Mogadishu, Somalia, 19 July 2019; Amnesty International interview with two civil society leaders, Mogadishu, Somalia, 18 July 2019; Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019; Amnesty International interviews with two press freedom advocates, Mogadishu, Somalia, 16 July 2019.

²³⁸ Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

²³⁹ Amnesty International interviews with multiple Somali journalists. Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

²⁴⁰ Amnesty International Interview with a male journalist, Mogadishu, Somalia, date of interview withheld for security concerns.

²⁴¹ Amnesty International Interview with a male journalist, Mogadishu, Somalia, date of interview withheld for security concerns.

²⁴² Amnesty International Interview with a male journalist, Mogadishu, Somalia, date of interview withheld for security concerns.

by an official from the President's Office, who asked to meet him and discuss his work. According to the journalist, he met with him and again, refused to stop critical coverage. The official told him:²⁴³

"Don't you know you are harming your country? Do you really consider yourself a Somali Citizen? Why are you always posting bad things?"²⁴⁴

An official from the Office of the President.

Two other journalists were physically assaulted by soldiers on Somalia Independence Day in July 2019.²⁴⁵ One of them was assaulted by presidential guards and a video showing the assault was shared over Facebook.²⁴⁶ One of the journalists, Abdulqadir Ahmed Mohamed, who worked for a government news outlet, shared the video over his Facebook page and asked the President to address the situation.²⁴⁷ He immediately received many calls and threats from contacts in the government as well as his employer asking him to take the video down immediately and apologize.²⁴⁸ As a result, he felt compelled to upload another video to Facebook where he publicly stated that he forgave the officer who assaulted him and ensured that it was seen by many people. The officer was not prosecuted and is still operating in Mogadishu.²⁴⁹

Journalists working for international media agencies also experience similar pressures. Abdulaziz Billow, of CGTN, the second journalist who was assaulted on Somalia Independence Day in July 2019, posted about his experience on Twitter and was immediately harassed by government communications officials until 2am the next morning.²⁵⁰



²⁴³ Amnesty International Interview with a male journalist, Mogadishu, Somalia, date of interview withheld for security concerns.

²⁴⁴ Amnesty International Interview with a male journalist, Mogadishu, Somalia, date of interview withheld for security concerns.

²⁴⁵ These two journalists are Abdulaziz Billow Ali and Abdulqadir Ahmed Mohamed. Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019; and Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

²⁴⁶ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

²⁴⁷ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

²⁴⁸ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019.

²⁴⁹ Amnesty International interview with Abdulqadir Ahmed Mohamed, Mogadishu, Somalia, 17 July 2019. Amnesty International telephone interview with an individual who knows where the security officers is operating from in Mogadishu. 4 February 2020, location withheld.

²⁵⁰ Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019



After he received a call from a senior official at the Prime Minister's office apologizing for what occurred, he said he felt compelled to share another tweet to show the government in a more positive light.²⁵¹

One popular journalist from Mogadishu with a massive Facebook page following said that he is intimidated and harassed at least once every month by government officials and has on occasions been called in for interrogations by police and other government officials.²⁵²

"I was called by someone I know from the ministry of information. He said he oversaw the social media monitoring team. He questioned me about a story I did on a rickshaw driver who was killed. He then took me to the headquarters of the police

opposite the ministry of information. I was taken to a room and shown a file full of all my social media posts. They asked me to delete some of the posts and I deleted because I was afraid of them,"²⁵³

A Mogadishu based journalist.

Pro-government political trolls also harass and intimidate journalists and other individuals who criticize the government.²⁵⁴ One prominent opposition leader in Mogadishu described the trolls he faces when he campaigns on social media. He alleged that most of the trolls were being paid by the Federal Government of Somalia to distort political conversations on social media and smear his ideas.²⁵⁵

"Social media is overtaking traditional media, it's new and smart of them [to be using it]. But paying money to people to attack others including public figures on social media is a new phenomenon to Somalia"²⁵⁶

Abdirahman Abdishakur Warsame, opposition politician in Mogadishu.

Other journalists complain of this as well. One journalist explained that trolling has become almost systematic.²⁵⁷ It affected his work greatly, he told Amnesty International that he has become very stressed and nervous about covering stories that would be seen as controversial.²⁵⁸ Another journalist confirmed the systemic nature of the trolling around these issues and said it is clear that the trolls are likely working together because they are often recently created accounts, with few followers and no personal traits associated with the accounts.²⁵⁹ The accounts also share the exact same messaging in some instances, including any punctuation or other spelling errors.²⁶⁰

²⁵¹ Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019

²⁵² Amnesty international interview with a male journalist, Mogadishu, Somalia, 22 July 2019.

²⁵³ Amnesty international interview with a male journalist, Mogadishu, Somalia, 22 July 2019.

²⁵⁴ Amnesty International interview with two civil society leaders, Mogadishu, Somalia, 18 July 2019; Amnesty International interviews with numerous journalists in Mogadishu and Nairobi between July and December 2019.

²⁵⁵ Amnesty International interview with Abdirahman Abdishakur Warsame, Leader of Wadajir Party, Mogadishu, Somalia, 18 July 2019.

²⁵⁶ Amnesty International interview with Abdirahman Abdishakur Warsame, Leader of Wadajir Party, Mogadishu, Somalia, 18 July 2019.

²⁵⁷ Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019; Amnesty International interview with Ali Adan Mumin, Mogadishu, Somalia, July 2019.

²⁵⁸ Amnesty International interview with a male journalist, Mogadishu, Somalia, 18 July 2019.

²⁵⁹ Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019; Amnesty International interview with Ali Adan Mumin, Mogadishu, Somalia, July 2019.

²⁶⁰ Amnesty International interview with Abdulaziz Billow Ali, Mogadishu, Somalia, 19 July 2019 and; Amnesty International Interview with a male journalist, Mogadishu, Somalia, 18 July 2019.

10.1 FACEBOOK MANIPULATION

Facebook accounts of 16 individuals – mostly journalists – were permanently disabled or deleted in 2018 and 2019 alone.²⁶¹ All the individuals told Amnesty International that they had posted critical content on their accounts. There were attempts to hack the Facebook accounts of five journalists while the accounts of four more were compromised in the past two years. Many of these journalists depend on their Facebook accounts as journalists, to disseminate critical information to the Somali public. For almost all of them, these shut downs not only impact on their journalistic work but also on their livelihoods.²⁶²

On 16 June 2019, the Facebook accounts of 10 journalists were permanently disabled without any warnings from Facebook.²⁶³ When the journalists reached out to Facebook about the shutdowns, they all received similar messages saying that they were ineligible to use Facebook and that they had violated “Facebook Community Standards”. Facebook told the journalists that was a final decision and they had no recourse.²⁶⁴

Ali Adan Mumin, a reporter with the Goobjoog Media and one of the journalists whose Facebook account was permanently disabled on 16 June, said he believes the government was behind the shutdown:²⁶⁵ “I had around 60,000 followers and I lost my account like that. I think someone from the government reported me to Facebook. I can no longer have access to my account, I have to start it from scratch, it is not fair,”.²⁶⁶

The Facebook account of journalist and Youtuber Abdirizak Ali Hiiraan who is currently in Uganda was also disabled on 24 March 2019.²⁶⁷ He believes he was reported to Facebook by individuals working for the Somalia government. He is now in the midst of a process to verify his identity as the actual owner of the disabled account.²⁶⁸

It is not only journalists who faced online harassment, other individuals including former government employees and opposition leaders were also targeted.²⁶⁹ On 9 April 2019, the Facebook account of Abdulaziz Ali Ibrahim known as ‘Xildhiban’, a former security advisor to the government – who is now critical of government policies – was disabled. When he asked Facebook why his account was disabled, he was told that he was ineligible to use Facebook because he had violated “Facebook Community Standards”.²⁷⁰ His account was reactivated on 2 October 2019 after Amnesty International questioned Facebook on why the account was disabled, however Abdulaziz has not received an explanation from Facebook to date.²⁷¹ He believes the Somali government had reported his account to be disabled.²⁷²

²⁶¹ Amnesty International interviews with 16 individuals including 13 journalists whose Facebook accounts were either deleted or disabled between July and December 2019.

²⁶² Amnesty International interview with Ali Adan Mumin, Mogadishu, Somalia, July 2019.

²⁶³ Amnesty International interviews with 10 journalists whose Facebook accounts were permanently disabled on 16 June 2019, between July and December 2019.

²⁶⁴ Messages from Facebook sent to 10 journalists whose Facebook accounts were disabled on 16 June 2019, on file with Amnesty International.

²⁶⁵ Amnesty International interview with Ali Adan Mumin, Mogadishu, Somalia, July 2019.

²⁶⁶ Amnesty International interview with Ali Adan Mumin, Mogadishu, Somalia, July 2019.

²⁶⁷ Amnesty International telephone interview with Abdirizak Ali Hiiraan, Kampala, Uganda, 11 September 2019.

²⁶⁸ Amnesty International telephone interview with Abdirizak Ali Hiiraan, Kampala, Uganda, 11 September 2019.

²⁶⁹ Amnesty International telephone interview with Abdiaziz Xildhibaan, London, UK, 11 September 2019.

²⁷⁰ Message from Facebook to Abdiaziz Xildhibaan on file with Amnesty International.

²⁷¹ Amnesty International telephone interview with Abdiaziz Xildhibaan, London, UK, 11 September 2019.

²⁷² Amnesty International telephone interview with Abdiaziz Xildhibaan, London, UK, 11 September 2019.



Abdulaziz Ali Ibrahim known as Xildhiban, a former security advisor to the government – is one of the government critics whose Facebook accounts were disabled for allegedly violating “Facebook Community Standards”. His account was disabled on 9 April 2019 however, the account was reactivated on 2 October 2019 after Amnesty International questioned Facebook why the account was disabled in the first place. © Abdulaziz Ali Ibrahim

Facebook has given these journalists no other recourse or further explanation as to why they have shut down their accounts.²⁷³ They also have not shared whether they had Somali speaking content moderators at the time and if they did, the measures Facebook took to ensure that Facebook is not being manipulated by officials working for the Somali government or its supporters.²⁷⁴

On 13 November 2019, Amnesty International sent a letter to Facebook summarizing the report’s findings and requesting response to a list of questions regarding Facebook account shutdowns of journalists and other critics. The questions included whether the individuals whose Facebook accounts were shut down were given any warnings before they were permanently disabled, and how the individuals were flagged and who reported them for disablement. The letter also asked whether Facebook has Somali language content moderators and what measures Facebook has taken to ensure that its decisions are not influenced by officials or other individuals working for or on behalf of the Somalia government, among other questions.²⁷⁵

Facebook officially responded to some of the questions on 3 December 2019 to say “...the permanently disabled accounts you reference in your letter were correctly disabled for severe violations of Facebook’s Community Standards, the actions had no basis in, and were not related to, Somali law”.²⁷⁶ Facebook further said that “... for privacy, safety and security reasons we are not able to share detailed information related to specific Facebook accounts or the identities of people who report content to us”.²⁷⁷

While Amnesty International appreciates Facebook’s time and effort to address our questions, their response regarding the disabled accounts is not entirely accurate, as we believe at least one of the accounts we provided – that belonging to Abdiaziz Xildhibaan, a former government security advisor who is now a critic of government policies – was incorrectly disabled and was reactivated on 2 October 2019 after Amnesty International questioned Facebook on why his account was disabled in the first place.²⁷⁸

Amnesty International is also concerned about the methods Facebook uses to restrict content and information sharing in Somalia, including how individuals are flagged for violating Facebook Community

²⁷³ Amnesty International interviews with 16 individuals including 13 journalists whose Facebook accounts were either deleted or disabled between July and December 2019.

²⁷⁴ Amnesty International interviews with 16 individuals including 13 journalists whose Facebook accounts were either deleted or disabled between July and December 2019.

²⁷⁵ Amnesty International letter to Facebook on file with Amnesty International.

²⁷⁶ Facebook letter response to our questions dated 29 November 2019, on file with Amnesty International.

²⁷⁷ Facebook letter response to our questions dated 29 November 2019, on file with Amnesty International.

²⁷⁸ Amnesty International telephone interview with Abdiaziz Xildhibaan, London, UK, 06 October 2019.

Standards and the lack of warnings and remedy available for individuals including journalists whose Facebook accounts are permanently disabled or deleted.

The Directorate of Communications at the Presidency responded to our inquiries on the allegations of online harassment and social media manipulation:

“...the strengthening of technology in the nation has seen growth in social and digital media platforms. Whereas this has given rise and prominence to creative citizens at home and abroad, the existence of unregulated content or lack of mechanisms to allow categorizations of journalists and entertainers has unearthed all manner of users who continue to publish defamatory content without any sense of accountability. The government and especially the Presidency, has been a victim of such unregulated content. However, the Directorate of Communications in the Presidency has focused on providing alternative truth on social media (Twitter and Facebook) as a tool for clarification to inform the public rightfully.”²⁷⁹

Amnesty International understands the challenges that may have accompanied the introduction of social and digital media in Somalia. However, any policy or legal response to these challenges must fully align with international human rights law. The authorities cannot use these challenges to restrict legitimate expression under the guise of “defamation”. Any response to addressing the challenges must be according to human rights law’s rigorous standards of legality, necessity and proportionality, and legitimacy.

Furthermore, Amnesty International believes that the removing, blocking and filtering of content has been disproportionately applied towards journalists and critics who are reporting on issues that the authorities consider critical.

Defamation laws should never be used to silence journalists, human rights defenders and activists. Assault on journalists and activists including by the use of criminal defamation charges will violate their right to freedom of expression and media freedom. The UN Human Rights Committee has made clear that States should consider decriminalising defamation and that, even in the most serious cases, imprisonment is never an appropriate penalty.

The authorities must engage with journalists, human rights defenders and activists constructively in any efforts to address the challenges highlighted.

²⁷⁹ Email response from the Directorate of Communications at the Presidency, received on 3 February 2020, on file with Amnesty International.

11. RECOMMENDATIONS

TO THE PRESIDENT OF SOMALIA:

- Publicly condemn physical attacks, killings, threats, harassment, obstruction, intimidation and arbitrary arrests of journalists and other media workers;
- Issue clear instructions to all government officials and security forces to stop harassing, threatening or physically attacking journalists and media organizations and ensure that all government institutions including the security forces respect, protect and promote the right to freedom of expression of everyone and media freedom;
- Take immediate steps to ensure prompt, thorough, independent and effective investigation of abuses and attacks, including killings and threats against journalists, and to address the failure to adequately investigate and prosecute suspected perpetrators of such abuses and attacks;
- Publicly commit ahead of the elections to ensure that authorities and government institutions respect, protect, promote and fulfil the right to freedom of expression, and media freedom before, during and after the elections, including by providing a conducive and safe environment for journalists and other media practitioners to report on sensitive and public interest-related issues, such as security, election related debates; and publicizing news from opposition figures;
- Take steps to ensure a prompt, thorough and effective investigation of allegations that officials from your office routinely bribe media outlets for the purpose of achieving positive media coverage for the authorities and government institutions, and to ensure that anyone suspected to be responsible is brought to justice in fair trials;
- Direct government officials and security forces to allow journalists and media workers access to government information including by not putting impediments and restrictions on accessing government buildings and interviewing public officials;
- Direct government officials and others working on behalf of the government to not impermissibly restrict and interfere with the rights of individuals to seek, receive and impart information through any means of communication including the internet, through restrictive measures such as removing, blocking and filtering of content.

TO THE PRIME MINISTER OF SOMALIA:

- Promptly ensure that relevant government agencies take immediate steps to address the failure to thoroughly, independently and effectively investigate and bring to justice suspected perpetrators of abuses and attacks against journalists and media workers;
- Direct government officials and security forces to allow journalists and media workers have access to government information including not putting impediments and restrictions on accessing government buildings and interviewing public officials;
- Direct government officials and others working on behalf of the government to not impermissibly restrict and interfere with the rights of individuals to seek, receive and impart information through any means of communication including the internet, through restrictive measures such as removing, blocking and filtering of content.

TO THE PARLIAMENT OF SOMALIA:

- Take urgent steps to review the provisions of the media law, the penal code, and all other laws that impede freedom of expression and media freedom and bring the laws in line with Somalia's constitution and international human rights obligations.

TO THE MINISTER OF INTERNAL SECURITY:

- Direct all police officers, particularly those from the National Intelligence and Security Agency (NISA) and the Criminal Investigation Department (CID), to end intimidation, obstruction, threats, beatings, arbitrary arrests, harassment or prosecution of journalists and other media practitioners;
- Ensure that police and other relevant agencies thoroughly and effectively investigate all reported cases of attacks, threats, intimidation and harassment of journalists and ensure those suspected to be responsible are brought to justice in fair trials;
- Thoroughly and effectively investigate all reported cases of officials, regardless of rank or position, threatening or harassing journalists—including those harassing journalists and others for contents posted on social media platforms—and discipline or prosecute those suspected to be responsible in fair trials;
- Take immediate steps to train police and other security officials on human rights including on the right to freedom of expression and media freedom.

TO THE MINISTER OF JUSTICE:

- Direct relevant authorities to stop arrests of journalists and other media workers and raids on media outlets.

TO THE MINISTER OF INFORMATION:

- In consultation with relevant stakeholders, hasten the review of the media law and work with the lawmakers and other stakeholders to ensure the amendment of all the provisions that violate the right to freedom of expression, and media freedom and ensure that the law is brought in line with international standards;
- Seek donor support for a public education campaign on respect for human rights including the right to freedom of expression and media freedom.

TO THE MINISTRY OF WOMEN & HUMAN RIGHTS DEVELOPMENT:

- Finalize the establishment and operationalization of the Somalia National Human Rights Commission and ensure the independent and effective functioning of the commission and with the necessary resources to investigate allegations of harassment, threats, physical attacks and killings of journalists and other human rights violations and abuses.

TO INTERNATIONAL PARTNERS, INCLUDING THE UNITED NATIONS, EUROPEAN UNION AND AFRICAN UNION:

- Publicly speak out about the importance of human rights including the right to freedom of expression and media freedom for Somalia's peace and state building processes and urge the Somalia government to direct government officials not to harass or threaten journalists and other media practitioners;
- Urge the government to respect, protect, promote and fulfil media freedom and the rights of journalists, activists, political opposition and other civil society actors to freedom of expression;
- Support local civil society groups, including media freedom advocates and trade unions to carry out systematic monitoring and reporting on violations and abuses of the right to freedom of expression and media freedom throughout the country;

- Support initiatives by the Somalia government to reform laws and regulatory institutions to bring them into compliance with Somalia's international human rights obligations; provide technical support and assistance to such initiatives;
- Support efforts by the Somalia government to train police and other security personnel and court officials on human rights and media freedom;
- Continue supporting actions that promote the safety of journalists in Somalia and put pressure on authorities to address the issue of impunity for abuses and attacks against journalists.

TO AL-SHABAAB:

- Stop attacks on civilians in Somalia including direct attacks on journalists, indiscriminate attacks on civilians and civilian objects and all other serious violations of international humanitarian law.

TO FACEBOOK:

- Thoroughly and effectively investigate the allegations in this report relating to Facebook manipulation by the Somalia government or other individuals working with or on its behalf;
- Take concrete steps to ensure Facebook is not manipulated by the Somalia authorities, especially ahead of the 2020/21 elections. This includes increased due diligence to investigate purported abuses of the Facebook Community Standards. Facebook should also consider the impact that disabling the accounts of Somali journalists will have on the population's access to information, given that these accounts are the primary source of information for many ordinary Somalis;
- Employ enough Somali speaking content moderators to avoid manipulation by authorities. Ensure such Somali content moderators are independent of government interference;
- Provide a clear appeal process for individuals including journalists and human rights defenders whose Facebook accounts are deleted or disabled, including notifying them of the specific reasons why their accounts have been disabled.

TO SOMALIA JOURNALISTS ORGANIZATIONS:

- Continue monitoring and reporting violations and abuses against journalists throughout south central Somalia and Puntland;
- Urge the Somalia authorities to investigate all kinds of human rights violations and abuses against journalists in south central Somalia and Puntland;
- Create initiatives aimed at enhancing the professional capacity of journalists and other media workers in Somalia through trainings.

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MATTERS TO US ALL.**

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“WE LIVE IN PERPETUAL FEAR”

VIOLATIONS AND ABUSES OF FREEDOM OF EXPRESSION IN SOMALIA

Since late 2017, media freedom in Somalia has been suppressed by the Federal Government of Somalia’s security forces and officials, authorities in regional states and by the armed group Al-Shabaab. This report documents allegations of threats, harassment and intimidation of the media including physical attacks, killings and attempted killings of journalists, arbitrary arrests, harassment and intimidation of journalists and other critics and restrictions on access to information. In addition, it documents new techniques employed by the authorities to bribe media outlets to engage in self-censorship—with the aim of getting positive media coverage—and through online harassment, intimidation and social media manipulation.

This report calls on the government to respect, protect, promote and fulfil the right to freedom of expression, and media freedom before, during and after the elections expected in 2020/21, including by providing a conducive and safe environment for journalists and other media practitioners to report on sensitive and public interest-related issues.