

# State of the Media Report in 2022

**Clear and Present Danger:  
Somali Journalists Face Persistent  
Internal and External Threats to Media  
Freedom**

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**Media Freedom**  
*Report in 2022*

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# Acknowledgement

The National Union of Somali Journalists (NUSOJ) is deeply indebted to all member journalists, media practitioners, media freedom advocates, editors/managers and news media organisations that contributed to monitoring,

verifying and documenting these cases and to producing this year's State of the Media Report. Special thanks are due to the leadership and heads of the regional branches, and all our staff who tirelessly worked to compile this report.

# Methodology

(NUSOJ) considers that media freedom has been violated when a journalist and/or a news media organisation is attacked due to their journalistic work or when legal and/or policy provisions are used to curtail the rights and freedoms of journalists or infringe overall media rights. It uses an internationally recognised methodology to track such cases. When a case involving a journalist does not appear to meet the threshold for a media freedom violation, (NUSOJ) coordinates with reputable international media freedom advocates such as Reporters Without Borders (RSF) and the International Federation of Journalists (IFJ).

(NUSOJ) used a combination of research methods to develop and compile the State of the Media Report. Initially, it drew on reports from the regional branches of the union as well as media reports as primary sources of information. Cases were then assessed to determine whether or not they qualified as violations of media freedom. The process included an independent analysis of the situation surrounding each case to establish its authenticity as well as the motivation behind it.

To further collate a body of credible information, in-depth interviews were held with the journalists and news media organizations concerned to explore the particular circumstances of each case and also to identify a need for any specific actions beyond reporting and documentation.

(NUSOJ) strives to maintain the credibility of its reports by:

- Ensuring that all information is gathered in the strictest confidentiality;
- Paying due regard to gender-related issues;
- Ensuring accuracy and precision;
- Maintaining an objective stance;
- Effectively advocating for policies and actions that respect human rights;
- Establishing and maintaining a respectful but uncompromising relationship with the authorities.



# Objectives of the State of the Media Report

Producing the State of the Media Report has been a flagship activity for (NUSOJ) for the past 12 years. It acts as a national review mechanism to monitor, document and report on the latest trends in media freedom and freedom of expression against nationally and internationally accepted standards.

This report focuses in particular on the suffering, insecurity and difficulties that Somali journalists face on a daily basis while carrying out their professional activities. It documents cases where journalists' rights have been violated by state and nonstate actors and exposes those who act to curb media freedom. It also records attacks on news media organisations countrywide.

**Drawing on information gathered, documented, verified and analysed between January and December 2022, the State of the Media Report has the following objectives:**

1

To underscore the responsibility of the Somali authorities to respect, protect and fulfil basic media freedoms.

2

To highlight the challenges faced by journalists and provide accurate and objective data on the media freedom situation in light of the prevailing state of human rights in the country.

3

To identify the perpetrators of media freedom violations and abuses and to determine the circumstances in which these cases happened or continue to happen.

4

To make key recommendations for addressing the need to improve the media freedom situation including by ensuring the safety and security of journalists.

5

To document gendered attacks against women journalists that take place both off- and online, linking them, where relevant, to the wider media freedom situation.

6

To make the case for securing the fundamental human right of access to information in Somalia and to identify the impediments to exercising this right.

7

To expose the culture of impunity associated with crimes committed against journalists as well as any attempts to criminalise journalism.

8

To examine the linkages between the poor working conditions faced by journalists and other media workers and the dismal situation vis-à-vis media freedom and the professional standards of journalism.

# Overview

The National Union of Somali Journalists ((NU - SOJ)) is pleased to release its flagship report on the State of the Media which aims to draw attention to egregious media freedom violations and abuses as well as to raise awareness of the perpetrators and their victims. It also assesses the impact of such violations and abuses on the journalistic community and the practice of journalism in Somalia.

Over the course of 2022, (NUSOJ) systematically monitored, verified, documented and reported on 97 cases of attacks against journalists and news media organisations which took place in Mogadishu, the five Federal Member States and Somaliland. The results of this work highlight the gravity and scale of the persistent attacks on media freedom carried out in every part of the country.

The cases covered by the (NUSOJ) monitors bear witness to the fact that journalists and news media organisations are targeted because of their work as watchdogs of democracy. This has been confirmed through a rigorous verification process and interviews with the victims and their respective news media organizations.

Once again, the country has not been spared the tragedy of journalists being killed in the course of their professional activities. Within the space of a month, two broadcast journalists were murdered in separate bomb blasts in the Hirshabelle and Banadir region. Both attacks were orchestrated by Al-Shabaab which also claimed responsibility for other incidents in the same regions which left six journalists badly wounded.

Over 2022, 56 journalists suffered various forms of repression as a result of their work, including arrests, torture, threats of violence, confiscation of equipment and travel bans. The highest number of incidents – which include the mass arrest of 15 media workers – was recorded in Somaliland while Puntland was the only Federal Member State where there were no reported incidents of journalists being killed or detained.

News media organisations were targeted because of their independent reporting – and, again, Somaliland topped the list with three such cases reported in Hargeisa. Repressive tactics were also documented in Hirshabelle and Jubaland.

As in previous years, attacks on female journalists were all too common with 28 cases of sexual and gender-based violence (SGBV) reported, the highest number in the Banadir Region. Women media professionals were also subjected to threats of rape and online harassment, often channelled through their social media accounts. It is thought that the reported cases of SGBV represent a small fraction of the true figure, since the fear of public censure deters women from speaking out or taking their complaints to the authorities.

High-quality journalism and, by extension, media freedom are further threatened by low salaries and poor working conditions. These factors not only undermine independent and critical reporting but also lead to self-censorship as well as a lack of independence and credibility. The precarious nature of journalists' work makes them vulnerable to interference from political and business interests.

The prevailing culture of impunity associated with crimes committed against journalists is still the greatest threat to media freedom in Somalia. This is compounded by the lack of a clear strategy for tackling the use of media and communication channels by the violent extremist group, Al-Shabaab, without compromising wider media freedoms. The Penal Code remains a preferred method for curtailing journalists' freedoms and rights, while an access to information law has yet to be enacted, despite the guarantees enshrined in the Provisional Constitution of Somalia.

**Omar Faruk Osman**  
Secretary General

# Journalists Killed in the Line of Duty

Two broadcast journalists, both relatively young men, had their lives needlessly cut short within a month of each other in 2022.

## Ahmed Mohamed Shukur

**30 September 2022 - Somalia**



At around 11:30am on 30 September 2022, Ahmed Mohamed Shukur, a reporter for Somali National Television (SNTV), was killed in a landmine blast in the Basro neighbourhood of the Bal'ad district. This young and courageous war correspondent was covering counter-terrorism operations by the Somali security forces, aimed at dislodging elements of Al-Shabaab militias from the Middle Shabelle Region. The police commander for the Banadir Region, General Farhan Mohamoud Adan (Karole), lost his life in the same incident. Born in 2000, Shukur became the first journalist to be killed in Somalia in the year under review. Al-Shabaab claimed responsibility for the attack.

## Mohamed Isse Hassan

**29 October 2022 - Somalia**



Just a month later, on 29 October 2022, journalist Mohamed Isse Hassan, nicknamed Kona, died in a double car bombing at the KM5 Junction in Mogadishu as he rushed to report on a blast at a nearby building housing the Ministry of Education, Culture and Higher Education. The second explosive device was set off after eye witnesses including journalists gathered at the scene of the first blast. Hassan died instantly. He was an industrious and committed reporter who had worked for several radio and television companies in Mogadishu. He is survived by his wife and son.

These two murders are chilling reminders of the hazardous environment in which Somali journalists operate. And the capital, Mogadishu, remains at the epicentre of the ongoing cycle of deadly violence against journalists.

No	Date of Violation	Name of Victim	Position	Media Organisation / Freelance	Nature of Violation	District / Town / City	Perpetrator
1	30 September 2022	Ahmed Mohamed Shukur	Reporter	SNTV	Murder	Bal'ad	Al-Shabaab
2	29 October 2022	Mohamed Isse Hassan	Reporter	M24 Somali TV	Murder	Mogadishu	Al-Shabaab





## Journalists Wounded on Assignment

The six cases of journalists who were wounded while on reporting assignments have striking similarities. Three of the journalists were injured in Beledweyn (Hirshabelle State); the other three

in Mogadishu. Five were victims of Al-Shabaab bomb attacks while the sixth was shot by the Haramcad police unit within the Somali Police Force.

No	Date of Violation	Name of Victim	Position	Media Organisation / Freelance	Nature of Violation	District / Town / City	Perpetrator
1	27 June 2022	Abdikarin Mohamed Siad	Reporter	Hirshabelle TV	Wounding	Beledweyn	Al-Shabaab
2	27 June 2022	Khalid Mohamud Osman	Editor	Hirshabelle TV	Wounding	Beledweyn	Al-Shabaab
3	21 August 2022	Ahmed Omar Nur	Camera-man	M24 TV	Wounding	Mogadishu	Somali Police Force
4	3 October 2022	Ali Farhan Anshur	Reporter	Freelance	Wounding	Beledweyn	Al-Shabaab
5	29 October 2022	Feisal Omar Hashi	Stringer	Reuters	Wounding	Mogadishu	Al-Shabaab
6	29 October 2022	Abdulkadir Mohamed Abdulle	Reporter	VOA Somali	Wounding	Mogadishu	Al-Shabaab

# Journalists Arrested or Subjected to Other Repressive Tactics

Cases of journalists arrested or subjected to attacks because of their professional activities were systematically monitored, verified and documented over the period covered by this report. Data was collected for the entire country, except

for one Federal Member State, Puntland, which did not record a single case of a journalist being arrested or attacked for the first time in the last 15 years.



Over 2022, a total of 47 journalists were arrested in the course of their work. A further 10 journalists were subjected to torture and other forms of abuse while some of those arrested were also tortured. In addition, journalists faced travel bans and others had their equipment confiscated in order to prevent them from doing their work.

More than half of the arrests (24) took place in Somaliland which remains the worst jailer of journalists in the country. As the only administration deliberately and aggressively targeting the media,

Somaliland has made widespread use of the archaic provisions of the Penal Code to prosecute journalists and convict them as charged. It has also conducted mass arrests, rounding up 15 media professionals in a single day.

The Banadir Region which includes Mogadishu saw nine incidents in which journalists were arrested, threatened or tortured or had their equipment confiscated. The perpetrators were members of the Somali Police Force who, while they do not appear to be politically motivated, see journalists as legitimate targets for brutal, unprovoked attacks.

Next in line comes Jubaland with eight reported cases, mostly from the Gedo Region where the tense political situation has exposed journalists to a range of repressive tactics. The severity of the cases in Gedo has forced several journalists into exile. In previous years, the Jubaland authorities in Kismayo have been notorious for compelling journalists to leave the city and have even covered their travel costs. It would now appear that the Gedo regional administration has adopted a similar policy.

(NUSOJ) recorded 15 cases of journalists who were briefly arrested with the apparent aim of intimidating them. Six of these incidents took place in Galmudug, five in Southwest and four in Hirshabelle. No official charges were brought against the journalists, suggesting that the regional administrations were using this tactic to send a warning to individuals whose coverage of local government business had been unfavourable.

The table below presents a statistical breakdown of the violations:

Region / FMS	# of Violations
Banadir	9
Galmudug	6
Hirshabelle	4
Jubaland	8
Puntland	0
Somaliland	24
Southwest	5
<b>Total</b>	<b>56</b>

The table below presents a chronological breakdown of the incidents:

No	Date of Violation	Name of Victim	Position	Media Organisation / Freelance	Nature of Violation	District / Town / City	Perpetrator
1	3 January 2022	Ali Nur Ayn	Reporter	Freelance	Arrest	Galkayo	Galmudug
2	12 January 2022	Ahmed Omar Salihi	Director	Radio Mark-abley	Travel Ban	Bardhere	Jubaland
3	12 January 2022	Yahye Abdirisak Sofe	Reporter	RTN	Travel Ban	Bardhere	Jubaland
4	12 January 2022	Jeylani Hussein lid	Reporter	Radio Shabelle	Travel Ban	Garbaharey	Jubaland
5	12 January 2022	Hamdi Mohamed Adan	Reporter	SNTV	Travel Ban	Garbaharey	Jubaland
6	5 February 2022	Zamzam Abdirakin Moallim	Reporter	Universal TV	Violent attack, destruction of equipment	Balad-Hawo	Jubaland
7	8 February 2022	Jamal Ibrahim Mohamed	Reporter	Freelance	Arrest	Hargeisa	Somaliland
8	10 February 2022	Salman Isaq	Camera-man	M24 TV	Threat, confiscation of equipment	Mogadishu	Somali Police Force
9	16 February 2022	Mohamed Yusuf Hassan	Reporter	Somali Cable TV	Arrest, torture	Mogadishu	Somali Police Force
10	16 February 2022	Ismail Mohamed Musse	Camera-man	Somali Cable TV	Arrest, torture	Mogadishu	Somali Police Force
11	16 February 2022	Aweys Mohamud Jilaow	Editor	Five TV	Arrest, torture	Mogadishu	Somali Police Force
12	16 February 2022	Mohamed Ali Abdi Baari	Camera-man	Five TV	Arrest, torture	Mogadishu	Somali Police Force
13	14 March 2022	Ahmedqani Jama Hirsi	Reporter	Star TV	Arrest	Hargeisa	Somaliland
14	13 April 2022	Mohamed Abdi Sheikh	Director	MM Somali TV	Arrest	Hargeisa	Somaliland
15	13 April 2022	Hassan Saleban Harun	Reporter	BBC Somali	Arrest	Hargeisa	Somaliland





16	13 April 2022	Ahmed Mohamud Yusuf	Reporter	SAAB TV	Arrest	Hargeisa	Somaliland
17	13 April 2022	Sagal Mustafe Hassan Nur	Reporter	VOA Somali	Arrest	Hargeisa	Somaliland
18	13 April 2022	Naima Abdi Ahmed	Reporter	Carro Edeg Media	Arrest	Hargeisa	Somaliland
19	13 April 2022	Hamse Hirsi Hayd	Reporter	CBA TV	Arrest	Hargeisa	Somaliland
20	13 April 2022	Aydarus Mohamed	Reporter	Goobjoog Media	Arrest	Hargeisa	Somaliland
21	13 April 2022	Ahmed-nuur Samraawi	Reporter	Bulsho TV	Arrest	Hargeisa	Somaliland
22	13 April 2022	Ahmed Said Hassan Shimali	Reporter	Horn Cable TV	Arrest	Hargeisa	Somaliland
23	13 April 2022	Mohamed Jamal Jirde	Camera-man	MM Somali TV	Arrest	Hargeisa	Somaliland
24	13 April 2022	Abdijabar Mohamed Hussein	Reporter	Horn Cable TV	Arrest	Hargeisa	Somaliland
25	13 April 2022	Mohamed Suldan Ahmed	Reporter	Horn Cable TV	Arrest	Hargeisa	Somaliland
26	13 April 2022	Khalid Mohamed	Reporter	Horn Cable TV	Arrest	Hargeisa	Somaliland
27	13 April 2022	Mustafa Muhumed Abdi	Camera-man	Horn Cable TV	Arrest	Hargeisa	Somaliland
28	13 April 2022	Abdirahman Ali Khalif	Reporter	Gobonnimo TV	Arrest	Hargeisa	Somaliland
29	19 May 2022	Abdirashid Ismail Abukar	Reporter	Radio Baidoa	Arrest	Baidoa	Southwest
30	19 May 2022	Hassan Kulmiye Afrah	Camera-man	Universal TV	Arrest	Baidoa	Southwest
31	22 May 2022	Mohamed Abdullahi Sidi	Reporter	Dalsan TV	Arrest	Galkayo	Galmudug
32	9 June 2022	Muhiadin Adan Ismail	Reporter	Horn Cable TV	Arrest	Hargeisa	Somaliland
33	9 June 2022	Hamza Gelle Mohamed	Reporter	SAAB TV	Arrest	Hargeisa	Somaliland
34	3 July 2022	Mohamud Sheikh Lafageri	Reporter	Star FM and STN TV	Arrest, torture, confiscation of equipment, forced exile	Balad-Hawo	Jubaland
35	5 July 2022	Mohamed Abdirahin Mohamed	Reporter	RTN	Arrest	Baidoa	Southwest
36	5 July 2022	Mohamed Abdirihiin Serjito	Reporter	RTN TV	Arrest	Baidoa	Southwest
37	8 July 2022	Hashim Omar Hassan	Reporter	Shabelle TV	Arrest	Adado	Galmudug
38	16 July 2022	Hassan Ali Daud	Reporter	Arlaadi	Arrest	Baidoa	Southwest
39	18 July 2022	Mohamud Sheikh Bashir	Reporter	Radio Mark-abley	Arrest and forced exile	Eel-Waq	Jubaland
40	18 July 2022	Mohamed Nur Mohamed	Reporter	Arlaadi	Torture	Mogadishu	Somali Police Force
41	18 July 2022	Munasar Abdirahaman Ahmed	Camera-man	Arlaadi	Torture	Mogadishu	Somali Police Force
42	17 September 2022	Abdirahman Arab Daud	Reporter	Horyaal TV	Arrest	Hargeisa	Somaliland



43	17 September 2022	Abdiqani Hussein Abokor	Reporter	Horyaal TV	Arrest	Hargeisa	Somaliland
44	17 September 2022	Abdirahman Abdullahi Isse	Reporter	Horyaal TV	Torture	Hargeisa	Somaliland
45	4 October 2022	Liban Abdi Warsame	Reporter	Goobjoog Media	Arrest, torture	Mogadishu	Somali Police Force
46	4 October 2022	Najiib Farah Mohamed	Camera-man	Goobjoog Media	Arrest, torture	Mogadishu	Somali Police Force
47	17 October 2022	Abdirahman Mohamed Adami	Reporter	Horyaal TV	Arrest	Erigabo	Somaliland
48	17 October 2022	Jabir Said Duale	Reporter	Eryal TV	Arrest	Erigabo	Somaliland
49	22 October 2022	Sadaq Said Nur	Reporter	Galmudug TV	Arrest	Galkayo	Galmudug
50	23 October 2022	Abdullahi Hussein Kilas	Reporter	Horn Cable TV	Arrest	Kismayo	Jubaland
51	22 December 2022	Mustaf Ali Adow	Producer	Hiranweyn radio station	Arrest	Beledweyn	Hirshabelle
52	22 December 2022	Abdirahman Moallim Muse	Presenter	Hiranweyn radio station	Arrest	Beledweyn	Hirshabelle
53	22 December 2022	Kafi Osman Idow	Editor	Hiranweyn radio station	Arrest	Beledweyn	Hirshabelle
54	22 December 2022	Abdimajid Abdirahman Adan	Presenter	Hiranweyn radio station	Arrest	Beledweyn	Hirshabelle
55	25 December 2022	Sadaq Abdi Shidane	Reporter	Galmudug TV	Arrest	Adado	Galmudug
56	25 December 2022	Mubarak Mohamud Adan	Reporter	Universal TV	Arrest	Adado	Galmudug





# Growing Culture of Impunity

The high degree of impunity enjoyed by perpetrators of attacks against journalists or news media organisations remains a major challenge for the Somali media. Cases of law enforcement officers being held accountable for these attacks are extremely rare.

It is widely thought that the security forces – including the police, who are responsible for the majority of attacks against journalists – act on the orders of senior figures in the Federal Member States and the Somaliland administration. Conversely, security forces in Mogadishu are said to carry out attacks on their own initiative with little fear of repercussions.

Impunity is prevalent across the country. An estimated 97% of crimes committed against journalists and news media organizations in 2022 remain unsolved with the offenders enjoying absolute protection from local administrations and from armed groups such as Al-Shabaab.

Nonetheless, some improvements have been noted in the relationship between the Somali Police Force and journalists – in part thanks to efforts by UNESCO to foster greater understanding of their respective roles, including the duty of the security forces to allow journalists to pursue their professional activities unhindered.

Furthermore, 2022 saw a landmark case, when the Puntland authorities caught, prosecuted

and convicted four men responsible for the murder of veteran journalist Jamal Farah Adan who was assassinated in Galkayo on 1 March 2021.

His killers were arrested on 6 March 2021 and pleaded guilty to the murder. Two, Adde Abdullahi Mohamed and Abdiqani Saleban Jama (aka Sayloor), were sentenced to death while Hassan Jama Mohamed (aka Hassan Nur) was jailed for 25 years and Mohamed Ali Ahmed for 15 years for their role in plotting the assassination. All four defendants admitted that they were members of Al-Shabaab.

(NUSOJ) officials who were present during the court hearing welcomed the convictions as a positive step in eroding the rampant culture of impunity for crimes committed against journalists in Somalia. This is particularly significant since, after Mogadishu, Galkayo has been the second most dangerous place to be a journalist in Somalia. Over recent years, several journalists from Galkayo have been murdered in cold blood and their killers have never been brought to justice.

However, as an organisation that fights for human dignity, (NUSOJ) remains categorically opposed to the death penalty and has called for the sentences handed down to Adde Abdullahi Mohamed and Abdiqani Saleban Jama to be commuted to life imprisonment.

## Legal Defence for Journalists

As Somalia transitions from the law of the gun to the rule of law, (NUSOJ) is a firm believer in using the legal system to defend journalists' legal rights. The union does this by using progressive articles of the Provisional Constitution of Somalia and the international human rights instruments to which Somalia is a signatory. These act as a counterweight to the existing repressive laws that are frequently used to curtail journalists' rights and media freedom in general – most of which are at odds with the Provisional Constitution, the constitution of Somaliland and the constitutions of the Federal Member States.

On a positive note, the establishment of the Constitutional Court of Puntland was approved by the Puntland Parliament in December 2022. With four judges presiding, this will be the first

Constitutional Court established at the federal and state level since the fall of the military government. It heralds a new beginning: the Court will be able to interpret the draconian laws often used to undermine media freedom through the lens of the Constitution. It is hoped that the Constitutional Court in Puntland will act independently as a model that can be emulated at the federal level.

Over the period covered by this report, (NUSOJ)'s Journalists' Legal Defence Unit (JOLED) and a network of dedicated lawyers that was established thanks to support from UNESCO's Global Media Defence Fund (GMDF) and that works to defend journalists from politically motivated lawsuits – handled the following two cases:



## Case 1: The arrest and prosecution of 15 journalists in Somaliland



This case illustrates the legal minefield confronting journalists in Somaliland. The journalists were arrested on 13 April, 2022, after filing live reports of a riot by inmates at Hargeisa Central Prison. Though 12 of the detainees were subsequently released, three were officially charged under the obsolete Penal Code. The prosecution had no other goal than to criminalise the practice of independent journalism in Somaliland.

On 23 May 2022, the Hargeisa Regional Court sentenced journalists Mohamed Abdi Sheikh Mohamed (Ilig), of MM Somali TV, and Abdijabar Mohamed Hussein, of Horn Cable TV, to 16 months' imprisonment on what were clearly trumped-up charges. The same court acquitted Abdirahman Ali Khalif, of Gobonnimo TV.

Mohamed Abdi Sheikh Mohamed, who is the Director of MM Somali TV, was initially accused of illegally operating an unregistered business. The court cleared him of this charge but convicted him of violating two articles of the Penal Code: 215 (Subversive or Anti-national Propaganda) and 318 (Destruction, Concealment and Removal).

Abdijabar Mohamed Hussein was separately charged with posting a live report of the riot to the Horn Cable TV Facebook page. He reported that the security forces had ordered residents living near the prison to leave their homes due to the fighting, although this information was not included in the police statement. The prosecution claimed that the posts also violated Articles 215 and 318 of the Penal Code.

The two journalists were released on 2 July 2022 after Somaliland President Musa Bihi Abdi granted them a presidential pardon. This act of clemency came in response to a national and international outcry over the arrest of the two journalists and their subsequent conviction. (NUSOJ), which supported their legal defence, maintained from the outset that both journalists had been arrested on fabricated charges.



## Case 2: Ahmed Omar Nur



At around 10:30am on 21 August 2022, Ahmed Omar Nur, a journalist/cameraman working for M24TV, was dispatched to the KM4 area of Mogadishu to report on the security operation aimed at ending the siege of the Hayat Hotel. Ten minutes after his arrival, and while reporting from a position close to the scene, Ahmed Omar Nur was accosted by two Haramcad police officers. After a short argument, one of the officers shot Ahmed at very close range, resulting in a serious injury to his jaw.

The injured journalist was immediately taken to Madina Hospital where he underwent major surgery. Doctors extracted a bullet that had become lodged in his head after knocking out several of his teeth. The two policemen were arrested and taken to the headquarters of the Criminal Investigations Department (CID) for a full investigation. However, on the evening of the same day, senior officers from Haramcad police interceded and released both men from custody without allowing the CID to conclude its inquiry.

On hearing that the investigation had been disrupted and following a request from Ahmed Omar and his father, (NUSOJ) filed a complaint on behalf of the victim at the Special Prosecutor's Office which has a mandate from the Office of the Attorney General to investigate crimes committed against journalists.

In the complaint submitted on 22 August 2022, the (NUSOJ) legal team asked for the perpetra-

tors to be taken back into custody and for a fair and transparent investigation to be conducted by the Special Prosecutor's Office at the Office of the Attorney General.

(NUSOJ) also discussed the case with the Minister of Internal Security, Mohamed Ahmed Sheikh (Doodishe), who gave assurances that due process would be followed. (NUSOJ) also urged the President of Somalia, Hassan Sheikh Mohamud, to ensure that justice was served. The President subsequently instructed senior government officials to take all necessary legal steps to make sure the case was not compromised, the alleged perpetrators were properly investigated and Ahmed Omar Nur enjoyed full access to justice.

However, the legal battle to protect journalists is often undermined by elders who attempt to persuade the courts to drop cases so that they can be resolved through traditional means. The case of Ahmed Omar Nur is a good example: even after the two police officers had been arrested and officially charged, elders interceded in an effort to have the case settled out of court. It is an approach that leads to legal complaints being resolved without the glare of public scrutiny.

In addition to legal aid, (NUSOJ) drew on the IFJ Safety Fund to pay for Ahmed Omar Nur's medical expenses as neither his family nor his employer had the financial means to cover the costs of his hospital stay.

# Media Rights in the War against Terror

On 8 October 2022, the Federal Government of Somalia issued a press release setting out its concerns about the impact of media coverage of the war against Al-Shabaab. The statement was opaque and contradictory and there were concerns that it could be used as a cudgel for limiting freedom of speech. (NUSOJ) engaged with the Government to seek clarifications and received assurances that this was not its intention.

The press release was apparently aimed at preventing malign actors from destabilising the country and compromising its security. However, while the Government argued that relevant provisions in the Amended Media Law could be used to combat terror groups, it is (NUSOJ)'s contention that there are numerous other laws that could be used for this purpose. Consequently, in light of its concerns around several articles in the Amended Media Law regarding journalists' rights and freedoms, the union has called on the authorities to ensure that the law is not used for these purposes and that Article 18 of the Constitution is fully upheld.

In any established democracy or in any nation aiming to successfully transition to a democratic system, the Government, or its institutions, should never be allowed to interfere with the content of news media and yet the press release stated that 40 websites, allegedly affiliated to Al-Shabaab, had been suspended by the authorities. (NUSOJ) argues that, according to international standards, taking action of this kind falls within the remit of an independent regulatory body or the courts rather than that of an institution with political affiliations.

Some of the language used in the press release was too vague to serve as a basis for applying the law in an even-handed and fair manner. For example, terms such as "extremist ideology" and "terrorist messages" are unclear and could be used for political purposes. In this context, it would be more normal to employ terminology such as "incitement to terrorism" or "incitement to violence" which infer that the message intends to incite others and may already have had this effect.





## Poor Pay Threatens Media Freedom

Low salaries and poor working conditions present an acute, internal threat that not only has a devastating effect on the quality of journalism but that also impacts on the key attributes of media freedom such as the independent and critical reporting of newsworthy stories without interference from commercial or political interests.

As reported by working journalists who face this situation and as confirmed by some media managers, certain news media organizations employ young, inexperienced journalists on the condition that they will not be paid for six months while they make a name for themselves and can eventually apply for a salaried position. This practice is widespread in Mogadishu and the five Federal Member States where it has driven cash-strapped journalists to ask for payment from organisations and individuals seeking to bring information into the public domain.

Not only does this compromise the independence of the journalist and the news media organisation concerned, it also means that the providers of news stories can determine what is published or broadcast by the news media organization. Mainly practised by radio stations, this

kind of engagement is known by different names – “sharuur”, “transportation”, “biyo cabaal”, “kista shaqada” and “qabax” – depending on the region. In addition, some TV stations offer a so-called “retention fee” which means that the journalists remain on their staff without receiving proper and adequate remuneration.

Furthermore, a number of private TV stations have adopted a system whereby they deploy a reporter and a cameraman to cover an event, then ask the organisers of the event to pay for the service. The payment is divided between the personnel involved so if, for example, the organiser is charged \$100, \$10 goes to the cameraman, \$10 to the reporter and the remaining \$80 is paid to the advertising agent of the news media organization. Consequently, even if an event is newsworthy, it is treated primarily as an advertising opportunity that is handled by the marketing department rather than the editorial team.

Thus, financial considerations often dictate the news agenda, placing a major constraint on freedom of information. Some organisations and public institutions interviewed by (NUSOJ) said that they had stopped inviting news media organisations to their events because of the re-





quirement to pay. Instead, they opt to publish information and pictures from the event on their Facebook and Twitter platforms, thereby ensuring wider dissemination.

More than 78 women journalists reported that they are paid less than their male counterparts. They also said that field assignments are more likely to be given to male journalists while women are commonly relegated to reading news bulletins or covering “soft” stories. This affects their ability to advance their careers or to take advantage of training opportunities offered to the news media organization.

During the monitoring exercise, (NUSOJ) researchers discovered that journalists working for state media and media controlled by the Federal Member States receive higher salaries than those employed by private media. Conversely, government-run media are less likely to be editorially independent or to observe ethical guide-

lines such as objectivity and impartiality than private companies. The salaries of journalists in state media are linked to civil service pay grades and are between \$400 and \$700 per month.

Most journalists do not have written contracts. They are employed verbally and are fired verbally thus removing or reducing any contractual obligation on the part of their employer. This also means that employers make no formal commitment to ensuring a journalist’s safety, health and well-being.

This challenging working environment means that media professionals have little or no job security while media freedoms are significantly compromised through self-censorship, political interference, a lack of independence, corruption and low professional standards that come as a result of low levels of pay and poor working conditions.

## The Shadow of SGBV



Although women constitute a small fraction of the journalists who fall victim to arbitrary arrest, wounding, torture, violent attacks and organised killings, they continue to face sexual and gender-based violence (SGBV) in the course of their work. Over 2022, NUSOJ recorded 28 cases of SGBV among women journalists although it is feared that the true number could be much higher since SGBV survivors are reluctant to report such incidents due to fear of cultural stigma or repercussions for their work and their families. The reported cases are summarised in the table below:



Region / Federal Member State (FMS)	Nature of SGBV	# of Cases
Banadir	Sexual violence and harassment; online harassment	9
Galmudug	Sexual violence and threat of rape	2
Hirshabelle	Sexual violence and harassment	3
Jubaland	Threat of rape	1
Puntland	Sexual violence and harassment	2
Somaliland	Sexual harassment and online harassment	8
Southwest	Sexual harassment	3
<b>Total</b>		<b>28</b>

These cases give some insight into the scale of SGBV against female journalists and suggest that it is prevalent across almost all FMS. It is essential for women journalists to be given the necessary support and protections to report all incidents of SGBV and, thereby, ensure the perpetrators are brought to justice.

Of the SGBV cases reported over the course of 2022, 48% took place at the workplace while 52% took place during field assignments. Of those interviewed, 17% reported that they had been attacked online.

(NUSOJ) applies basic ethical and safety principles to protect the identity of SGBV survivors, including women journalists, and to further encourage others to come forward and speak out without fear of reprisal. Most news media organisations do not have any measures in place to deal with sexualised and gendered attacks. When such incidents do occur, there are no proper investigations and little hope of a successful prosecution.

The union regularly informs journalists of the need to prioritise ethical and safety considerations that ensure the safety, anonymity and dignity of SGBV survivors, their families, their

## Criminalisation of Journalism

The 1962 Penal Code came into force in April 1964 and, despite being incompatible with the Provisional Constitution, remains the only criminal law in Somalia. The Penal Code contains a number of provisions that are used to curb media freedom and freedom of expression – rights that are guaranteed by Article 18 of the Provisional Constitution of Somalia.

The Penal Code includes a number of vaguely worded provisions relating to “the publication of false news”, “promoting sectarianism”, “anti-national activity”, “the publication or circulation of false, exaggerated news capable of disturbing public order” and “news capable of disturbing public or private tranquillity”.

As a result, the Penal Code is the law most frequently cited during attempts to prosecute journalists on spurious grounds. The recent trial of three journalists in Somaliland is a case in point:

all were charged under obsolete provisions of the Code.

The legislation also criminalises defamation; offending the honour or prestige of the head of state; insults to public officers; insults to a political, administrative or judicial body; false accusations; and false evidence brought against the authorities. All these provisions are susceptible to very broad interpretation by both the authorities and those subject to the law. Journalists, in particular, often fall victim to the provision that relates to the “abusive exercise of a profession”.

The different media laws at the federal level as well as those in Puntland and Somaliland are all equally incompatible with the Provisional Constitution and international human rights laws and standards. However, all state prosecutors make use of the Penal Code to bring criminal charges against journalists.





Since they amount to serious violations of the right to freedom of expression, media freedom and access to information as guaranteed by the

Provisional Constitution of Somalia as well as international human rights law and regional legal norms, (NUSOJ) has been calling for all these provisions to be repealed and for the Penal Code to be brought in line with international stan-

## Right of Access to Information

Access to information is a fundamental human right that enables citizens to make informed decisions and effectively participate in democratic processes, while holding duty-bearers to account. A robust access to information regime not only safeguards society against the abuse of power but also enables the public to play a role in shaping government policy.

Article 32 of Somalia's Provisional Constitution explicitly guarantees this right by stipulating that "every person has the right of access to information held by the state" and "the Federal Parliament shall enact a law to ensure the right of access to information".

However, there is currently no national access to information policy or law that provides a framework for citizens to enjoy the right to access information. This is an indication of political reluctance to facilitate public access to information held by the state.

(NUSOJ) has observed several incidents where journalists were denied access to information by government institutions as well as access to government meetings and contracts, thereby stifling and negating the principle of open governance.

The lack of an access to information law in Somalia places major constraints on media seeking to perform their professional duties. By restricting access to public information, Somali authorities both at the federal and state levels have fuelled a culture of secrecy, which, in turn, encourages corruption and abuse of public office.

Somalia urgently needs to enact an access to information law as enshrined in the Provisional Constitution of Somalia and the African Charter on Human and People's Rights as well as other international human rights laws and standards, including the Declaration of Principles on Freedom of Expression and Access to Information in Africa, which urges states, including Somalia, to ensure that the right of access to information is fully respected. The Declaration states that freedom of expression and access to information are "crucial and indispensable for the free development of the human person, the creation and nurturing of democratic societies and for enabling the exercise of other rights".

The exercise of this right is also fundamental to a functional system of governance. Independently verifiable information increases transparency, supports accountability, ensures citizens' right to know and helps fight corruption and misinformation.

(NUSOJ) strongly believes that full access to information will allow Somalis to exercise other crucial rights such as the right to development, the right to a safe and healthy environment and the right to make informed choices.



## What we do

The National Union of Somali Journalists (NUSOJ) is well known as a tireless champion of journalists and journalism in Somalia. It advocates for media freedom, the rights of journalists, workers' rights, improved working conditions, women's empowerment and total emancipation, while pushing the decent work agenda in the media industry and calling for greater social justice to protect the inalienable rights and freedoms of all Somali journalists.

In order to help bring about these changes, (NUSOJ) systematically monitors and conducts investigations into violations of media freedom and the human rights of journalists. It provides accurate, prompt and impartial information concerning attacks on journalists. These include killings, arrests, death threats and harassment as well as acts of aggression against media organisations. The union generates and rallies national and global communities of media freedom defenders to take effective action against media freedom violations in Somalia.

As a reputable and credible expert on media freedom in Somalia, The National Union of Somali Journalists (NUSOJ) provides a constant stream of information to the local media, foreign press, local authorities, members of the international community, inter-governmental organisations and development partners, including the United Nations, urging them to take action where and when necessary.

The National Union of Somali Journalists (NUSOJ) organises national solidarity actions with journalists who have been the targets of repressive actions and their families as well as other media professionals at risk. This is important to us as we believe in clearly articulating our position on issues of concern, not only to our members but also to all concerned groups who are interested or involved in what journalists stand for.

As part of the union's commitment to promote and maintain high standards in media and journalism, The National Union of Somali Journalists (NUSOJ) strengthens the professional competence and ethical standards of both new and established journalists. This is often achieved through convening workshops, sem-

inars, roundtables and constructive debates within the profession. Over the years, this approach has been successful in reinforcing the professional standards of journalists, promoting and entrenching freedom of expression and access to information, while also enhancing the safety and security of media professionals. In our view, these are the key drivers for improving the conditions for democratisation, peace-building, social justice and social and economic development in Somalia.

As a union that represents both female and male journalists, and one that holds gender equality as a central tenet for development, democracy and peace-building, The National Union of Somali Journalists (NUSOJ) is currently implementing a long-term, union-wide advocacy campaign to combat gender-based violence (GBV) and to promote women's empowerment. Understanding the interconnection between the private and public space, our advocacy efforts to combat sexism, discrimination and harassment span the workplace, field assignments and the household. (NUSOJ) continuously and unapologetically calls for more comprehensive and progressive legislation related to GBV as well as democratic laws and policies to inform a human rights agenda.

NUSOJ is an active member of the International Federation of Journalists (IFJ) and a founding member of the Federation of African Journalists (FAJ). (NUSOJ) is also a member of the Journalists' Association of Eastern Africa. Nationally, (NUSOJ) is a full affiliate of the Federation of Somali Trade Unions (FESTU) and is the Somali partner organisation of Reporters without Borders (RSF).

Recognising the important work that the NUSOJ has been carrying out both within but also beyond Somalia borders, the United Nations Economic and Social Council (UN ECOSOC) granted special consultative status to NUSOJ in July 2022. This enables the union to actively engage with ECOSOC and its subsidiary bodies, as well as with the United Nations Secretariat, programmes, funds and agencies in a number of ways.







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Ururka Qaranka Suxufiyiinta Soomaaliyeed  
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