

NUSOJ

Lives and Rights of Journalists Under Threat



Annual Report 2012

The State of Press Freedom in Somalia

Incidents in 2011

National Union of Somali Journalists (NUSOJ)

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National Union of Somali Journalists (NUSOJ)

The National Union of Somali Journalists (NUSOJ) is a fervent champion for media freedom, the rights of journalists, workers' rights and for social justice in Somalia. Member journalists work across the whole industry as reporters, editors, sub-editors and photographers. NUSOJ has 525 members that work in broadcasting, newspapers and in the new media.

NUSOJ systematically monitors and conducts investigations into violations of press freedom and human rights of journalists. The union provides accurate, prompt and impartial information concerning attacks on journalists such as killings, arrests, death threats and harassments, as well as acts of aggression against media organizations.

NUSOJ is a full member of the International Federation of Journalists (IFJ), Federation of African Journalists (FAJ) and Eastern Africa Journalists Association (EAJA). It is also a member of International Freedom of Expression eXchange (IFEX) and partner with Reporters without Borders.

For more information, visit www.nusoj.org

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and a partner of:



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FOREWORD

Omar Faruk Osman, Secretary General

It is deplorable that, this year once again, we should have to sit down, write and present a report that recounts depressing cases of attacks against journalists and their organisations, this year when we hoped our call for peace, safety, respect and protection for journalists' rights and media freedom would be recognized and upheld.

In our country, being a journalist remains a dangerous, often fatal profession. Somali journalists performing different occupations in the profession – be it reporter, producer, editor or newscaster – have faced organized crimes of death threats, pressure on their media house, and threats against their families, because of their work.

The year 2011 was characterized by severe and contemptible violations committed by those who claim to be committed to the restoration of respect to the rule of law, to the stabilization of Somalia and to human rights in their fight against Islamist militants. A sense of trepidation was continuously instilled deep in the hearts of journalists as they were threatened endlessly with the risk of baseless judicial proceedings and investigations, attacks, arrests, raids and even killings.

The well-documented facts and figures speak for themselves. The Transitional Federal Government (TFG) has systematically and without warrant been responsible for arrests of journalists, barring journalists from access to collecting news from areas of its control and offices, direct and indirect threats to journalists, undermining private media houses while promoting organs of propaganda, attempts illegitimately to take over our national journalists union, hindering journalists' work, restricting journalists' travel, bringing baseless persecutions against journalists, maligning

journalists' leaders and demanding money for personal benefit (corruption), with serious repercussions faced by organizations that do not pay.

When Al-Shabaab was crushed and driven out of the capital city by the African Union peace-keeping troops and control was handed over to the TFG, the TFG simply took off the gloves and turned on journalists, with a naked show of muscle power and misuse of security forces.

The suffering endured by our colleagues in north-eastern regions under the control of Puntland is still extreme. Journalists have been mercilessly crushed with bullets so that they do not rise anymore and silenced forever but luckily they did not die for these killing bullets, though dejectedly they become disabled for life. Baseless criminal proceedings were slapped with a journalist in the face of unfair and politically motivated trial. Journalists who are not necessarily promoting the interest of current administration had to receive suspensions.

In Somaliland, last year's relatively favourable conditions turned in 2011 into a hostile environment for journalists and the private print media. The prosecutor has been busy taking on editors, reporters and even newspaper companies for defamation, slander, and false news, with Somaliland ministers and senior public officials the complainants. No judicial protection, but jail terms and fines were what the courts were ready to hand out to journalists.

Threats from Al-Shabaab and Ahlu Sunah Waljama have been real, but Al-Shabaab's deadly attacks have been significantly reduced for two main reasons: reduced military power and territorial control of Al-Shabaab on one

hand, and decreased presence of independent or private media in Al-Shabaab-controlled areas. However, one thing sad to record is the heinous suicide attack by Al-Shabaab in Mogadishu where more than 100 civilian people were victimized, including one journalist only half of whose body was recovered.

Journalists and their leading defenders and the work they do have been regularly discredited in public and private. Journalists discharging their professional duties have been accused of having links to Islamic rebels or being motivated for political gain by practising “vendetta journalism”.

Baseless prosecutions were frequently prepared in Mogadishu, Garowe and Hargeisa against journalists, using false and unsubstantiated information.

In 2011, for the first time, we joined the International Federation of Journalists (IFJ) – the global movement of journalists, and International Freedom of Expression Exchange (IFEX) – the world’s foremost free expression community, in commemorating on 23 November the International Day to End Impunity of Crimes Against Journalists. Impunity is the source of injustice and instability in our country.

Those responsible for violations against journalists are never punished and impunity remains the order of the day and the culture in which the current administrations in the country operate.

In sum, aggressions against journalists and their rights have been as bad as ever, and are primarily and predominantly attributable to the Transitional Federal Government, and the authorities in Puntland and Somaliland.

Derogatory, manipulated evidence, unsubstantiated reports and false information are concocted in order to be used to underpin

unfounded criminal investigations of or charges against journalists.

We call on the TFG, and the Somaliland and Puntland authorities immediately to stop campaigns and acts to persecute, threaten and delegitimize journalists, the national journalists’ union and private news media organizations.

The TFG must particularly stop misuse of the security forces, including the police criminal investigations department, to undermine journalists’ representative voice.

Puntland and TFG authorities must end systematic stigmatization of private media houses and journalists with the aim of smearing the legitimate work of the journalists’ union and private news media houses.

We call on Somaliland authorities to end unfounded criminal proceedings against journalists and the private print press on the basis of defamation, libel and false information.

The world community that cares for human rights and respect of the just rule of law must ensure that the TFG and other authorities, who depend heavily on their political recognition and financial support, not only to end the on-going violations but also to operationally improve the protection of journalists and media from systems and officials within the TFG and other authorities.

OVERVIEW

Abdi Adan Guled

National Press Freedom Coordinator / Senior Vice President of Supreme Council

Those who practice the profession of journalism, and those who stand for the defence of press freedom and journalists, have sadly continued to be victims of systematic repression through threats, arrests, unfounded criminal proceedings, censorship, intimidation and killings carried out by various political actors.

Mogadishu continues to record the highest levels of attacks against journalists and news media organisations in the country, with all four journalists murdered this year slain in this troubled capital city and with the most serious violations of press freedom violations committed there.

However, the situation has now reached a new level of crisis. Somaliland has waged the most frequent and serious legal war against journalists and the media in Hargeisa, Borame, Bur'oo and Berbera. Somaliland's prosecutor took to court more cases concerning journalists than any other social group, using Somalia's longstanding criminal code.

Northeastern regions saw the use against journalists of the same old and draconian criminal code, as well as unfamiliar anti-terrorism law, by Puntland authorities. Suspension of journalists and media houses has been a sustained tactic employed to intimidate the media.

The National Union of Somali Journalists (NUSOJ), in its seventh year, has regularly and systemically monitored, documented, investigated, protested and condemned attacks on journalists and media freedom violations in 2011.

For the year 2011, NUSOJ produced 86 alerts,

condemnatory statements and protest letters concerning killings, arrests, wounding, harassment, intimidation, censorship, takeover of media houses and unfounded criminal proceedings against journalists and media houses.

This report is a comprehensive accumulation of the above-mentioned violations. It reveals the level of victimisation against journalists and media houses. Apart from introducing the cases of violations chronologically, it sheds light on the manner in which these violations were committed.

For the first time, this annual report introduces a new section on impunity as the silent enemy of press freedom and journalists' rights. NUSOJ joined the International Freedom of Expression Exchange (IFEX) community, predominantly the International Federation of Journalists (IFJ), in commemorating on 23 November the International Day to End Impunity of Crimes Against Journalists.

As part of the union's campaign to "name and shame" predators of press freedom, and violations and abuses of journalists' rights, the report names authorities believed to be responsible for committing violations of press freedom and journalists' rights.

KILLINGS

4 August 2011

Farah Hassan Sahal, who was working for privately owned Radio Simba as a newscaster, was shot in the head and chest at the gate of the radio station, according to Abdullahi Ali Farah, Director of Radio Simba.

Sahal, 45, was with two of his colleagues to move media house equipment to a safer zone, as the area of the radio station was at that time a battlefield between Transitional Federal Government (TFG) forces supported by African Union Peacekeeping Mission in Somalia (AMISOM) troops, and Al-Shabaab Islamist forces. The journalist was shot at close range by a soldier alleged to be affiliated to AMISON who was hiding by the wall of the Hareed mosque, according to fellow journalists who were with the journalist at the time of the attack.

The late journalist started working for the radio station when it was established in 2006. He left nine children and their mother.

2 September 2011

Malaysian journalist Noramfaizul Mohd Nor,



Noramfaizul Mohd Nor

39, who had arrived in Mogadishu with a humanitarian aid organization, was killed around 6 p.m. local time at Kilometre 4 junction in the city centre of Mogadishu. He was hit by bullet allegedly fired by African Union peacekeeping troops when they

became suspicious of the Somali government forces who were guarding the vehicle of the humanitarian aid organization, according to journalists who were at Km4 junction. The bullet reportedly penetrated Nor's chest.

Nor, who left two children and their mother, was the second journalist to be allegedly killed by bullets allegedly fired by AMISOM troops in Mogadishu this year. An AMISOM inquiry panel admitted responsibility for the death of Nor, apologized, and discharged from the mission the four soldiers suspected of being responsible, and sent them back to their home country, Burundi.

The apology came following the inquiry into the incident immediately ordered by the Special Representative of the Chairperson of the Commission of the African Union (SRCC) and Head of African Union Mission, Ambassador Boubacar Diarra, in line with appropriate African Union procedures, according to an AU statement, which added: "the Board of Inquiry (BOI) established that four soldiers were involved in the shooting at the Hajji Doole Junction on Airport Road and recommended that the four soldiers, from the Burundi contingent, be brought to trial according to their country's military and judicial processes. The four soldiers have been suspended from duty to allow for further proceedings following recommendations by BOI."

4 October 2011

In a suicide bomb attack in Mogadishu, which killed at least 100 people, and wounded more than 100 others, among the dead was a young radiojournalist, **Abdiaziz Ahmed Aden** of Radio Markabley in Bardhere district of Gedo region in southwest Somalia. The identity and whereabouts of Aden, **Abdiaziz Ahmed Aden** a reporter and newscaster, remained unknown for almost a week until his family arrived in Mogadishu, identified half of his body and pronounced his death.



Radio Markabley, a privately owned media house and the only radio station in Gedo region, said that the journalist was 24 years old and had joined the station in February 2011. Aden had been dispatched to Mogadishu on 30 September to report the on-going military operations against Al-Shabaab militants.

18 December 2011

An armed man in the military uniform of the Transitional Federal Government (TFG) murdered a broadcast journalist, Abdisalan Sheik Hassan, in Mogadishu.



Abdisalan Sheik Hassan

The alleged killer, who was armed with an AK-47, shot Hassan, widely known as “Hiis”, in the head in the Hamar Jajab district at around 4:30 p.m. He was working as a Mogadishu-based stringer for Horn Cable TV, as well as a presenter of the evening news for Radio Hamar. The journalist, who was shot after getting out of his car at the gate to the Horn Cable TV offices, was rushed to Madina Hospital, where he was pronounced dead.

NUSOJ was informed that the slain journalist had feared for his life after receiving a series of death threats in recent weeks linked to his reporting. As fellow journalists rushed to Madina Hospital to pay their respects to their colleague, the motive for the killing remained unknown. Private radio stations stopped broadcasting programmes in progress in order to mourn and started airing a well-known song entitled “Respect Journalists”.

It is believed that Hassan was killed for his journalistic activity relating to disputes within the Transitional Federal Parliament (TFP). Some parliamentarians within the TFP claimed to have removed the TFP speaker from office.

Hassan was the only journalist to record, on video, the proceedings of the meeting organized by the parliamentarians who wanted to remove the speaker. He aired the video via Horn Cable TV.

Other members of parliament strongly disputed the validity of the meeting that purported to have removed the speaker from office and refused to recognize the outcome. There are a number of people who reportedly approached Hassan to obtain a copy of the video recording in order to verify what had taken place.

Whatever the case, it is thought that the murder of the journalist is linked to his video recording and airing of the story about the attempt to remove the speaker from office.

It is believed that some people wanted to prevent him from talking about what had happened. Hassan, 35, left behind three children and their mother. He was the fourth journalist to be killed in Mogadishu in 2011.



Journalists wearing red head scarf grieving for the murder of the Abdisalan Sheik Hassan

WOUNDINGS

11 February 2011

A Mogadishu journalist, Muhiyadin Mohamed Husni, who had been working for internet-based Radio Arlaadi, was wounded when bullets amputated his lower left arm. Forces of the Transitional Federal Government (TFG) of Somalia are believed to have opened fire on the journalist after he fell under suspicion when he was out collecting news.

14 February 2011

Mustaf Mohamed Ali, a reporter with Radio Hamar, the Voice of Democracy (VOD), and Sadam Adan Mohamed, a reporter and photojournalist of Radio Shabelle, were wounded at a press conference held by the Ahlu Sunah Waljama Islamic movement near Workers' Road in Mogadishu after Al-Shabaab Islamists reportedly shelled the scene of the press conference. The two journalists recovered after they were admitted to hospital.

30 March 2011

Ahmed Hassan Mohamed of Radio Simba was wounded in the shoulder and back while reporting on a football match at Jamacada stadium in Hodan district, Mogadishu. Mohamed was hospitalized at Madina Hospital, according to his family, and recovered from the wounds.

2 September 2011

Aziz Reza Mazlan, a Malaysian TV3 cameraman, who had arrived in Mogadishu with a humanitarian aid organization, was shot and lightly wounded. Another Malaysian journalist, Noramfaizul Mohd Nor, died in the same incident. He had arrived in Mogadishu on 28 August with Putera 1 Malaysia Club to cover the humanitarian aid activities of the organization.

14 September 2011

Ms. Horriyo Abdulkadir, a news anchor for Radio Galkayo, was hospitalized with grave gunshot

wounds.

Ms. Horriyo, 19 years old, was shot by gunmen armed with pistols at very close range as she returned from work in Galkayo town, regional capital of Mudug region administered by Puntland semi-autonomous authorities in northeast Somalia. She was treated at a hospital in the town.



22 September 2011

Journalist Hassan Mohamed, better known as Anteno, was critically injured by unknown gunmen in the coastal town of Bossasso in the semi-autonomous region of Puntland in northeast Somalia. Hassan Anteno works for privately owned radio Voice of Peace and he was attacked in front of the radio station, according to journalists working there.



Hassan Mohamed (Anteno)

Witnesses said two youngsters armed with pistols shot him several times at the chest and escaped from the scene. Doctors said he was severely injured and was treated in the main hospital of Bosasso, but was later transferred to Mogadishu. Due to the serious wounding, Anteno became paralysed and is struggling to recover from serious wounds.

ARRESTS AND OTHER ATTACKS ON JOURNALISTS

11 February 2011

Ahlu Sunah Waljama Islamic movement issued an order banning journalists working for Radio Shabelle, an independent radio station in Mogadishu, from carrying out their media work in areas under their control in central Somalia.

This order was issued after Radio Shabelle released a news report that was “contrary to movement”, according to Ahlu Sunah Waljama spokesperson Sheikh Abdirisak Mohamed Ash’ari. Radio Shabelle journalists were consequently not able to report from central regions.

Ahlu Sunah Waljama Islamic movement further accused Radio Shabelle of “making provocation of war” in the central regions and making attempts to divide the “Islamic movement”. The order was withdrawn after 10 days.

13 February 2011

Journalist Abdikarim Ahmed Bulhan, Radio Shabelle reporter in Abudwaq district of Galgadud region, was briefly detained on 13 February, by forces loyal to Ahlusunah Waljama. Bulhan was released after negotiations between the journalist’s family and the commanders of the Islamist movement, which around that time banned Radio Shabelle journalists from working in their region.

19 March 2011

Liban Abdi Farah, reporter of Somali Broadcasting Corporation (SBC) in Galkayo town of Mudug region, was arrested as he sought to report on a bomb blast in Galkayo. Puntland police arriving at the scene of the blast immediately arrested the journalist. His colleagues in Galkayo and from SBC were barred from visiting him in the police station, although family members were allowed to see him. He was released after 13 days of detention without trial and with no charges levelled against him formally.

22 March 2011

Mohamed Abdinur Hashi, a journalist working for Somali Channel TV, and Mohamed Shaqale, a reporter working for Universal TV, were attacked in Las Anod by Somaliland soldiers for filing reports that the Somaliland army deemed negative towards their forces. Mohamed Hashi was arrested, while Mohamed Shaqale went into hiding in Las Anod, but his laptop computer, camera and recorders were confiscated. Somaliland forces reportedly carried out a search for Shaqale in Las Anod. Hashi was released after 3 days.

27 March 2011

Abdi Mohamed Ismail, news editor of Radio Shabelle, and Abdirashid Omar Qase, director of the radio station at the time, were arrested by the National Security Agency (NSA) of the Transitional Federal Government (TFG) in Mogadishu.

The reason behind their detention was not stated officially, but a letter from the National Security Agency dated 24 March, which was delivered to the headquarters of the network, demanded that the director and news editor come in for questioning related to a news report that Shabelle aired on 22 March.

On 22 March 2011, Shabelle had broadcast reports of fighting in Mogadishu and that Somali President Sharif Sheikh Ahmed had failed to visit bases captured from Al-Shabaab in Mogadishu in intense fighting. Ismail and Qase were released after 4 days of detention.

2 April 2011

Jabir Ali Omar, working for www.boramanews.com, and Dahir Ahmed Jirde, of www.saylac.com, were arrested at Borame police station in Borame town in Somaliland.

The police commissioner of Awdal Region, Mohamed Abdi Ahmed, confirmed the

detention of the two online journalists and added that the police was interrogating them about news reports they had published. The journalists were accused of covering leaflets distributed in Borame, which were calling for people to support “an autonomous Awdal regional State”, a region under Somaliland administration. The journalists were released on 6 April and were not formally charged.

10 May 2011

Somaliland police arrested a reporter of the Hargeisa-based daily newspaper *Haatuf*, Ahmed Adan Hirsi, known as Ahmed Dhere, in Berbera. The police informed the journalist that his arrest was ordered by the chair of Berbera district court. Hirsi was immediately taken to Jama-Laye police station in Berbera’s Wadajir neighbourhood.

Somaliland police did not state officially the reasons for the journalist’s arrest but officers at the police station informed the journalist and his family that the arrest followed a complaint from Berbera district commissioner against the journalist, who on 11 May was freed without trail or formal charges against him.

29 June 2011

Faysal Mohamed Hassan of *Hiiraan Online* (HOL) was arrested at around 11:30 a.m. (local time). Puntland police arrested the journalist at HOL’s office in Bossasso. He was arrested following a “false news report” published on HOL, according to the deputy commander of Bossasso district police station, who carried out the operation to apprehend the journalist.

According to highly placed police sources, the police wanted to arrest the journalist, who also works as stringer for ETN TV, on 28 June after they visited the ETN TV office and waited for him at least three hours at his apartment. Hassan failed to appear at Bari regional court in Bossasso on 30 June after the Puntland authorities refused to present him to the court.

However, on 2 July the journalist was taken to first-level Court, where journalists and family members were present. The court found him guilty of “jeopardizing security of Puntland and publishing false news” and sentenced him to a one-year jail term.

Acting on orders from the most senior Puntland government officials, the prosecutor of Bari region, Bashir Mohamed Osman, officially charged Hassan and asked the court to sentence him to three years in prison on charges under articles 219 and 215 of the Somali criminal code.

The chair of the court, Sheik Aden Aw-Ahmed, hurriedly passed sentence. Aw-Ahmed told Hassan’s family and colleagues that they could pay money for the jail term, without mentioning the amount to pay if they decided so. The journalist, who was reportedly threatened with extradition to Ethiopia because he belongs to Somali tribes residing in Ethiopia’s Somali zone, was subsequently given a presidential pardon.

5 September 2011

Journalist Ahmed Muse Mohamed, publicly known as Sagaro, a reporter for *Waaheen* newspaper, was arrested on 5 September 2011 in Buro’ police station and later transferred to the town’s central jail, in Togdheer region in Somaliland. The journalist was arrested without a court warrant on the orders of the Buro’ governor, Yasin Mohamed Abdi. Mohamed was brought before a court in the town on 7 September 2011 and was remanded in jail for a week, after which he was released by consent of the governor without further appearance in court.

The same news bulletin reported that officers attached to the Criminal Investigation Department (CID) in Buro’ town briefly arrested Mahad Abdillahi Farah, a reporter with *Ogaal* newspaper, on 6 September. Farah was held for seven hours in a cell with people detained for

criminal offences.

The motive behind the detention of Mohamed is related to a news report, published by Waaheen newspaper, about a dispute among officials of the Somaliland Ministry of Sports over a sports activity in the region which the governor had failed to solve. The governor accused the journalist of misquoting him, even though the same report was carried by two other leading newspapers, Ogaal and Haatuf.

10 September 2011

Waheen newspaper journalist, Saleban Abdi Ali, was savagely beaten by Somaliland police's Special Protection Unit (SPU) in Hargeisa, Somaliland. The journalist was trying to attend a ceremony in Hargeisa where the acting interior minister was to hand over to the new interior minister, Mohamed Nur Aralle. The SPU soldiers stopped the journalist from entering the hall where the ceremony was to take place.



Saleban Abdi Ali

Two men wearing police uniform badly beat the journalist, before detaining him briefly in Hargeisa detention centre for 10 hours.

One of the SPU officers who watched while Ali was beaten said to the journalist, "You want to be famous? We'll make you famous." One officer told other journalists who were present at the assault that Ali was "an example", adding that when Waheen published "disparaging reports" about "government officials", its reporters should be treated in this way.

10 September 2011

A prominent cleric linked to the leadership of the Al-Shabaab extremist group, Sheikh Abdulqadir Muumin, publicly made a disparaging statement by labelling Somali journalists as "unbelievers" who had been "sentenced to death".

Sheik Abdulqadir, while addressing Al-Shabaab followers in Lower Shabelle region in southern Somalia, referred to local journalists as "unbelievers" and discouraged the Al-Shabaab followers from listening to their radio broadcasts.

"You listen to the radio stations but they tell you lies," he said. "The journalists of BBC, VOA, Radio Mogadishu and other radio stations are apostates and you are not allowed to listen to someone who is sentenced to death," Sheikh Abdulqadir added. He ardently and repeatedly told the militia's followers not to listen to all radio stations in Mogadishu.

Local journalists took that this as a clear message ordering Al-Shabaab fighters to carry out life-threatening attacks on journalists.

27 October 2011

Journalist Mohamed Abdi Kahin, nicknamed "Boosh", working for the online news website Ramaasnews and the privately owned television station Royal TV, was brutally beaten by Somaliland police in the city of Hargeisa after the police accused him of taking pictures of "women protesting".

19 September 2011

Somaliland police beat up and briefly detained Mustafe Sheik Omar Ghedi, editor of the Saxafi newspaper, after they saw him taking pictures of poor people who were resisting a forced eviction by the Somaliland Local Government in Goljano village.

2 December 2011

Transitional Federal Government (TFG) police in Karan district, in north Mogadishu, arrested two journalists working for the privately owned Radio Banadir. The journalists, Salad Tifow Hassan and Qadar Hussein Ahmed, a programme presenter and a programme producer respectively, were arrested by patrolling police officers who refused to accept their journalist ID cards and accused them of committing a security breach. Both journalists were released on 4 December with no explanation given for the actions against them.

On 30 November, Karan district police arrested journalist Hassan Salad Hassan, also known as Hassan Lucky, a Radio Banadir newscaster, according to the station's managers. The NUSOJ received a disconcerting report that police were investigating whether Hassan had any relations with the Al-Shabaab militant group. He is still being detained.

7 December 2011

Hassan Mohamed Yusuf, the chairman of the Somaliland Journalists Association (SOLJA) and former editor of the Hargeisa Star newspaper, was arrested inside Hargeisa District Court by police from Somaliland's Criminal Investigations Department (CID), led by Colonel Dahir Abrar Muse, while he was attending a hearing of the defamation case against him and the Hargeisa Star newspaper.

The complainant is Somaliland's minister for presidential affairs, Mr Hersi Haji Ali Hassan, who claims that he was "defamed" after the newspaper reportedly published an article in the year 2010 on the misappropriation by the minister of US\$500,000. Yusuf denied publishing this article, as he was in Djibouti for medical reasons at the time.

The NUSOJ was informed that Somaliland Attorney General Hassan Adan ordered Yusuf's arrest after the association condemned the

attorney general's decision to temporarily suspend the registration of new private media houses in Somaliland.

Yusuf, who currently works for Radio Hargeisa, was freed after more than two hours of detention at the CID headquarters, according to fellow journalists.

20 December 2011

The Puntland police arrested the managing director of Radio Galkayo, Abdullahi Hersi Adde, in Galkayo city of Mudug Region. Mudug Region division police commander, Abdirashid Aded Gelle (Dhay Lo'aad), carried out the operation with five policemen who took Adde into custody without a warrant of arrest and held him at the police station. The police also temporarily switched the radio station off-air, although it was later allowed to continue broadcasts.

The police did not explain the reason behind the arrest and detention but local journalists said the governor of Mudug Region ordered the arrest on the recommendation of the Regional Security Committee, who advised that the director be arrested and the radio shut down.

Deputy governor of Mudug Region, Ahmed Muse Nur, also confirmed Adde's detention, saying there had been complaints against the radio station in the past several days. He claimed the radio station was "creating confrontation" between the "regional administration" and the people.

Adde's arrest came after the Galkayo District Commissioner, Said Abdi Farah, recently informed the management of Radio Galkayo of an "impending consequence" if the station continued its "lack of cooperation with district administration" by "broadcasting reports against the district". Adde was released on 27 December.

ATTACKS ON MEDIA HOUSES

30 March 2011

On Wednesday 30 March 2011, around 8 a.m., a mortar attack hit the premises of Xog-Ogaal daily newspaper in Mogadishu, badly damaging the printing press, three computers and supplies. Fortunately no one was hurt in the bombardment, though newspaper distribution was in progress at the time of the attack. No one claimed responsibility for the attack, but the mortar is believed to have come from the southern part of the city.

29 June 2011

Radio Jowhar, the only FM station in Jowhar, headquarters of Middle Shabelle region, was visited by three officers of Al-Shabaab who gave the media house two options: 1) operate under the rule of Al-Shabaab by broadcasting from the station Al-Shabaab favoured reports only, or 2) the FM station would be taken over totally.

More than three weeks of dialogue between the management of the radio station and Al-Shabaab failed, and Radio Jowhar was forced to only report on news and information favouring Al-Shabaab. The station was also forced to re-broadcast every day a one-hour programme of Al-Shabaab-owned Radio Andalus in Kismayu.

To enforce implementation of these severe restrictions, Al-Shabaab posted Hamud Sheikh Abdirisq, a member of the Al-Shabaab propaganda team, to daily censor Radio Jowhar programmes.

26 August 2011

A bomb attack was carried on Daljir radio station, injuring a security guard and damaging the premises of the station, according to Abdifitah Omar, director of the station in Galkayo town in the semi-autonomous region of Puntland.

The management of Daljir Radio said the radio was independent and worked for the public. Mr Omar demanded that the authorities investigate the matter immediately.

This was the second time that Daljir radio station

was violently attacked by unknown assailants and no action was taken against perpetrators. The NUSOJ believes that any threat to media houses, journalists and other media workers constitutes an attack on the freedom of the media.

18 October 2011

Privately owned radio station Radio Galkayo was bombed by unidentified assailants in Galkayo town, in the semi-autonomous region of Puntland.

Journalists working for Radio Galkayo said the bomb, which frightened the staff, exploded at the gate of the station. They also stated that no one was hurt in the attack, although the building incurred damage.

The journalists said the culprits escaped from the scene after throwing the bomb at the radio station. Their motive is still unknown and no one has yet claimed responsibility for the attack, but it is not first time that Radio Galkayo and its workers have been attacked. Puntland security forces conducted investigations in the area, but did not arrest anyone in relation to the incident.

30 October 2011

The Puntland president, Abdirahman Mohamud Farole, accused the Universal TV and Somali Channel TV networks of being an obstacle to the security of Puntland, when he addressed the 27th session of the Puntland parliament.

In the course of Farole's speech, reporters and cameramen of the television networks were stopped from covering the session and removed from the precincts of parliament.

On the same day, following the president's speech, the television networks received official letters from Abdillahi Mohamed Farah Aswad, Deputy Minister of Information, Telecommunication and Heritage of Puntland, announcing the suspension, for an unspecified period, of the two networks in the regions controlled by his government.

JUDICIAL PERSECUTION OF JOURNALISTS AND MEDIA

22 January 2011

Mohamud Abdi Jama, editor of the independent Waheen newspaper, was handed a three-year jail sentence and was fined 6 million Somaliland shillings (US\$900).

The judge of the court, Ali Sudi Dirie, found Jama guilty of defaming Somaliland the police chief, Elmi Roble Furre (Kabaal) and the director of the Somaliland Electricity Agency for “defamation and spread of false news”. The basis for the charges was articles by the journalists on the newspaper about alleged reports of “nepotism” in the Electricity Agency and in the police.

Jama was immediately taken to the central prison of Hargeisa. The right to bail was denied, as was the wish of his media house to pay to avoid imprisonment. Somaliland President pardoned Je on 9 February.

30 April 2011

Hargeisa regional court ruled against the editor-in-chief of Saxafi daily newspaper, Abdifatah Mohamud Aidid.

The court announced its verdict in a defamation case filed by Somaliland Civil Aviation and Air Transport Minister, Mohamed Hashi Abdi, in January 2011 charging the editor-in-chief with defamation because of a December 2010 story in the newspaper, which reportedly cited “mishandling” by the civil aviation and air transport minister of a \$10 million donation from the government of Kuwait. This donation was seemingly meant for refurbishment of Hargeisa and Berbera airports.

The journalist was convicted of offending the name and reputation of Minister Mohamed Hashi Abdi and was, as a consequence, ordered to pay a fine of 6,000,000 Somaliland shillings, equivalent to US\$900. The court, which obliged the journalist to pay the fine in 30 days from

the day of the court decision, also warned the newspaper that its licence would be revoked should the paper repeat the same defamation against the minister.

The journalist appealed. On 12 September, the chair of appellate court of Somaliland, Ahmed Salah, confirmed the fine but reduced the amount to US\$700 on condition that he paid this amount a week from date of this decision. Aidid finally paid the fine.

8 May 2011

Somaliland’s Criminal Investigation Department (CID) issued a warrant for the arrest of the editor-in-chief of Saxafi newspaper, Abdifatah Mohamud Aidid.

The CID commander, Dahir Muse Abrar, issued the arrest warrant after Somaliland Civil Aviation and Air Transport Minister Mohamed Hashi Abdi filed a complaint against the newspaper on Thursday, 5 May

The Somaliland minister was reportedly dissatisfied with the decision of Hargeisa regional court, announced on 30 April 2011, in a defamation case filed by the minister in January 2011 against the editor-in-chief of Saxafi, Abdifatah Mohamud Aidid, who went into hiding.

Judiciary Attacks against Media Houses

The independent print media in Somaliland has subjected to pressure tactics for freely exercising journalism. The “Saxafi”, “Hargeisa Star”, “Ogaal” and “Yool” newspapers all face charges of defamation and slander, leveled against them by the Somaliland prosecutor. These media outlets were already visited and investigated by CID officers to prepare criminal proceedings.

IMPUNITY REMAINS TOTAL

High levels of violence and abuse of power against journalists, media houses and their news media organisations, and the subsequent impunity of the perpetrators, are important factors in the very high level of attacks on the media community in general, and journalists in particular.

In 2011, no crime committed against a journalist or media freedom violation was investigated, let alone anyone being convicted of carrying out, or being responsible in chain-of-command terms for, the killing of a journalist, with the single exception of the AMISON admission that its Burundi soldiers were responsible for the death of a Malaysian journalist in Mogadishu.

There is no authority in Somalia that publicly committed to address the rampant culture of impunity within which attacks against journalists were carried out.

Journalists and families of murdered journalists believe that those killed did not die for just criminal motives but for political motives or motives related to their journalistic activities.

Why are there organized crimes against journalists? The answer is very apparent. Journalists are leading members of the civil society, who dare to tell the story of the plight of people, who expose and shed light on ills in society.

Journalists and media rights defenders within the National Union of Somali Journalists (NUSOJ) and media executives who speak out for justice, and accountability for crimes committed against their colleagues, are subjected to threats, harassment and violence.

Victimisation of journalists and the accompanying impunity of the perpetrators are being fostered because journalists and media houses are the tool that reveals the

truth, encourages the tackling of the rampant culture of impunity, promotes accountability, the just rule of law, and judicial protection for those who fight for accountability and justice.

The NUSOJ considers impunity the foremost, albeit silent, enemy of journalists and press freedom.

The union strongly and equally urges both the Somali authorities and the world community that the only substantial way to end threats, harassment and killings of journalists is to carry out impartial investigations to identify the perpetrators, including the intellectual authors, and to prosecute them, thus sending a clear signal that violence and persecution will be punished, regardless of motivation of the perpetrators or their political affiliation.

WORKING CONDITIONS

By Abdiqani Sheik Mohamed, Organising Secretary NUSOJ

A year on, the working conditions of journalists have descended from bad to worse, with increased level of abuse of young and fresh journalists, who are faced with no pay, long and tiresome working hours, no contractual relationship and lack of health care and protection.

Salaries paid, if any, are in the range of \$20 and \$80 per month, but even those paid are paid irregularly and this is mostly done by oral agreement. The pretext of media owners for not paying is basically lack of financial resources or income. However, even if this is, realistically speaking, something the NUSOJ could understand, media owners are reluctant to be transparent and open the books for the union representative to see the income of the media house.

Journalists work unlimited hours and may be called to duty at any time by the media owner, and if the journalist refuses he or she may face the risk of sacking. It has become well known that a working journalist is a soldier on standby duty even at night.

Poor working conditions were exacerbated by lack of health care. The union has been demanding and pressing media houses to cover the health care of journalists when they fall sick or wounded. But at least 13 journalists wounded or who fell sick with different diseases while carrying out their journalistic activity failed to receive health care services. It has fallen to the union or the family of the sick or wounded journalist to foot the bill.

Movements from one media house to another for the sake of better salary or other work benefits intensified in the past 12 months.

Concerning the desperate search for better salaries, the NUSOJ received disturbing

complaints of local media houses barring journalists from getting employment from the BBC and the UN-bankrolled radio station, Bar-Kulan. Local stations sack journalists for attempting to work for the BBC or Bar-Kulan, and also deny journalists a "release letter", although the BBC and Bar-Kulan reportedly require a release letter.

The financial situation of journalists working for private media houses has been worsened by a reduction in donor funding to private media houses to an almost non-existent level after donors diverted funds to the propaganda campaign against Al-Shabaab's hate propaganda. With funds routed through foreign organisations, costs of administration may be substantial, meaning peanuts reach the local media.

Poor working conditions, caused to a significant extent by the poor financial capacity of private media houses which employ the majority of working journalists, continue to be a discernable threat to the growth of professional journalism and press freedom. Professional mistakes as well as paid-for, corrupted or manipulated news and information put journalists in dangerous situations, where concerned forces respond violently and excessively.

Some newsmakers, be they politicians, businessmen or others who want their stories to be covered by the media resort to paying money to journalists so that media publish or broadcast these stories. The prevailing appalling working conditions have forced some journalists to take this money, which is locally known Sharuur, Duub, Transportation, Tea or Children's Milk. This has increased corrupted news and also brings press freedom and ethical problems.

SYSTEMATIC ATTACKS AGAINST JOURNALISTS' UNION

2011 has been a year that the National Union of Somali Journalists strongly complained about violations of human and trade union rights by elements of the Transitional Federal Government. Leaders of the NUSOJ were threatened, arrested, interrogated, union offices raided and robbed.

In January 2011, the Ministry of Information of the Transitional Federal Government started adverse interference in the union's affairs in a bid to impose a \$1500 "registration fee". But the union declined to pay because it deemed this bribery. When the union protested against this, it was told to "stop ignoring the Ministry".

On 13 March 2011, the eve of the union's constitutional General Assembly, the director-general of the Ministry of Information informed NUSOJ officials that a representative of the ministry would visit the union, bringing a form through which the union had to provide the ministry with specific information, including sources and amounts of funding received.

On 14 March 2011, the day of the General Assembly itself, it wasn't a representative of the Ministry of Information who showed up, but a police unit with a district court order, dated 13 March 2011, to immediately suspend the meeting. Officials of the Ministry of Labour who were present at the meeting telephoned the police chief who had sent the soldiers to deliver the suspension order.

With the police chief was the then Minister of Information, Abdikarim Jama, to whom the police chief handed the telephone, since it was his Ministry that was orchestrating the campaign to suspend the union's meeting, so that he could answer questions from the Deputy Minister of Labour, Abdirashid Mohamed. After a brief exchange with the deputy minister of labour, Jama hung up. The NUSOJ managed to

continue the meeting as scheduled after union officials contacted the Banadir regional court about the unfair order to undermine statutory meeting of the union. The regional court chair overturned the order in the same morning.

On 15 March, the Ministry of Information tried to obtain a regional court order banning the president of the Supreme Council of the NUSOJ and the secretary general of NUSOJ from travelling, and confiscating their passports. The court refused, but Ministry officials went to the Attorney General's office to obtain a letter banning the union officials from travelling, and one of the seven deputies of the attorney general issued the letter, which they took to Mogadishu Airport. However, after learning of this letter, the acting attorney general issued another letter the same day, overruling what his deputy had written. Still, the Ministry pressured the airport authorities and the immigration office in order to prevent union officials from travelling abroad, all of which failed.

These events culminated in an armed robbery in May 2011 at the NUSOJ offices in Taleex Street in Mogadishu. Some time after the General Assembly, four men armed with AK-47 guns and two accomplices raided the office. After opening the door, they disarmed the security guard. Once inside, they seized a number of union documents and four computers before escaping in a Toyota pickup. The security guard was ordered not to talk to anyone about the attack, at the risk of his life.

On 23 May, two gunmen came back to the offices and threatened three NUSOJ officials who had gone to investigate the robbery. The gunmen warned that anyone who came to the offices of the union would be killed. "Anyone who does not like his life, let him come to the offices of the union to be killed," said one gunman. The three union officials were also told they would

risk their life if they continued to represent the union and its leadership in Somalia.

On the morning of 13 November, secret police raided the new NUSOJ offices in Mogadishu without a warrant and briefly detained Abdiqani Sheik Mohamed, NUSOJ organizing secretary.

Two police officers armed with pistols entered the union offices, arrested Mohamed and took him to the Criminal Investigations Department (CID) headquarters, where he was detained for some 90 minutes before being released. After union leaders, MPs and civil society members went to CID HQ, its officers told them that top police officials were not aware of the reason for the raid and arrest. Police immediately arrested one of the two officers and continued to look for the other officer and promised to take action, though no action has been taken to date by the CID against violating police officers.

On 29 November, the CID summoned the NUSOJ's organizing secretary, Abdiqani Sheik Mohamed, to their offices in Mogadishu for the second time in a month.

The interrogating officer demanded that Mohamed and senior vice president of the NUSOJ Supreme Council Abdi Aden Guled, who accompanied him, produce the union's registration papers showing they were operating legally, saying that the CID was carrying out a "criminal investigation" concerning the union. "After the investigation, we will decide if we should charge you with a criminal offence," the officer told the men. Guled is also the editor-in-chief of Xog-Ogaal newspaper, the first independent newspaper established in Somalia after fall of the military government in 1991.

The union leaders were asked about a press release the union issued on 13 November detailing a raid on the union's offices and Mohamed's brief detention at CID headquarters on the same day. The interrogating officer, who

asked both Guled and Mohamed about the internal management and finances of the union, asked a series of questions regarding the work of the secretary general and the president of the Supreme Council of the union. The officer told Guled and Mohamed that the CID had ordered immigration at Mogadishu airport to bar them from travelling until criminal investigations were concluded.

Other NUSOJ leaders, along with several MPs and civil society members, camped out at the CID offices demanding to know why the union officials had been summoned and interrogated. Mohamed said the interrogating officer asked him more than 300 questions regarding the NUSOJ, its officers and their activities.

As freedom of expression was grossly violated, so were the corollary rights of freedom of association, assembly and movement.

There has clearly been some centralized direction to the security forces to take such action against the union and its leaders.

This clear pattern of attempting to suspend legitimate union meeting, to impose a ban on union officials from leaving the country, efforts to confiscate passports of union officials, to raid and rob union offices without police action, intimidatory interrogations of union officials, fraudulent use of the name of the union by the State Radio, and maliciously disparaging statements from government officials confirms that TFG elements have been responsible for serious violations of fundamental rights, in particular of the freedom to organize a trade union, and the right of journalists to assemble, move and express themselves without prior approval of the Ministry of Information, or any other governmental authority.

PERPETRATORS OF ATTACKS AGAINST PRESS FREEDOM

There has been a shift in the perpetration of attacks on journalists and of press freedom violations in Somalia in 2011, compared with year 2010, as 2011 has witnessed the institutionalisation of attempts to infringe journalists' rights and freedom.

Transitional Federal Government (TFG) authorities emerged as the worst perpetrators of attacks on journalists and of press freedom violations in south-central regions of Somalia by committing largest number of violations.

The TFG ministries of information, labour, youth and sport, in addition to security powers, have been responsible for arrests of journalists, persecution of journalists through initiation of bogus criminal proceedings against them, intimidation of journalists and media houses through demand that they pay unlawful registration fees, criminal interrogations of journalists' leaders, censorship of media houses, travel bans on journalists and even alleged killing of a journalist by TFG security officers.

Somaliland authorities emerged as the worst perpetrator of press freedom violations in 2011 in northern regions of Somalia by taking the largest number of journalists and media houses ever in one year to court for criminal defamation, libel, and by false as well as unwarranted arrests, beatings and intimidations.

Never have Somali authorities – be they TFG or Puntland – taken the legal battle against journalists and print media so far as they have in Somaliland. The new authorities of Somaliland have thus developed hostile relations with the media community.

Puntland, though less frequent than the TFG and Somaliland in committing press freedom violations, stands accused and responsible for the use of arrests under Somalia's old criminal

law as well as the anti-terrorism apparatus to nail down journalists. While it is known for temporarily suspending media houses and journalists from work, Puntland did not investigate attacks on journalists and media houses.

Surprisingly, the callous war of the Al-Shabaab extremist group against journalists and media houses reduced in the year under review, with one journalist killed in a suicide attack, one media house taken over illegitimately, the making of deadly statements and restrictions on journalists.

Not that Al-Shabaab have any mercy for journalists and media houses, but their lethal war has been reduced due to political and military pressure and defeat that has resulted in them losing ground in Mogadishu, together with internal ideological differences and reduced financial backing.

African Union peacekeeping forces in Mogadishu were accused of responsibility for the killing of two journalists, but so far they have only admitted to one, that of the Malaysian journalist. Meanwhile, Ahlu Sunah Waljama was accused of carrying out attacks on journalists in regions under their control.

UNPROFESSIONAL CONDUCT OF TFG-CONTROLLED MEDIA

The Transitional Federal Government (TFG), with the help of some international partners, re-established Radio Mogadishu as a public media with a public mandate to provide fair and equitable coverage of news, current affairs and information to the people of Somalia. But several members of the media saw it as a propaganda tool to counter the Al-Shabaab propaganda.

Certain political figures within the TFG benefited from unfettered access to the broadcaster for propaganda purposes. This situation directly conflicts with Radio Mogadishu public service mandate to provide fair and equitable coverage of all news and opinion at all times in its pursuit of promoting the free flow of information in the public interest.

Radio Mogadishu is known for providing partisan information concerning internal wrangles that the TFG president has had with former prime minister Abdirashid Ali Sharmarke and the speaker of parliament Sharif Hassan Sheik Adan, favouring the president's side. Also ministers and MPs who do not favour the political agenda of the president, rarely get covered.

Radio Mogadishu journalists and presenters have been discouraged from reporting on Ministers or parliamentarians who are not politically allied with certain dominant political groups, through the use of the Minister of Information's powers over Radio Mogadishu. This resulted in the loss of pluralism within the radio, a diminished quality of content and broad representation, all of which have compelled some within the society to believe that it has become a mere propaganda tool.

Those who control the radio station have also used their political alliance as sources of information. One journalist who did not want to be named for fear of his job and security

stated that voices blaming the TFG leadership cannot be aired on this radio because they are "seditious and discourteous" to our "leaders".

This TFG media has also had a tendency to attempt to tarnish the reputation of individuals or organizations disliked by TFG elements that control this media, especially those who represent national independent institutions.

One senior journalist at TFG's Radio Mogadishu, who spoke to NUSOJ on condition of anonymity because he may face immediate sacking and danger to his personal security and that of his family, said "We are not allowed to tell the truth, particularly if it is bad for senior government officials and the TFG forces."

The radio station is known for silencing all dissenting voices. The only times that the station has aired critical voices or reports has been used to deny reports accusing the TFG of abuse or malpractices or making targets of political vilification, including journalists. News content on all stations has also remained heavily biased in favour of the TFG top leadership, though it will be different if there is infighting among them.

The TFG's Ministry of Information, which has just established National Television, has performed little better than the Al-Shabaab-controlled propaganda machine that controls Radio Andalus and Furqaan Radio, which constantly air inflammatory speeches and language inciting hatred, disaffection and intolerance. But reports on both TFG radio and TV have been characterized by unethical journalistic conduct, including lack of proper sourcing, and lack of impartiality in reporting, of fairness and of objectivity.

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