

Safe to Report – Towards Personal and Professional Safety for Journalists in Somalia



Reaffirming, Recommitting and Repositioning efforts to advance the UN Plan of Action on the Safety of Journalists and the Issue of Impunity

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**The year 2022 marks the
10th Anniversary of the UN
Plan of Action on the Safety
of Journalist and the Issue
of Impunity**

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Overview of media and journalism development in Somalia



1.1. Overview

The evolution of the media in Somalia can be broken down into three distinct periods – colonial, post-independence, and post-military rule. A feature of all three eras, stretching back nearly a century, is that media in Somalia has operated under the shadow of tight control by the government and unsafe working conditions.

The colonial era saw a media mainly controlled by the colonisers of Somalia in their respective sectors. News platforms were relatively free because they were produced by and served the colonial audience. Local language programming was almost unknown. This was followed by an era during which the media, both print and broadcast, were owned and exclusively controlled by the first post-independence civilian government.

This period was followed by 21 years of military rule that placed the media and its workers under tight state control and mainly operated as the mouthpiece of the military regime headed by the late Mohamed Siad Barre.

Until the collapse of Mohamed Siad Barre's regime in 1991, private media was virtually unknown in Somalia. The removal of Barre's regime and the subsequent outbreak of a devastating civil war saw the mushrooming of private media outlets in the country.

At first this was mainly the privately-owned print media that emerged among which there was a plurality of views and political affiliations. At one point, there were more than 60 print media titles circulating in Mogadishu alone. There were also a few radio stations, broadcasting on shortwave (SW radio frequencies) that were primarily used by different warring factions to advance their propaganda.

The year 2000 saw the emergence of a number of privately-owned broadcast media, mainly radio

stations using frequency modulation (FM) broadcast technology. This was followed by the emergence of television networks and countless online news websites that reach audiences inside and outside the country.

While this introduced a welcome media pluralism in Somalia, it has done little to improve the safety of journalists. While it was already unsafe to work during military rule, the situation became much worse when the civil war broke out. In one instance, four journalists working for government-controlled Radio Mogadishu were removed from the studio during a live broadcast, taken outside and summarily executed by one of the factions. Safety and general working conditions and welfare for journalists have since deteriorated further.

The spontaneous opening up of the media space with diverse media outlets and many more media workers joining the profession also came at the price of a degradation of professionalism. At first many of these media outlets in the 1990s were allied to or owned by factions in the civil war and largely adopted postures inimical to the principles of a free, ethical and professional media.

But even those private media outlets that emerged from 2000 onwards did not improve safety or working conditions. Subsequently, Somalia earned the dubious distinction of being the deadliest place to be a journalist in Africa in the past 10 years. The UN Plan of Action for the Safety of Journalists and the Issue of Impunity, supported by a coalition of international partners, was a direct response to the alarming incidence of work-related deaths, injuries, disease and post-traumatic exposure of journalists and other media workers in the country to conflict.

This reckless abandonment quickly attracted retaliation in the form of the promulgation of restrictive media laws that reinforced an archaic and repressive Penal Code. The absence of a comprehensive National Occupational Safety and Health Workplace Policy created further uncertainty for legal safety of journalists.

1.2. Multi-dimensional risks facing Somali journalists

The real oppression to the media started during the military regime which posed the main threat to journalists in Somalia if they attempted to exercise professional independence. The breakdown of civil order after the ousting of the military regime and subsequent civil war multiplied and heightened the threat level of work-related risks facing journalists. Since then, there have been amplified legal, physical, social, economic and gender-based risks that are detrimental to the safety of journalists in the country. For instance, journalists do not only have to deal with repressive and violent actions from authorities today, but also risks to their physical wellbeing from a plethora of non-state actors, in particular, armed terrorist groups.

Physical safety is the foremost risk facing Somali journalists. From 2012 to 2022, fifty-four (54) journalists have been killed in Somalia. These deaths are attributable to targeted assassinations, suicide bombs as well as crossfire. A majority of the journalists killed (92 per cent) worked for the broadcast media (radio and television) while six per cent were working for the online media and the remaining two per cent worked for news agencies. These killings were work-related retaliation. In addition, fifty (50) journalists were injured in the line of their professional duties. Many more have been facing routine threats, including death threats as well as endless harassment by state organs and officials, extremists and even members of the public. Many have been arbitrarily arrested, prosecuted and convicted on trumped-up charges. Others have **fled the country**.

Across the country, journalists increasingly face the risk of prosecution as the legal regime is skewed towards control rather than facilitation and protection of journalistic freedoms. Even though Article 18 of the provisional Somali Constitution spells out the right to freedom of expression and opinion for citizens and journalists alike, its spirit is undermined by subsidiary legislation that restricts these rights and makes it practically impossible to exercise them. Specifically, there is a wide gap between the intended spirit of constitutional

provisions and the daily conduct and practice by the authorities and their agents.

Efforts to reform the penal code and to align it with the provisional constitution have been a failure and largely unsuccessful. The Penal Code, an outdated law, has been the preferred legal tool used against journalists because of its default deference to the state. It is institutionally biased against media professionals and in favour of the elite and those who hold power. Many journalists have been convicted as charged under these restrictive provisions, making the working **legal environment unsafe for the free functioning of the media and its workers**.

It contains provisions outlawing insult, false news, sedition and certain types of defamation, that expressly criminalise various types of expression, preventing journalists from reporting fairly and safely on matters of public concern and citizens from debating such matters.

In addition, the pervasive lack of job security is a threat to professional journalistic ethics. Journalists must weigh the personal price of sticking to professionalism against job insecurity, poor pay, lack of welfare guarantees, high risks and hazardous working environment. This is aggravated by lack of occupational safety and health provision. Somalia has no national policy to implement the domestication of ILO conventions 155 and 187 into law.

There are also knowledge and skills gaps on occupational safety and health among Journalists as well as incessant threats to physical safety. These combine to create an untenable professional environment in Somalia. As a result, both professional motivation and safety have been adversely undermined.

Many journalists are fearful for their own safety and don't see professionalism as bringing any immediate rewards. Many of them work without contracts of employment and social security coverage, making them particularly vulnerable to arbitrary and detrimental actions by employers. This job insecurity that exacerbates risks makes journalists economically vulnerable and more liable to wide range of abuses including verbal, physical and sexual violence.

1.3. Historical and contemporary factors driving violence against journalists in Somalia

Historically, the media in Somalia, has been perceived as a tool that should operate only under tight control of the authorities or other actors in the society. Despite the existence of civil avenues of redress for the occasional failure by the media, violent retribution is a more common response to perceived shortcomings by journalists.

When Somalia descended into chaos and civil war, the rule of law was replaced by the rule of the gun. Many chose to express their displeasure with journalists with deadly violence and enjoyed immunity from consequences.

The police often physically assault journalists as well as confiscating and destroying media equipment. This has set the tone for anybody with a grievance against the media and has generally sent the message out that the media are vulnerable. The authorities appear not to care about what happens to reporters and camera operators. This has encouraged public servants at all levels, as well as non-state actors such as violent extremists and even sometimes members of the public, to physically attack journalists. The lack of accountability for violence against journalists reinforces sustained violence against them.

Another critical factor is the failure to domesticate and implement international conventions and human rights instruments that Somalia has ratified. This is evident from the absence of occupational safety and health policy at workplaces, especially in the media industry and at national level.

1.4. Gender dimension of violence against Somali journalists

Female journalists in Somalia face unique challenges as a result of their gender, maternal and social responsibilities as well as cultural perceptions of their role in society. While they are victims of the violence directed at journalists in general, female journalists

face forms of violence unique to them. Police do not discriminate between men and women when violently dispersing journalists.

Women journalists face sexual harassment and assault at the workplaces as well as online harassment. The sexual harassment comes from both male colleagues and the public, creating a particularly toxic working environment for female journalists. Women journalists endure sexual abuses such as micro aggressions, unwelcome jokes, questions about their private lives, unwanted touching and body shaming. All contribute to workplaces (and broader working environments) that are unsafe.

Female journalists have to deal with waves of online gender-based harassment as they receive unwanted messages, sexualised photos and hate messages. This kind of risk creates emotional distress that causes women journalists to leave the industry and the profession as well as simply falling silent.

This attitude to female journalists is often informed by the conservative and retrogressive view in Somali society that a woman's place is in the home, caring for children and attending to household chores.

1.5. State responses to violence against journalists

Over the years, the National Union of Somali Journalists (NUSOJ) and its domestic, regional and international partners, have consistently brought to the attention of the government of the day in Somalia, the issue of violence against journalists. The response has been at best ambivalent and more frequently to deny that there is a problem. This is exacerbated by the absence of uniform standards of response to issues of journalists' safety across Somalia's constituent parts.

Inflammatory statements made by top politicians accusing the media of working with extremist elements of Al Shabaab or working for a particular politician/administration, best illustrate the flippant nature of political commitment to freedom of expression and journalistic freedoms in general.

Top federal government leaders have often expressed their desire for retribution when the media have made them uncomfortable. In a few cases, errant officials who violently attacked journalists have been arrested

and disciplined. But this is far from consistent and often only follows serious protest by media representatives. NUSOJ filed a legal petition seeking justice for the killings of more than 55 journalists in May 2020. In a favourable ruling, the court ordered the Attorney General to conduct investigations and bring the case to the court. In response the **Attorney General appointed a Special Prosecutor** on 8 September 2020.

Since then, there has been little concrete evidence of credible investigations, due to limited capacity and support to the office of the Special Prosecutor. Punishment of abusers or killers of journalists remains weak while stated legal reforms to liberate media have often instead tended to reinforce the existing oppressive and repressive legal regimes.

Enforcement of journalists' safety and curtailment of risks against them is further undermined by the poor record of implementation or execution of federal decisions in the Federal Member States (FMSs). This suggests a lack of a common and coherent policy implementation from the Federal Government and FMSs. There is no common ethos about freedom of expression and journalism across Somalia. Authorities in each region tend to do what suits them on different occasions. The tragic deaths of many of these journalists could have been prevented had Somalia's federal government worked with trade unions and employers when it was first established in 2012 to develop a national policy on occupational safety and health.

Domestication of the ILO conventions on occupational safety and health and ILO convention 190 on violence and harassment, as well as other international and African human rights initiatives, is badly needed. It has not been forthcoming, however, thereby leaving working journalists with no meaningful policy or legal protection. There is an urgent need to promote a national preventive safety culture for media workers within the framework of the ILO instruments on occupational safety. Doing this would start to realise the **National Action Plan on Safety of Somali Journalists and the UN Plan of Action on Safety of Journalists and the Issue of Impunity**

1.6. Culture of impunity in Somalia and its causes

A long period of abuse of rights has bred an insidious culture of impunity. Because of the prolonged period

when different authorities and successive administrations enforced illegal orders, lines of accountability for violence against journalists have broken down. Certain sections of the security agencies view journalists as adversaries. This ethos lies at the core of public officials' treatment of journalists.

The attitude of certain administrations in Somalia, and the failure to punish those who would undermine press freedom and those who direct violence at journalists, has set the tone for everyone else. It has sent out the message that journalists don't matter, and they are on their own. Also, because the primary perpetrators are agents of the authorities, there's active obstruction of justice, even when abusers are identified, and cases filed.

When the perpetrator is a non-state actor, for example armed terrorist groups or organised militias, they usually become a law unto themselves in their home territories. State authorities dare not try to hold them to account for fear of becoming victims themselves. As a result, many non-state actors evading justice are thereby encouraged to continue committing crimes against journalists.

The criminal justice system in the country is very weak. As a result, meaningful action against perpetrators and violators of journalists' rights and safety is rare. When the judiciary acts, there is no automatic follow up in respect of enforcement. This has bred a culture of impunity that encourages anyone with a grievance against journalists to take the law into their own hands.

The absence of policies for safe workplaces and lack of adherence to international occupational health and safety conventions allows employers to ignore their responsibilities for making workplaces safer, thereby discharging their duty of care. This situation is nurturing an environment where no one at enterprise level is held accountable for work-related deaths, injuries or diseases.

The overall effect on the media in Somalia has been to radically curtail expectations of safety and professional development. Journalists have resorted to self-censorship and self-preservation against the multiplicity of risks directed at them.

1.7. Legislative framework relating to media freedom: progress and setbacks

In August 2020, immediate former President of Somalia Mohamed Abdullahi Mohamed signed into law the amended Media Law. Highlights of the amended law are: explicit provision for the rights to freedom of expression and media freedom, including journalists' rights to security and access to information. It also prohibits censorship and forced reporting. But it maintains severe restrictions on journalists' rights and the right to freedom of expression. It also includes clauses that impinge on human rights, freedom of expression, as well as potentially criminalising reporting. Contrary to international practice, the law gives the government sweeping powers and oversight over media organisations.

The text of the legislation describing crimes that are potentially subject to criminal sanctions – such as reporting on issues conflicting with 'the national interest', false information, incitement to violence and clannism and dissemination of propaganda – are vaguely worded and open to misinterpretation and abuse by law enforcement agencies.

The law does not protect confidentiality of sources and imposes unspecified fines on journalists who contravene its provisions. It also maintains defamation as a **criminal offence and prosecution and penalties for failing to pay fines** set in the law.

The law also gives the Ministry of Information a mandate to regulate the media and register media practitioners. Media outlets are required to pay a fee prior to registration while all media outlets are required to re-register within 60 days of the law coming into force.

While in theory the Somali Media Council is independent, the amended law confers supervisory powers on the Minister of Information, including the power to grant government approval of the membership of the Council, and to suggest changes to the Council.

Although the 9 members of the Council are members of the media and civil society, they are appointed by the political authority, and the budget of the Council must be submitted to the Ministry of Information that also directs the work of the Council. The law states that the Council is independent of "political and state intervention" as well as private interests, but no mechanism is set up to safeguard this independence, which therefore seems

vulnerable.

The Council will have the power to develop an ethical code of conduct with the Ministry of information, in consultation with media organisations, and to ensure that this code is observed by journalists and media. The Council will be able to take disciplinary measures against journalists, and even to revoke licenses of media.

Given the fragile independence of the Council, these powers are too broad. The lack of clear definition in respect regarding the disciplinary powers of the Council, and the conditions to revoke a license, could lead to arbitrary restrictions to the activities of journalists and media.

The process provided for in the media law regarding sanctions seems to allow the Council to issue fines, but does not mention any right of appeal or any kind of due process. Any kind of sanction by the Council should conform with the principles of proportionality and necessity as defined by article 19 of the International Covenant on Civil and Political Rights (ICCPR), and be appealable before a competent court.

The law fails to align with the spirit of the constitution of Somalia. The **outdated Penal Code** still has a severe impact on the legal safety of journalists. Several journalists have been arrested and tried on charges based on the Penal Code. This is having a negative impact on the right to practice journalists' chosen occupation legally, and safely as well as the enjoyment of freedom of expression and media freedom. This creates a vacuum that continues to be used to the detriment of the media and journalists.

1.8. Media and youth

Demographically, the media in Somalia is very young. As many as 75 per cent of journalists in practice are young adults. This is positive in the sense of vigour and ambition. Every year throngs of young entrants are drawn to journalism, in part because it is an open occupation. The young journalists identify with the future and are willing to fight for reforms.

This is particularly interesting since the young adults have joined knowing full well that: there might be severe risks to their lives, and they face operating in harsh economic conditions. Happily, for the moment, the burning desire to be successful

journalists is motivating a sufficient cohort to fill the reporters' ranks.

The downside is that most are inexperienced, and poorly trained in reporting. Ways to work safety feature in the skillsets of few entrants to the industry. Being economically vulnerable exposes many to exploitation in the unregulated working conditions. This imposes a constant demand for training, which NUSOJ and others have championed, trying to offer professional capacity-building courses, as well as briefings on such key topics as professional excellence, social engagement, and responsibility. More than 600 journalists benefited from different professional capacity-building trainings.

1.9. New political dispensation: implications for journalists' safety

The National Union of Somali Journalists (NUSOJ), founded in 2005, is the first independent trade union organisation to emerge after the removal of the military regime. It has rallied the profession to respond to the challenges with a program covering a wide range of issues affecting the practice of journalism in Somalia, from professional development of the industry, gender rights, youth, safety, the legal and rights environment, and labour rights, including fair pay.

In May 2022 key state institutions were restored, among them the two houses of the legislature and an elected presidency.

This has created foundations for further engagement with the political class on key issues affecting the media. More importantly, NUSOJ hopes that the Federal Government will enact the uniform application of international standards that Somalia has already ratified, such as the ILO conventions on Occupational Safety and Health as well as the realisation of the National Action Plan on the Safety of Journalists (NAP) and the UN Plan of Action on Safety of Journalists.

A major limitation to protecting the occupational safety of journalists and other media workers has been the absence of effective and objective enforcement of these international standards, as well as up-to-date policies and laws addressing safety at

work or providing remedy and redress for death or injury at work. NUSOJ's efforts will focus on ensuring that federal member states abide by federal law and policies while mechanisms for enforcing accountability at federal level crystallise and take root.



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Best practice for protecting journalists in Somalia

Protecting and promoting safety of journalists is a multi-dimensional undertaking that spans the political, legal, environmental, social, and professional domains. It needs the involvement of multiple stakeholders. While much hinges on the personal, organisational and professional realms, the operation and interaction of the entire media ecosystem is critical to creating a safe working environment. Different actions or initiatives by the various actors at different levels must all converge around common goals and operate using a common scale for measuring success or failure.

Best practices start with the individual journalist's consciousness and perceptions about risk, followed by professional and safety-specific training measures at the organisational or enterprise level. This is then complemented with advocacy campaigns at the industry level, commitment at the political level and ensuring a fair and enforceable legal regime, that does not allow impunity to thrive.

2.1. Individual journalist solutions

At this level, the priority should be to ensure that through training, journalists are empowered to anticipate, recognise, and mitigate risk. Through professional socialisation and initiatives by employers, NUSOJ and professional associations, all journalists in practice should receive adequate safety training that addresses key safety points and develops the capacity, consciousness, and aptitudes to resist orders that compromise their safety. Security-threat assessment should be a key component of any training at this level, especially since most of the practicing journalists are young adults who urgently need to develop their safety and security skills. Journalists must also have the right to refuse assignments where they believe there is a significant risk to their safety. One key missing element among journalists and local news media

organisations in Somalia is routine risk assessments. Failing to adequately consider risk, both inside and outside the newsroom, often results in fatalities. In contrast, major international news media organisations far more systematically consider the risks faced by their staff and freelancers.

Making journalists extremely vigilant in covering terror attacks is very vital. The repeated methods of Al-Shabaab show why training and planning are so important. Often when this organisation carries out an attack, one blast is followed by another. An example of this took place in Mogadishu on 29 October. The second blast was the deadlier, because it killed the journalists and most of the civilians as they came to investigate the first blast.

2.2. Enterprise-level solutions

Through awareness campaigns and regulatory requirements, obligations should be imposed on media employers to provide first-line safety nets for journalists. Employers should make concerted efforts to get basic safety equipment at the workplace either through their own resources or seek donations. This should be a licensing requirement by authorities and other regulatory regimes. Journalists must instinctively demand protective equipment such as bullet-proof vests and helmets for field trips, as well as identification. Employers should do everything possible to supply these to journalists.

Employers also have an obligation to provide psycho-social support and trauma counselling for affected working journalists. Group insurance covering risks such as injury and death while on duty should be obligatory, particularly given the context of the gradual establishment of insurance schemes in Somalia.

Newsroom managers, and media employees in general, should be trained, and regularly updated, in security-threat assessment, working in hostile environments, contingency planning and post-event analysis.

2.3. Specific practices for female journalists

While they face the same level of risk as applies to male journalists, for both biological and social reasons, female journalists in Somalia face unique risks and threats. These must be identified, isolated and specifically addressed by any programs that address journalists' safety. Female journalists' safety is intrinsically linked to societal attitudes towards women.

Sexual and Gender Based Violence (SGBV) is a serious issue in Somalia that unfortunately continues to grow in the news rooms and outside the media. Female journalists have reported psychological violence applied through threatening phone calls and stalking. The danger of sexual violence is real while sexual harassment at the workplace has been reported.

With such a wide array of threats, mere training of female journalists in the newsroom or through workshops may not address all the safety challenges they face. Public-awareness campaigns tackling societal biases against women and pushing the authorities to improve protection of women are essential to any far-horizon interventions.

All media houses should develop gender-sensitive policies that include safety awareness tips for female journalists, and clauses that address gender vulnerabilities in journalists' professional codes of ethics. In particular this should include a process to report and deal with gender-based issues that recognises and mitigates the challenges to female staff of raising such issues. Editors and employers in general must be made aware of actions that expose women to any form of risk during the course of duty.

2.4. Union-led Initiatives

Since its founding in 2005, the National Union of Somali Journalists (NUSOJ) has been at the forefront of initiatives to develop and enhance the capacity of

Somali journalists in several areas including professional ethics, specialised reporting and safety.

Several training sessions, especially on safety and healthy working environment, have been conducted both in the capital Mogadishu and across all Somalia's federal member states. Although journalists received basic safety training, the COVID-19 pandemic presented a completely new challenge. Besides issues of their personal safety, journalists were not equipped to report on the pandemic without exposing themselves to danger. They were also not trained to report in a manner that did not reinforce and fan dangerous discriminatory myths and negative perceptions especially of foreigners. **Working with IOM, NUSOJ produced a COVID-19 handbook** on safe and responsible reporting on the pandemic.

The Union has also organised a **Consultative Forum on Safety and Security of Journalists** in September 2022 to address safety and security issues and the problems of impunity. A National Action Plan on the safety of journalists was developed at the end of the consultative forum.

NUSOJ and UNESCO trained several lawyers, judges and security forces on the issues of the safety of journalists and freedom of expression. This resulted in close cooperation between the journalists and the judiciary. These events created the foundation that enabled the Chief Justice of Somalia to attend several activities by UNESCO and NUSOJ.

In the age of digital penetration and surveillance, digital security is very important for journalists. Journalists are vulnerable because they are prime targets for tracking and surveillance by both state and non-state actors. Several of journalists' social media accounts were attacked or hacked. The union is now studying the possibility of organising training that equips journalists with skills for detection of digital intrusion and basic safety precautions to protect their digital security.

Lastly, NUSOJ has led a campaign for fair pay for journalists and other media workers because that deficiency creates a serious professional vulnerability and safety gap. Decent pay for journalists is inseparable from job security and is the bedrock for journalists to operate effectively.

2.5. State-led initiatives (Federal Government and Judiciary)

The new Federal Government of Somalia stated that it is taking concrete measures to safeguard the safety and security of citizens, especially with regard to the safety of journalists. Dr. Mohamed Ahmed Sheikh (Doodishe), Federal Minister of Internal Security, addressed a Consultative Forum on Safety and Security of Journalists in Mogadishu in September 2022 and stated the unequivocal commitment of the government to protect and enhance the safety of journalists.

The appointment of a Special Prosecutor for Crimes Committed Against journalists at the Office of the Attorney General is a significant step. For the court to also receive an application concerning the killing of 55 journalists and then adjudicate it favourably, thereby ordering investigations is an unprecedented step, given the state of the judiciary in the country and the politically motivated killing of journalists.

The active engagement with journalists, NUSOJ and UNESCO by the Chief Justice (who is also the President of the Supreme Court of Somalia) signals an emerging commitment to protect the rights and safety of journalists at the highest office of judiciary in the country.

The Federal Ministry of Labour and Social Affairs recently concluded consultations and discussions with the Federation of Somali Trade Unions (FESTU) and the Somali Chamber of Commerce and Industry (SCCI) in developing a National Policy on Safety and Health at Workplace which will address several occupational safety crises that working journalists face daily.

2.6. Civil-society Initiatives

The interests of journalism and civil society converge around their mutual desire to facilitate development and social change. NUSOJ has actively worked with civil society organisations such as the Federation of Somali Trade Unions (FESTU), Somali Chamber of Commerce & Industry (SCCI), human rights defenders and women's organisations to support campaigns that advance the cause of freedom of expression in

Somalia. Civil society has helped mobilise both solidarity and technical support for journalists, especially in the campaign for legal reform. This process has enhanced the safety of journalists and heaped condemnation on targeted violence inflicted on journalists. For instance, SCCI provided some financial support to media houses affected by the crisis and conflict in rebuilding the media and it back in the operations.

Alongside in-house efforts by NUSOJ, civil society has been crucial in establishing and maintaining effective mechanisms for monitoring and reporting violations of human rights specially journalists' rights and safety.

International and African civil society organisations such as the International Federation of Journalists (IFJ), Reporters Without Borders (RSF), the International Trade Union Confederation (ITUC), African Regional Organisation of the International Trade Union Confederation (ITUC-Africa), Federation of African Journalists (FAJ) as well as the East and Horn of Africa Human Rights Defenders Project (DefendDefenders), have been instrumental in safeguarding the safety and security of journalists in Somalia and provided both financial, technical and solidarity support. News media organisations – mainly international media organisations like Aljazeera Media, BBC, Reuters – provide trainings on hostile environment operations for their journalists, as well as providing care for those journalists who are injured. Local news media organisations struggle to provide such support to their journalists.

Also, worth noting that the more diverse is the media, both in respect of plurality of perspectives and workforce composition, the more professional and safer it is likely to become. Journalists who earn a reasonable living and have choices about where they work will naturally be more likely to act to protect their own safety and be less open to corruption. A precarious work environment has the opposite effect.

2.7. Monitoring and reporting mechanisms on violence against journalists

Generally, effective monitoring and reporting of violence against journalists or violations of their rights, follows typical loops comprising four levels – organisational, professional (as in an industry or group association), national and international.

NUSOJ has carried out systematic monitoring, investigation, documentation, and reporting of the attacks against journalists and media freedom violations for many years. This is part of a trusted framework now used and relied upon by international media-freedom advocacy organisations and intergovernmental bodies such as the African Commission on Human and People's Rights (ACHPR) and the UN Human Rights Council.

NUSOJ believes that a new addition should be made in the reports, reflecting on compliance with the ILO conventions on occupational safety of working journalists. Such assessments should also be included as part of Somalia's annual reporting obligations to the ILO in respect of these conventions.

At the organisational or employer level, internal mechanisms for reporting abuse, including the safety of journalists must be established. These should be the first point of report for safety-violation victims. Such procedures have the capacity to capture and address violations within the workplace itself. Somalia's moribund National Safety of Journalists Mechanism should be revived as a multi-stakeholder, journalist-centred, mechanism that can effectively tackle safety and security challenges as well as enforcing Somalia's national and international obligations to protect journalists. These should include ratified conventions, such as those of the ILO.

While it is a good idea in principle, the Somalia National Mechanism for Safety of Journalists has failed to gain the expected traction because journalists lack a sense of its ownership. Although they are supposed to be its primary beneficiaries, its composition and administration put journalists on the periphery, leaving them largely marginalised from its decision-making structures. A new structure that allows journalists to set their own agenda and define their safety priorities would go a long way in boosting journalists' involvement in its activities.

2.8. National, regional and international instruments in promoting safety of journalists that are relevant to Somalia

Safety of journalists cannot exist in a moral, cultural, or legal vacuum. Best practices promoting safety of journalists work best when embedded in a positive cultural mindset that comes with a sense of moral obligation to embrace universal values. Somalia requires a national law enshrining the safety of journalists and safeguarding those who blow the whistle on violations, and thereby allow miscreant publishers and broadcasters to be shamed and punished.

Somalia has a Bill of Rights in its **Constitution**

Article 13 guarantees the right to life. Article 15 safeguards the right to liberty and security of the person. Article 18 protects the freedom of expression and opinion, and Article 24 enshrines in law the rights of all workers to fair labour relations and the right of women workers (including female journalists) to have a special right of protection from sexual abuse. In practice, the culture of compliance is poor.

Promoting safety of journalists should start with implementation of the domestic constitutional order and legal framework, to establish the extent of the compliance of national laws with the current provisional constitution of Somalia and with international instruments. The international instruments and benchmarks most relevant in this regard are:

- **the Universal Declaration of Human Rights (UDHR)**
- **the International Covenant on Civil and Political Rights (ICCPR)**
- **and the African Charter on Human and Peoples Rights (ACHPR)**

Article 19 of the universal declaration on human rights states that "Everyone has the right to freedom of opinion and expression". This right includes "freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

The same right is emphasised in Article 19 of the ICCPR which also provides strict criteria that Governments need to comply with when restricting freedom of expression. Article 20, which follows

immediately afterwards, sets the limits with the prohibition of incitement.

A second and important best practice is to ensure that violations don't go unreported. This requires the establishment of a national safety mechanism whose membership is cross-cutting and includes representatives of journalists, civil society, the government, security services, legislature, and legal profession.

A national safety mechanism of that nature is important if it can work as a platform for minimum engagement and consensus on matters affecting the safety and security of journalists. It adds pressure to authority figures who have the power to affect the course of events to maintain their credibility by being seen to respond to issues and incidents.

Another approach that is useful is the empowerment and the use of the judiciary to step in and safeguard the safety and rights of journalists. The establishment of the Constitutional Court of Somalia will go a long way to chip away at bad laws in Somalia so that journalists and rights advocates can refer cases to the court.



Everyone has the right to freedom of opinion and expression". This right includes "freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers



Somalia's ratification of the ILO Conventions – what's next? What implications could this have for journalists?

International conventions, including ILO Conventions, are low-hanging fruit in any campaign for human rights reforms, and more practically the protection of the safety of journalists.

First of all, these Conventions are the only legally binding international instruments on Somalia as a Member State. In April 2021, Somalia deposited instruments of ratification for seven ILO Conventions including the all-important Convention 190 on Violence and Harassment in the world of work.

In all, Somalia has **ratified 26 ILO Conventions** and became, after Namibia, the second country in Africa to ratify **ILO Convention 190**. The significance of Convention 190 is that it can be an effective tool to address the sexual and gender-based violence (SGBV) that particularly affects women journalists. Other **important conventions** for journalists' safety that Somalia has ratified include Convention 155 on Occupational Health and Safety and Convention 187 on the Promotional Framework for Occupational Safety and Health.

This creates a very good basis for engagement since, theoretically, the government agrees to apply these conventions and commit to reporting obligations on their application in law and practice. These commitments are important for the prestige of the government and its international standing and possibly creates ideal circumstances for proactive engagement for domestication and effective implementation.

The key to these rights becoming effective and useful to individual media workers is their adoption into domestic law. Achieving this must remain our goal.

The implications of these ILO conventions for journalists are simple. A continuing lacuna or absence of enabling national legislation and policy means that safety rights will continue to be out of reach. The reverse, where the conventions are domesticated and enshrined in relevant national laws is a critical step to their enforcement. This is especially important in the current environment of wanton disregard for the rule of law.

“ these Conventions are the only legally binding international instruments on Somalia as a Member State. ”



Key conclusions and recommendations

Somalia is a country in transition. Journalists and the media must harness the opportunities this creates. We must build an accurate picture of the situation today in respect of the safety of journalists, and the enforcement, or otherwise, of a national preventive safety culture for journalists. The death of 54 journalists in 10 years, is simply unacceptable. They were professionals, workers, colleagues, who belonged to families who are still mourning. They are also a huge loss to the communities for whom they were the eyes, ears, and messengers. Impunity cannot be allowed free rein.

The death of this number of journalists underlines the importance of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity in Somalia. Making progress on this has been an uphill task. In turn, this underscores the important role of the international community's solidarity with journalists in Somalia. Only by giving this endeavour fresh energy and effort will journalists in Somalia receive the help they require with sound prevention, reporting and inspection practices, in respect of their safety. The following steps are particularly important:

- 1. Federal Government of Somalia (FGS) and the Federal Member States (FMS) must reaffirm, recommit and reposition efforts to realise the UN Plan of Action on the Safety of Journalists and the Issue of Impunity by taking collective and individual multifaceted actions to address physical, legal, psychological, gender-based and digital safety crisis facing Somali journalists through effective and judicious implementation of the National Action plan on the Safety of Journalists (NAP), adopted in September 2022 at the Consultative Forum on the safety of Journalists.**

- 2. Revival of the moribund national safety of journalist mechanism through a multi-stakeholder and journalists-centred process as a functioning mechanism that effectively tackles**

the safety crisis and the prevalent issue of impunity.

- 3. National and international efforts are directed at the implementation of the National Action plan on the Safety of Journalists (NAP) for tangible results on prevention, protection, prosecution, and partnerships for safe journalism.**

- 4. Domestication and effective implementation of ILO conventions on occupational safety and health (i.e., C155 and C187) and ILO convention 190 on violence and harassment through laws and national policy aimed at protecting journalists from work-related death, injury, harassment while paying special attention to the safety of women journalists by addressing sexual and gender-based violence.**

- 5. Capacity-building programs addressing the knowledge and skills deficits, especially among young journalists, on safety including operating in hostile environments and ILO instruments that impose obligations on the Somali authorities to safeguard journalists' occupational safety.**

- 6. Media outlets should develop preventive in-house risk-mitigation policies to secure the safety of journalists and other media workers. Somali authorities must carry out the necessary inspections to ensure compliance and enforcement.**

- 7. Compiling a compendium of laws touching on the safety of journalists would go a long way in bringing clarity in terms of "what is what" while also helping journalists to have a handy tool of reference.**

- 8. Positive cooperation and support between journalists, security forces and the judiciary on the prevention and protection of the safety of journalists needs to be boosted and taken to higher heights for positive results.**

Annex 1: Journalists Killed in Somalia from 2012 to 2022

No	Name	Date killed	News media organization	Male / Female	Media category	Place of death
1	Hassan Osman Abdi	Saturday, 28 January 2012	Radio Shabelle	M	Broadcast	Mogadishu
2	Abukar Hassan Mohamoud	Tuesday, 28 February 2012	Radio Somaliweyn	M	Broadcast	Mogadishu
3	Ali Ahmed Abdi	Sunday, 4 March 2012	Radio Galkayo	M	Broadcast	Galkayo
4	Mahad Salad Adan	Thursday, 5 April 2012	Voice of Hiran / Radio Shabelle	M	Broadcast	Beledweyne
5	Farhan James Abdulle	Wednesday, 2 May 2012	Radio Daljir	M	Broadcast	Galkayo
6	Ahmed Adow Anshur	Thursday, 24 May 2012	Radio Shabelle	M	Broadcast	Mogadishu
7	Abdi Jeylani Malaq	Tuesday, 31 July 2012	Universal TV	M	Broadcast	Mogadishu
8	Mohamud Ali Keyre (Buneyste)	Sunday, 12 August 2012	Horyaalmedia.com	M	Online	Mogadishu
9	Zakariye Mohamed Mohamud Moallim	Sunday, 16 September 2012	Freelance journalist	M	Broadcast	Mogadishu
10	Abdirahman Yasin Ali	Thursday, 20 September 2012	Radio Hamar	M	Broadcast	Mogadishu
11	Abdisatar Daher Sabriye	Thursday, 20 September 2012	Radio Mogadishu	M	Broadcast	Mogadishu
12	Liban Ali Nur	Thursday, 20 September 2012	Somali National TV	M	Broadcast	Mogadishu
13	Hassan Yusuf Absuge	Friday, 21 September 2012	Radio Maanta	M	Broadcast	Mogadishu
14	Abdirahman Mohamed Ali	Thursday, 27 September 2012	ciyaarahamaanta.com	M	Online	Mogadishu
15	Ahmed Abdullahi Farah	Friday, 28 September 2012	SABA	M	News agency	Mogadishu
16	Ahmed Farah Ilyas (Saakin)	Monday, 22 October 2012	Universal TV	M	Broadcast	Las Anod
17	Mohamed Mohamud Turyare	Sunday, 28 October 2012	Radio Shabelle	M	Broadcast	Mogadishu
18	Warsame Shire Awale	Monday, 29 October 2012	Radio Kulmiye	M	Broadcast	Mogadishu
19	Abdihared Osman Adan	Friday, 18 January 2013	Radio Shabelle	M	Broadcast	Mogadishu
20	Mohamed Ali Nuhurkey	Monday, 18 March 2013	Radio Mustaqbal	M	Broadcast	Mogadishu
21	Rahmo Abdulkadir	Saturday, 23 March 2013	Radio Abudwaq	F	Broadcast	Mogadishu
22	Mohamed Ibrahim Rageh	Sunday, 21 April 2013	Somali National Television (SNTV)	M	Broadcast	Mogadishu

24	Ahmed Sharif Ahmed	Saturday, 17 August 2013	Radio Mogadishu	M	Broadcast	Mogadishu
25	Mohamed Mohamud Tima'ade	Saturday, 26 October 2013	Universal TV	M	Broadcast	Mogadishu
26	Mohamed Omar Mohamed	Monday, 21 April 2014	Radio Dalsan	M	Broadcast	Mogadishu
27	Yusuf Ahmed Abukar Keynan	Saturday, 21 June 2014	Radio Mustaqbal	M	Broadcast	Mogadishu
28	Abdirisaq Ali Abdi	Tuesday, 18 November 2014	Radio Daljir	M	Broadcast	Mogadishu
29	Mohamed Isaq Mogow Bariyow	Friday, 5 December 2014	Radio Baidoa	M	Broadcast	Mogadishu
30	Daud Ali Omar	Thursday, 30 April 2015	Radio Baidoa	M	Broadcast	Mogadishu
31	Abdihakin Mohamed Omar	Sunday, 26 July 2015	Somali Broadcasting Corporation (SBC)	M	Broadcast	Mogadishu
32	Abdullahi Ali Hussein	Tuesday, 8 September 2015	Waagacusub	M	Online	Mogadishu
33	Mustaf Abdi Nur	Sunday, 1 November 2015	Shabelle Media Network	M	Broadcast	Mogadishu
34	Hindiyo Haji Mohamed	Thursday, 3 December 2015	Radio Mogadishu and Somali National TV (SNTV)	M	Broadcast	Mogadishu
35	Sagal Salad Osman	Sunday, 5 June 2016	Radio Mogadishu	F	Broadcast	Mogadishu
36	Abdiaziz Mohamed Ali	Tuesday, 27 September 2016	Shabelle Media Network	M	Broadcast	Mogadishu
37	Mahad Ali Mohamed	Sunday, 6 November 2016	Codka Mudug Radio	M	Broadcast	Galkayo
38	Abdullahi Osman Moallim	Wednesday, 13 September 2017	Jubbaland TV	M	Broadcast	Mogadishu
39	Ali Nur Siad-Ahmed	Saturday, 14 October 2017	Freelance journalist	M	Broadcast	Mogadishu
40	Jafar Ali Mohamed	Wednesday, 25 October 2017	Dayah FM	M	Broadcast	Afgoye
41	Mohamed Ibrahim Mohamed (Gabow)	Monday, 11 December 2017	Kalsan TV	M	Broadcast	Mogadishu
42	Abdirisak Qasim Iman	Thursday, 26 July 2018	SBS TV	M	Broadcast	Mogadishu
43	Abdirisak Said Osman	Wednesday, 19 September 2018	Radio Voice of Peace	M	Broadcast	Galkayo
44	Abdullahi Mohamed Hashi	Saturday, 27 October 2018	Darul Sunnah Radio	M	Broadcast	Afgoye
45	Awil Dahir Salad	Saturday, 22 December 2018	Universal TV	M	Broadcast	Mogadishu
46	Mohamed Sahal Omar	Friday, 12 July 2019	Somali Broadcasting Corporation (SBC)	M	Broadcast	Kismayo
47	Hodan Nalayeh	Friday, 12 July 2019	Integration TV	F	Broadcast	Kismayo
48	Abdinasir Abdulle Ga'al	Wednesday, 14 August 2019	Radio Station of SNA	M	Broadcast	Awdhigle
49	Abdulwali Ali Hassan	Sunday, 16 February 2020	Universal TV	M	Broadcast	Mogadishu
50	Said Yusuf Ali	Monday, 4 May 2020	Kalsan TV	M	Broadcast	Mogadishu
51	Jamal Farah Adan	Monday, 1 March 2021	Freelance journalist	M	Broadcast	Galkayo

52	Abdiaziz Mohamud Guled	Saturday, 20 November 2021	Somali National Television (SNTV)	M	Broadcast	Mogadishu
53	Ahmed Mohamed Shukur	Friday, 30 September 2022	Somali National Television (SNTV)	M	Broadcast	Mogadishu
54	Mohamed Isse Hassan	Saturday, 29 October 2022	M24 TV	M	Broadcast	Mogadishu



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