



# DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project

**UPR Info pre-sessions – 38th Session of the UPR Working Group (25-26 March 2021)**

**Federal Republic of Somalia**

Statement delivered on behalf of DefendDefenders (East and Horn of Africa Human Rights Defenders Project) and the National Coalition of Human Rights Defenders - Somalia (NCHRD-S)

DefendDefenders and NCHRD-S focus on the protection of human rights defenders (HRDs) including those working in remote areas who often lack access to protection mechanisms and support systems.

DefendDefenders and NCHRD-S examined the Federal Government of Somalia's UPR report in 2016, particularly looking at the government's fulfilment of the right to freedom of opinion and expression and assessing the situation of HRDs.

This statement highlights concerns related to freedom of opinion and expression, including attacks on journalists and media houses, and assesses intimidation, threats, and attacks on HRDs, while giving recommendations to the Somali government.

We highlight two issues in this statement. First, the ongoing concerns relating to freedom of opinion and expression, including attacks against journalists and media houses. Journalists face risks and threats emanating from both state and non-state actors. According to the journalists' trade union, 14 journalists have been [arrested](#) in 2021.

The government accepted 16 recommendations related to freedom of expression, however, Somalia falls short on its commitment and implementation of the recommendations. The UPR report recognized some efforts that were made by the government to implement the recommendations, although, it appears that the lack of political will prevents full implementation. The amendments to the 2016 Media Bill that were approved in August 2020 are a stark deviation from President Farmaajo's declaration of reforming the Penal code (1964) to protect journalists and freedom of expression. Additionally, this directly contradicts recommendation 136.109 to "ensure that the new Media Law is in line with international standards". We urge the government to review the amended Media Bill and to reform criminal law provisions that authorities use against journalists.

Second, HRDs continue to face persistent challenges and restrictions from authorities. The Somali government committed to the protection of CSOs. However, cases of harassment, arbitrary arrests and detention continue to be reported. We recognize the government's efforts

to investigate the death of WHRD-Almaas Elman. However, the perpetrators are yet to be brought to justice.

The Somali government needs to adopt comprehensive laws on the protection of HRDs, paying attention to specific challenges and risks faced by women HRDs (WHRDs). WHRDs face threats and risks, including sexual and gender-based violence. Additionally, we call on the government to drop the Intercourse Bill that [promotes](#) violence against women, and instead approve the Sexual Offences Bill.

Thank you.