

STATEMENT UPR Pre-session on Somalia – Geneva
Delivered by: Mr. Omar Faruk Osman, Secretary General of the National Union of Somali Journalists (NUSOJ)

1. Presentation of the Organisation

This statement is delivered on behalf of the National Union of Somali Journalists (NUSOJ). NUSOJ is an independent union organisation which is nationally and internationally recognised as the most representative voice of Somali journalists. NUSOJ recently made a joint UPR submission for the third cycle with the International Federation of Journalists (IFJ) which is the global federation of national journalists' trade unions and associations, representing more than 600,000 journalists that defends and promotes freedom of the media, freedom of information and safety of journalists. NUSOJ has participated in UPR processes at the national level since 2011.

2. National consultations for the drafting of the national report

The Federal Government of Somalia through the Ministry of Women and Human Rights Development held several consultations with civil society in developing the national report. NUSOJ, as a stakeholder, participated in the consultations.

3. Plan of the Statement

This statement addresses the following issues: (1) Media freedom Repression including the safety of journalists and the issue of impunity (2) The Rights of Women Journalists

4. Statement

i. Media freedom repression

A. Follow-up to the First Review

We refer specifically to Recommendation 135.69 by Greece, Recommendation 136.104 by Portugal and further and similar recommendations by Latvia, Switzerland and Canada to address the issue of violence against journalists and violations of freedom of expression.

Since the last review in 2016, there has not been a year that has passed without a journalist being killed in Somalia. Fifteen (15) journalists were murdered from 2016, instilling more fear in the hearts of working journalists and entrenching the culture of impunity of unpunished crimes against journalists.

B. New developments since the first review

Since 2017, there has been a reduction of the attacks against journalists and news media organisations, attempts to reform media law, constructive engagements with media professionals to protect media freedom, including the safeguarding of the safety and security of journalists. However, the Federal Government and its Federal Member States have often failed to effectively enforce constitutionally guaranteed rights of freedoms of expression and of information.

Media professionals are forced to operate in an intimidating atmosphere, leading to self-censorship by many journalists. It has also prevented journalists from accurately reporting on issues of public interest such as corruption, injustice and gender-based violence because of the risk of a prison sentence.

C. Recommendations

- Reform all the provisions of the Penal Code that violate the right to freedom of expression, especially all provisions on criminal defamation and publication of false news.
- Conduct a comprehensive amendment of the Amended Media Law of 2020 in line with international freedom of expression standards, in particular to remove restrictive sanctions.
- Carry out serious, prompt, effective and impartial investigations into all cases of killings and violence against journalists and other media workers and bring those responsible to justice.

ii. The Rights of Women Journalists

A. Follow up to the first review

Many of the countries recommended that Somalia take action that would protect women and girls from all forms of violence. While the majority of violent attacks against journalists are mainly targeted at male journalists, women journalists were also targeted and have been victims of all forms of sexual and gender-based violence (SGBV). Since 2016, NUSOJ has recorded 72 cases of female journalists targeted with SGBV including online sexual harassment, physical assaults, sexual abuses in media houses and domestic violence due to their media related work.

B. New Developments since the first review

The Sexual Offences Bill (SOB), was passed by the Council of Ministers of Somalia and submitted to the Federal Parliament in 2018. However, in December 2019, the Speaker of the Lower House of the Federal Parliament, Mohamed Mursal, made a unilateral decision to send the Sexual Offences Bill back to the Executive in a poorly conceived scheme to frustrate the deliberation & passage of this Bill.

C. Recommendations

- Expeditiously process the Sexual Offence Bill in the Federal Parliament with a view to enacting it as a matter of utmost urgency to tackle sexual and gender-based violence.
- Now that Somalia has ratified ILO Convention 190 on violence and harassment in the workplace to protect working women including female journalists, it is now very important for Somalia to domesticate this convention to protect women against violence and harassment.
- Monitor, investigate and prosecute incidents of violence against women journalists, and offer protection and remedies to victims.