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1.7. Journalists

As of September 2024, the situation of media freedom in Somalia was described as remaining 'deeply concerning', with journalists continuing being exposed to harassment and threats both from the Somali government and Al-Shabaab.675 Freedom of the media, 'including all forms of electronic and web-based media' is stipulated in Article 18 of Somalia's Provisional Constitution.676 However, journalists were harassed, facing arbitrary detention, suspension, fines, and violence677 from both state actors,678 including law enforcement and intelligence officials,679 and non-state actors,680 both in 2023 and 2024,681 while for 2024 the conflict with Al-Shabaab was described as 'remain[ing] dangerous and even deadly' for journalists.682

The United Nations Independent Expert on the situation of human rights in Somalia reported ongoing and persistent violations to the rights of journalists and media workers for the period from 1 July 2023 to 30 June 2024, which were obstructing freedom of expression and leading to self-censorship and misinformation,683 with protection of the rights of freedom of opinion and expression being of 'major concern'.684

According to the National Union of Somali Journalists (NUSOJ), in Somalia, journalists have been facing long-standing issues linked to their freedom and safety, regularly facing legal restrictions that obstruct their work, with physical safety being a 'constant concern due to threats and violence'685 as well as 'systemic impunity'.686

Legal framework and implementation. On the topic of protection of journalists and of freedom of expression, the UN Human Rights Committee expressed concern linked to numerous reports of severe restrictions on the freedoms of opinion and expression, including due to a legal framework, that permits for limitations if activities are deemed to be contrary to Islam, public safety, public order or stability.687 For instance, both the UN Independent Expert on the human rights situation in Somalia and NUSOJ made reference to the Penal Code, with the former highlighting the 'persistent practice' of making reference to the Penal Code to censor, punish and prosecute journalists, while NUSOJ added that the Code 'poses significant threats to journalists and media freedom due to its vague and broadly defined provisions', with different articles used to criminalise journalists' activities.688 It has to be noted that, in Somalia's Penal Code of 1962, there is no direct mention of journalists.689

The 2016 Media Law and the 2020 amendments were described as not sufficiently safeguarding and even limiting freedom of expression.690 The Official Information Bill, which has been approved by the Council of Ministers in March 2024 and which is pending Federal Parliament approval,691 'has been widely condemned' as potentially limiting the public's right to

information and obstructing journalists from fulfilling their ‘watchdog role’.692 Several organisations requested the withdrawal of the Official Information Bill allowing for a detailed review.693

In March 2024, the new Somali Media Council was appointed.694 While described as a positive development and an ‘effort to enhance media landscape’,695 concerns were raised that the process was not in accordance with the media law;696 media organisations were not involved, 697 and it consisted mainly of government ‘allies’ rather than media representatives698 and raised concerns of increased state control over the media, and of negative impact on media and journalists critical of the government.699

Throughout 2023, USDOS reported that in Somaliland, regulations in place banned the publication or circulation of news considered ‘exaggerated or incitive and having the potential to disrupt public order’, with the authorities using these regulations to detain and press charges against journalists.700

- 1.7.1. Journalists’ main syndicates, protection and remedies
- 1.7.2. Treatment and targeting
- 1.7.3. Situation in Al-Shabaab controlled areas

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