



Media

Freedom Report by Somaliland
Journalists Association

2019



Media Freedom Report by Somaliland Journalists Association:

Summary:

The Somaliland journalists association which is mandated fighting and advocating for media freedom documented and intervened the media violations in 2019. The organization have carried out restless advocacy to maintain press freedom according to the Somaliland local media laws and international media freedom principles. Once media violations are recorded and vetting process is complete through available wide hotline services the office of legal aid provides free legal aid services including free lawyers for court representation, court facilitation assistance and advocacy efforts both through meeting with concerned agencies and/or either official public statements,

During this year 2019 the Somaliland journalists association have recorded 31 journalists' detentions and arrests, Journalists are mainly detained after they publish or broadcasts stories against government's political decisions, corruption and conflict reporting issues.

The organization have also recorded 5 media outlet suspensions including Foore newspaper on February 2019 for one year and their editor fined with three million SLSH, although there have been contradicting decisions by regional and appeal courts over this case. Also, Hadhwanaagnews agency was blocked by the government in a later issued by the Hargeisa regional court and 3 reporters were detained. The journalists were released on bail. However, the chief editor and two reporters have fled to abroad and in Uganda after hold a statement on 19 November 2019 mentioned they're not confident about the court process. In addition. Horyaal Television was also suspended and police raided their offices.

In this year, there have been identified police mistreatment against media and the unwarranted illegal arrests were common in Somaliland. Most media practitioners detained have been released after short period in jail before trail. Which is critical towards media independence and the ability to enjoy the right guaranteed by Somaliland media law 27/2004, which provides the rights of seeking, expressing and disseminating news and information independently through media types no matter newspapers, televisions and websites.

Detailed media cases provided to Legal assistance and court facilitations: January-December 2019

Individual Cases:

Abdilahi Hasan Jama and Ridwan Ismail Gaydh

In January 4th the Somaliland police in Koodbuur-Hargeisa sub-district detained illegally journalists Abdilahi Hasan Jama and Ridwan Ismail Gaydh who works for CBA Television. The two journalists were capturing a neglected governmental vehicle that fall-over a bridge in Koodbuur district. They have been held in detention in 8 hours and released once SOLJA managed their cases in agreement with deleting their video and photos taken from the scene.

Khadar Abdi Abdilahi

Khadar Abdi Abdilahi, a journalist from Som-news Tv was detained two days by the deputy mayor of Wajaale district after a dispute. The deputy mayor resisted to provide an interview to the journalists, then the mayor said that he have detained due to his misbehavior and abuse against me. The case referred to appear in court but the Attorney general dropped the case and justified there is no unviable case and released him after two days in jail.

Siciid Nuh, Jacfar and Mohamed Wadiin:

The Gebiley regional administration detained 3 journalists on 10 March 2019 and charged on 2nd April 2019 after found guilty of disobedience and anti-national propaganda of penal code after they have fight police guard in opening ceremony of new play-ground in Gebiley. This case went viral after journalists released the police guard firing to stop them entering the playground as they lack the invitations. Finally, Solja have intervened and later paid the fines of journalists after court decision and achieve successful close of the case.

Jacfar Cawil

The mayor of Gebiley district Mohamed Amin filed a case against journalist Jacfar Awil of Horyaal Tv after broadcasting allegation of the mayor on corruption. After two hearings and SOLJA hired a lawyer for defending, he was waived to imprison and the court fined him to pay 4million SL shillings where SOLJA paid the payment. His case is dropped in 5/2/2019.

Khadar Abdi Abdialhi and Zakaria Nouh

Journalists Khadar Abdi Abdialhi and Zakaria Nouh Ibrahim was detained by ministry of region representative in Gebiley allegation Facebook posted tagged to them a couple of months ago claiming they were involved terrorists although this defamation. SOLJA released them on bail in 31/1/2019 due to baseless allegations against the journalists.

Yusuf Mohamed Ibrahim

Yusuf was detained in 3/1/2019 after he published article against Anchor Business Company. They claimed false and propaganda against their product. The case was mitigated before court after negotiation between SOLJA and business owners and the ministry of interior. He was released on bail after a day 4/2/2019.

Mukhtar Nuuh

Mukhtar aired Eryal Tv a program on the poor health care system of the Gebiley district hospital. He was detained in 22/2/2019 by the governor. But not brought court because there are invalid accusations who have resulted his immediate release on 23/2/2019.

Sagal Beel-deeq

Sagal BeeL-deeq is a female journalist who works for popular HCTV, she was assaulted, threatened and detained by a police officer in the Hargeisa city center in 27 April 2019. Sagal with her cameramen Ridwan Yusuf were both detained while they have been making ‘Voxpop’ Interview in the market regarding the working conditioner of street-vendors. Sagal was hurt and injured after the policeman hit. She was later released through negotiation with government facilitated by HCTV and SOLJA. Later on 4/3/2019, SOLJA filed a case against the police to bring the military court for investigation to held the police officer who assaults this female and bring him before the law

Abdirahman Keyse Tungub X2

Abdirahman Keyse who works for Bulsho Tv is detained twice for his journalism work. Firstly, Abdirahman was detained by the Sool region governor & have been accused on broadcasting a biased news items favoring the Puntland administration-semiautonomous region of federal government against Somaliland regarding Tukarak borderline conflict on 15/2/2019. Secondly, he was detained covering a press statement made by clan elders in Lascanod which government said it’s against 18 May national day celebrations. He was slightly injured while police were catching and later released after one week in custody with no court appearance.

Bedri Kosar, Abdirahman Fantastic, Caydarus and Kamaal:

Four journalists who all them work for Independent Eryal Television were detained in Hargeisa while have been filming about a corruption allegation over the Somaliland service program examination on 30 July 2019. The police stand against interviewing the people to complete the other side of the story, while in detention the police have ordered to delete the video clip of the interviewed students complaining about corrupting justifying non-service program members are sitting for the exam. However, SOLJA resisted and identified this police act as censorship. Due to stalemate, the police released three of journalist and remained the director of Eryal Bedri kosar who was in leading the team gathering the news. SOLJA have advocated and pressured the government and successfully released him one day after on 31 July 2019.

Mohamed Yusuf Bakayle

The Criminal investigation department officers detained Mohamed Bakayle who is common on social media and a former journalist from summertime hotel in 26 July 2019 at night, he was in detention for 21 days under investigation over spying for

Somalia before he was found any evidences and unconditionally freed him on 8/18/2019.

Yaasiin Dhago-cade

Yasin is a journalists who works for Universal tv who was detained on 5 August 2019 while filming IDP people living in Caynabo district complaining about negligence and lacks the basic necessities from government. The governor ordered his detention and SOLJA in cooperation with lawyers and legal matters have managed the release of this journalists in 08 August 2019.

Sayid Osman Mire

Sayid who is the owner of Horyaal TV was detained on 07 September 2019 after his television aired women chewing khat and the TV is banned after accusing damaging Somaliland women dignity who have later created social media debates. Sayid have not appeared before court and SOLJA provided legal defense. Our lawyers have met while in jail and provided him counselling. SOLJA have also filed a case against lifting banning of Horyaal TV on 17 August. Fortunately, the ministry of information allowed SOLJA request of releasing the TV owner on bail on 16 August 2019. While the TV lifting of banning took some time and SOLJA finally released the television on 30 November 2019 because the government could not justify allegations of banning.

Nasir Meeccad

Nasir Meeccad who works for Universal TV have been detained on 20/11/2019 in Gebiley and was held due to Facebook posts against the police and justice departments of Gebiley district after covering a court decision they made against gang violence. He was accused of poor coverage and biased story against the judgment. He was released after SOLJA intervened with negotiations before appearing a court.

Abdilahi Huseen Darwiish

Abdilahi was detained in 28 November 2019 after facebook post against the regional administration on traditional customary law abolishing. SOLJA have intervened, had met the regional authorities and released after one day in jail.

Ibraahim Jokar and Ahmed Nur

Ibraahim Jokar and Ahmed Nur who are two working for Badacas and Bulsho TV respectively was detained in Hargeisa after covering an uprising made by local business people against a business man in downtown. The police briefly detained and SOLJA released them immediately after police and media dialogue ended up understanding and successful.

Media Houses:

Hadhwanaag News

On September 3rd 2019, Somaliland regional court issued a letter of banning against Hadhwanaag News—one of the leading websites where the internet providers were ordered to block out. Several articles against the chairman of Somaliland central bank were published on corrupting public funds. The decision was made after several interrogations with Abdirazak Good and Abdikani Asporo who are both working for Hadhwanaag News. Where Abdikani Asporo was detained at night 10/9/2019. The police were hunting since the court decision though no court proceedings and no found guilty over the website before suspending. Hence, there have been different efforts both from the website owner and other mediators to negotiate releasing the journalists and lifting banning of Hadhwanaag. SOLJA have paid visit to the detained journalists and inquired their case. We have requested to release them and written permission letter requesting the case is opened and they defend while out of prison. The government allowed. However, the three journalists who have been freed have fled to Mugadisho-Somalia immediately and said they are not confident in court proceedings as they told in press conference.

Horyaal and Eryal Televisions

The ministry of information have banned Horyaal Tv and Eryal Tv banned in operation at 18 June 2019 in a ministerial degree released 15/6/2019 accused of anti-national propaganda broadcasts. The police raided to the headquarters and ordered immediate cease of their activities which was one-day both television. SOLJA in cooperation with the television owners have several meetings with the ministry of information, along the meetings, we have also drafted a case against this horrific media attacks against freedom of media which no media cannot be closed or arrested without warranty. Our lawyers drafted the complaint letter to the court and dropped submission because the ministry released the televisions in 30 July 2019.

Still Pending Cases in the Court that SOLJA is handling:

Horn Cable TV

The government suspended independent HCTV on 18 November 2019 and detained their editor Abdiqadir Coday. On 19/11/2019- Hargeisa regional court rejected HCTV suspension that the government have submitted request yesterday. The government authorities alleged with broadcasting a program concerning the commercial flight company complaint letter towards the Somaliland Aviation authority as Mohamed Abdi sheikh-HCTV director clarified.

The regional court have also remanded Editor Abdikadir Osman Asayr “Coday” who was detained illegally by the police force. SOLJA is confident resolving media violation in the legal procedures that have been detained or either banned due to their journalism activities which is against the media laws and national constitutions that guaranteed media freedom that is why we have produced a firm statement towards government showing concerns over suspensions and detention of this television and its editor respectively dated in 19 November 2019. The HCTV and Editor Abdikadir is Ongoing.

Abdimalik Muse Coldoon:

Abdimalik Coldoon was journalist and activist, he was detained in 17 April 2019 where the police caught him from Buroa(Tog-dher region), he was accused of spreading false news information against Abarso secondary school and also accused of defamation against the public officials including describing the president in to dictatorship style administration. Abdimalik appeared in court 1st hearing 18 June 2019, after several hot hearing he was Charged 08 July 2019 three years and half imprison after found guilty of Abarso school false news propagation and slander against president. SOLJA Coldoon for lawyers to defend him on fair trail, he was also provided legal advices and court proceedings.

SOLJA is took appeal and the first hearing have occurred in Wednesday 18 Sept. 2019 and SOLJA provided legal assistance to regain his freedom before court. However, he was sentenced to 3 years and half in prison on 18 July 2019.

Foore Local News Paper Case MRGM/DDRL/92/2019

On February 10 2019, a regional court in the Somaliland ordered *Foore* to suspend publishing for one year and fined its editor-in-chief three million Somaliland shillings (\$300), the conviction found violations of Article 328 of The Penal Code. The charges relate to *Foore's* reporting of the Somaliland government, including an October 11, 2018, story on the construction of a new presidential palace. The Appeal hearing happened and the appeal court freed. However, the appeal court ordered releases of Foore Newspaper once reviewed but a contradicting decision strengthening their previous suspension was immediately made by the Hargeisa regional court and the case is in front of the Supreme Court and waiting to be scheduled and final judgement will be made accordingly.

Hubsad Case:

Hubsad MS/02/884/2018 is still pending in the Supreme Court waiting judgment.

