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Attention :

The Prime Minister

Of the Federal Republic of Somalia

Mogadishu

Somalia

September 4th, 2014

Your Excellency,

APPEAL FOR URGENT REVIEW OF THE NEW SOMALI MEDIA LAW

The African Regional Organization of the International Trade Union Confederation (ITUC-Africa) has received with anxiety news on a contentious media draft that was passed into law on Monday, 1st September 2014, by the Somalia Council of Ministers. We are concerned that this new media law which is purported to regulate the media will in actual fact seriously restrict the space and latitude for media freedom in Somalia.

ITUC-Africa recognizes that the media and journalists are watchdogs and important components of the national vanguard for protection and sustenance of democracy and good governance as they provide people with the information to make decisions. In particular, we note that Somali media houses and media workers, especially journalists, have made contributions and sacrifices toward the gradual return to normalcy, law and order in Somalia. It is therefore our expectation that they are given the full support and encouragement to continue to play their role needed in the mobilization for the reconstruction and development of Somalia.

In view of the above, ITUC-Africa had hoped that the Somali government would make good its promise to dispassionately consult widely with the various stakeholders with a view to having a media law that will protect and expand the margins of free expression as well as enhance the Somali media landscape. We had also hoped that in developing a media law, efforts would be made to seek effective ways to guarantee the safety and security of media persons, especially journalists, given that Somalia has the highest number of murders of journalists in the entire world.

Sadly, these have not happened.

Rather, we have been informed that the new media law has no pretensions about its design to emasculate media freedom. Essentially, this new media law seeks to create and

operate a forced conformist media environment in Somalia where dissent has been criminalised and attracts very stiff penalties.

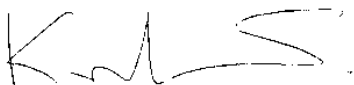
ITUC-Africa notes that the development process of this new media law, its intentions, language and proposed implementation mechanisms, connotes an ill-intentioned and vindictive law. For instance, the composition of the Media Council where the Ministry of Information being the supervisory ministry will control over 46% appointment of the 13-persons on this media regulator creates ready room for government control and is unacceptable. This development makes mockery of the independence of this body which is one of the cardinal principles underlying the establishment of a National Media Council.

We equally note that Article 15 which specifies that “the Ministry of Information and National Media Council shall set code of ethics based on respect for “Islamic religion” and “Somalia’s good tradition” denies the opportunity for media persons such as journalists to own the law. We are alarmed that journalists as persons for whom the law is intended were not allowed to participate in the crafting of these code of ethics. Your Excellency, we believe that sufficient opportunities are available to your government to cause a recall and review of this new law, especially since it has not been tabled before and endorsed by the Parliament..

ITUC-Africa respectfully calls on you to take steps to recall this anti-free expression law and to review it in the interests of media freedom and the progress towards democratic accountability in Somalia.

While counting on your good offices please accept the assurances of our highest esteem.

Yours sincerely,



Kwasi Adu-Amankwah
General Secretary ITUC-Africa