



**Xirriirka Ururada Shaqaalaha Soomaaliyeed
(XUSS)
Federation of Somali Trade Unions
(FESTU)**

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The Federation of Somali Trade Unions (FESTU) and its affiliated eleven trade unions, meeting on 17 July 2016 in Mogadishu, are deeply concerned that the Federal Government of Somalia is banning all meetings in Mogadishu, effectively placing a fundamental and constitutional right of Somalis under siege.

Ministry of Internal Security of the Federal Government of Somalia issued an order on 9 July 2016 (with reference number WAG/XAG/0067/2016) banning meetings held at hotels in Mogadishu. The Ministry ordered all hotels in Mogadishu that no meeting could be held at their hotel without notifying the Ministry of Internal Security and obtaining permission from the Ministry “to safeguard security and minimise problems by UGUS (Al-Shabaab) against people”.

While Al-Shabaab has increasingly targeted public places including hotels and the government has primary responsibility to protect its citizens, labour unions are very concerned about this latest order banning all meetings on flimsy pretext of security protection. Government is fully aware that hotels are relatively safer places where people can freely meet and associate.

Mogadishu Hotels are already executing this order by demanding from any organiser of a meeting to obtain written permission from the Ministry of Internal Security.

This new development is shocking as it is in direct violation of the country’s provisional constitution, which allows citizens, including unions and civil society, to organise their activities unhindered. Clause 1 of Article 20 of the provisional constitution of Somalia stipulates: “(1) *every person has the right to organize and participate in meetings, and to demonstrate and protest peacefully, **without requiring prior authorization.***”

Union members and their activists have been targets of federal government’s intimidation and harassment. The disbanding of the General Assembly of the National Union of

Somali Journalists in February 2016 and disrupting of the Congress of Somali Teachers Unions in June 2016 by security forces are cases in point. On-going surveillance by federal government security agents over the movements of union activists in Mogadishu is serious trepidation for labour unions.

Human rights, particularly political rights and civil liberties in Somalia, including freedoms of assembly and association, must not be eviscerated, especially during this critical time that the country is expected to go through transformation.

FESTU and its affiliated unions call on Federal Government of Somalia to urgently withdraw this order, stop use of security forces against trade union meetings and effectively guarantee the right of Somalis to freely associate, assemble and express themselves – rights which are internationally recognized and are cornerstones of any progressive society. While guaranteed by the highest law of the land, the provisional constitution of Somalia, these rights are no longer protected.

The Federal Government of Somalia should not override constitutional provision or undermine fundamental rights guaranteed by the provisional Constitution and international human rights standards, which Somalia is a party.

All such orders, policy decisions or laws which are incompatible with the principles and provisions of the International Covenant on Civil and Political Rights (ICCPR), African Charter on Human and Peoples' Rights and ILO Labour conventions must be immediately withdrawn or amended.

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