



General Assembly

Distr.: General
18 February 2019

English only

Human Rights Council

Fortieth session

25 February–22 March 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 2019]

* Issued as received, in the language(s) of submission only.



Human Rights defenders in Somalia

Introduction

Maat for Peace, Development and Human Rights (Egypt) presents this statement to observe and analyze the situation of activists and defenders of human rights in Somalia. This in the context of the association's interest in promoting human rights in the African continent where human rights defenders face many forms of repression and attempts to stop their work. However, the Declaration on Human Rights Defenders, adopted by the United Nations General Assembly in 1998, recognized the pivotal role played by individuals and groups in society in promoting human rights.

The report's methodology was based on the international obligations of the Somali Government through ratifying a number of international instruments protecting human rights. In addition to that, collecting and analyzing available information on the situation of the human rights defenders in Somalia.

Restrictions on the right to organize and form associations

Democratic freedoms, such as the right to organize and form associations and freedom of opinion and expression, are restricted throughout Somalia. In a repressive environment like Somalia, all parties, both governmental and non-governmental, seek to restrict freedom of association by National interests and state security justifications. This has affected the work of local and international NGOs, which face difficult and often dangerous working conditions. The Somali authorities are working to control civil society organizations and relief groups. Human rights defenders face many abuses where they are harassed, intimidated and arbitrarily detained by the Somali authorities.

In July 2017, the Somali Council of Ministers adopted a repressive law establishing a legal regulatory body, appointed by the Minister of Information, to monitor the content of the printed and broadcasted media. The law imposed a comprehensive ban on news that is considered "false" and on "propaganda" material without a clear definition of these expressions. This legislation is considered ambiguous. It also imposes extensive restrictions on the work of journalists, and gives the authorities broad discretion to prosecute media workers and human rights defenders¹.

Violations against human rights defenders

Somali authorities have continued to hinder the work of human rights activists and journalists through what is called "security exceptions". This is often used as cover for the suppression of human rights. Journalists, human rights defenders and political leaders are killed or subjected to arrest and harassment. On 15th February 2017, authorities of "Somali Land" arrested the journalist and human rights activist "Abdul Malik Aldon" after his arrival at the airport "Ogal" in the city of "Hargeisa" coming from Mogadishu. He faced trial after being accused of threatening peace and security in the state. On 8 April 2017 he was sentenced to two years in prison².

On the 28th of March 2017, the security forces arrested journalist "Abdullah Mousa Kalaghal" and took him to the police investigation headquarters in Mogadishu. On the 5th of May 2017, authorities in the state of Hershebli also arrested journalist "Ismail Abdullah Sabriya", a correspondent for Universal Tv channel in the capital city Jowhar. On 26th of February 2018, security forces in Hershebli state arrested journalist and human rights

¹ للمزيد انظر: [/https://www.amnesty.org/ar/countries/africa/somalia/report-somalia](https://www.amnesty.org/ar/countries/africa/somalia/report-somalia)
² التقرير السنوي لعام 2018/2017، المنظمة العربية لحقوق الانسان، ص146. يمكن الرجوع للتقرير من خلال اللينك التالي:
<https://bit.ly/2BnODvp>

activist" Hussein Hassan Tqani" ,a reporter in the Radio channel " America's Voice" in the province of Hiran, on the background of a broadcasted press report related to a disagreement between state officials. In another context, the Somali prime minister issued a decree on 26 August 2017, banning federal government ministers from publishing political tweets on social networking sites.

Recommendations

Maat for Peace, Development and Human Rights is deeply concerned about the restrictions imposed on civil society institutions by the Somali government as well as the violations committed by the authorities against human rights defenders and journalists. Thus, recommends the following:

- The Somali Government should fulfill all its voluntary commitments to the international community in the context of the Universal Periodic Review of the Human Rights Council, particularly with regard to the right to forming and organizing association and freedom of opinion and expression.
 - The Somali government must allow international organizations to operate inside Somalia in order to monitor the human rights situation closely.
 - The Somali government must lift restrictions on the work of local civil society organizations, especially humanitarian organizations
 - Ensure that all human rights defenders and journalists in Somalia, in all circumstances, are able to carry out their legitimate human rights work without fear of reprisal and without any restrictions.
-