

Two journos sentenced to prison, fined for critical reporting

The National Union of Somali Journalists (NUSOJ) has condemned draconian sentences handed down by Somaliland Court in Hargeisa. Journalist Hassan Hussein Abdullahi, known as Keefkeef, received a two-year jail term and two million Somaliland shilling fine; while journalist Mohamed Ahmed Jama, known as Aoley, received one year jail term and one million Somaliland shillings.

Hassan Hussein Abdullahi and Mohamed Ahmed Jama who are editor-in-chief and director of Hubaal newspaper respectively, were officially indicted by Hargeisa regional administration's attorney general Farhan Mire Osman on 17 June 2013, and the Court received the charges on the same day, according to court documents that NUSOJ received.

Hubaal journalists were charged with two counts:

Count 1: The two journalists were collectively charged on following offences: falsification, publication of false news and defamation in violation of articles 287, 328, 452, 45-71 of Criminal Law and articles 10, 12, 13, 14 of Somaliland Media Law of 27/2004. In the Hubaal newspaper issue 147 published on the 21 January 2013 the journalists allegedly published an article purporting that Ethiopian diplomatic staff based in Hargeisa are involved in the smuggling of illicit drugs (Alcohol and Hashish-Cannabis sativa) by taking advantage of diplomatic privileges, hence charged for contravening articles in both Criminal and Media law.

Count 2: The journalists were collectively charged on following offences: propagating false information and defamation against national leader and his leadership policies in violation of articles 287, 328, 452, 199 45-71 of Criminal Law and articles 10, 12, 13, 14 of Somaliland Media Law of 27/2004. This charge was leveled against journalists on the basis of news article published on 262 issue of Hubaal newspaper on 10 June 2013 which said Somaliland President Ahmed Mahmud Silanyo is in poor health and has relinquished duties to State Minister for Presidency.

Presiding judge of Hargeisa Regional Court, Osman Ibrahim Dahir announced that the top journalists of Hubaal newspaper were found guilty of all charges. The judge added that Hassan and Mohamed were guilty of scandalising a diplomatic mission and President of Somaliland. But the lawyers of defendants strongly refuted the verdict as "miscarriage of justice" and vowed to make an appeal.

"The ruling against Hassan Hussein Abdullahi and Mohamed Ahmed Jama is not only a violation of their own rights and media freedom. This is an act designed to intimidate the media in Somaliland and discourage them from being critical," said Omar Faruk Osman, NUSOJ Secretary General, adding that it is one of the heaviest jail terms and fines ever handed down in the country.

The attorney general office presented at the Court three witnesses namely Dahir Muse Abraar - Officer-in-charge of the Criminal Investigations Department (CID) in Hargeisa who was responsible for the file, Mohamed Nuur Kariye - Crime investigator at the CID who carried out the investigations and copies of Hubaal newspapers issues 147 and 262.

"This heavy-handed ruling will certainly have a chilling effect on the press and on citizens constitutional rights to freedom of expression as stated in Somaliland Constitution and Provisional Constitution of federal Republic of Somalia," he said.

On 11 June 2013, a court order issued by Hargeisa Regional court ordered the Hubal Media Group to close down its operations with immediate effect without giving reasons for the action thus affecting both the daily Somali language (Hubal) and weekly English language (independent) newspapers, which are both published by Hubaal Media Group.

Judge Osman Ibrahim Dahir added that Hubaal newspaper should remain closed until the two journalists finish their jail terms and pay fines.

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