

XOG-SUGAN: UK DIASPORA MEDIA CONSULTATION

A CONSULTATION ON SOMALIA'S DRAFT MEDIA LAW

DECEMBER 2013



This report represents the perspectives of media actors in the UK, who gave up their time to discuss these important issues. It is my hope that the Federal Government of Somalia will heed their views and work with them to build a stronger media environment in which all Somalis can flourish.

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1. EXECUTIVE SUMMARY

This report sets out to capture the perspectives of the UK Somali media diaspora following a five-week consultation process in which media actors were enabled to scope the current challenges of the Somali media landscape and make recommendations about the new draft media law.

One of the major challenges facing Somalia's lawmakers as they approach the task of revising the media law is to consider how to regulate the large and influential broadcasters transmitting from outside of Somalia. However, there is no formal agency through which diaspora media can negotiate with the Federal Government on media issues, engage in processes of law making or influence the regulatory system under which they may technically be required to operate.

When the Federal Government of Somalia began a process of reforming its Draft Media Law in 2013, Integrity identified the need and the opportunity to engage Somali diaspora media actors in the UK in recognition of the significant role they play in developing and broadcasting media content through their UK headquarters to Somalia and beyond.

This pilot consultation revealed a community actively engaged in addressing the daily challenges of the media landscape and committed to becoming 'part of the solution' to the inherent problems.

"We have a rich Somali community in the UK we should utilise for the betterment of Somalia; diversity is our strength not weakness."

1.1 THE MEDIA LAW

Participants overwhelmingly agreed on the importance of not passing the media law too quickly and taking longer to reflect on the relationship between the draft media law and the wider regulatory context. They advocated for a closer relationship between government and media actors in both Somalia and in the diaspora to foster a collective vision for better standards. The role and importance of religion emerged as central to several discussions, demonstrating a need to take cultural and religious standards into account and ensure that the media law was compatible. However, there was a reluctance to go through the law article by article, although participants did provide specific feedback on the National Media Council and the role of new technologies.

1.2 THE WIDER MEDIA ENVIRONMENT

What became apparent during the consultation was that discussion on the draft media law could not be divorced from unpacking the current media landscape, both in Somalia and in the diaspora. A principal area of concern for all journalists was that of safety and the freedom to go about their business without threat of violence. There was wide recognition that journalists themselves were partly to blame for engaging in negative practices but that a culture of impunity exists which makes the security situation particularly dangerous.

With few career options available after decades of conflict in Somalia, many unskilled people turn to journalism. They have almost no training and few senior journalists to turn to and from whose experience they could benefit. In this fragile setting many private media owners hire young journalists, neglect employment rights, fail to respect the need for training and security and ignore obligations to provide regular pay. Low salaries have led to journalists being drawn into the conflict and, at times, fuelling it by accepting bribes to write partisan media content. Even where journalists do have regular salaries, some seek extra cash by asking for payment for disseminating news and information despite knowing the risks involved in doing so. Media owners are sometimes unaware of such actions by their employees.

Participants called for better training of journalists and also, importantly, of law enforcement authorities so that they might better understand the role of media and the importance of protecting media actors. They also highlighted the relationship between security issues and freedom of speech, identifying a need to impose some constraints on the media in the post-conflict environment in order to curb hate speech and prevent incitement to further violence.

1.3 MEDIA AND THE FUTURE

The consultation found a strong and positive commitment from the participants to seek solutions by uniting the efforts of Somali journalists in the UK and globally towards media reform in Somalia. Media actors in the UK would welcome a platform that links the Somali media diaspora with journalists in Somalia, including a two-way exchange of skills. They strongly advocated for vibrant and diverse media in order to keep the public informed, to support reconciliation processes and promote dialogue on national agendas such as conflict resolution. There was also consensus around the need to establish a common code of ethics and a code of conduct to improve media standards.

All participants shared the view that media is a vital and powerful medium to support stability and peace building in general and they agreed that media can play a prominent role in fostering accountability and good governance. Authorities need to engage and listen to journalists and include experienced voices in media reform processes. There was a strong conclusion that the diaspora has media knowledge and capacity that has the potential to contribute to a more vibrant transnational media environment.

RECOMMENDATIONS TO THE FEDERAL GOVERNMENT OF SOMALIA:

The participants were unanimous that the draft media law was being 'rushed' through with insufficient engagement or consultation with key stakeholders including the UK Somali media diaspora. They called for more time, a more inclusive process and greater reflection on related regulatory and legal issues.

- Extend the timescale for the lawmaking process by a further six months, in which the Ministry of Information can engage stakeholders by holding a series of working group meetings with media professionals and civil society to ensure the law is balanced and clarifies:
 - How federal law works alongside Puntland and Somaliland media laws
 - How the media law relates to other laws, such as those on employment rights, privacy and the draft Communications Act
 - Whether it adequately addresses plagiarism, author copyright and intellectual property
 - How the media law relates to traditional and religious values, such as Sharia law
 - The Ministry of Information should reach out to UK diaspora media actors to capitalise on their expertise and experience on specific issues with the law and the wider media environment and to recognise their influence and stake in Somali media reform.
 - Include substantive commentary in the media law that commits government authorities to protect the safety of journalists and to ensure that those who cause harm to journalists are pursued and prosecuted in accordance with the law.
 - Train government actors, regional authorities and local law enforcement to better understand the role of media in development and governance such that they are proactive in protecting journalists working in Somalia.
 - Strengthen the regulation of media outlets in Somalia to ensure that they are held responsible for editorial content and that employment rights for journalists are fully protected.
 - Develop training and capacity building for journalists by supporting university programmes that can provide sustainable accredited courses in professional journalism.
 - Ensure the National Media Council (NMC) has broad representation from the government, media, civil society and academia and that it is publicly accountable.
 - Provide legal recognition for a press complaints commission comprised of qualified civic actors and without government representation to provide an independent check on the NMC.
 - Include specific reference in the draft media law to new technologies that spells out how online media will be regulated.
 - Build the infrastructure to support the media sector to develop its own professional code of ethics and code of conduct by enshrining its right to do so in law.
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RECOMMENDATIONS TO THE UK GOVERNMENT:

- Ensure that participants' views and recommendations from the Xog-Sugan consultation are communicated to relevant ministers in the Federal Government of Somalia and the Parliament, as well as civil society, international partners and institutions, feedback their responses, comments and questions to Somali diaspora media actors in the UK.
- Establish a media exchange programme between the UK and Somalia which capitalises on the momentum that has been created through the Xog-Sugan consultation.

RECOMMENDATIONS TO DIASPORA MEDIA ACTORS:

These recommendations are currently addressed at individual media actors as there are not established groups or bodies representing Somali diaspora media actors in the UK. The Xog-Sugan participants showed potential to be one such group but will need further resources to take the recommendations forward.

- Generate and take part in grassroots discussions and drive the launch of an umbrella organisation, network or media platform to link individual media actors in the diaspora to address media issues such as freedom of speech and journalist safety, and to participate actively in debates around media law.
- Use existing influence and media channels to catalyse debate about media standards and reform and to promote improved dialogue on issues around the wider media environment.
- Develop the vibrant transnational media environment by freely sharing your own media knowledge and skills through exchange programmes between the UK and Somalia.

- Take personal responsibility for promoting media ethics, standards and best practice behaviour among journalists in the diaspora.
- Work with media actors in Somalia and in the diaspora to develop a professional code of ethics and code of conduct that addresses the particularities of Somalia's media environment.
- Renew efforts amongst media owners to establish an organised body of media outlets in the UK.

ADDITIONAL RECOMMENDATIONS:

Throughout the course of the consultation, there were a number of recommendations that came, not from the Somali participants themselves, but from the Integrity project team and Advisory Board in response to some of the issues raised. These recommendations are set out below:

- Media-focused civil society organisations in the UK should focus on raising awareness of UK accountability mechanisms such as Ofcom and the Press Complaints Commission to encourage better accountability of media outlets with bases in the UK.
- Media outlets should strengthen their internal processes for improving standards and adhering to international norms for best practice
- Researchers and interested organisations should conduct comparative research on how countries have addressed post conflict media reform and the monitoring of hate speech.
- The Federal Government of Somalia should clarify how the law applies to diaspora media and give a clear definition of 'foreign' journalists.



“ We have a rich Somali community in the UK we should utilise for the betterment of Somalia; diversity is our strength not weakness. ”

2. INTRODUCTION

This report sets out to capture and share the perspectives of the UK Somali media community following a five-week consultation process in which they undertook to scope the challenges of the Somali media landscape and review the new Draft Media Law from Mogadishu. It airs their concerns and shares recommendations in the hope of influencing the law making process and wider media reform.

A new media law was proposed in 2007 and came under intense scrutiny and criticism especially by international agencies such as Article 19. Discussions and amendments followed and eventually a new draft was approved by the Council of Ministers on 11 July 2013. After further revisions, the draft was made public in November 2013 and has formed the basis of consultations in the UK, as well as in Somalia and Kenya. Emerging from over two decades of transitional governments, Somalia's new media law comes at a critical juncture with the task of providing a balanced set of reforms that both protect journalists and their freedoms, whilst reinforcing the rule of law that will enable the post conflict society to regain stability.

Media in Somalia has the potential to play a pivotal role in promoting societal growth by educating and empowering citizens through access to information vital for their development; it is essential for generating dialogue, transparency and accountability and thereby fostering good governance and a healthy democracy; it can also assist the peace building and reconciliation process by dispelling rumours and helping to improve understanding and social cohesion through the recognition of mutual goals.

However, Somalia's media landscape presents a complex set of challenges which undermine its credibility and independence: it has one of the worst records for journalists' safety in the world and journalists are

routinely killed with impunity¹; clan divisions and tensions are frequently played out through media outlets; and the quality of reporting is often poor with an increasingly young, untrained cadre of journalists falling prey to bribery due to lack of income and employment rights.

This consultation engaged the UK Somali media community because it recognised the significant role they play in producing media content through their UK headquarters and broadcasting via TV satellite, radio and internet into Somalia and the diaspora communities and their consequent power to affect political and social discourse in country and beyond. Furthermore, many of the UK based Somali media outlets have correspondents or small production facilities in Somalia, and it is important for them to understand and have confidence in how new media regulation will affect their local correspondents and operations.

While the media law will not by itself solve all the challenges, it can play an important role in setting the tone and the commitment of the Federal Government of Somalia to protecting journalists' safety, tackling the culture of impunity surrounding attacks on journalists and safeguarding freedom of speech. Importantly, the law's publication has provided an opportunity for the media to engage in a consultation process to review the media landscape, discuss the implications of the new law and make their voices heard.

1. <http://www.cpj.org/killed/africa/somalia/>

2.1 OBJECTIVES OF THE UK CONSULTATION

The overarching goal of the project was to enable Somali UK Diaspora media actors to contribute to the shaping of media reform in Somalia, express their commitments to promoting best practice in the sector and give voice to their concerns and aspirations about the role of the media for long term development and stability of the country. Specific objectives included:

1. To enable media actors in the diaspora to reflect and comment on the draft media law and the legal and regulatory environment for media reform in Somalia
2. To create participatory dialogue and debate about the role of media in Somalia between diverse groups of stakeholders in the UK Somali diaspora
3. To catalyse a platform for longer term discussion and exchange within the Somali media diaspora focused on processes of media reform and improving standards in the country and beyond

2.2 METHODOLOGY

The project used interviews, peer-led focus groups, video interviews and an online forum, with accompanying support processes to manage risks and protect participants' rights. All the participants were fully briefed about the scope and purpose of the project and were given the opportunity to opt out of the engagement and remove their contribution or views at any time; they could also choose to remain anonymous. The methodology remained flexible throughout the project enabling iterations to adapt to barriers, limitations and constraints.

The consultation was named Xog-Sugan, a shortening of the phrase: 'Xog saxaafadeed u heelan garsoor aaminsan nabad', which means 'informed and accurate media that reinforces peaceful governance'. An Advisory Board with key members of the Somali media community helped orient the consultation process and emphasise that the process would be driven by members of the Somali community. This also opened up personal networks and channels of communication with other members of the diaspora.

The project invited and welcomed inputs from those members of the Somali media community who wanted to constructively contribute to the consultation. Participation was primarily self-selected rather than driven or specifically targeted by the project. Overall, there were eight in-depth interviews, three video interviews, an online forum, two focus groups, one roundtable discussion and one final presentation event. The focus groups averaged six people, 44% of whom were female and 56% male. One focus group was entirely for young journalists under the age of 30. The roundtable included two women and five men, representing different generations of journalists.


The most powerful engagement tool was the personal approach, relationship and connectivity employed by the Somali project manager and her assistant to reach key Somali media actors, who in turn mobilised their personal networks on the basis of trust and recommendation. This highlighted the cultural aspect of the engagement and need for the process to be Somali driven and based on a sense of community, culture and confidence that would otherwise be hard to establish.

2.3 BARRIERS TO ENGAGEMENT

The barriers to engagement identified were both practical and based on perceptions.

On the practical side, media actors tend to work long hours, are extremely busy and need a great deal of flexibility to change and rearrange appointments according to rapidly shifting work programmes. In terms of perceptions, some participants openly stated they would not be talking or participating in the project if it was a direct discourse with the UK government thereby indicating ongoing sensitivity towards political relationships and perceptions.

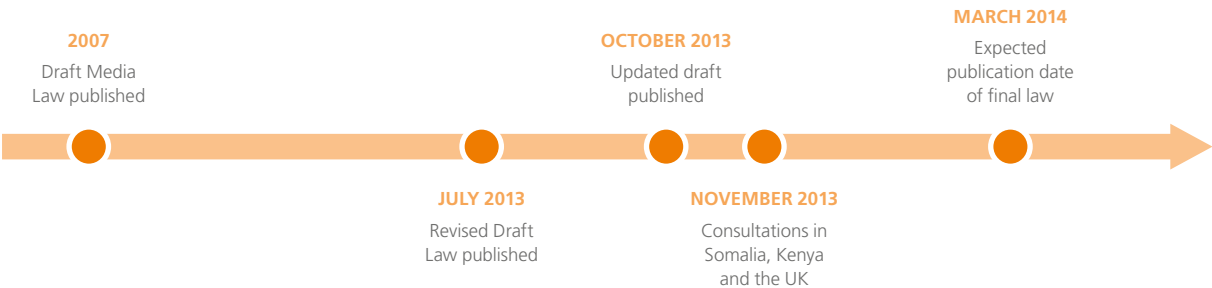
Some media actors also felt they were 'over consulted' in the UK without feeling they receive back the findings from studies and more importantly they do not feel that they are leading the enquiry or the research themselves. These initial sentiments helped to inform the ways in which the engagement process was undertaken.

A close-up, profile view of a man with short, dark hair, wearing a dark suit jacket, a dark shirt, and a striped tie. He is looking off to the left with a thoughtful expression. His hands are clasped together near his chest. The background is a warm, orange-toned wall.

“ Too often people have done research on us rather than us doing research on ourselves. ”

3. BACKGROUND AND CONTEXT

In 2007, the Federal Government of Somalia proposed a new media law, which came under intense scrutiny and criticism especially by international agencies such as Article 19. Discussions followed and a number of proposed amendments were presented that contributed to a draft that was approved by the Council of Ministers on 11 July 2013. This draft received a subsequent set of revisions and was made public in October 2013 and is forming the basis of the consultations in Somalia, Kenya and the UK.



3.1 TIMELINE OF THE DRAFT MEDIA LAW

The draft law comes at a critical juncture for Somalia. A new government, backed by increasing security across South Central Somalia, is faced with the challenge of rebuilding governance and the rule of law after more than 20 years of internal conflict.

Consultation on the media law offers Somalia’s government, media, civil society and wider public a forum to have a public discussion about values and principles on critical issues freedom of speech, protection

of journalists’ safety and the role of the media in both inciting violence and promoting peace. And, as one report stated, “Media matters in Somalia. The society arguably ranks among the most media literate in Africa. While much divides a deeply fractured, war-torn and now drought-stricken and famine-stricken country, an ancient love of poetry and a common language unite it. So, throughout recent history, has an avid consumption of news and information. Obtaining information and assessing its trustworthiness has, in this traditionally pastoralist and nomadic society, always shaped not just politics, society and culture, but the odds of survival.”²

2. BBC World Service Trust, 2011

3.2 THE ROLE OF THE SOMALI DIASPORA IN MEDIA REFORM

Over two decades of prolonged conflict and statelessness in Somalia has given rise to a sizeable Somali diaspora in the UK, with an estimated population of 250,000³, making it home to the largest Somali community in Europe and one of the largest in the West⁴. It is recognised as one of the oldest migrant communities, which has been formed through waves of diverse settlement patterns.

Somalis residing in the UK have established strong connections with Somalia and family members scattered in other countries. Amongst the older Somali generation living in the UK, the emotional attachment to their homeland is still strong, shaped by constant contacts with family members residing in Somalia and direct and indirect involvement in local and national peace building processes⁵. Young Somalis, both those born in the UK and those who arrived as children, also have a strong attachment to their homeland⁶. Consequently, the Somali diaspora in the UK can be characterised as part of a transnational network, able to influence and be influenced by changes in Somalia.

The media is a major vehicle for connecting diaspora communities with family and friends in Somalia. The Somali diaspora is active in producing media content and broadcasting via satellite, radio and internet into Somalia and diaspora communities. The media outlets they work for, such as Universal TV are transnational: while they broadcast from the UK, they also have correspondents and offices across the Somali territories. Some of the journalists who participated have fled the ongoing violence but still return to Somalia to report and manage their media companies, negotiating fast moving political situations and accepting great risks to their personal safety.

Over the years the UK has become the centre of a substantial and influential Somali media community. The UK-based diaspora's heavy involvement in the media sector is demonstrated by the high number of media outlets situated here, predominantly in London. In recent years new television channels that broadcast via satellite from the diaspora have become very popular in Somalia, especially amongst people living in cities. However in rural areas, internet connection and satellite are still limited, although there is intense development of telecommunication industries in the Somali territories⁷. At the same time, the political elite and well-educated Somalis are the most active in engaging with media, not only by investing in and managing media outlets, but also in promoting a particular political stance. As a result, the elite in both the Somali territories and in the diaspora heavily dominate mass media.

“Much media power is situated in UK – we can get organised to influence.”

The impact of this engagement is both positive and negative; many diaspora members invest in the Somali media sector in an effort to increase the information available to communities and to contribute to peace-building (see for instance the case of Somalinet⁸ and Radio HornAfrik⁹). They also have considerable power to influence the social and political discourse in Somalia through the media despite a lack of formal agency through which to negotiate with the Federal Government on media issues, engage in processes of law making or influence the regulatory system under which they may technically be required to operate. However, at times, members of the diaspora have also created their own media to instigate conflict. Diaspora-owned media are considered to be heavily influenced by personal interests and also by political and tribal affiliation¹⁰.

This project identified six satellite and web-based TV stations with bases in the UK, three radio stations and

3. UNDP (2011)
4. Leimsidor (2010)
5. Elmi (2010)
6. Elmi (2010)

7. Collins (2009)
8. Brinkerhoff (2006)
9. BBC World Service Trust (2011)
10. BBC World Service Trust (2011)

major online news websites. However, the industry is evolving at high speed and the project revealed newer outlets in the pipeline. The movement of media actors leaving one channel to work for another demonstrates the fluidity and fluctuating nature between the established media outlets.

Clearly what is happening in Somalia affects media here in the UK, and this includes the Draft Media Law. This is reflected in a strong desire on the part of the diaspora community to be involved in the media law making process.

3.3 ENGAGING UK DIASPORA MEDIA ACTORS

“Too often people have done research on us rather than us doing research on ourselves.”

Diaspora consultations are often held ‘after the fact’ rather than starting as the process of law making begins. This was a trend seen with the constitution-making process where efforts began by focusing on public education and informing people of the constitution rather than genuinely eliciting and providing the mechanisms for their inputs to the legal process.

Participants in the Xog-Sugan consultation thought that members of the diaspora were often consulted on a range of issues but that they were not always in receipt of findings from the studies. They felt that the drafting of the Media Law needed to be organised in a way that encourages a closer relationship between government and media actors in order to foster greater understanding and collective vision on improving standards. There was also a recognition the diaspora rarely led consultation processes themselves.

“Often people speak on our behalf.”

One challenge is that there are no current bodies in the UK to act collectively for Somali diaspora media actors. While the Xog-Sugan consultation provided a good opportunity to work with diaspora and has provided a path for other diaspora law-making initiatives, it was not able to establish a definitive group to take the issue forward. However, the participants welcomed this consultation, recognising the opportunities that it provided. They actively participated and voiced a range of concerns and issues they perceive to be related to the draft media law. This report discusses these below, together with proposed recommendations and solutions.

4. SUMMARY OF FINDINGS: PERSPECTIVES FROM THE DIASPORA

The consultation revealed a community actively engaged in addressing the daily challenges of a complex media environment and committed to becoming 'part of the solution' to challenges in Somalia.

4.1 FEEDBACK ON THE DRAFT MEDIA LAW

4.1.1 TIME, INCLUSIVITY AND LEGAL CONTEXT

UK-based media actors welcomed the opportunity to meet and discuss the new media law. Participants overwhelmingly agreed on the importance of not passing the media law too quickly and to provide further time and consultation to explore in greater detail, and if necessary with assistance from media lawyers, the finer details and implications of the law. They were unanimous in their sense that the law was being 'rushed' through, without sufficient engagement and consultation with media actors and those with the knowledge base that could contribute to drafting the law. Such actors included key stakeholders from the UK diaspora. Participants called for more time, a more inclusive process and greater reflection on related regulatory and legal issues.

One important recommendation that emerged was the suggestion that there should be regular meetings between the media and government and briefings on key agendas such as national security to foster greater understanding and increased levels of cooperation. They cited the example of the media briefings given to UK journalists by the British Government. This was reinforced by the notion that closer relations were needed between the media and Government and the suggestion that UK based media actors would welcome direct contact and, when possible, face-to-face meetings in the UK with officials from the Ministry of Information. Participants also suggested biannual consultations and annual conferences as a way to increase dialogue and exchange.

"We have a rich Somali community in the UK we should utilise for the betterment of Somalia; diversity is our strength not weakness."

Participants raised concerns over the need to strengthen and enforce other laws that relate to the draft media law, including as those on privacy, employment, the protection of life and the draft Communications Act. Additionally, participants raised questions on plagiarism, copyright and intellectual property, suggesting that a review of the draft media law should assess whether these aspects are adequately addressed.

During the consultation, participants were reluctant to enter into details about the law, article by article, since this would require more time to discuss and find consensus and there was no legal advisor present to help orient them. Consequently, in addressing the draft media law, there were more questions than answers, including: how the law would be relevant to UK diaspora media, including satellite television and outlets with correspondents and offices in Somalia; the ability of the government to enforce the law; and how federal law works alongside other media laws present in the Somali territories such as Puntland and Somaliland.

Overall, participants felt that the drafting of the media law needs to be organised in a way that encourages a closer relationship between government and media actors in order to foster greater understanding and collective vision on reform, especially with regard to improving standards.

4.1.2 RELIGION, CULTURE AND TRADITION

“There is a Somali proverb which says that getting information is getting advice. Another one says that a truthful Muslim must be trusted by Muslims. The Somali culture emphasises that false and falsehood should be kept away from media and that truth must always be told.”

Opening lines of the draft media law

The role and importance of religion and culture was a salient feature of discussions during the consultation. Media actors spoke about how cultural and religious rules guide them personally and influence their media content.

For many, the guidance of religion was a positive factor. Religious and cultural ethics were seen as a way to overcome issues like corruption. For example it is considered against Somali tradition and culture and the Islamic faith to tell lies. The unchecked falsehoods published and broadcast through Somalia media were seen to be contrary to religious and cultural beliefs. Many felt that greater adherence to the principles of the Islam could positively change the media environment.

“In our culture and in the Islamic faith it is wrong to lie. There are many lies in current media, which is contrary to our beliefs.”

All participants highlighted that the majority of their content was directed at a Somali audience and that consequently they were cautious about the type of stories that they felt could be reported and felt it was important that the content and the use of language was appropriate for cultural and religious sensibilities. However many also spoke about how striving for this

balance could also be an obstacle and that fear of upsetting traditional and cultural mores can become barriers to reporting freely. Participants wanted media actors to be able to use their own judgment and be able to report on elements like Al Shabab and criticise on elements where they felt a line had been crossed.

Participants thought that while the draft media law should reflect international standards it should also maintain cultural and religious standards and explore compatibility with Sharia law. It also emerged during broader discussions on standards and regulation that disputes and abuses in the media are frequently addressed through family and clan traditional and customary processes rather than through the judiciary. The majority of disputes are settled according to *xeer* law, local alternative dispute resolution mechanisms or in Sharia courts. Religious and cultural influences in media regulation may therefore need to be reviewed, recognising the reality of how media is currently regulated in the absence of formal media laws in South Central Somalia.

While there has been some research to date as to how the media is currently regulated in the absence of formal legislation, or indeed even in regions with media laws such as Somaliland¹¹, there needs to be a better understanding on the part of lawmakers as to how media law reform can build on the institutions, approaches and values that are already effective.

4.1.3 NATIONAL MEDIA COUNCIL

The overriding concern that emerged in discussing the current draft media law was that its current scope would give the government the power, using the National Media Council (NMC), to protect government interests above those of the independent media. There was therefore broad consensus that the composition of the NMC needs to be reviewed to ensure it is more fairly constituted and reflects national interests; in particular to include a

11. Stremmlau (2012)

broad and balanced representation from media actors, academics, the general public and civil society (including lawyers and human rights activists). There were strong feelings that the NMC should be independent from Government and publicly accountable.

There was less agreement on exactly how the NMC should be constituted, which highlighted the need for further debate. A number of issues arose which required further clarification including: the percentage of representation from the different sectors; the process of electing a Chair; and how much involvement the Government should be allowed.

Participants also recommended establishing a separate civic forum to act as a complaints committee and to provide a check on the NMC. The primary role of this body would be to help mediate and address media abuses and issues. It could also produce guidelines for media conduct that are legally supported and provide independent monitoring of the Somali media. Such a forum could comprise media actors, civil society, academics who are publicly elected on to the committee through transparent and accountable procedures.

4.1.4 THE ROLE OF NEW TECHNOLOGIES

Participants identified several gaps in the draft media law. One of the most important was on the role of new technologies, particularly those related to the internet. Many diaspora actors are active users of internet technologies to broadcast content into Somalia and to engage with the Somali community through social media. This was a particular focus for the young people in our consultation. Social media in particular is an important way for citizens to hold governments and other bodies to account. However, it is a fluid and rapidly changing environment that also represents ungoverned spaces. Participants felt that the Federal Government of Somalia needed to understand better the role of new media and its implications for media reform. Many supported better regulation of online media content and recommended ensuring that legislation specifically addresses this aspect.

RECOMMENDATIONS TO THE FEDERAL GOVERNMENT OF SOMALIA

- Extend the timescale for the lawmaking process by a further six months, in which the Ministry of Information can engage stakeholders by holding a series of working group meetings with media professionals and civil society to ensure the law is balanced and clarifies:
 - How federal law works alongside Puntland and Somaliland media laws
 - How the media law relates to other laws, such as those on employment rights, privacy and the draft Communications Act
 - Whether it adequately addresses plagiarism, author copyright and intellectual property
 - How the media law relates to traditional and religious values, such as Sharia law
 - Establish a direct forum of exchange before the law is passed with representatives from the Ministry of Information and UK diaspora media actors to maximise their expertise and experience on specific issues with the law and the wider media environment and to recognise their influence and stake in Somali media reform.
 - Ensure the National Media Council (NMC) has broad representation from the government, media, civil society and academia and that it is publicly accountable.
 - Establish a separate civic forum without government representation to act as a complaints committee and to provide an independent check on the NMC.
 - Include specific reference in the draft media law to new technologies that spells out how online media will be regulated.
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4.2 KEY CHALLENGES IN THE WIDER MEDIA ENVIRONMENT

During the course of the consultation, it became apparent that commentary on the draft media law could not be divorced from unpacking the current media landscape, both in Somalia and in the diaspora. It was critical to understand the current challenges that affect media actors so that the draft media law could be debated and assessed in the context of the media environment. Discussions during the consultation consequently focused on several prominent areas of concern including journalist protection, corruption and professional standards.

4.2.1 JOURNALIST SAFETY

A key issue in the relationship between journalists and the Federal Government of Somalia is the question of journalist safety. This was seen as relevant not only for journalists operating in Somalia but also for the diaspora journalists who may have fled the violence leaving family and friends behind, who may still travel to the region to undertake their work or are affiliated with media outlets that have offices and correspondents in South Central Somalia. Journalists were conscious that they could be 'branded' according to topics they covered and as a result they took great care of what they say.

There was a clear recognition that what journalists report here in the UK, and how they cover events, can have an impact on lives in Somalia. There were, for example, reports of a journalist in Somalia being killed for association with a media outlet in the diaspora. Media actors understood that their Somali-based colleagues were potentially a soft target for revenge on a UK media outlet.

“Working in Somalia a journalist’s safety and security is the biggest challenge.”

BACKGROUND NOTE

In total, 51 Somali journalists are reported to have been killed since 1992, according to data gathered by the Committee to Protect Journalists. The National Union of Somali Journalists (NUSOJ) has recorded that during 2009 and 2010; more than 90 journalists went into exile to escape constant threats, attacks and poor working conditions in Somalia. Despite the return of relative stability in the country, the highest spike in killings happened in 2012, prompting public outcry in Somalia and amongst the international community for improved protection of journalists.

Being physically located in the UK was not always seen as providing security and protection. Some participants reported being threatened from Somalia in relation to political content of their programmes. One journalist highlighted that he received multiple threatening phone calls from Somalia to remove a programme from YouTube that certain individuals felt aggrieved by. The consultations highlighted security and safety as one of the main considerations that hindered many exiled journalists returning to Somalia. Many spoke about the fact that there was no guarantee of safety if they did.

“I don’t feel safe travelling to Somalia, reporting on a city I grew up in, and it breaks my heart”

Participants underlined a gender dimension with male and female journalists facing different risks. Women consider they are less in danger of being killed but instead face more pressure from family members, personal intimidation of a violent nature and are more likely to experience



“ Media Law is important because at the moment Somali journalists can write and say whatever what they want, without any consequence ”

sexual harassment. Consequently women appeared to be very conscious of their vulnerability and take great care in how they go about their work. For example they reported that they were more likely to engage in self-censorship in order to reduce potential conflict and the likelihood of becoming a target for killings.

4.2.2 CULTURE OF IMPUNITY

Many felt that lack of law and strong governance in the country as a whole has encouraged a “culture of impunity” around high rates of violence towards journalists. Participants identified the lack of prosecutions for cases of journalist killings as a clear indication that protection of journalists was not a priority for the authorities.

Some in the consultation argued that violence towards journalists was not addressed because journalists as a community are not viewed favourably in Somalia. Their role is not understood and their work is consequently not valued. This is partly due to the fact that some journalists are seen to engage in a great deal of negative practices and consequently those in power and in the business community do not sympathise or engage with their plight.

In order to address this situation, participants strongly felt that the Federal Government of Somalia needed to ensure that the draft media law was coherent with other laws, including those that protect the right to life. They also identified a need for law enforcers, the authorities and other state actors to gain a better understanding about the role of media to enable journalists to work in greater safety.

4.2.3 FREEDOM OF SPEECH

In tension with the threat of violence was the need to maintain freedom of speech, the right to protect sources and the importance of writing about themes that may be considered sensitive. Journalists wanted recognition

that it is the role of the media to hold the Government to account, to report on issues of public interest, such as where income from taxes is being distributed and particularly to cover development topics such as whether the Government is providing public services. Journalists felt that it was important to respect the law but they also wanted to see the law protect their interests and rights.

There was agreement that the media needs to be free and fair, but there was recognition too that in the post-conflict setting, there were necessary limits to freedom and always the risk of a serious backlash. The Federal Government of Somalia is currently perceived as on the defensive against guerrilla warfare from Al-Shabab, a situation which is particularly complicated for journalists. In such a polarised environment, reporting can easily, and sometimes unintentionally, be seen to be supporting a particular side which affects both the nature of coverage and degree to which outlets are able to cover multiple voices and perspectives.

In addition to concerns about being targeted by rival factions, media actors also spoke about having to negotiate multiple regional authorities in the fast changing political situation in Somalia (especially Puntland and Somaliland). They reported having to face many obstacles from local law enforcement agencies, both formal and informal, and especially where government or state law is not operating, such as in militia-held areas. One journalist expressed it as having to deal with a “state within a state within a state within a state”. Many participants, recognising the need for strong guidelines and accountability of editorial output, agreed that some state control over the media would be required in the post-conflict setting.

“Media Law is important because at the moment Somali journalists can write and say whatever what they want, without any consequence”

There was also wide discussion about the deliberate acts of defamation or personal attack on individuals leading to violence. Participants argued that it was time for the Somali Government to start addressing hate speech more systematically and that the draft media law should include articles that strongly stipulate against hate speech and defamation. Several participants suggested learning from Rwanda and neighbouring Kenya in terms of how they dealt with hate speech following the 1994 genocide and 2008 post-election violence, respectively.

4.2.4 JOURNALISM AS A PROFESSION

“We need to ask who can be a journalist? And how can someone become a journalist in Somalia? One day shop-owner, next day journalist. Is it a profession?”

Decades of war in Somalia have left a weak economy and high unemployment rates. Many participants in the consultation felt that, due to the ensuing poverty levels, the limited job opportunities and no entry prerequisites, journalism and working in the media had become one of the easiest career paths in Somalia. Participants widely recognised that the majority of journalists working in or entering the sector were under the age of 30, untrained, insufficiently skilled and attracted only by the economic gains of the sector.

“Majority of journalists are under the age of 30 years old and not trained.”

With no professional apprenticeships led by experienced and veteran journalists -the majority of whom having fled the country, these young media actors enter unprepared into a highly commercialised private media landscape that has itself become economically compromised by the conflict and subject to ownership of or influence by warring factions.

“It’s the only job where you don’t need any qualifications.”

The consultation participants highlighted as a priority and in particular the need for systematic and accredited training – “an education infrastructure for journalism” - delivered over a period of time rather than one-off trainings that may not subsequently be applied. Many felt this should be Somali-led and supported by the Federal Government. This echoes the loss of the university courses that existed pre- conflict that provided a more robust programme for aspiring journalists.

“Somali media currently focuses on political journalism. However, it must also address social, economic and cultural issues. Now, it’s like racing horses. Who is doing what better? I am not suggesting that politics should be disregarded but more should be focused on the society, education, health, economy and culture.”

It was also suggested that veteran and experienced journalists from the diaspora should create an exchange programme and train young Somali journalists as this was a way to be able to mentor, provide perspectives and instil codes of conduct.

4.2.5 POLITICAL ECONOMY OF THE MEDIA

“It’s the same to them [media outlet owners] if they were selling samosas or selling the news.”

In this fragile setting many private media owners hire young journalists, neglect their employment rights, fail to respect their need for training and security and ignore their right to regular pay. Lack of salary has resulted in journalists being drawn into the conflict and, at times, fuelling it by accepting bribes to write partisan media content to support the politics of one side or another. This has developed a market for ‘buying’ media content and encouraged systemic bribery, locally known as payment of *sharuur* within the media sector.

“Journalists don’t get salaries they need to survive. This has caused journalists to be prone to weakness”



“ Journalists don't get salaries they need to survive. This has caused journalists to be prone to weakness ”

Even where journalists do receive regular and sufficient salaries, there exists a temptation to seek extra money by disseminating information and news for payment. Sometimes the media outlets are not aware of such activities by their employees who knowingly take security risks in exchange for additional cash.

Participants explained that the purchasing of media content by faction leaders has meant that journalists have sometimes *“incited hatred and violence”*, particularly between clans. Without first questioning, *“how can my reporting limit violence?”* journalists risk causing damage through lack of thought about their work and the consequences of their words. Whilst journalists felt the burden of responsibility was on them to apply self-censorship in these matters, family and clan pressures could also influence their choices.

“We must understand that journalists are also part of the problem. Since the start of the civil war they have supported clan divisions. It will take a great deal of effort to move away from that.”

CASE STUDY FROM A MALE JOURNALIST

“In Somalia two years ago a Somali man killed two young men. The father was interviewed by a radio journalist; very distraught he said during the interview ‘this will not be ignored’. The interview was broadcast and, hearing the words of the father, the family of the perpetrator armed themselves. The tension between the families escalated and as a result an additional fourteen people were killed. In this case the journalist took a grieving father’s words, broadcast them in the wrong context and caused greater violence. He played a big role in increasing the tensions thereby inciting hatred and violence.”

The system of *sharuur* payments and bribery has deeply undermined impartial and neutral reporting in the media and inevitably led to the distrust and ongoing disrepute of journalists within Somali society. Without state controls and regulation, the private media landscape was perceived by participants in the consultation to have become highly commercialised, and media to have become a commodity that can be bought and sold. Being open to bribery and partisan politics was seen to be one of the key elements making journalists the target of threats and violence.

“A media owner informed me of the issue of falsehood – to create false testimony or an agenda – and how easy it is to buy the media.”

Many participants saw a direct correlation between private media ownership and falling media standards. They advocated stricter regulation via the draft media law in order to address the ways in which media outlets operate and in particular that they should be held accountable, both in terms of their employment practices and also to address the lack of editorial discipline and control.

RECOMMENDATIONS TO THE FEDERAL GOVERNMENT OF SOMALIA

- Include substantive commentary in the media law that commits government authorities to protect the safety of journalists and to ensure that those who cause harm to journalists are pursued and prosecuted in accordance with the law.
- Train government actors, regional authorities and local law enforcement to better understand the role of media in development and governance such that they are proactive in protecting journalists working in Somalia.
- Support training and capacity building for journalists in university programmes that can provide a sustainable accredited course in professional journalism.
- Strengthen the regulation of media outlets in Somalia to ensure that they are held responsible for editorial content and that employment rights for journalists are fully protected.

4.3 MEDIA AND THE FUTURE

4.3.1 STABILITY AND PEACE BUILDING

All participants shared the view that media is a vital and powerful medium to support stability and peace building and agreed that media can play a prominent role in fostering accountability and good governance.

“You can’t have a nation without providing peace and without reconciliation peace cannot be achieved; for reconciliation you need an informed public that can make informed decisions. It’s all interlinked.”

Participants strongly advocated that there must be vibrant and diverse media in Somalia in order to keep the public informed, to support reconciliation processes and promote dialogue on national agendas such as conflict resolution. For example, media can be used as an educational tool to reach out and inform the public and civil society about governance and development.

4.3.2 STRENGTH THROUGH COOPERATION

The consultation highlighted a shared consensus that, in the UK and globally, Somali journalists have the potential to come together and unite their efforts towards media reform in Somalia. There was acknowledgement that often journalists and media outlets are part of the problem in Somalia, and there was a strong and positive commitment from the participants to become part of the solution.

Many participants agreed that the UK diaspora is contributing to a vibrant media environment in Somalia and want to be perceived that way by the Somali Government. They felt they could tackle more controversial topics and taboos from their base in the UK and that this can help open up subjects for wider debate. They advocated that the Somali Government should view the diaspora as a positive influence in this sphere.

The transnational nature of the challenges faced by many of the media actors was reflected in the issues they raised about the negative portrayal of Somalis in the British

media with headlines often focused on poor integration, terrorism and piracy. As well as improving the profile of their country and Somali people in general, many of the media actors also agreed that diaspora Somali media should collectively strive to report on issues that affect the Somali community in their host nations.

“Somali media needs to join together and not undermine one another. UK Somali media professionals need a network in order to work together effectively.”

Diaspora media and journalists have generally been better trained, often at universities in the UK and have both issue-based experience to share (whether about education, economics or IT), as well as media experience. Structured experience sharing initiatives could be established to better assist diaspora journalists contribute to media development in Somalia.

Participants suggested that such initiatives could include:

- A platform that links the Somali media diaspora with journalists in Somalia, potentially with their own shared code of conduct or regulatory framework
- A body to unite Somali journalists in the UK with media bodies or unions in the UK or, as a first step, to strengthen relationships between them in order to advocate for media freedoms and protection, build trust between different media houses and work towards to self-regulation
- Engagement for journalists to review collectively how their own media platform could reflect media actors’ concerns and interests

4.3.3 RESPONSIBILITY AND ETHICS

Journalists widely recognised the need for effective regulation and would welcome more engagement to discuss shared initiatives such as codes of conduct and ethics collectively.

All participants agreed and were committed to improving standards of media content and to act responsibly with the power of the media. They see that part of the challenge in focusing the media on peace and nation building is the question of journalist standards and inculcating a stronger adherence to ethics and awareness of professional responsibilities.

“I adhere by the rule of seeking the truth. To seek the truth and report it is the responsibility of the media. It is number one priority.”

All the participants spoke about the importance of a code of ethics and how they have developed their own codes of ethics in order to ensure a standard to their work. There was wide recognition that it would be better for the sector if there was an established code adopted across all the industry but in the absence of that it was dependent on individual conscience. Personal morals and ethics were deemed to be as important as the law.

Some were keen to distinguish between a code of conduct and a code of ethics and felt that more reflection and clarity was needed about these aspects of their work.

One veteran journalist spoke at length about the need for responsibility:

“I spoke to many journalists and explained that when you fled the country, you left equipment, studios, microphones and everything else. But you left one thing behind and that’s responsibility; now you have everything, but you don’t have responsibility.”

4.3.4 SELF-REGULATION AND CO-REGULATION

The consultation revealed that the question of self-regulation and co-regulation is still a matter of wide opinion. Many felt that in the post-conflict setting more state control was required in order to address some of the more difficult aspects of the current media environment (bribery, killings etc.) and that

self-regulation may take some time to debate and evolve into a workable system.

“If self-regulation could happen that would be great, but the reality is that it cannot happen yet because of corruption. After systems are established then maybe; it will take time to become possible.”

Similarly with co-regulation it was felt that more dialogue will be needed to build the necessary process and structures for that to become a reality. Moreover independent facilitation is necessary to negotiate any co-regulatory system, together with wider inputs and connectivity between media actors in Somalia and the diaspora community. Until that time, many media actors felt it was important to respect government and national agendas such as national security and to respect and adhere to privacy laws.

Participants also indicated frustration with the division of the National Union of Somali Journalists (NUSOJ) into two, which they felt weakened its advocacy power with the Federal Government of Somalia. Participants expressed a desire for the two sides to come together and iron out their differences. The extent to which diaspora media actors are able to influence this outcome is difficult to gauge but once achieved it would be a clear channel through which journalists based outside Somalia could collectively engage on issues that affect them.

ABOUT NUSOJ

In early 2011, The National Union of Somali Journalists (NUSOJ) ejected its Secretary General, Omar Faruk Osman, on allegations of corruption. Confusingly, this has led to two organisations called NUSOJ – one led by Omar Faruk Osman and the other by Mohamed Ibrahim Pakistan.



“ Somali media needs to join together and not undermine one another. UK Somali media professionals need a network in order to work together effectively. ”

4.3.5 ACCOUNTABILITY OF DIASPORA MEDIA ACTORS

While many held the view that diaspora media content and journalism are largely more impartial than media in Somalia, and therefore less likely to fuel conflict, the consultation highlighted that in some instances this was not always the case. In particular, although diaspora media actors are now living within countries with strong legal systems, rights, stability and structures, in terms of their media activity many perceive their activities to be operating outside any jurisdiction.

“The Somali media in the diaspora are a threat to the country. This is because they are not accountable to anyone. They are not answerable to the host country or to Somalia. And they are taking part in whatever message is broadcasted to the Somali community everywhere.”

Since the majority of diaspora media broadcast via satellite TV channels or the internet, they were viewed as “falling outside of the UK and Somalia’s media laws”. Participants felt that Somali journalists in the diaspora could write and say whatever they wanted, with little empirical evidence, without any legal consequences.

Participants called for a review of media outlets and greater engagement of them by the Federal Government of Somalia to identify shared goals and improve oversight. Some raised an ongoing initiative to establish an organised body for media outlets, but it was not clear how advanced this process was. However, the discussion highlighted the importance of satellite television as well as the role of the diaspora media in Somali politics. In particular, there is scope for comparative research on how other countries have addressed the issue of satellite television and diaspora engagement.

Journalists overwhelmingly agreed that a new media law in Somalia should include regulations for diaspora media operating in and broadcasting to Somalia; not least as they were reporting on Somalia and many go there to work on stories. Further engagement would be welcomed to bring together those drafting the media law, media owners and other media actors to review the implications of diaspora broadcasting. Such an initiative would require support from organisations able to influence the Federal Government of Somalia and other key actors. There is also a need to ensure that British media laws are applied to UK-based Somali journalists and media outlets, with closer monitoring by UK authorities.

LAWS THAT APPLY TO DIASPORA MEDIA

Media outlets established in the UK are subject to the UK (and EU) legal system¹². The draft Somali Media Law does not address the role of satellite or diaspora media. In part, this relates to a question about the definition of a journalist, especially a ‘foreign journalist’ which is another aspect that is perhaps missing from the Somali draft media law: who counts as a journalist, in the diaspora and in Somalia, and which laws affect them. There’s also a role for media-focused civil society organisations to create better awareness of other tools of accountability available to those in the UK, including the Press Complaints Commission or Ofcom. This would support Somali diaspora media consumers frustrated at the standard of journalism to use existing processes to report and challenge poor quality media. A public education workshop, along with a manual on legal rights and responsibilities for diaspora media, could form part of this initiative.

12. Further resources explaining the legal position of diaspora media outlets:

- On the jurisdiction of the Audiovisual Media Services Directive (AVMSD) jurisdiction - http://ec.europa.eu/avpolicy/reg/twvf/jurisdiction/index_en.htm
- Ofcom’s position on satellite services licences - http://stakeholders.ofcom.org.uk/consultations/satellite_services/summary
- Ofcom’s regulation of TV-Like video on-demand services - <http://stakeholders.ofcom.org.uk/broadcasting/tv/video-on-demand/vod-regulation>

**RECOMMENDATIONS TO
DIASPORA MEDIA ACTORS:**

- Generate and take part in grassroots discussions and drive the launch of an umbrella organisation, network or media platform to link individual media actors in the diaspora to address media issues such as freedom of speech and journalist safety, and to participate actively in debates around media law.
- Use existing influence and media channels to catalyse debate about media standards and reform and to promote improved dialogue on issues around the wider media environment.
- Develop the vibrant transnational media environment by freely sharing your own media knowledge and skills through exchange programmes between the UK and Somalia.
- Take personal responsibility for promoting media ethics, standards and best practice behaviour among journalists in the diaspora.
- Work with media actors in Somalia and in the diaspora to develop a professional code of ethics and code of conduct that addresses the particularities of Somalia's media environment.
- Renew efforts amongst media owners to establish an organised body of media outlets in the UK.

ADDITIONAL RECOMMENDATIONS:

- The Federal Government of Somalia should clarify how the law applies to diaspora media and give a clear definition of 'foreign' journalists.

5. WAYS FORWARD

The Xog-Sugan project functioned as a short pilot to gauge levels of interest in such consultations. It highlighted a significant need for more such consultations which not only provide an opportunity for diaspora communities to engage in law-making processes but also an opportunity for home countries to benefit from the wealth of experience and expertise that their diaspora communities contain.

In this case, the consultation produced a clear momentum for the creation of a diaspora media association or platform that could bring the community together and help them reflect on their concerns and aspirations. While the project overcame some of the cynicism around media engagement, there is still more work needed to generate sustained dialogue among and between diaspora media actors. There is currently no existing media body or representative agency under which Somalia diaspora media actors feel able to unite. Establishing a new one will require funding, resources and support, as well as clear objectives. What is not lacking is the willingness on the part of the UK's Somali community to take part.

The consultation identified a desire for greater engagement with the Federal Government of Somalia and structured initiatives to enable diaspora media actors to become more involved in exchange, training, capacity building and media development initiatives in Somalia.

Participants felt that the diaspora can pull together its resources to make a difference and be a positive force of change. In order to do that, there is a need for further engagement to review how best to bring the community together and to explore what type of platform would best support their coalescence.

As they commit to improving the sector from their position, the UK diaspora media community also believe that it is the duty of the international community to pressure the Federal Government of Somalia to establish and adhere to a better media environment, especially towards protecting journalists.

The community's positive engagement in this consultation - their vitality in proposing recommendations to the Somali Government and the breadth and depth of their analysis of the problems that the draft media law needs to address to better regulate the sector - has provided a sense of moving forward and opened a window of opportunity for media actors to recognise their own capacity to address the future of Somali media.

It is hoped that this report will help to capture the energy and commitment of the Somali media diaspora in the UK and assist them in taking forward their vision, aspirations and plans for their media community and their country.

RECOMMENDATIONS TO THE UK GOVERNMENT:

- Ensure that participants' views and recommendations from the Xog-Sugan consultation are communicated to relevant ministers in the Federal Government of Somalia and feedback their responses, comments and questions to Somali diaspora media actors in the UK.
- Establish a media exchange programme between the UK and Somalia which capitalises on the momentum that has been created through the Xog-Sugan consultation.

ADDITIONAL RECOMMENDATIONS:

- Media-focused civil society organisations in the UK should focus on raising awareness of UK accountability mechanisms such as Ofcom and the Press Complaints Commission to encourage better accountability of media outlets with bases in the UK.
- Media outlets should strengthen their internal processes for improving standards and adhering to international norms for best practice
- Researchers and interested organisations should conduct comparative research on how countries have addressed post conflict media reform and the monitoring of hate speech.

6. THE COMPLEX FACE OF THE SOMALI MEDIA COMMUNITY IN THE UK

This consultation was primarily concerned with reaching out to individual media actors who identified themselves as having a stake in an improved Somali media. Many of the participants of the consultations worked for media outlets in the Somali language and their focus was principally directed to Somali speaking communities in the diaspora and Somalia.

A few broad profiles have emerged and a quick overview of these will help understand the scope of media actors in the UK and their unique links with the homeland.

Veteran journalists and media actors: These were important contributors to the consultation. Some were still active journalists working for media outlets in the UK; others were exiled during or prior to the civil war. Many reported to have been trained in Somalia and much of their formative experience was in state-controlled media during the Barre regime. Their voices in this consultation were important as they could provide an overview to the visible changes in the media in Somalia over the last two decades as well as their experiences of being a media practitioner in the UK.

Younger media actors: These individuals participated very actively in the consultation. Many were second or first generation; some had graduated or were still currently studying Journalism and other media related subjects. On the whole they are active in social media and view media as an essential tool of activism and engagement with the homeland. They were particularly interested and actively participated in discussions surrounding the role of media in peace building and were concerned with the future role of media in Somalia and the diaspora. As media actors, many were involved in producing programmes that explored social, economic and political issues in Somalia and reported them back to their peers in the UK diaspora and beyond.

Journalists of Somali origin working for mainstream

Western media: These individuals cover Somalia and other Muslim countries and are acutely aware of their position at being able to influence and challenge the way Somali people and Somalia are represented in the media, especially in the British press.

“It is a challenge to convince your editors that a Somali story is interesting. You have to be a good sales person as the Western media is ‘obsessed with terrorism and piracy’ stories when it comes to Somalia.”

When covering stories about and in Somalia, they continue to face a great of issues on personal security and they welcomed this opportunity to be consulted and feedback on the Draft Media Law.

Media owners: Only a few media owners took part in the consultation, however they were the topic around much of the discussions surrounding rights and obligations.

ANNEX 1: PROJECT ACTIVITIES

The consultation's participatory activities focused on dialogue and exchange around four main thematic areas:

- The Draft Media Law and media law making and reform
- The role of media for development, peace and nation building
- Media ethics, best practice in Somalia and Diaspora
- Ways forward – role of the Diaspora

The focus groups and interviews sought to explore key areas of concern in relation to the main project / consultation themes, in particular: the safety of journalists, the law making process, the relationship between religion, culture and media.

a. Focus Groups

Two focus groups were held in neutral spaces with each facilitated by a self-selected member of the diaspora media community. In all cases these facilitators had excellent communication skills and the necessary experience to mediate the discussion. Additionally the project manager and her assistant attended each focus group in order to provide an accompanied support process, brief participants, moderate any difficulties, take notes and ensure participants were reimbursed for travel costs.

The focus groups were mostly conducted in Somali with one exception of a focus group with young Somali journalists who preferred to speak in English thereby highlighting generational shifts in the media community.

Debate in the focus groups was extremely lively and the 1.5 hours that had been set aside to address the set questions were insufficient, with dialogue expanding and continuing for up to three hours or more.

b. Interviews

An interview template was developed and pre tested with the assistance of Advisory Board members; ten interviews were held in a variety of locations in order to suit the individual journalists and their time constraints. The project manager conducted the interviews face to face and recorded the participants' views in writing for later analysis. Individual interviews lasted between one and three hours. A way in which the project reduced sensitivity regards anonymity etc. was to record everything through written note taking - there was no audio recording.

c. Online Platform

The project was based in London and geographically most accessible to media actors in the South east of the UK. Many of the main Somali diaspora media outlets are in fact based in London but it was recognised that the project should reach out beyond these perimeters to a wider community engaged in less mainstream media such as internet bloggers and members of the community based elsewhere. The easiest way to support that outreach was by establishing an online forum that could act both as a virtual information hub and as a main conduit for generating participation – both in virtual debate online and in real time participation for joining up to focus groups, interviews and so on.

The site received 378 unique visitors but few actively joined in discussion, posted their views or joined in the real time events of the project via this conduit.

d. Video Interviews

Three veteran Somali journalists were interviewed and recorded about their perceptions of how the media landscape had changed within their professional life (pre and post conflict), their personal practices to establish and maintain ethics and professional standards, and their views about what they wanted to see change in the Somali media. These were captured in short clips and edited into a four minute video to share at the final presentation and for future use in catalysing debate, providing strong role models and promoting a positive image and leadership from the diaspora media community.

e. Round Table

Due to the need to consolidate concrete recommendations about the Draft Media Law to communicate to Mogadishu, the consultation included a roundtable debate followed by a presentation. The priority was to consolidate the analysis and findings and have them verified and validated by the leading members of the community participating in the project so that a coherent set of recommendations could be agreed, presented to the community and then forwarded to the Somali government.

A table of 14 key concerns and recommendations were drawn up from the initial analysis of findings and offered for debate at the round table. In reality these led to a deeper discussion about the Draft Media Law and specifically the constitution and role of the National Media Council. Nevertheless, the project's main findings were validated.

f. Presentation

Members of the Somali media diaspora most engaged in the consultation presented the key findings and recommendations to other members of the Somali community and key stakeholders, including the UK Government. This provided an opportunity for debate about what should be directly communicated to the Government in Mogadishu.

In addition to immediate concerns and recommendations on the Draft Media Law, the event helped to identify three priority issues for the UK Government to focus on communicating to the Federal Government of Somalia:

- Journalists' employment rights
- Security for journalists
- Accredited and sustainable media training programmes

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