

URGENT ACTION

JOURNALIST AND ALLEGED RAPE VICTIM CHARGED

Freelance journalist Abdiaziz Abdnur Ibrahim has been charged with insulting a national institution, following his investigation into an alleged rape involving government forces. The woman who reported the rape has also been charged with falsifying an accusation.

On 29 January, **Abdiaziz Abdnur Ibrahim** was charged under Article 269 of the Somali penal code with insult to a national institution, publishing a media report and paying a bribe to create a false story. He has been arbitrarily detained since 10 January following his investigation into the alleged rape of an internally displaced woman by Somali security forces. The information Abdiaziz Abdnur Ibrahim gained from his interview with the alleged rape victim has not been published.

The alleged victim of rape has also been charged with insult to a national institution, and for falsifying an accusation against the Somali government.

Three other individuals have also been charged in connection with the case: the husband of the alleged victim, a woman believed to be a contact of the alleged victim, and a man believed to have been a contact of the journalist. They have been charged with assisting a suspected person and for assisting in obtaining a bribe. The hearing will take place on 2 February.

On 26 January, Abdiaziz Abdnur Ibrahim and others detained in relation to this case were moved to the central prison, where conditions are severe. Since their initial detention, they have had only intermittent access to lawyers.

It is understood that part of the evidence to support the charges is the medical records of the alleged victim of rape. It is unclear whether any steps have been taken to respect the privacy of the alleged victim and protect her identity.

Please email immediately in English, Somali or your own language:

- Calling on the Somali authorities to drop all charges against Abdiaziz Abdnur Ibrahim and others detained in connection with the case, and for their immediate and unconditional release;
- Calling upon them, until their release, to allow Abdiaziz Abdnur Ibrahim and others detained in connection with the case full access to lawyers, doctors and family members.

PLEASE SEND APPEALS BEFORE 12 MARCH 2013 TO:

Minister of Interior and National Security

H.E. Abdikaram Hussein Guled,
Ministry of Interior
Mogadishu, Somalia
Email: guuleed20@hotmail.com

Salutation: Dear Minister

Minister of Justice

H.E. Abdullahi Abyan Nur
Ministry of Justice
Mogadishu, Somalia
Email: justicesom@hotmail.com

Salutation: Dear Minister

State Minister of the Presidential Palace

H.E Farah Sheikh Abdulkader
Office of the President
Mogadishu, Somalia
Email: faaraxsheekh@yahoo.com

Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

JOURNALIST AND ALLEGED RAPE VICTIM CHARGED

ADDITIONAL INFORMATION

On 18 January the government issued a public statement in which it claimed that the allegation of rape made by the woman Abdiaziz Abdnur Ibrahim interviewed was false, and accused him of fabricating the story. By declaring the detainees guilty in the press, even before a trial, the authorities disregarded their presumption of innocence, which is a fundamental component of the right to a fair trial.

At least two other journalists were questioned by CID in connection to the Al Jazeera report, including one radio journalist who was detained overnight at the National Security Agency facilities.

In November 2012, President Hassan Sheikh Mohamud stated that security personnel who commit rape should be held accountable, and proposed the death penalty. While those who commit rape and other forms of sexual violence must be held accountable, Amnesty International opposes the use of the death penalty in all circumstances.

There are regular reports of rape and other forms of sexual violence against women and girls living in internally displaced people's settlements in Mogadishu, sometimes alleged to have been carried out by men wearing government uniforms.

The police have a responsibility to take positive measures to prevent sexual and gender based violence as well as to act with due diligence to investigate all allegations of rape and other forms of sexual violence, and where sufficient admissible evidence exists, prosecutions should take place in fair trials without resort to the death penalty. In addition, there should be no targeting of journalists who investigate such allegations.

Name: Abdiaziz Abdnur Ibrahim

Gender m/f: m

Further information on UA: 9/13 Index: AFR 52/002/2013 Issue Date: 29 January 2013