



## AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: AFR 52/2154/2020  
17 April 2020

### **Somaliland: Authorities must release imprisoned journalist Abdimalik Muse Oldon**

Amnesty International is calling on the Somaliland authorities to immediately and unconditionally release detained journalist Abdimalik Muse Oldon who was [arrested](#) and arbitrarily detained a year ago today for exercising his right to freedom of expression. Amnesty International is concerned that the journalist who was detained solely for peacefully exercising his human rights is now at heightened risk due to the COVID-19 pandemic.

On 1 April 2020, Somaliland President Muse Bihi Abdi, [pardoned 574 prisoners](#) from across Somaliland to ease overcrowding in prisons and contain the spread of COVID-19 in the country. The Somaliland authorities must also release journalist Abdimalik who should never have been detained in the first place.

The freelance journalist, Abdimalik Muse Oldon, was arrested from outside his home in Burao town in Somaliland on 17 April 2019, for [criticizing](#) President Muse Bihi Abdi on Facebook. He was formally charged on 6 June 2019 with “spreading anti-national propaganda” and “disseminating false news”.

On 8 July 2019, The Marodi Jeex regional court in Hargeisa sentenced the journalist to three and a half years in prison. The same sentence was upheld by the Maroodi Jeex Court of Appeal on 29 September 2019. Abdimalik is currently serving the sentence at the Hargeisa Central Prison. Amnesty International interviewed the journalist and his lawyers during a fact-finding mission to Hargeisa between 15-24 June 2019 and attended one of his court hearings. The organization found that the journalist was targeted for expressing critical views.

His lawyers told Amnesty International that Abdimalik’s detention and subsequent prosecutions were unfair and politically motivated. One of his lawyers, Mubarik Abdi Ismail [quit his role as a defence lawyer](#) in September 2019 citing intimidation, threats and harassment by Somaliland authorities. On 26 June 2019, Amnesty International witnessed police officers at the Maroodi Jeex court harassing and attempting to block lawyer Mubarik from accessing the court room where he was to represent the journalist.

The arrest of Abdimalik was [arbitrary](#), as it was carried out without warrant, thereby violating Article 25(2) of the Somaliland Constitution, which states that the police must attain a warrant from a judge before arresting and detaining individuals.

Somaliland’s Constitution guarantees the right to freedom of expression and media freedom but the 1962 penal code includes a number of [vaguely defined and overly broad criminal offences](#),

including “offending the honour and prestige of the head of state, insulting a public officer or institution, or contempt against the nation, state or flag”, which are punishable by up to three years' imprisonment.

The authorities are using repressive, vaguely worded and outdated criminal offences in the penal code to crackdown on the right to freedom of expression. The problematic provisions in the penal code must be repealed and aligned with the constitution so that the authorities fully respect, protect, promote and fulfil the right to freedom of expression in Somaliland.

Similarly, defamation laws should never be used to silence journalists, human rights defenders and activists. Assault on journalists and activists including by the use of criminal defamation charges will violate their right to freedom of expression and media freedom. [The UN Human Rights Committee has made clear](#) that States should consider decriminalising defamation and that, even in the most serious cases, imprisonment is never an appropriate penalty.