

Mapping ICTs in Somalia: Policies, Players, and Practices

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The ICTs, State-building & Peacebuilding in Eastern Africa Project:

This occasional paper series is part of a larger project run by the Center for Global Communication Studies (CGCS) at the University of Pennsylvania, conducted in partnership with the Programme in Comparative Media Law and Policy (PCMLP) at University of Oxford, and funded by the Carnegie Corporation of New York (CCNY). This project seeks to bring greater clarity about the expectations and the realities of the use of communication technologies in developing contexts. In media and development theory, policy, and practice, strong normative statements about the transformative power of ICTs have often clouded the understanding of how people and communities actually make sense of, and engage with, the old and new communication technologies that surround them. Under this framework, this two-year project explores the use of ICTs in Eastern Africa.

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Contents

Introduction.....	4
Background: ICT in Somalia	4
The current state of ICT policy in Somalia	5
Government infrastructure for creating ICT Policy in Somalia.....	6
Key challenges for the implementation of Media Legislation in Somalia	7
1) Weak central government	7
2) Fragmented political environment.....	7
3) A strong private telecommunications sector that benefits from a lack of regulation	8
4) The role of xeer & sharia laws	9
New voices in ICT policy	10
Civil society	10
The media	10
Local and international aid organizations.....	10
Conclusion.....	11
Works Cited.....	11



Introduction

This report offers a review of the policies and players that impact media and Information and Communication Technology (ICT) policies and practices in Somalia. The research, supplemented with interviews with senior policy advisors on ICTs, civil society organizations, journalists’ unions, and the private sector,¹ suggests that the Somali Federal Government faces significant hurdles in constructing a national media policy. These can be reduced to the following four key challenges:

- 1) A weak central government;
- 2) A geographically and politically fragmented media environment;
- 3) A strong private telecommunications sector that benefits from a lack of regulation;
- 4) A preference by many actors for the traditional xeer and sharia law systems, rather than a formalized ICT regulatory environment.

Background: ICT in Somalia

Somalia has not had an effective central government since the breakout of a civil war in 1991. Virtually all government institutions were destroyed during the conflict. Yet in the last 15 years, the private sector has revolutionized the country’s ICT sector. While access to ICTs is still more prevalent in urban centers than in rural areas, access is among the most affordable on the African continent. The growth of the ICT sector in Somalia is demonstrated by the rising number of fixed and mobile telephone services, increasing use of desktop, laptop, and tablet computers, and the surge in the number, speed, and reach of internet service providers (ISPs).

As with other countries in Africa, ICT is growing exponentially, but in Somalia it is growing in a market largely free from regulation. Most ICT companies operating in Somalia are Somali-owned and operated. Revenue generated by the telecommunications sector alone outstrips all other revenue-generating sources, both

public and private. Abdikadir Jahweyn, former Minister of Information, Communication, and Postal Service, estimates that telecommunication companies in Somalia earn approximately USD 1 billion in profit annually, yet are not subject to state oversight or taxes (personal communication, March 2013).

The ICT infrastructure in Somalia caters primarily to urban populations. In addition, ICT growth is uneven across the three main regions: the self-declared ‘Republic of Somaliland’ in the northwest; the autonomous region of Puntland in the northeast; and South-Central, which includes the capital Mogadishu. The two dominant companies, Hormuud and NationLink, are based in Mogadishu where much of the growth is concentrated.

Data in the table below show the trends in terms of selected ICT parameter usage in 2012.

Table 1. State of ICT penetration in Somalia as of 2012 (A. Jahweyn, personal communication, March 2013)

Fixed telecom operators	6
Fixed lines in service	250,000
Mobile phone network operators	8
Mobile phone subscriptions	1,500,000
Internet service providers (ISPs)	28
Internet subscribers	80,000
Broadband subscribers	13,000
International internet bandwidth	160 Megabytes
Cyber cafes	2,500
Fixed line cost per minute	US\$0.5
VoIP cost per minute	US\$0.015
Cost per month of internet access	US\$20
Cost per hour of cyber-café access	US\$0.5-1
Number of computers	500,000

¹ A total of 34 interviews were conducted. Most interviewees spoke on condition of anonymity, which is typical in Somalia where many fear some type of retaliation if their names appear in reports. Names of interviewees are therefore not included in this report.

The current state of ICT policy in Somalia

There is currently no comprehensive policy framework for the ICT sector in Somalia. Although a number of laws and policies have been introduced in the cabinet and in the parliament, none have been implemented. As explained in more detail in the sections below, the current government does not have the political will to push these laws through, especially when Somalia's political instability presents more urgent political needs.

The table below provides a summary of Somalia's ICT legal infrastructure that has been established since the collapse of the last central government in 1991.

Table 2. History of ICT-related policies in Somalia

Year	Legislation	Impact on ICT	Status
2005/6	Somali Broadcasting Act	Covers the roles that media houses as well as telecommunication companies play. The aim is to empower media companies to have a framework for operation.	Approved by cabinet but not passed by parliament.
2007/08	National Priority Plan	Intends to help in the prioritization and strengthening of key tools. ICT is considered a key tool in development and economic growth.	Approved by cabinet but not passed by parliament.
2007	Somali Media Law	Law intends to streamline government control and influence over media through the National Media Council, and through various other tools.	Passed by parliament, but not signed by the president.
2012	The National Media Council Act	Intends to create a regulatory body to oversee independent media and ensure the proper implementation of ICT and media policies.	Approved by cabinet but not passed by parliament.
2013	Somali Media Law	Draft legislation designed to update the Somalia Media Law of 2007.	Approved by cabinet but not passed by parliament.

In 2007, the Somali parliament approved the Somali Media Law, the country's first media law in nearly 20 years, but it was never signed by the president and therefore never officially became law. It was, however, billed as the first national media law. This law included a guarantee of freedom of expression, and also emphasized the importance of media independence. According to Article 2 of the law:

- The media is free to disseminate information and data while abiding by the laws regulating it and the state laws.
- Freedom of expression and ideas is guaranteed by...the Somali government as depicted in article 20 section 1 and 2, the Universal Declaration of Human Rights (UDHR) and international treaties, as well as by those regional and global conventions of which Somalia is a member.
- The media cannot be censored and cannot be compelled to publicize information complimentary either to the government or to the opposition (Somali Republic, p. 3).

However, other aspects of the law suggest the limits of this freedom. For one, the law includes the creation of a National Media Council (NMC): a 15-member regulatory body with extensive powers to oversee the media sector. The legislation specifies that the Ministry of Information appoints five of the NMC members, and private media members select the remaining ten. However, these ten are contingent on the government's approval, which gives the government considerable leverage over the NMC and its functions. Journalists and media rights activists criticized the law for giving too much power to the NMC.

Secondly, the law obliges the media to promote Islam, the official religion of the state. The law criminalizes broadcasts and publications that are deemed anti-Islamic and in violation of the Somali culture. Without an independent judicial sector, the interpretation of what is anti-Islamic is left to the NMC. NGOs, the international community, and the Somali media sector criticized these measures for limiting freedom of expression.

However, the rationale for these limits can be better understood by looking at the political climate that existed when the law was drafted. The law was passed by parliament in 2007, shortly after Ethiopian forces invaded Somalia and engaged in counterinsurgency warfare against

groups fighting their invasion. One of those groups was al-Shabaab, which was working to frame the government – the Transitional Federal Government (TFG) – as an Ethiopian puppet bent on spreading anti-Islamic principles. The 2007 Somali Media Law thus may have served to counteract those allegations by emphasizing the legitimacy of the TFG, in a bid to discredit al-Shabaab. In this regard, some saw the 2007 law as inherently reactive.

The law was passed by the cabinet and forwarded to parliament with virtually no consultations with the public. This was at least in part also due to the fact that the environment in 2007 was not conducive to public consultations, as much of the country was a battlefield between Ethiopian forces and groups, such as al-Shabaab, that were opposed to their intervention.

The 2007 Somali Media Law was never officially passed, as it was not signed by the president. A second attempt to institute the National Media Council, through the 2012 National Media Council Act, suffered a similar fate. Under intense international pressure from NGOs (in particular ARTICLE 19 and the Center for Law and Democracy) and other stakeholders, the current Somali Federal Government agreed to hold public consultations for the law to be redrafted and reintroduced in the parliament. In March 2013, a conference among key stakeholders was held in Mogadishu, and in July 2013 the Somali Cabinet approved the bill. Several other consultative meetings have been held since then, but as of May 2014 the law has still not been officially passed by parliament nor signed by the president. Consequently, no limits on freedom of expression are currently enforced by the government, but no guarantees of freedom of expression exist either.

Government infrastructure for creating ICT Policy in Somalia

Institutionally, three government offices in Mogadishu set the agenda and legal framework for ICT. One is the Office of the Prime Minister (OPM), who serves as chief executive officer of the cabinet, the highest decision-making body in the country. Second, all ICT issues fall under the jurisdiction of the Ministry of Information, Posts, and Telecommunications (MIPT). The third is the Office of the Speaker of Parliament, who is the gatekeeper of the legislative branch, which must approve legislation

endorsed by the cabinet. The National Media Council will become an important (fourth) player once, and if, the body is established.

Procedurally, policy advisors at the MIPT are supposed to craft policies in accordance with national priorities and international standards. As the body tasked with redrafting the 2007 Somali Media Law, with input from the public and other stakeholders, the MIPT is expected to submit a new bill to the cabinet, which either reviews and approves it or returns the legislation to the MIPT for clarification. Once the cabinet approves the bill, it is forwarded to the Parliamentary Committee on Media and National Guidance to review and approve the bill, and then forward it to the parliamentary chamber for voting. The committee can also return the bill to the MIPT for amendments.

The major players from the government, as well as their roles and influences, are summarized below:

Table 3. Government institutions that play a role in ICT policy formation

Institution	Influence on ICT policy	Main Role on Policy
Office of the Prime Minister (OPM)	Responsible for appointing cabinet ministers.	Brings policy proposals to the cabinet for discussions and considerations.
The Cabinet	Discusses, amends, and advises the MIPT on policy.	Approves or rejects policy proposals.
Parliament	Reviews, amends, and contributes to policy proposal.	Endorses or rejects ICT legislation.
Ministry of Information, Posts and Telecommunications	Responsible for coordinating, crafting, and enhancing national policy on ICT.	Coordinates and implements national policy.
National Media Council (proposed)	To be determined.	To be determined.

Key challenges for the implementation of media legislation in Somalia

As noted above, the Somali Federal Government faces severe hurdles to constructing a media policy law, which can be reduced to four key challenges:

- 1) A weak central government;
- 2) A geographically and politically fragmented media environment;
- 3) A strong private telecommunications sector that benefits from a lack of regulation;
- 4) A preference by many actors for the traditional *xeer* and *sharia* law systems, rather than a formalized ICT regulatory environment.

1) Weak central government

The Somali Federal Government (SFG) is based in the capital, Mogadishu, but its authority barely extends beyond a few urban centers. Much of the rural and semi-rural areas in South-Central Somalia remain under the control of the militant group *al-Shabaab*.

The SFG lacks the institutional capacity to formulate or regulate ICT policies. It also views the issue as a low priority as it tries to shore up security and extend its writ beyond Mogadishu and South-Central Somalia. According to a senior policy advisor at the MIPT “many policymakers are resigned to the idea that the government is permanently incapable of crafting 21st century policies that can give the government its rights and assign its responsibilities” (personal communication, March 2013).²

However, the SFG nevertheless continues to foster ICT legislation, in at least a limited capacity. It is increasingly involved in the ICT policy debate and is beginning to formulate a legal framework to oversee ICT activity in the country. The government’s efforts to reintroduce a media law and to create institutional oversight are signs of its effort to enhance its role in the ICT market, despite inordinate challenges.

2) Fragmented political environment

In theory, the SFG is in charge of formulating national policies, procedures, and regulations, but other regions routinely challenge the SFG’s oversight role. Regional states, namely Puntland and Somaliland, which are far more stable than South-Central, run their affairs in isolation of the SFG, and therefore do not consider the SFG as the legal authority for their ICT and media sectors. Consequently, Somali ICT and media policy is fragmented across the three main regions of Somalia: Puntland, Somaliland, and South-Central (much of central and southern regions, including Mogadishu).

Puntland

Puntland is a semi-autonomous region in Somalia. Puntland’s ICT sector is booming, as it is in the rest of Somalia. But its media sector faces enormous challenges. Private radio stations are, in theory, allowed, but authorities constantly harass these outlets for reporting on issues deemed critical of local government policies. As a result, journalists face harassment, censorship, and even jail time (SomaliaReport, 2012).

In theory, Puntland is obliged to abide by federal laws, but those laws are frequently ignored due to the chronic weakness of federal institutions and mistrust among various clans in the different regions of Somalia.

In June 2010, Puntland’s Ministry of Information directed all local media to refrain from broadcasting or publishing religious lessons from scholars not native to Puntland. The directive also banned commercials not in line with Puntland culture. As such, the law entrenched sectarian views within the Somali context by excluding clerics from other regions and by claiming that there was a distinct culture that is exclusive to the Puntland region. The Center for Law and Democracy concluded that “the legislative environment and manner of enforcement makes it difficult for journalists to work effectively in Puntland” (African Union, p. 6).

In May 2013, Puntland authorities organized a two-day consultative conference on a new media reform law. Pro-government websites reported that members of the media supported the law for its attempt to clarify “confusion” between the government and journalists (Manta, 2013, para. 4). The authorities held consultations in Garowe, but

² Name of interviewee withheld upon request.

several participants said they were only given a summary of the law during the consultations. The fact that the media reform law is shrouded in secrecy may be evidence that Puntland authorities are likely to promulgate laws that are intended to silence dissent.

Somaliland

Somaliland is an internationally recognized autonomous region of Somalia. It is the most stable of the three regions of Somalia, and its government has held several successful elections. While its telecom and other ICT sectors are booming, the media remains constrained. Private radio stations are not permitted, on the pretense that they could undermine stability and precipitate disorder (Stremlau, 2012). Although there are more than ten newspapers in Somaliland, there is only one radio station – Radio Hargeisa – which is owned and run by the government (Stremlau, 2012). Given the high rate of illiteracy, print media has relatively low penetration among the wider society, making it easier for print media outlets to avoid government restrictions. The government contends that privately owned radio stations are one of the factors of instability in South-Central Somalia—an assertion widely seen as an attempt to keep the airwaves exclusive to pro-government broadcasts. Somaliland media policy is guided by the Republic of Somaliland Press Law (2004). Freedom of expression and protection of journalists are also enshrined in Article 32 of Somaliland’s Constitution (“Constitution,” 2000). In 2007, the Somaliland Press and Publications Bill was introduced in parliament to replace the 2004 Press Law. The bill is currently working its way through relevant committees, as media activists have expressed concern about the legislation. Journalists and media owners have advocated for an independent regulatory body, but the government has yet to respond to that call.

3) A strong private telecommunications sector that benefits from a lack of regulation

Telecom giants across Somalia have enormous resources, and as a result, hold huge sway among policymakers. Dahir Adaani, an ICT specialist at MIPT, described them as “unstoppable” (personal communication, March 2013). They are, primarily, national companies with market penetration in all three regions of Somalia – the largest

three of which are Hormuud Telecom, Telecom Olympic, and Nation Link. Hormuud, the largest ICT company in Somalia, owns the largest ICT providers in Puntland and Somaliland. NationLink, the second largest company, also has similar operations in all three regions.

ICT companies play a major role in shaping telecom policies. According to Abdi Nur Hussien, a former advisor to the World Bank on Somalia, ICT policy is controlled by the telecom and hawala companies, which have the necessary resources and the knowledge to influence these policies (personal communication, March 2013). In the last decade, the Somali government lacked the institutional capacity to develop ICT policies and procedures, and other priorities always stood in the way. A common theme from our interviews was that because of these two factors, the telecommunications sector has an oversized influence on how policy is crafted both at the national and regional levels. Telecom giants combine their lobbying efforts with attempts to influence politicians by improving service delivery in policymakers’ hometowns and villages.

It is in the interest of the telecom sector to keep the regulatory environment lax, and the sector uses its resources to support this goal. Somalia’s powerful private sector exploits the inherent weakness in the SFG to continue making huge profits while avoiding paying taxes and fees. This dilemma has frustrated many governments over the last decade. According to one senior advisor to the current MIPT, there appears to be no end in sight:

For nearly two decades, the Somali private sector has been taking advantage of our institutional weaknesses and lack of capacity to develop and execute ICT policies...The private sector has, in some ways, contributed to the limitations of the government by perpetually stymieing progress on national ICT policies. It’s time for our government to take the matter seriously. (Personal communication, March 2013)

One way the telecom sector “stymies” progress on ICT policy, and therefore maintains the status quo, is by maintaining, to the extent possible, a positive image both in the eyes of government and the public. For the government, this takes the form of a mutually supportive co-dependency; for the public this means creating ICTs that fulfill some of the roles of the government.

Relationship between the ICT sector and the government

The ICT sector's relationship with the government is complex. In addition to the desire to keep the SFG from creating new laws, big ICT companies also need the SFG in Mogadishu for policy issues and international links. For instance, the Somali government owns the rights to the country's area code (252) and can terminate any company's rights to use it. The SFG and the telecom sector therefore have a co-dependent relationship: the SFG knows that it does not currently have the power or resources to produce or enforce a comprehensive ICT policy, but the private sector knows that they cannot operate without at least basic support by the government. As described by Abdikadir Jahweyn, a former Minister of Information and Postal Services tasked with overseeing ICT policy:

The relationship between the two sides is built on the recognition of the limits of each side. The SFG lacks formal policies, procedures, and regulations. More importantly, it lacks the necessary monopoly on lethal force. Therefore, it has become the tradition to engage the ICTs and win their support rather than alienate them. On the other hand, the ICT companies recognize the legitimacy of the SFG and its authority at international platforms, such as the International Telecommunications Union and other multilateral bodies. The ICT companies need the federal government's approval in the installations of the fiber optic cables, the implementation of new technologies, the use of the Somalia area code (252), and other services. They recognize that they must keep the SFG happy to continue their businesses. It's a gentleman's agreement. (Personal communication, March 2013)

This two-way street keeps the ICT sector from acting completely independently from the SFG, but also maintains the status quo with respect to developing a new telecom policy.

Relationship between the ICT sector and the public:

The telecom sector also makes some attempts to be seen in a positive light by the public. Our interviews indicated that this was, at least in part, to curb public pressure to institute more formalized policies. Some of the major telecom companies engage in charitable activities, and even provide

basic services to the public that the government lacks the resources to provide. Hormuud Telecom, for example, recently established a philanthropic arm – the Hormuud Foundation. The ICT sector has also begun to play a critical role in addressing Somalia's illiteracy and education challenges by introducing "ICT4education" schemes to local schools and madrassas, in both urban and rural areas. The ICT sector was also cited by our interviewees as promoting peacebuilding in Somalia by working in conjunction with the government. For example, telecom giants work to promote vaccination. In the summer of 2013, a polio outbreak was detected in Somalia for the first time in decades. International health organizations, such as the World Health Organization (WHO) and UNICEF, partnered with Somalia's telecom giants to send mass text messages to their networks to promote vaccination and announce vaccination locations.

Therefore, the ICT sector so far seems to be balancing its own priorities with attempts to keep other key players happy. Whether this will be enough to grant ICTs' continued freedom from a regulatory environment remains to be seen. (As discussed later in the report, there are newer actors attempting to influence the formulation of new policies.)

4) The role of xeer & sharia laws

In the absence of federal policies governing the ICT sector, the public has turned to sharia (Islamic) law and xeer (pronounced 'heer') law, the unwritten customary law used for centuries to settle disputes. Often, disputes are settled using a mix of the traditional law and Islamic law, even those of ICT conglomerates.³ Even in regions where some policies exist, such as Somaliland and Puntland, xeer and sharia are often seen as the preferred mechanism for settling disputes.⁴ This will remain an obvious challenge to future federal laws and policies governing the ICT sector. Currently, there are no jurisprudence bodies dedicated to harmonizing these different, and at times contradictory, laws.

Xeer is structured around trust and kinship. Traditional elders serve as the ultimate arbiters in this framework. They settle contractual disputes and mediate conflicting parties. Xeer has deep roots in the Somali culture, in

³ A major dispute between Hormuud and NationLink over interconnectivity was settled by a group of traditional elders who are Islamic law experts. The settlement terms remain undisclosed.

⁴ See the case of Haatuf newspaper in Hargeisa vs former president of Somaliland (Stremlau, 2012).

which conflicting parties consult elders and settle disputes under the shade of a tree through negotiations. It remains unwritten and varies from one clan to the next. In modern times, elders meet and settle disputes at hotels and in gated villas.

Despite the complexities in the information communications sector in the country, *xeer* has been exceptionally useful in supporting Somalia's unique and booming telecom sector. Customary law is an inherently relational tool among communities. ICT companies use it to build and entrench relationships that are vital to the success of their businesses. ICT companies routinely recruit managers and representatives from local communities. These employees then build relationships for the company and protect the assets and the lives of the employees from aggression (Stremlau, 2012).

However, the *xeer* system has inherent weaknesses. Since it over-relies on trust, it exposes consumers to a variety of risks, including loss of investment. For example, one of the biggest and most widely trusted money transfer companies, Qaran Express, recently declared bankruptcy. With no legal means of recourse, investors were forced to accept the company's explanation without formal or legal scrutiny. The incorporation of the *xeer* law into future ICT policy is therefore an important factor that needs to be scrutinized.

Sharia or Islamic law has also been used to settle disputes. Unlike *xeer*, sharia is a written document with defined punitive and compensatory statutes. In business dealings, Somalis seem to prefer *xeer* over sharia.

New voices in ICT policy

Despite the challenges described in the previous section, the SFG has made some attempts to begin to construct an ICT policy infrastructure. In addition, several newer players are attempting to add their voices to these debates.

Civil society

Somali civil society, as well as the public, are participating in national and regional policy discussions, though their impact is limited. They have been vocal in the consultative meetings regarding the redrafting of the 2007 Somali Media Law both in Mogadishu and in Puntland. Somalis are increasingly using internet-based communications tools

facilitated by the ICT sector to voice their opinions regarding media and ICT legislation. A notable example is Talo & Tusaale (T&T), a popular debate forum among diaspora and urban Somali communities where members engage in political, social, and economic debates affecting Somalia. This forum has more than 2,000 members and is growing. Some senior government officials are also members of this forum, and occasionally participate in discussions. The ICT policy formulations have been a popular discussion topic. Members of T&T have raised questions about the acquisition process of Somalia's domain registry services, "so." The discussion that started at T&T prompted the former MIPT minister to appoint a three-member panel, all of whom were members of T&T, to thoroughly investigate the acquisition process and report back to the forum.

However, limited understanding of the complex ICT issues and limited capacity within the population means that the general public has little or no role in shaping these policies. Even the media have barely covered the consultative meetings in Mogadishu and Puntland. Ironically, the draft legislation circulated by the MIPT is not translated into Somali, inhibiting many people from participating in the debate. It therefore remains to be seen what role Somali civil society will have in the development of the current legislation.

The media

The media are increasingly playing an important role in shaping discussions of ICT policies in Somalia. Media owners and journalists demand freedom of expression and laws that safeguard against government infringement. But there are calls to regulate the media market in order to address quality issues and to introduce libel and defamation laws.

The largest media organizations working to influence ICT policy are the National Union of Somali Journalists (NUSOJ), the Somaliland Journalists Association (SOLJA), and the Puntland Journalists Association (PUJA).

Local and international aid organizations

In addition to their humanitarian relief and developmental work, NGOs also contribute to ICT development in Somalia by teaching basic skills regarding ICT management

to youth groups and the labor workforce. In addition, these groups work to enhance the quality of the education sector by supporting ICT4education programs.

However, NGOs have limited impact on ICT policy. Recently, the group ARTICLE 19 has lobbied the Somali government to enact more liberal media laws. ARTICLE 19 and the Center for Law and Democracy, among others, were among the loudest voices calling for a redrafting of the 2007 Somali Media Law. Their efforts have so far been confined to advocating through civil society, helping draft media laws, and convening conferences. These efforts have yet to yield concrete results, although consultations are ongoing.

The international aid organizations most firmly involved in the Somalia policymaking environment include the UNDP, WHO, FAO, and UN/OCHA. The Amoud Foundation and the Adar Foundation, both Somalia-based, are also important players.

Conclusion

The ICT sector in Somalia has been revolutionized during the last 20 years of conflict. The private sector has taken advantage of the absence of strong state institutions and policies to invest in infrastructure and technology with virtually no oversight from the government. Without taxes and fees, the private sector has made enormous profits.

Political polarization means policy fragmentation. Each of the three main regions in Somalia – Puntland, Somaliland, and South-Central – introduced its own set of policies and regulations governing the ICT sector. This posed fundamental challenges to the ICT sector, as it has had to tiptoe over various rules and procedures.

The existing policies do not cover issues at the national level. This creates an absence of national policies, strategies, and a regulatory framework. It also exposes the ICT sector to legal weaknesses and undermines its efforts to meet international standards. More importantly, it leaves consumers unprotected from contractual violations and infringements of their fundamental rights.

The absence of national policies and regulations that can steer a national agenda on ICTs is perhaps one of the biggest challenges facing the SFG. This report has outlined the four

key challenges the government faces in constructing a comprehensive media policy: a weak central government; a geographically and politically fragmented media environment; a strong private telecom sector that benefits from a lack of regulation; and a preference by many actors for the traditional *xeer* and *sharia* law systems, instead of a formalized ICT regulatory environment.

These challenges – in part artifacts of a 20-year-long civil war and political instability – are extremely difficult to overcome, given the limitations of the state institutions both in policy development and implementation.

Given the limitations of state institutions and the government's other priorities, it is unlikely that a new media law will be passed – and more importantly, be implemented – during this government's term, which ends in mid-2016. While it is unlikely that ICTs in Somalia will be regulated under a unified national regulatory framework in the near future, it is certain that the issue will prompt continued and much-needed discourse among various stakeholders, which can be vital to shaping policy outcomes with practical solutions.

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