

# Press Freedom & Safety of Journalists in Africa:

**CHALLENGES & RECOMMENDATIONS** 

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#### I Introduction

The International Press Institute (IPI), a global network of editors, media executives and leading journalists set up in 1950, has been engaged in Africa for the past seven decades to defend press freedom and promote quality, independent journalism. IPI has members in a number of African countries and has held its annual World Congress on the continent on several occasions – in 1968, 1981, and 2005 in Nairobi, Kenya; in 1994 and 2014 in Cape Town, South Africa; and in 2018 in Abuja, Nigeria.

IPI's National Committees and its members have been actively leading campaigns to champion press freedom and the safety of journalists across the continent. In addition, IPI has carried out various press freedom missions to African countries to defend press freedom and advocate for increased media freedom. Most recently, in 2019, an IPI mission visited Tanzania and met with the prime minister, information minister, parliamentarians, government officials, the diplomatic community, journalists' organizations and civil society groups to urge the government to amend the Media Services Act, which has been rampantly used to stifle media freedom in the country, and to better protect journalist safety, among other issues.

Furthermore, IPI has worked closely with the African Commission on Human and Peoples' Rights (ACHPR) as well as the African Union's Economic, Social and Cultural Commission (AU-ECOSOCC) on issues relating to the safety of journalists. In September 2020, IPI organized a briefing for the ACHPR's special rapporteur on freedom of expression and access to information with selected journalists from sub-Saharan Africa. During the briefing, the special rapporteur underscored the lack of availability of data on press freedom violations and attacks on journalists on the continent for the purpose of advocating with Member States.

While most African countries have ratified the African Charter on Human and Peoples' Rights as well as the International Covenant on Civil and Political Rights (ICCPR), and made provisions for press freedom in their constitutions, in recent years, there has been a steep decline in the state of press freedom in Africa and attacks on journalists have steadily increased.

According to IPI's Death Watch, 25 journalists have been killed in targeted attacks in sub-Saharan Africa in the past five years, with seven journalists losing their lives in the past eight months of this year alone. In almost all the cases, no arrests have been made so far. For example, Ahmed Hussein-Suale was shot dead in Ghana's capital Accra in 2019, but the police have failed to bring the perpetrators to justice.

Efforts by journalists' organizations, press freedom groups and civil society organizations to influence policymakers to prioritize the safety of journalists and uphold press freedom have had little success. Governments have enacted new laws and regulations to stifle independent media and ignored calls to end impunity for crimes against journalists.

To better understand the challenges in ensuring the safety of journalists and press freedom, IPI initiated this comprehensive research with the support of the Konrad-Adenauer-Stiftung. This exploration focuses on the causes and drivers of attacks on journalists in sub-Saharan Africa. A primary purpose of the research is also to gain a substantial understanding of avenues for advocacy at the national, regional, and global levels to influence policy and practice in relation to press freedom in the region. It focuses on gaps in advocacy and attempts to identify actors who can be approached to further the defence of press freedom in Africa, including those who are not currently engaged in this area. In addition, the research examines mechanisms to influence policymakers and officials in the region with the aim of positively impacting policy and practice vis-à-vis media freedom and the safety of journalists.

# II Background

Media freedom around the world is under assault amidst an increase in attempts to stifle independent media and spiraling attacks on journalists. In a bid to control the public narrative and maintain their hold on power, authoritarian regimes and, in some cases, even democratically elected governments, have been brazenly silencing critical voices and undermining freedom of expression. While governments use legal provisions to charge and arrest journalists, politicians and their supporters engage in targeted disinformation efforts to undermine the credibility of independent media as a pillar of democratic societies governed by the rule of law. There has also been a rapid increase in coordinated attacks on social media aimed at harassing and discrediting individual journalists. Female journalists are especially singled out for vicious abuse, which is often of a sexual nature. In addition to damaging public trust in fact-based information, these actions also risk further driving attacks on journalists.

Over the past few years, press freedom and the safety of journalists have rapidly deteriorated on the African continent, too. As many democratically elected leaders are unwilling to relinquish their stranglehold on power<sup>2</sup> – increasingly through so-called "constitutional coups"<sup>3</sup> as well as, in some cases, military coups<sup>4</sup> – independent media and critical journalists have become targets of such leaders, their supporters and the regimes'

For more see <a href="https://ipi.media/wpfd-2021-attacks-on-press-freedom-growing-bolder-amid-rising-authoritarianism/">https://ipi.media/wpfd-2021-attacks-on-press-freedom-growing-bolder-amid-rising-authoritarianism/</a>

<sup>2</sup> Africa's Leaders for Life. Available at <a href="https://www.cfr.org/backgrounder/africas-leaders-life">https://www.cfr.org/backgrounder/africas-leaders-life</a>

Threats to democracy in Africa: The rise of the constitutional coup. For more see <a href="https://www.brookings.edu/blog/africa-in-focus/2020/10/30/threats-to-democracy-in-africa-the-rise-of-the-constitutional-coup/">https://www.brookings.edu/blog/africa-in-focus/2020/10/30/threats-to-democracy-in-africa-the-rise-of-the-constitutional-coup/</a>

<sup>4</sup> Coups are Back in West Africa. For more see <a href="https://www.cfr.org/blog/nnamdi-kanus-trial-turns-pressure-nigerian-government">https://www.cfr.org/blog/nnamdi-kanus-trial-turns-pressure-nigerian-government</a>

administrative machinery. The Democracy Index 2020⁵ of the Economist Intelligence Unit describes most governments in sub-Saharan Africa as either hybrid or authoritarian regimes.

The recently concluded general elections in Uganda, in which Yoweri Museveni was re-elected, making him the longest-serving head of government in Africa,<sup>6</sup> saw extensive violations of media freedom and attacks on journalists<sup>7</sup> in which both local and foreign journalists were targeted by security forces and law enforcement agencies. The government shut down the internet and the police chief warned journalists that they would be assaulted if they refused to obey orders.

In Mozambique, journalists have been arrested for speaking truth to power or expelled from the country<sup>8</sup>. Ibraimo Mbaruco, a radio journalist, has been missing since April 2020. Just before he disappeared, the young reporter had called his friends to tell them that he had been surrounded by police. Since then, his whereabouts are not known. A few months later, the office of the Canal de Moçambique newspaper was burnt down in the capital Maputo in an apparent arson attack<sup>9</sup>.

Similarly, in Zimbabwe, journalists have been arrested for exposing corruption and writing critical stories about those in power. Journalist

5 Democracy Index 2020: In sickness and in health? https://www.eiu.com/n/campaigns/democracy-index-2020/

40 years in power: Museveni joins exclusive club of presidents. For more see <a href="https://observer.ug/news/headlines/68175-40-years-in-power-museveni-joins-exclusive-club-of-presidents">https://observer.ug/news/headlines/68175-40-years-in-power-museveni-joins-exclusive-club-of-presidents</a>

7 "Democracy in darkness": Uganda's journalists under pressure amid pivotal election. https://ipi.media/democracy-in-darkness-ugandas-journalists-under-pressure-amid-pivotal-election/

8 Mozambique bans journalist for 10 years <u>https://www.voanews.com/press-freedom/mozambique-bans-journalist-10-years</u>

9 Arsonists Strike at Mozambique Newspaper <u>https://www.voanews.com/press-freedom/arsonists-strike-mozambique-newspaper</u>

> Press Freedom and Safety of Journalists in Africa: Challenges and Recommendations

Hopewell Chin'ono, for example, has been repeatedly arrested for exposing corruption<sup>10</sup>. In Tanzania, the government has used the Media Services Act to shut down publications, news websites, and radio and television channels for being critical of the government<sup>11</sup>. Last year, it clamped down on independent media ahead of general elections. In Burundi, four journalists were sentenced to prison terms for covering a violent incident on the border with the Democratic Republic of the Congo. The government of Zambia has recently enacted a controversial cyber security law that is likely to have a devastating impact<sup>12</sup> on press freedom.

Journalists in Africa have also been targeted for their work by armed rebel groups. In August 2021, two journalists were brutally killed in the span of a week in Kivu<sup>13</sup> and Ituri<sup>14</sup> regions of the Democratic Republic of the Congo.

The ongoing COVID-19 pandemic has further exacerbated the situation<sup>15</sup> <sup>16</sup>. Between February 2020 and May 2021, IPI recorded more than 670 cases of

10 IPI condemns re-arrest of Zimbabwean journalist Hopewell Chin'ono. Available at <a href="https://ipi.media/ipi-condemns-re-arrest-of-zimbabwean-journalist-hopewell-chinono-2/">https://ipi.media/ipi-condemns-re-arrest-of-zimbabwean-journalist-hopewell-chinono-2/</a>

<sup>11</sup> Tanzania press freedom plunges into unprecedented crisis. Available at <a href="https://ipi.media/tanzania-press-freedom-plunges-into-unprecedented-crisis/">https://ipi.media/tanzania-press-freedom-plunges-into-unprecedented-crisis/</a>

<sup>12</sup> Cyber (In)Security: potential impact of the Cyber Security and Cyber Crimes Bill of 2021 on an already shrinking civic space in Zambia. Available at <a href="https://www.themastonline.com/2021/03/01/cyber-insecurity-potential-impact-of-the-cyber-security-and-cyber-crimes-bill-of-2021-on-an-already-shrinking-civic-space-in-zambia/">https://www.themastonline.com/2021/03/01/cyber-insecurity-potential-impact-of-the-cyber-security-and-cyber-crimes-bill-of-2021-on-an-already-shrinking-civic-space-in-zambia/</a>

Journalist murdered in eastern DR Congo. Available at <a href="https://www.monitor.co.ug/uganda/news/journalist-murdered-in-eastern-dr-congo-3504476">https://www.monitor.co.ug/uganda/news/journalist-murdered-in-eastern-dr-congo-3504476</a>

<sup>14</sup> Journalist and wife killed in DR Congo. Available at <a href="https://www.manilatimes.net/2021/08/16/news/world/journalist-and-wife-killed-in-dr-congo/1811053">https://www.manilatimes.net/2021/08/16/news/world/journalist-and-wife-killed-in-dr-congo/1811053</a>

<sup>15</sup> Media Freedom and COVID-19. Available at https://www.international.gc.ca/campaign-campagne/media\_freedom-liberte\_presse-2020/policy\_paper-documents\_orientation-covid-19.aspx?lang=eng

<sup>16</sup> Catalyst or Destabiliser? <a href="https://www.kas.de/en/single-title/-/content/catalyst-or-destabiliser-1">https://www.kas.de/en/single-title/-/content/catalyst-or-destabiliser-1</a>

press freedom violations globally<sup>17</sup>. Several journalists in Africa have been arrested or assaulted, while media outlets have been targets of legal harassment after exposing COVID-19-related corruption in governments and highlighting inadequate responses to the pandemic. In just one example, in Mozambique, a journalist was arrested and subsequently sentenced to prison last year for investigating the harassment of street vendors during the COVID-19 lockdown<sup>18</sup>. IPI recorded nearly 90 media freedom violations in sub-Saharan Africa related to COVID-19 between February 2020 and May 2021<sup>19</sup>. A recent IPI in-depth report<sup>20</sup> articulates how the harassment of journalists has increased in Zimbabwe since the onset of the pandemic.

IPI's COVID-19 Press Freedom Tracker and Death Watch data along with other IPI reports have frequently been quoted by the media<sup>21</sup> and by policymakers to advocate for press freedom, make policy changes, and to pass resolutions at the UN. In April 2020, the UN high commissioner for human rights, Michelle Bachelet, cited IPI's COVID-19 data in her statement<sup>22</sup> expressing concern over restrictions imposed on journalists.

17 IPI COVID-19 Press Freedom Tracker. Available at <a href="https://ipi.media/covid19/">https://ipi.media/covid19/</a>

<sup>18</sup> Mozambique: Journalist Omardine Omar detained in Maputo – Carta. Available at <a href="https://clubofmozambique.com/news/mozambique-journalist-omardine-omar-detained-in-maputo-carta-164025/">https://clubofmozambique.com/news/mozambique-journalist-omardine-omar-detained-in-maputo-carta-164025/</a>

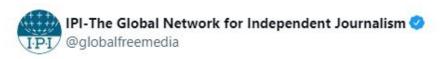
For details of the cases, please visit <a href="https://ipi.media/covid19/?alert\_type=0&years=0&country=africa">https://ipi.media/covid19/?alert\_type=0&years=0&country=africa</a>

In Zimbabwe, one year of COVID-19 saw surge in harassment of free press. Available at <a href="https://ipi.media/in-zimbabwe-one-year-of-covid-19-saw-surge-in-harassment-of-free-press/">https://ipi.media/in-zimbabwe-one-year-of-covid-19-saw-surge-in-harassment-of-free-press/</a>

<sup>21</sup> Censorious governments are abusing "fake news" laws. Available at <a href="https://www.economist.com/international/2021/02/13/censorious-governments-are-abusing-fake-news-laws">https://www.economist.com/international/2021/02/13/censorious-governments-are-abusing-fake-news-laws</a>

Bachelet alarmed by media clampdowns, says public has right to know about COVID-19. Available at https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25823&LangID=E



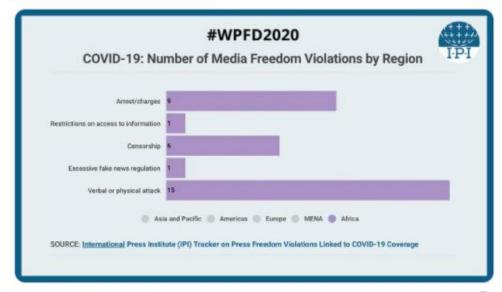


IPI has documented 32 different #pressfreedom violations linked to #COVID19 in Africa.

Uganda, Somalia and Zimbabwe have recorded 16 instances of journalists beaten or detained by authorities.

#### #WPFD2020 #WorldPressFreedomDay

# bit.ly/IPI\_WPFD2020



3:11 PM · May 3, 2020

Moreover, IPI's decades-long experience has shown that monitoring, documenting and reporting press freedom violations – including attacks on journalists and impunity for crimes against journalists – form an essential step in carrying out targeted, evidence-based advocacy aimed at holding governments accountable for their actions and improving the overall situation and policy environment. In Africa, too, this strategy of collecting credible data on press freedom violations and attacks on journalists, as well as developing advocacy tools based on the evidence, to persuade

governments to take concrete steps for ensuring the safety of journalists and to engender policy change, should be considered an effective approach but requires greater resources.

The African Editors Forum, national unions of journalists, national associations of journalists and press freedom organizations at the national and regional levels, such as the Media Institute of Southern Africa, the Media Council of Tanzania and the Human Rights Network for Journalists - Uganda, have been vigorously raising key press freedom issues at the national level and reporting to the ACHPR. All these organizations have been collecting valuable data, but there is no pan-African repository for data on press freedom violations and attacks on journalists that could be used as evidence for advocacy and influencing key players.

There is an urgent need to implement a comprehensive and robust data collection mechanism across the continent that is available to all stakeholders, including journalists, media outlets, journalists' organizations, press freedom groups, human rights organizations, the African Union, the African Commission on Human and Peoples' Rights, governments, and academics.

There has been some concrete movement towards achieving this goal. An initiative to document attacks on journalists across Africa was launched in January 2021<sup>23</sup> by The African Editors' Forum (TAEF) with the support of UNESCO and several press freedom and media development organizations. TAEF proposes to collate all incidents of attacks on journalists on a digital platform and use the data for advocacy. More details of this initiative are discussed in the section on findings.

The Digital Platform for the Safety of Journalists in Africa was launched in January 2021 by The African Editors Forum and the UNESCO Liaison Office to the African Union. For more details see https://safetyofjournalistsinafrica.africa/about-us/



## **III** Methodology

The research work here focused on understanding the current situation, policy landscape, and best practices to propose suitable recommendations and actions on influencing policymakers to ensure the safety of journalists, as well as to end impunity for crimes against journalists.

With this objective, the study relied on literature review and interviews with key stakeholders. The literature review included relevant global and regional instruments, policy documents on human rights, freedom of expression and the right to information, and declarations by the African Union, ACHPR, UNESCO, UN, OHCHR, special rapporteurs of the regional mechanisms, and reports produced by civil society groups. Some empirical research published in academic journals that are not widely accessed by policymakers, journalists, stakeholders and the public, was also consulted for the purpose of corroborating the initial findings in the interviews and to assess academic interest in the issues.

A major part of the research was devoted to interviews with multiple stakeholders, most importantly editors, journalists, press freedom activists, UNESCO officials, human rights groups, policymakers, politicians, and academics. Open-ended and semi-structured interviews were conducted with 15 editors and journalists, including women journalists; nine journalists' organizations and media freedom groups; a former parliamentarian; and five academics over the course of this study.

Stakeholders represented 15 countries from across the continent: Angola, Burundi, Ethiopia, Ghana, Kenya, Malawi, Mali, Mozambique, Nigeria, Senegal, South Africa, Tanzania, Uganda, Zambia, and Zimbabwe.

The criteria for the selection of the countries were (a) the severity of the issues, (b) the ease of communication, and (c) the availability of interview partners

who could communicate in English. Many respondents had to be contacted repeatedly as internet connections and phone lines were not stable.

Stakeholder interviewees were selected based on the information gathered through preliminary research, literature and document review, and consultations with the Konrad-Adenauer-Stiftung and local civil society organizations with which IPI has been working in the region. The selection of stakeholders was selected in a manner so as to include a broad spectrum of roles and positions, as well as gender diversity.

These interviews were extremely informative and provided insights into the severity of the problem faced by individual journalists, media outlets, journalists' unions, and associations in sub-Saharan Africa in matters relating to the safety of journalists. During the interviews, numerous significant challenges came to light along with innovative suggestions on conducting advocacy and influencing policymakers, which are discussed in the subsequent sections.

## IV Policy landscape

At the international level, standards on freedom of expression and media freedom are defined by a variety of binding and non-binding instruments<sup>24</sup>, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Article 19 of the UDHR<sup>25</sup> and Article 19 of the ICCPR<sup>26</sup> explicitly protect the right to freedom of expression. Apart from these instruments, the UN General Assembly, the UN Security Council and the Human Rights Council have adopted several resolutions on the safety of journalists.



<sup>24</sup> UNESCO has created a compendium of documents on safety of journalists. For more see <a href="https://en.unesco.org/themes/safety-journalists/basic-texts">https://en.unesco.org/themes/safety-journalists/basic-texts</a>

Article 19 of the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, states that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." For more see <a href="https://www.un.org/en/about-us/universal-declaration-of-human-rights">https://www.un.org/en/about-us/universal-declaration-of-human-rights</a>

Article 19 of the ICCPR states that "everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." For more see <a href="https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx">https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx</a>

Similarly, there are several declarations and resolutions adopted at the pan-African level. For the purpose of this research, only significant instruments have been included and discussed in this section.

One of the most significant policy documents is the UN Plan of Action on the Safety of Journalists and the Issue of Impunity<sup>27</sup>, endorsed on 12 April 2012 by the highest-level coordination mechanism in the UN system. The Plan includes over 120 concrete actions that could be taken for the protection of journalists and related issues. It recommends that all Member States develop and implement nationally owned protection mechanisms for preventing attacks against journalists and combating impunity. Initiatives could include special investigative units, independent commissions, special prosecutors as well as mechanisms to gather information and provide a rapid response.

A Multi-Stakeholder Consultation on Strengthening the Implementation of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity conducted in 2017 recommended an additional set of options for specific stakeholders to strengthen the safety of journalists<sup>28</sup>.

#### 4.1 Windhoek declarations

On 3 May 1991, a seminar on Promoting an Independent and Pluralistic African Press organized by UNESCO in Windhoek, Namibia, adopted a declaration that raised concerns about the safety of journalists. It states<sup>29</sup> the following:

The UN Plan of Action on the Safety of Journalists and the issue of impunity was the result of a process that began in 2010 upon request of the Intergovernmental Council of the UNESCO's International Programme for the Development of Communication (IPDC). For more on the Plan see <a href="https://en.unesco.org/un-plan-action-safety-journalists">https://en.unesco.org/un-plan-action-safety-journalists</a>

For more on the recommendation see the Outcome Document of the Multi-stakeholder consultation here <a href="https://en.unesco.org/sites/default/files/options\_geneva\_consultation.pdf">https://en.unesco.org/sites/default/files/options\_geneva\_consultation.pdf</a>

The Windhoek Declaration for the Development of a Free, Independent and Pluralistic Press was the outcome of the UNESCO seminar, "Promoting an Independent and

In Africa today, despite the positive developments in some countries, in many countries, journalists, editors and publishers are victims of repression - they are murdered, arrested, detained and censored, and are restricted by economic and political pressures such as restrictions on newsprint, licensing systems which restrict the opportunity to publish, visa restrictions which prevent the free movement of journalists, restrictions on the exchange of news and information, and limitations on the circulation of newspapers within countries and across national borders. In some countries, one-party States control the totality of information.





Some photos from the seminar that led to the writing and signing of the Windhoek Declaration on May 3, 1991.

Read an interview with @GwenLister1, one of the signatories: p.dw.com/p/3smoe

Photos courtesy of @TheNamibian newspaper.

#### #WorldPressFreedomDay #WHK30

https://en.unesco.org/news/30th-anniversary-windhoek-declaration



Pluralistic African Press," held in Windhoek, Namibia, from 29 April to 3 May 1991 attended by independent journalists from Africa. For more on this see

Press Freedom and Safety of Journalists in Africa: Challenges and Recommendations Three decades later, the Windhoek Declaration+30 was adopted at the UNESCO World Press Freedom Day International Conference 2021, which was also held in Windhoek. The Declaration<sup>30</sup> states:

ALARMED BY BOTH ENDURING AND NEW THREATS TO THE SAFETY OF
JOURNALISTS AND THE FREE EXERCISE OF JOURNALISM, INCLUDING KILLINGS,
HARASSMENT OF WOMEN, OFFLINE AND ONLINE ATTACKS, INTIMIDATION AND
THE PROMOTION OF FEAR, AND ARBITRARY DETENTIONS, AS WELL AS THE
ADOPTION OF LAWS WHICH UNDULY RESTRICT FREEDOM OF EXPRESSION AND
ACCESS TO INFORMATION IN THE NAME, AMONG OTHER THINGS, OF
PROHIBITING FALSE INFORMATION, PROTECTING NATIONAL SECURITY AND
COMBATING VIOLENT EXTREMISM; AND ALSO DEEPLY CONCERNED AT THE
INCREASING NUMBERS OF INTERNET DISRUPTIONS, INCLUDING INTERNET
SHUTDOWNS, PARTICULARLY DURING ELECTIONS AND PROTESTS; IN IN THE
NAME, AMONG OTHER THINGS, OF PROHIBITING FALSE INFORMATION,
PROTECTING NATIONAL SECURITY AND COMBATING VIOLENT EXTREMISM; AND
ALSO DEEPLY CONCERNED AT THE INCREASING NUMBERS OF INTERNET
DISRUPTIONS, INCLUDING INTERNET SHUTDOWNS, PARTICULARLY DURING
ELECTIONS AND PROTESTS.

The Declaration calls on governments to reinforce the safety of journalists, stating that governments should:

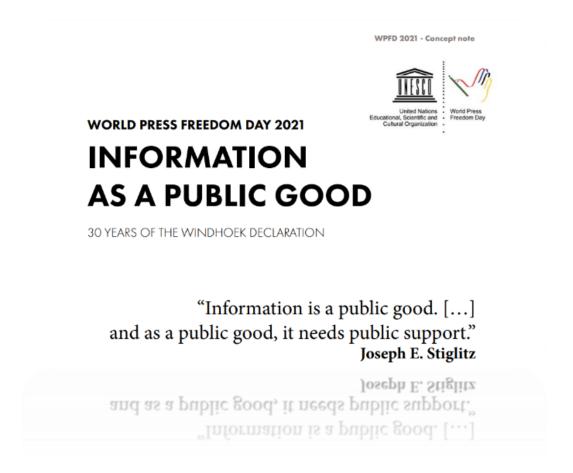
COMMIT TO CREATING A POSITIVE ENABLING ENVIRONMENT FOR FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION, ONLINE AND OFFLINE, IN LINE WITH INTERNATIONAL GUARANTEES OF THESE RIGHTS, INCLUDING A FREE, INDEPENDENT AND PLURALISTIC MEDIA, THROUGH ADOPTING APPROPRIATE LEGAL MEASURES IN A TRANSPARENT MANNER AND FOLLOWING ADEQUATE PUBLIC CONSULTATION, GUARANTEEING THE EXERCISE OF JOURNALISM FREE OF GOVERNMENTAL INTERFERENCE, WHETHER FORMAL OR INFORMAL,

For the full Windhoek+30 declaration see <a href="https://en.unesco.org/sites/default/files/windhoek30declaration\_wpfd\_2021.pdf">https://en.unesco.org/sites/default/files/windhoek30declaration\_wpfd\_2021.pdf</a>

PROMOTING UNIVERSAL ACCESS TO THE INTERNET, AND TAKING MEASURES

TO REINFORCE THE SAFETY OF JOURNALISTS, INCLUDING WITH A SPECIFIC

FOCUS ON WOMEN JOURNALISTS.



### 4.2 International principles for the protection of journalists

IPI, in cooperation with the Al Jazeera Media Network, the International News Safety Institute (INSI) and the Africa Media Initiative (AMI), prepared the International Declaration on the Protection of Journalists, which summarizes international principles related to the protection of journalists operating in dangerous environments, emphasizing the responsibilities of states to guarantee journalists' safety and combat impunity, and highlights steps and remedies that media organizations and journalists should consider in order to strive for greater safety.

The International Declaration is based on research and analysis of existing international mechanisms in the area of journalist safety as well as on best practices among journalists and media organizations to ensure maximum safety.

The Declaration evolved out of wide-ranging consultations with stakeholders. A draft declaration was analysed and discussed at two expert roundtables: the first took place in Nairobi on 3 September 2015, and the second in London on 14 September 2015. Each roundtable gathered over 35 experts representing major media houses, international media and press freedom organizations, media associations and professional organizations, legal experts, academics, lawyers, and press freedom advocates and activists.

The full text of the International Declaration<sup>31</sup>, which was presented during the 2016 IPI World Congress in Doha, Qatar, has been cited in resolutions adopted by the UN General Assembly.

#### 4.3 Policy and instruments for the safety of journalists in Africa

Besides the international instruments described above, Africa has its own rich policy ecosystem defined by the African Charter on Human and Peoples' Rights and the African Commission on Human and Peoples' Rights to uphold and monitor fundamental rights. The African Court on Human and Peoples' Rights along with regional courts of justice of coordination bodies like the East African Community (ECA), the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (CEEAC), and the Southern African Development Community (SADC) have a significant role to play in this context.

31

For the full text of Declaration see <a href="https://ipi.media/international-declaration-on-the-protection-of-journalists/">https://ipi.media/international-declaration-on-the-protection-of-journalists/</a>



#### 4.3.1 The African Charter on Human and Peoples' Rights

The African Charter on Human and Peoples' Rights<sup>32</sup> was adopted in 1981 and came into force on 21 October 1986. The Charter, under Article 9, upholds the right to information and the right to express and disseminate opinion:

- 1. EVERY INDIVIDUAL SHALL HAVE THE RIGHT TO RECEIVE INFORMATION
- 2. EVERY INDIVIDUAL SHALL HAVE THE RIGHT TO EXPRESS AND DISSEMINATE HIS OPINIONS WITHIN THE LAW

The African Commission on Human and Peoples' Rights monitors and conducts periodic reviews of the implementation of the Charter by Member States. Civil society organizations that have observer status with the ACHPR are encouraged to submit shadow reports when the Commission holds reviews during its ordinary sessions, which take place twice a year.

# 4.3.2 The Declaration of Principles of Freedom of Expression and Access to Information in Africa

In 2002, the ACHPR in its Declaration of Principles of Freedom of Expression in Africa<sup>33</sup> advised Member States to take effective measures to prevent attacks on journalists. The ACHPR revised the Declaration in 2019<sup>34</sup>, in which it further elaborated on the safety of journalists. General Principle 1 affirms:

For more on the African Charter on Human and People's Rights see <a href="https://www.achpr.org/legalinstruments/detail?id=49#:~:text=The%20African%20Charter%2">https://www.achpr.org/legalinstruments/detail?id=49#:~:text=The%20African%20Charter%2</a> <a href="https://oon%20Human.freedoms%20in%20the%20African%20continent.">0on%20Human.freedoms%20in%20the%20African%20continent.</a>

Section 11 of the 2002 ACHPR Declaration of Principles of Freedom of Expression in Africa states that "Attacks such as the murder, kidnapping, intimidation of and threats to media practitioners and others exercising their right to freedom of expression, as well as the material destruction of communications facilities, undermines independent journalism, freedom of expression and the free flow of information to the public." For more see <a href="http://hrlibrary.umn.edu/achpr/expressionfreedomdec.html">http://hrlibrary.umn.edu/achpr/expressionfreedomdec.html</a>

For the full text of the Declaration visit <a href="https://www.achpr.org/legalinstruments/detail?id=69">https://www.achpr.org/legalinstruments/detail?id=69</a>

STATES PARTIES TO THE AFRICAN CHARTER (STATES) SHALL CREATE AN ENABLING ENVIRONMENT FOR THE EXERCISE OF FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION, INCLUDING BY ENSURING PROTECTION AGAINST ACTS OR OMISSIONS OF NON-STATE ACTORS THAT CURTAIL THE ENJOYMENT OF FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION.

General Principle 6 expands the scope of the protection accorded to journalists to include individuals and groups exercising their right to freedom of expression:

THE PROTECTIONS ACCORDED TO JOURNALISTS AND OTHER MEDIA PRACTITIONERS IN THIS DECLARATION SHALL APPLY, AS NECESSARY, TO EVERY HUMAN RIGHTS DEFENDER AND ANY OTHER INDIVIDUAL OR GROUP EXERCISING THEIR RIGHTS TO FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION THROUGH ANY MEDIUM.

Principle 20 of the Declaration further elaborates on the responsibility of Member States for the protection and safety of journalists. It states that:

- 1. States shall guarantee the safety of journalists and other media Practitioners.
- 2. States shall take measures to prevent attacks on journalists and other media practitioners, including murder, extra-judicial killing, torture and other forms of ill-treatment, arbitrary arrest and detention, enforced disappearance, kidnapping, intimidation, threats and unlawful surveillance undertaken by State and non-State actors.

- 3. States shall take measures to raise the awareness and build the capacities of journalists and other media practitioners, policy makers and other stakeholders on laws and standards for ensuring the safety of journalists and other media practitioners.
- **4.** States shall take effective legal and other measures to investigate, prosecute and punish perpetrators of attacks against journalists and other media practitioners, and ensure that victims have access to effective remedies.
- **5.** States shall be liable for the conduct of law enforcement, security, intelligence, military and other personnel which threatens, undermines or violates the safety of journalists and other media practitioners.
- **6.** States shall take specific measures to ensure the safety of female journalists and media practitioners by addressing gender specific safety concerns, including sexual and gender-based violence, intimidation and harassment.
- 7. In times of armed conflict, States shall respect the status of journalists and other media practitioners as non-combatants in accordance with international humanitarian law.

In 2004, the African Commission on Human and Peoples' Rights established the position of a special rapporteur on freedom of expression and access to information with the mandate to analyse, investigate, make public interventions, and report to the Commission violations of freedom of expression on the continent<sup>35</sup>. Since then, the special rapporteur has raised the issue of attacks on journalists on numerous occasions, issuing letters of urgent appeal and mentioning the violations in the reports to the Ordinary Session of the Commission<sup>36</sup>.

# 4.3.3 The Nairobi Declaration on National Mechanisms for Safety of Journalists

In 2017, UNESCO and the Federation of African Journalists jointly organized a Conference on Safety of Journalists and Ending Impunity for Crimes Committed against Journalists in Africa<sup>37</sup> where the Nairobi Declaration on national mechanisms for safety of journalists was adopted.<sup>38</sup> The Nairobi Declaration emphasized the importance of establishing national safety mechanisms in East African countries and provided for the establishment of a regional committee for the safety of journalists. Key elements of the Declaration read as follows:

Press Freedom and Safety of Journalists in Africa: Challenges and Recommendations

The Special Rapporteur of the ACHPR has the mandate to analyse national media legislation, policies and practice within Member States; monitor their compliance with freedom of expression standards and advise Member States accordingly; undertake investigative missions to Member States where reports of massive violations of the right to freedom of expression are made and make appropriate recommendations to the African Commission; undertake country missions and any other promotional activity that would strengthen the full enjoyment of the right to freedom of expression in Africa; make public interventions where violations of the right of freedom of expression have been brought to his/her attention; keep a proper record of violations of the right of freedom of expression and publish this in his/her reports submitted to the African Commission; and submit reports at each ordinary session of the African Commission on the status of the enjoyment of the right to freedom of expression in Africa. For more on the SR mechanism see <a href="https://www.achpr.org/specialmechanisms/detail?id=2">https://www.achpr.org/specialmechanisms/detail?id=2</a>

For more on the reports and activities of the special rapporteur see <a href="https://www.achpr.org/specialmechanisms/detail?id=2">https://www.achpr.org/specialmechanisms/detail?id=2</a>

For more on this see <a href="https://www.unesco.org/new/en/addisababa/about-this-office/single-view/news/promoting\_the\_safety\_of\_journalists\_and\_the\_campaign\_against-3">www.unesco.org/new/en/addisababa/about-this-office/single-view/news/promoting\_the\_safety\_of\_journalists\_and\_the\_campaign\_against-3</a>.

Nairobi Declaration, for more see <a href="https://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Nairobi/nairobideclarationsafetyjourn">www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Nairobi/nairobideclarationsafetyjourn</a> alists.pdf

- Eastern African Countries shall establish national mechanisms for the safety of journalists, taking into account the different country contexts.
- O The national mechanisms shall seek to bring together all the actors including the following:- The three branches of government (Executive, Legislature and Judicial), Associations of Journalists and Media Workers, Lawyers associations, Civil Society/Human Rights defenders, Journalism training and research institutions, media regulatory bodies, NGOs, INGOs, relevant United Nations Agencies, Programmes and Funds, bilateral and international media development partners and other friends of the media as may be invited.
- O An inclusive Eastern Africa stakeholders Committee for Safety of Journalists shall be established, bringing on board the existing mechanisms at the regional and national level.
- Each country mechanisms shall nominate a focal person to the Eastern Africa stakeholders Committee for Safety of Journalists.
- The role of the Eastern Africa stakeholders Committee for Safety of Journalists committee will be to coordinate, mobilize resources, share best practices, support and monitor the progress of the National Safety Mechanisms.
- O The Eastern Africa stakeholders Committee for Safety of Journalists will also seek partnerships, collaboration and coordination with other regional and continental coordination mechanisms such as the East African Community, the African Union and other media networks and association, with a view to strengthening the national mechanisms for safety of Journalists.

The Declaration also made detailed recommendations on the national mechanisms for the safety of journalists in Eastern African countries.

#### 4.3.4 Addis Ababa Resolution on the Creation of AU Working Group on the Safety of Journalists and the Issue of Impunity in Africa

Also in 2017, the Addis Ababa Resolution on the Creation of AU Working Group on the Safety of Journalists and the Issue of Impunity in Africa<sup>39</sup> was adopted, urging the AU to create a working group on the safety of journalists to be convened by the African Commission on Human and Peoples' Rights, to promote the establishment of national safety mechanisms. The Resolution proposed the following role for the African Union Working Group on Safety of Journalists and Ending Impunity:

- 1. Support and promote the safety of journalists and tackle impunity for crimes committed against them on the African continent through encouraging Member States to establish national mechanisms, drawing on multi-stakeholder cooperation, for securing the safety of journalists.
- 2. Draw attention of African Union Member States to the indicator for the safety of journalists within the 2030 Development Agenda and encourage them to monitor and report accordingly.
- **3.** Encourage African Union Member States to monitor and condemn attacks on journalists, and ensure follow-up on

<sup>39</sup> Addis Ababa Resolution on the creation of AU Working Group. For more see www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Addis-Ababa/pdf/AddisAbabaResolution2017.pdf.

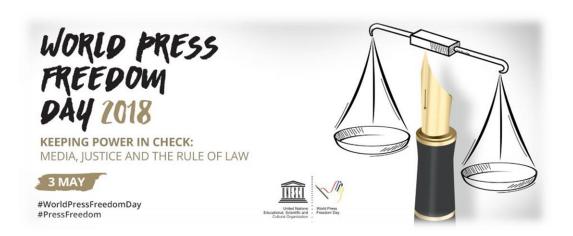
implementation of the relevant declarations, resolutions and protocols on safety of journalists and end to impunity.

**4.** Integrate journalists' safety in Africa as a standing agenda item in the relevant AU commissions and summits.

#### 4.3.5 Accra Declaration

In 2018, the UNESCO Conference on World Press Freedom Day, held in Accra, Ghana, adopted the Accra Declaration<sup>40</sup>, which explicitly states that member states should:

PUT IN PLACE, WHERE THE CONTEXT WARRANTS, DEDICATED NATIONAL SAFETY MECHANISMS TO MONITOR PROGRESS ON SDG INDICATOR 16.10.1 ON SAFETY OF JOURNALISTS AND RESPOND TO ANNUAL REQUESTS BY THE UNESCO DIRECTOR GENERAL FOR INFORMATION ON IMPUNITY; PROVIDE PROTECTION FOR JOURNALISTS AND OTHERS WHO ARE ATTACKED FOR EXERCISING THEIR RIGHT TO FREEDOM OF EXPRESSION; AND COMBAT IMPUNITY WHEN SUCH ATTACKS DO OCCUR.



<sup>40</sup> Accra Declaration "Keeping Power in Check: Media, Justice and the Rule of Law". For more see <a href="https://en.unesco.org/sites/default/files/declaration\_accra.2018-05-03.pdf">https://en.unesco.org/sites/default/files/declaration\_accra.2018-05-03.pdf</a>

#### 4.3.6 Agenda 2063

Adopted in 2013 at the golden jubilee celebrations of the African Union, Agenda 2063 is the framework for achieving the vision of "An integrated, prosperous and peaceful Africa, driven by its own citizens, representing a dynamic force in the international arena". The document has set goals and programmes to boost Africa's economic growth and development and lead to the rapid transformation of the continent.

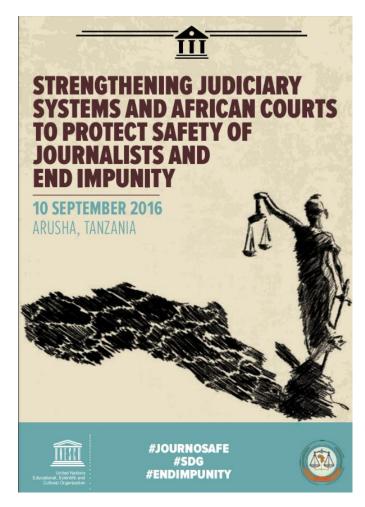
Aspiration 3 of Agenda 2063 is to promote good governance, democracy, respect for human rights, justice and the rule of law on the continent. That includes furthering press freedom and ensuring the safety of journalists in Africa.

# V Mechanisms for protection of journalists in Africa

As explained in the previous section, Africa has a robust policy landscape and institutions to ensure protection of journalists. However, it appears to lack an effective mechanism to implement international and regional policies and instruments.

Besides approaching the courts, journalists and media organizations subjected to violence, threats, intimidation, and physical and online attacks

do not have many options to seek redress. Regional courts like the East African Court of Justice, the ECOWAS Court of Justice and the Court of Justice of the Economic Community of Central African States have issued noteworthy judgements in cases of press freedom violations. Landmark decisions on freedom of expression, such as the Lohé Issa Konaté v Burking Faso and Norbert Zongo v Burkina Faso cases, have been hailed as positive precedents that helped shape the legal framework for the



protection of journalists. However, in many cases, national governments have

not implemented these judgements<sup>41</sup>. For instance, a judgement<sup>42</sup> by the East African Court of Justice striking down certain clauses of the Media Services Act of Tanzania was not implemented by the government. Instead, it appealed against the judgement and continues to use the impugned sections. The Media Council of Tanzania has sued the government for contempt of court at the East African Court of Justice<sup>43</sup>.

In many cases, journalists and press freedom organizations rely on the ACHPR special rapporteur to raise cases of attacks on journalists and media organizations with governments of member states. The special rapporteur issues letters of concern to member states where infractions have occurred, urging them to respond to cases, and includes them in the report to the Ordinary Sessions of the Commission. IPI, MISA, and several other press freedom organizations submit cases to the special rapporteur urging action.

However, member states often fail to respond to such letters of urgent appeal, and most do not submit reports to special rapporteurs and working groups on special mechanisms on actions taken.

The report of a seminar on the "Strengthening Judiciary Systems and African Courts to protect Safety of Journalists and End Impunity" held in 2016 in Arusha, Tanzania states that there remains a lack of implementation of international jurisprudence and court judgements. See <a href="https://en.unesco.org/sites/default/files/report\_on\_seminar\_arusha.pdf">https://en.unesco.org/sites/default/files/report\_on\_seminar\_arusha.pdf</a>

East African Court of Justice declares several sections of the Tanzania Media Services Act, 2016 to be in violation of the Treaty for the Establishment of the East African Community for encroaching on the freedom of expression. For more see <a href="http://kenyalaw.org/kenyalawblog/encroaching-on-the-freedom-of-expression/">http://kenyalaw.org/kenyalawblog/encroaching-on-the-freedom-of-expression/</a>

<sup>43</sup> Interview with Media Council of Tanzania

## VI Research findings

The literature review and interviews with key stakeholders in sub-Saharan Africa and elsewhere, as well as IPI's decades-long experience monitoring, documenting, and reporting press freedom violations – including attacks on journalists and impunity for crimes against journalists – formed the basis of the research findings. IPI's network of contacts and the COVID-19 Press Freedom Tracker were used to gather data on press freedom violations and attacks on journalists in sub-Saharan Africa, whereas the literature review and interviews gave an insight into the challenges faced by journalists' organizations and civil society groups in conducting advocacy to influence policymakers, politicians, and the public.

#### 6.1 Types of threats to journalists' safety

Interviews with journalists and press freedom organizations as well as data collected by IPI and its partners helped identify a variety of threats faced by journalists in Africa. These include:

- O Threats to life for exposing corruption
- Threats to life from non-state armed groups
- Arrests and detentions on trumped-up charges
- Physical attacks by law enforcement agencies and security forces
- Physical attacks by supporters of political leaders

- O Enforced disappearance and kidnapping<sup>44 45</sup>
- Arson attacks on offices of media outlets.
- Online attacks using social media platforms
- O Denial and withdrawal of accreditation
- Restrictions on movement
- Denial of right to information
- O Access restricted to officials / press conferences
- O Website blockings and publication bans
- Forced closure of media outlets

#### 6.2 Absence of political will and challenges to advocacy

The lack of political will to protect journalists is the single biggest obstacle in ensuring the safety of journalists. As described in earlier sections, African leaders, their supporters, and the government machinery have targeted journalists for speaking truth to power.

Several key stakeholders interviewed during the research indicated that journalists face threats from both state and non-state actors. Often, states themselves or the authorities are behind attacks or restrictions on journalists, as has been witnessed in Uganda, Burundi, Zimbabwe, and other countries.

Burundian journalist Jean Bigirimana has been missing since July 2016. For more see <a href="https://www.amnesty.org/en/latest/press-release/2020/08/burundi-journalist-jean-bigirimana-missing-1500-days/">https://www.amnesty.org/en/latest/press-release/2020/08/burundi-journalist-jean-bigirimana-missing-1500-days/</a>

Radio journalist Ibraimo Abú Mbaruco has been missing in Mozambique since April 2020. For more see <a href="https://ipi.media/ipi-urges-mozambique-to-release-radio-journalist/">https://ipi.media/ipi-urges-mozambique-to-release-radio-journalist/</a>

In many cases, states appear unwilling to implement national journalist safety mechanisms and embrace the international and regional instruments for the protection of journalists. This is one of the major factors for the continuing attacks on journalists, and the near-total impunity for such crimes only emboldens those responsible. One respondent said:



**Lange 1** Tournalists fear the state. The President himself has abused journalists and they feel threatened by the law enforcement agencies that are meant to protect them. Journalists are not safe at work, on the streets covering an event or an election. They display their identify cards and get attacked, arrested and their equipment destroyed. This happens in a democracy. 46

Arrested journalists may face long periods in detention. Judges themselves can come under pressure and may fear reprisal by their respective government. A report from a 2016 expert seminar at the African Court on Human and People's rights noted:47

Moreover, judges expressed their concerns about their PERSONAL SAFETY AS WELL. THEY RAISED THE QUESTION: "WHO IS GOING TO PROTECT US?". WHEN JUDGES ARE PROTECTING FREEDOM OF EXPRESSION, THEY THEMSELVES FACE RETALIATIONS AND SHOULD ALSO

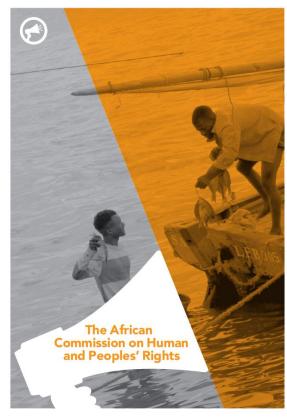
Quote from an interviewee. This was confirmed by many respondents in other African countries

Proceedings of the seminar "Strengthening Judiciary Systems and African Courts to protect 47 Safety of Journalists and End Impunity". For more see https://en.unesco.org/sites/default/files/report\_on\_seminar\_arusha.pdf

BE PROTECTED AGAINST STATE AND NON-STATE ACTORS. CIVIL SOCIETY SHOULD ADVOCATE FOR JUDGES TO BE PROTECTED FROM ADMINISTRATIVE SANCTION AND REPRISAL WHEN THEY ARE GIVING DECISIONS PROTECTION FREEDOM OF EXPRESSION OR PROSECUTING THOSE RESPONSIBLE FOR ATTACK AGAINST JOURNALISTS.

The AU, ACHPR, and UN agencies have not been able to make much progress in encouraging governments implement international recommendations on journalist safety<sup>48</sup>. The special procedure mechanisms of the UN Human Rights Council and letters of urgent appeal issued by the ACHPR have failed to have an impact. Overall. the response of compliance to recommendations of the ACHPR is extremely low.<sup>49</sup>

According to many respondents, the letters of urgent appeal and other



communications issued by the ACHPR do have a value in increasing public awareness and therefore at least increasing pressure on States to act. But the

<sup>48</sup> Several informants underscored this issue in interviews

<sup>49</sup> State Compliance with the Recommendations of the African Commission on Human and Peoples' Rights, 1994-2004, in The American Journal of International Law. For more see The American Journal of International Law, Vol 101, No.1

https://www.jstor.org/stable/pdf/4149821.pdf?refreqid=excelsior%3A7a2a9445b0a61e543454
8b1bd1b949c0

ACHPR's recommendations remain non-binding<sup>50</sup>, and member states often do not respond to them.

ACHPR AND THE AFRICAN UNION ARE AS INEFFECTIVE AS
GOVERNMENTS IN AFRICA IN PROTECTING JOURNALISTS. THEY HAVE
NO TEETH TO BITE AND HAVE NO ABILITY TO CHANGE THE POLICY
LANDSCAPE. GOVERNMENTS IGNORE THE TWO INSTITUTIONS. TO
SOME EXTENT CIVIL SOCIETY ORGANIZATIONS ARE SUCCESSFUL IN
HIGHLIGHTING THE ISSUE BY DOCUMENTING ATTACKS ON
JOURNALISTS. HOWEVER, THE PEOPLE WHO ARE SUPPOSED TO ACT
TO PROTECT JOURNALISTS ARE THE PERPETRATORS THEMSELVES, SO
NO ACTION IS TAKEN WHEN A JOURNALIST IS ATTACKED. 51

The reluctance of political leaders and their indifference towards improving the safety of journalists is the biggest challenge to conducting advocacy in sub-Saharan Africa. Joint advocacy efforts by journalists' groups, civil society organizations, and the Group of Friends on the Safety of Journalists at UNESCO in Paris have not yielded results.

The Nairobi Declaration and Addis Ababa Resolution have called on African governments to implement the recommendations of the UN Plan of Action. Based on the Addis Ababa Resolution, an AU Working Group on the safety of journalists and ending impunity was set up. Despite this, there has been little progress in setting up national mechanisms to protect journalists.

A report published by SOMO lists the benefits and drawbacks of raising issues with the ACHPR. Its decision are non-binding and States cannot be forced to comply with the decisions. For more see

https://www.somo.nl/wp-content/uploads/2018/07/ACHPR-brochure-final.pdf

<sup>51</sup> Interview with Gerald Walulya, Assistant Professor, Makerere University, Kampala, Uganda

However, most of our interviewees said that consistent and continuous public awareness building and direct advocacy at the national and regional level would have an impact.



The safety of journalists is not a top priority with most governments, even those in democracies. established The Global Conference for Media Freedom in London in hosted by the UK and Canadian 2019 governments gave many of us some hope that this would bring the winds of change in regard to both their concern for and recognition of the necessary role of journalism, but the 'movement' failed to gain impetus further I think largely because habitually tense relationships between governments and media holding power to account, there is little appetite, despite public posturing, for securing the safety journalists.52

International pressure would help efforts at the national and regional levels. Consistent data collection paired with greater visibility of the information and joint advocacy by journalists' groups, civil society organizations, international

<sup>52</sup> Interview with Gwen Lister, co-founder of The Namibian and the co-founder and current executive chairperson of the Namibia Media Trust. She received the IPI Press Freedom Hero award in 2000. For more see https://www.nmt.africa/Trustees

partners like IPI, and ACHPR itself would greatly add to the pressure on states to act where they are currently not, and raise the cost of inaction.

Respondents also said that journalists and press freedom groups should target certain leaders in sub-Saharan Africa who have at least signalled at intent to prioritize press freedom and the safety of journalists and could take a leadership role in conducting high-level advocacy. The research here showed<sup>53</sup> that the president of South Africa, Cyril Ramaphosa, and his counterpart in Senegal, Macky Sall, are two such leaders who could potentially be relied upon to influence other African heads of government on these issues.

#### 6.3 Role of journalists' organizations and civil society

While multilateral organizations have not had much success in strengthening national mechanisms for journalists' safety, journalists' organizations and civil society groups have been more effective in highlighting the issues by documenting the cases and raising them at different forums. The African Editors Forum, MISA national chapters, the Media Council of Tanzania, the Human Rights Network for Journalists-Uganda and some other national civil society organizations have been successful in defending journalists prosecuted for alleged crimes. These organizations have represented journalists and provided them with legal support in contesting cases in court. They have successfully raised issues with governments and jointly advocated for changes in regulations<sup>54</sup>. In July 2021, MISA Zimbabwe was successful in forcing parliament to recommit the

<sup>53</sup> This is based on interviews with journalists, press freedom organizations and academics

<sup>&</sup>quot;Rethinking Safety of Journalists" edited by Kristin Skare Orgeret (Oslo Metropolitan University, Norway) and William Tayeebwa (University of Makerere, Uganda. Available at <a href="https://www.cogitatiopress.com/mediaandcommunication/article/view/2873/2873">https://www.cogitatiopress.com/mediaandcommunication/article/view/2873/2873</a>

Cybersecurity and Data Protection Bill after pointing out flaws in the original text.55

There is a sense that although civil society groups and media freedom organizations have had some success before the courts, their efforts to influence policymakers have not been successful, primarily because politicians do not take them seriously.

**Many** leaders in Africa, for example President Museveni, believe that NGOs and CSOs represent the elite and do not have the ability to mobilize public opinion against governments. Therefore, these leaders do not take civil society organisations seriously and ignore their efforts to engage with governments. 56



IPI World Congress participants express solidarity with imprisoned colleagues worldwide; Abuja, Nigeria; 2018

<sup>55</sup> Cyber Bill recommitted in Senate. For more see https://zimbabwe.misa.org/2021/07/31/cyber-bill-recommitted-in-senate/

<sup>56</sup> Opinion voiced by several respondents during interviews

IPI has also been successful in advocating for the safety of journalists in Africa. To highlight one example, during the 2018 IPI World Congress in Abuja, Nigeria, IPI raised the issue of the detention of journalist Jones Abiri with President Muhammadu Buhari. This, along with pressure from other international groups and reports in the Nigerian media highlighting the case, led to Abiri's release on bail. Similarly, a case against Angolan journalist Rafael Marques de Morais was dropped in 2018<sup>57</sup> after he received the IPI World Press Freedom Hero award.



IPI World Press Freedom Hero Rafael Marques faced up to four years in prison on insult charges

#### 6.3.1 Lack of coordination between journalists and civil society groups

Another major challenge in undertaking advocacy and influencing policymakers is a lack of coordination between journalists' organizations on the one side and civil society groups on the other. Several journalists hold the

For more on the case see <a href="https://ipi.media/ipi-welcomes-acquittal-of-angolan-journalists/">https://ipi.media/ipi-welcomes-acquittal-of-angolan-journalists/</a>

view that some national civil society groups do not really represent their interests and are focussed on raising funds for carrying out training and capacity building of media workers instead of advocating for their safety, which they believe should be a top priority.

"Local civil society groups merely issue statements when journalists are attacked, arrested or killed. Such statements have no impact. They are not raising the real concerns of journalists or launching sustained campaigns to influence policies. Very few organizations support journalists when they face court cases".<sup>58</sup>

There appears to be a major disconnect between journalists' organizations and civil society in Africa, compounded by a lack of trust in non-governmental organizations, as journalists view them as self-serving entities interested in expanding their own programmes and serving the interests of donors rather than focussing on issues like the safety of journalists.

"Not many civil society organizations represent the interest of journalists. At the national-level CSOs are not doing enough. They are not raising the real concerns of journalists. To improve the situation, it is important to bring journalists together and then engage with the governments and regional bodies. A taskforce should be set up to monitor the safety of journalists in Africa".

Some respondents also expressed concerns that donors were focusing more on supporting and developing new, independent online media outlets, which have limited reach and may not really help create media pluralism. Newspapers and radio remain the most popular media outlets with immense impact, whereas online media has limited reach among audiences and

This was an opinion voiced by a respondent in South Africa during the interview

readers owing to unstable internet connectivity in areas beyond the capital cities and business centres.

Nevertheless, journalists hold some international civil society groups in high esteem and believe that their interventions have an impact as politicians pay attention to these organizations.



Politicians in Africa take statements made by international groups more seriously than those made by local CSOs. They are conscious of the impact that criticism by international organizations can have on their image and relationships with Western countries, which are major donors and development partners. 59

### 6.4 Monitoring and reporting of attacks on journalists

On 25 September 2020, IPI organized an online briefing with the ACHPR's special rapporteur on freedom of expression and right to Information with selected journalists from sub-Saharan Africa. During the briefing, the special rapporteur underscored the lack of availability of data on press freedom violations and attacks on journalists on the continent for the purpose of advocating with member states. The special rapporteur suggested that a mechanism be put in place to monitor, collate, and report cases of attacks on journalists and other press freedom violations to enable her office and the offices of other special rapporteurs to take these up with member states.

This was an opinion voiced by a respondent in Tanzania. Several other respondents expressed similar views in interviews.

Currently, data on attacks is collected at the national level by journalists' organizations and press freedom organizations. As there is institutionalized mechanism to collate data and inform the ACHPR, only some of these cases are brought to the notice of the ACHPR's special rapporteur. In 2019, IPI raised the issue of Tanzanian journalist Erik Kabendera's detention<sup>60</sup> by the Tanzanian government with the ACHPR and the commission issued letter of appeal to the president of Tanzania<sup>61</sup>. In most cases the ACHPR adopts a similar process. As mentioned earlier, governments do not respond to these letters, but they do play a role in raising public awareness and increasing pressure for action. Therefore, the lack of data to support such interventions is a problem.



IPI condemns arrest of Tanzanian journalist Erick Kabendera. For more see 60 https://ipi.media/ipi-condemns-arrest-of-tanzanian-journalist-erick-kabendera/

<sup>61</sup> Press Statement on the Joint Letter of Appeal issued on the Human Rights Situation in the United Republic of Tanzania. For more see https://www.achpr.org/pressrelease/detail?id=435

#### 6.4.1 Digital platform on the safety of journalists in Africa

In January 2021, TAEF established a digital platform<sup>62</sup> to compile cases of attacks on journalists and press freedom violations. TAEF is working towards setting up a system that would enable the filing of alerts on the platform that would be directly communicated to member states for action and reporting back. This would be modelled on the Council of Europe's Platform to promote the protection of journalism and the safety of journalists in European countries<sup>63</sup>.

The digital platform is the first significant step towards evidence-based advocacy on the continent. It has the potential to generate data that can be used to build public awareness and hold African governments to account for their inaction in improving the safety of journalists and implementing international and regional instruments. The data could be used by TAEF, regional forums of Editors, the Federation of African Journalists and civil society groups to engage with governments and the African Union.

The initiative has been hailed by South African President Cyril Ramaphosa<sup>64</sup>, who said:



We pledge to provide support to the digital platform through the relevant structures and institutions of the African Union and endorse this initiative to give practical

The Safety of Journalists in Africa, a digital platform launched in January 2021 can be accessed here <a href="https://safetyofjournalistsinafrica.africa/">https://safetyofjournalistsinafrica.africa/</a>.

The Council of Europe's Platform to promote the protection of journalism and safety of journalists allows media freedom organizations to submit alerts, which are then forwarded to governments of the Members States to respond. For more on the platform see <a href="https://www.coe.int/en/web/media-freedom">https://www.coe.int/en/web/media-freedom</a>

Digital platform on the safety of journalists in Africa launched. For more see <a href="https://en.unesco.org/news/digital-platform-safety-journalists-africa-launched">https://en.unesco.org/news/digital-platform-safety-journalists-africa-launched</a>

# support to the right of all Africans to freely receive information and to express and disseminate their views. 65

- Cyril Ramaphosa, President of South Africa

However, since its establishment, the platform has been struggling to collect data. Although it is supported by several civil society organizations, a robust data collection process has not been set up. The portal features a few cases submitted by various journalists' organizations and partners, but they are not categorized under different types of threats. The WordPress-based website is extremely slow and has several technical issues that need to be urgently dealt with.



Just launched: The first #Africa-wide digital platform to monitor attacks against journalists.

This platform will help promote the safety of journalists across the continent while holding the perpetrators of violence against them accountable.

on.unesco.org/3iV2o9q



For the complete text of Cyril Ramaphosa's address see <a href="https://www.gov.za/speeches/president-cyril-ramaphosa-launch-digital-platform-safety-journalists-africa-29-jan-202">https://www.gov.za/speeches/president-cyril-ramaphosa-launch-digital-platform-safety-journalists-africa-29-jan-202</a>

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The mechanism to share the data with the ACHPR and member states, and ensure their responses, has still not been formalized. Efforts are under way to urge member states to appoint focal points in their government to monitor data on the platform and to respond to cases. However, this effort has not met with much success.

The platform does not have a management team or the technical capacity to manage the portal. UNESCO has provided funding for the project and supports TAEF to seek additional financial resources to appoint a senior manager and staff to run the portal.

Another weakness of the initiative is the delay in developing a strong strategy to use the data collected on the platform for advocacy. According to members of the steering committee of the platform, many governments have not responded enthusiastically to the platform and have also not appointed a focal point to respond to the cases of attacks featured on the portal.



**So far, only two governments have come out** in support of the platform. The South African government, which was the chair of the AU at the time of the launch of the platform and Burkina Faso. 66

- Jovial Rantao, Chair TAEF

Still, the data could be used to conduct advocacy and influence governments to take action.

Disaggregation of the data would help in identifying trends in cases, countries where most attacks occur, reasons for the attacks, and other

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variables that could be used to develop and implement targeted advocacy actions. Civil society groups could use the data to submit shadow reports to the ACHPR and the UN Human Rights Council.

### 6.5 Underreporting of attacks and lack of awareness

A number of respondents suggested that media outlets do not provide extensive coverage of cases of attacks on journalists. Attacks that take place in capital cities and major business hubs are covered more prominently than those that occur in districts and regions away from the capital. The importance given to attacks in media coverage also depends on the affiliation of the targeted journalists, interviewees said.

Coverage of attacks on freelance journalists does not feature as prominently as those on journalists from big media organizations.



Reporting about attacks on journalists in the media should be increased to give visibility to the issue and create public awareness. In Uganda, attacks that take place outside Kampala are not widely reported in the media.67

Several respondents agreed with this observation and pointed out that media in Africa do not often cover or follow up on coverage of attacks, which makes it more difficult to build pressure on the authorities and policymakers.

Interview with Peter Mwesige, co-founder of African Centre for Media Excellence.

As a result cases are often forgotten, allowing impunity for crimes against journalists to be insufficiently scrutinized.



**Cases of attacks on journalists, detention,** and even murder do not get much coverage. These are widely covered soon after the incident happens, but soon the cases are forgotten. There is hardly any follow up and very rarely any investigative reporting on these cases. The cases resurface in the media on World Press Freedom Day and on the International Day to end Impunity for Crimes against Journalists, that too because of the involvement of UNESCO and civil society groups.68

Another significant aspect that came to light during the study was that many journalists, especially those at the beginning of their careers and those who work away from the head offices of their organizations, are not aware of the mechanisms or instruments available for their protection.

Surprisingly, on the one hand, considerable academic research has been conducted on the safety of journalists; on the other, this has not been included in journalism curricula at African universities. While students are taught about media ethics and national and international laws relating to the

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This was the response of an academic. Many academics and civil society activists also pointed to this aspect in interviews. Several journalists in South Africa, Tanzania, Kenya, Uganda, and Senegal confirmed this observation.

freedom of expression and the right to information, safety issues are not frequently included in the course. As a result, many journalists with relevant qualifications are unaware of the international, regional, and national mechanisms established for their protection. They rely on their editors and senior journalists when they are faced with adverse situations<sup>69</sup>.

Journalists face threats from state and non-state actors. Unfortunately, journalists are not aware of how to be safe and media managers do not know the safety mechanisms for journalists. There should be a multi-stakeholder national platform or network to promote safety of journalists. <sup>70</sup>

The occasional workshops and capacity-building activities conducted by international organizations, UN agencies, and civil society groups do help in raising awareness. Although academics are often involved in conducting such workshops and activities, they have not integrated the issue of journalists' safety into journalism coursework.

<sup>69</sup> Several academics and journalists, who studied graduate and diploma courses in journalism, shared this opinion.

<sup>70</sup> Interview with Mulatu Alemayehu Moges, founder and executive director of Ethiopian National Media Support and assistant professor of journalism at Addis Ababa University

### **VII** Recommendations

The findings of the research highlight major gaps in the implementation of policies for the safety of journalists in Africa and for ending impunity for crimes against them. While there is a lack of political will to implement global and regional instruments, mechanisms like the digital platform and AU Working Group on the Safety of Journalists along with sustained advocacy could build valuable additional pressure on governments to implement these regional and global instruments and set up national mechanisms for the safety of journalists.

Most respondents agreed that sub-Saharan Africa needs a strong action plan consisting of a pan-African monitoring and reporting mechanism, a coordination process between the African Union, ACHPR, member states, journalists' organizations and civil society groups focusing on press freedom and the safety of journalists, and a sustained campaign to raise awareness about the issues, accompanied by substantial funding to support such initiatives.

The following are recommendations for journalists' organizations and civil society groups in sub-Saharan Africa.

### 7.1 Improve monitoring and reporting mechanism

The digital portal established by TAEF with the support of UNESCO and several international and national civil society partners is a commendable initiative. The portal would enable the collection of data on attacks, which could be used for evidence-based advocacy at the national, sub-regional, pan-African, and global levels.

However, the platform lacks financial and technical resources to function effectively. Although an elaborate governance structure has been put in place, its complexity makes the decision-making process extremely slow. A management team consisting of a coordinator, a deputy coordinator, and technical support staff should be appointed at the earliest to manage the platform's daily operations.

In order for the platform to emerge as a source for credible data, a process for data collection, verification, disaggregation, and visualization has to be developed and implemented. This should include a smooth transmission of the data to the ACHPR and member states. Journalists' organizations and press freedom groups would have to work together to collect data and use it at the national and regional levels for raising public awareness and influencing governments.

An advocacy strategy that would exploit the data for evidence-based influencing should be crafted and embraced by all stakeholders involved in advocating for the safety of journalists within and outside the continent. The use of data by ACHPR and the African Union to influence member states to take action would increase the credibility of the platform and draw support from donors.

### 7.2 Increase reporting and awareness about attacks on journalists

Media coverage of attacks on journalists and news organizations is seen as inadequate and has failed to raise awareness amongst politicians, policymakers, and the public at large. Media organizations should increase coverage of attacks and threats by publishing not only news reports, but also in-depth features, opinion pieces, editorials, and documentaries, etc. All

stakeholders should use social media channels to highlight the attacks and remind their followers regularly of the need to protect journalists.

In 2020, IPI launched the first-ever South Asia cross-border journalism collaboration project, bringing together five leading newspapers from Bangladesh, India, Nepal, and Pakistan to highlight attacks on journalists in South Asia in order to both create public awareness and influence policymakers to end impunity for crimes against journalists.

TAEF could launch a similar initiative across the African continent to report on crimes against journalists. Syndicated publication of these reports could help raise public awareness and generate support for a sustained advocacy campaign.

### 7.3 Build regional multistakeholder platforms for advocacy

To overcome advocacy challenges arising from the vastness and diversity of the continent, several respondents suggested that regional, multistakeholder platforms should be established involving regional editors' forums, journalists' associations, civil society groups, and academics. Regionally disaggregated data from the digital platform could form the basis of research and advocacy to influence public opinion and policy. Such platforms would ensure targeted and effective advocacy at the regional and national levels, owing to knowledge of regional and national political contexts and ease of access to policymakers and politicians.

### 7.4 Establish a network of parliamentarians for safety of journalists

Several former journalists in Africa have been elected to national parliaments and thus have considerable influence on policymaking in their countries. However, many respondents said that such members of parliament have failed to adequately raise the issue of the safety and protection of journalists in parliaments and national assemblies.

Many members of TAEF and regional editors' forums opined that setting up a network of parliamentarians on the safety of journalists would be feasible in many countries. Members of such networks could raise questions in parliament, drawing attention to attacks on journalists and compelling governments to act. They could also introduce bills in parliament to force governments to implement national safety mechanisms, as suggested in the UN Plan of Action and reiterated by ACHPR in its declarations.

### 7.5 Targeted advocacy to directly influence heads of state and policymakers

Members of TAEF and some respondents from civil society organizations recommended that engagement with heads of state be increased to create the political will for the implementation of national mechanisms and to ensure action in cases of crimes against journalists.

Such engagement could happen at the national level and during meetings of the regional cooperation bodies, as well as at African Union sessions. Some respondents were of the view that that, as South African President President Ramaphosa has pledged his support to the digital platform on the safety of journalists established by TAEF, the latter could request the South African leader (or his Senegalese counterpart, who is also viewed as supportive) to convene a meeting of heads of government on the issue. This high-level advocacy would facilitate the buy-in by African governments.

### 7.6 Group of Friends for the Safety of Journalists in Africa

In 2016, several countries came together at the United Nations in New York, Geneva and Vienna, and UNESCO in Paris to set up a Group of Friends on the Safety of Journalists in each of these locations. The groups have raised concerns over the safety of journalists at UN meetings and been successful in ensuring the adoption of resolutions at the UN General Assembly and the Human Rights Council. Botswana, Cape Verde, Ghana, Kenya, and Senegal are part of the Group of Friends. As of July 2019, Botswana, Ghana, the Seychelles, Sierra Leone, and Sudan also members of the Media Freedom Coalition<sup>71</sup>, which brings together 49 nations in support of press freedom and the safety of journalists.

Efforts should be made for the establishment of such a Group of Friends at the AU to bolster diplomatic advocacy for the safety of journalists.

### 7.7 Recommendations for the international community

The international community should use diplomatic channels to convey its concerns over curbs on press freedom and threats to journalists. International donor countries should ensure that fundamental rights, including press freedom and free expression, play an important role in bilateral relations.

The Coalition was set up at the first Global Media Freedom Conference in London in 2019. 71 See the list of members as of July 2021:

https://www.gov.uk/government/publications/media-freedom-coalition-anoverview/media-freedom-coalition-an-overview

### 7.7.1 Exhort governments to speedily investigate crimes against journalists

Most murders of journalists in the region have remained unsolved. The international community and donor nations should use diplomatic channels to encourage governments to ensure that there is no impunity for crimes against journalists.

### 7.7.2 Urge governments to release detained journalists and drop all charges

The international community should call on relevant African governments to release all detained journalists, drop charges against them and media organizations for their reporting, and stop legal harassment of journalists.

### 7.7.3 Support journalists' associations, press freedom groups and civil society organizations in their campaigns for journalists' safety

Journalists' associations and press freedom organizations are key stakeholders constantly campaigning for the safety of journalists. Many of these organizations also provide legal support to journalists who do not have the resources to fight cases against them in courts. The international community and donor nations should support such organizations through their diplomatic missions and development aid mechanisms.

#### 7.7.4 Enable implementation of national laws and mechanisms

The UN Plan of Action on the Safety of Journalists and the Issue of Impunity adopted in 2012 urges states to develop legislation and mechanisms guaranteeing freedom of expression and information, including mechanisms to investigate and prosecute crimes against freedom of expression. The international community should support the development and

implementation of such national mechanisms for the safety of journalists through diplomatic and capacity-building measures, in collaboration with UNESCO and civil society organizations.

### 7.7.5 Provide funding for strengthening monitoring and reporting mechanisms

The Digital Platform for the Safety of Journalists in Africa, launched in January 2021, is a major initiative that has the potential to generate a vast amount of evidence for advocacy. However, it requires more resources to be successful. The international community should provide funding and technical support to the platform to ensure its feasibility and sustainability.

### **VIII** Way forward

This research has highlighted that the lack of political will is a primary reason for the lack of response to the high number of violations of press freedom and growing attacks on journalists in sub-Saharan Africa. Politicians and policymakers have demonstrated scant commitment to preventing attacks on journalists and to prosecuting those who are responsible for these attacks. Instead, states and politicians are, in fact, often the main drivers of attacks on journalists and violations of press freedom. In many countries, governments have used draconian laws to shut down media organizations, and to arrest and harass independent, critical journalists. Politicians have often encouraged their supporters to abuse and attack journalists and media outlets.

Efforts made by journalists' organizations and civil society groups to promote the safety of journalists at the national level have met with limited success. International organizations and press freedom groups have not been able to influence governments and policymakers to implement national mechanisms.

The biggest challenge, as pointed out by respondents, is the absence of a pan-African effort to influence policymakers to make Africa safe for journalists.

UNESCO's efforts to engage in advocacy and to bring all stakeholders together have not been successful either. As an inter-governmental body, UNESCO is unable to engage in aggressive advocacy or call out governments that are violating press freedom.

Moreover, advocacy so far has been based around a few cases of press freedom violations and attacks on journalists that were raised by journalists' groups or civil society organizations. As mentioned earlier, there is a lack of comprehensive data about violence against journalists in Africa and as a result evidence for sustained advocacy is not available. To engage with policymakers and politicians it is important to generate evidence through mining and analysing data.

To overcome these challenges, it is necessary to engage in rigorous advocacy at the national, regional, and continental levels with credible, evidenced-based data to convince policymakers and high-level politicians to act. This will enable sensitization of politicians and lawmakers, who are the duty bearers.

### 8.1 Key advocacy targets

To achieve an impact at the pan-African level, advocacy efforts have to be based on evidence and should be targeted towards selected advocacy targets listed here:

Policymakers, government ministers, MPs in sub-Saharan countries, members of the pan-African parliament, the AU political and security council, the ACHPR special rapporteur, African Court of Human Rights, East African Community (EAC), ECOWAS, SADC, Economic Community of Central African States (ECCAS), and UN special rapporteurs.

Many respondents opined that engaging with parliamentarians would have a considerable impact as these politicians can raise the issue in their respective parliaments, placing further pressure on governments to respond.

### 8.2 Advocacy actions

Advocacy activities should be initiated to engage with and sensitize politicians and policymakers at the national, regional, and continental levels to ensure that press freedom and the safety of journalists becomes a national priority in governance, and that governments take adequate measures to

develop and implement national mechanisms to ensure the safety of journalists. Furthermore, the advocacy initiatives should focus on gathering and using data as evidence to put pressure on governments to investigate crimes against journalists, solve long-pending cases of murders, and end impunity.

All respondents interviewed as part of this study recommended that sustained advocacy efforts by all stakeholders, especially journalists' groups and supported by civil society organizations and international press freedom bodies, would be impactful in creating and influencing politicians.

To reach a target advocacy audience following actions are suggested.<sup>72</sup>

#### 8.2.1 Advocacy at the Pan-African Parliament

The Pan-African Parliament (PAP), also referred to as the African Parliament, was set up in 2004 and is recognized as the legislative body of the African Union<sup>73</sup> <sup>74</sup>. Members of the PAP are appointed by the legislatures of their member states. The PAP meets twice a year, in March and August, at its headquarters in Midrand, Johannesburg, South Africa.

The PAP has 10 Permanent Committees, which correspond to the AU Specialised Technical Committees. One of the Permanent Committees is the Committee on Justice and Human Rights, which also looks into the right to freedom of expression and the right to information.

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<sup>72</sup> These advocacy actions are based on wide-ranging consultations with respondents during the course of this research.

<sup>73</sup> For more on the Pan-African Parliament see <a href="https://au.int/en/pap">https://au.int/en/pap</a>

<sup>74</sup> Protocol to the treaty establishing the African Economic Community relation to the Pan-African Parliament. For more see

https://au.int/sites/default/files/treaties/36301-treaty-0022\_\_protocol\_to\_the\_treaty\_establishing\_the\_african\_economic\_community\_relating\_to\_the\_p
an-african\_parliament\_e.pdf

The issue of the safety of journalists could be raised during one of the sessions of the PAP and at the Committee on Justice and Human Rights by organizing a conference and inviting members of PAP.

As PAP members are from all over the continent, the impact of such a conference would be substantial in terms of raising awareness and sensitizing politicians both at the continental and national levels.

Similar actions have taken place at the EU level. In 2019, a group of Members of the European Parliament organized a day-long meeting with journalists and press freedom organizations on "Creating an enabling regulatory environment for free, independent, pluralistic, and diverse media and the safety of journalists" and "Identifying financing priorities for supporting sustainable models of independent journalism". The meeting, which was attended by EU Commissioner for Values Věra Jourová.

To launch advocacy at the PAP, a day-long conference could be organized based on the findings of this research during the forthcoming session. The Konrad-Adenauer-Stiftung, which has supported this research and has significant programmes in Southern Africa, could arrange the conference to kickstart discussions with parliamentarians.

The conference could have three sessions: 1) presentation of findings; 2) discussion between parliamentarians and stakeholders; and 3) concluding session seeking commitments from PAP members to raise the issue at the national level.

Such a discussion has the potential to encourage parliamentarians to discuss the issue of safety of journalists in the PAP and adopt resolutions calling on governments to take action.

An intermediate outcome of the conference would be to establish a Pan-African Parliamentarians Network for the safety of journalists.

#### 8.2.2 Advocacy at the African Union and ACHPR

Several respondents were of the view that the African Union should be a prime advocacy target to influence politicians and to generate political will.

As suggested in 7.4, a side event could be organized on the sidelines of the AU Heads of government meetings, with the support of the presidents of South Africa, Senegal and Burkina Faso, who – in the case of South Africa and Burkina Faso – have supported the establishment of the digital platform by TAEF.

Similarly, an annual advocacy dialogue could be organized with representatives of member states during the ordinary sessions of the ACHPR that are held twice a year.

#### 8.2.3 Advocacy with other regional African bodies

Based in Gaborone, Botswana, the South African Development Community is a regional cooperation body in southern Africa that could provide a significant avenue for advocacy. SADC is a regional grouping of southern African nations and could be a platform for advocacy with high-level policymakers. The heads of government of SADC member countries<sup>75</sup> meet during an annual summit in August/September. The SADC also has a Parliamentary Forum, which consists of presiding officers and five parliamentarians elected by national parliaments of the SADC member states. Both the SADC heads of government meetings and SADC Parliamentary Forum meetings provide opportunities to engage with policymakers and politicians in southern Africa.

A side event on the issue of the safety of journalists during the annual summit would go a long way in influencing leaders of these nations. As South African

See list of SADC Member states here https://www.sadc.int/member-states/



President Ramaphosa has offered commitments to supporting press freedom and the safety of journalist, seeking his support to organize event would increase the possibility of the presence of other SADC heads of government.

Similar advocacy actions could be planned around the summit meetings of the EAC, ECOWAS, SADC, and Economic Community of Central African States (ECCAS). However, this would require further research into the workings of these groups and their annual meetings.

#### 8.2.4 Evidence-based advocacy

This report, which documents the current state of the safety of journalists in sub-Saharan Africa, the policy landscape, the bottlenecks in conducting advocacy, and makes recommendations, could be presented to PAP members and other stakeholders as a first step towards initiating evidence-based advocacy efforts.

However, for the purpose of sustained advocacy and awareness-building among lawmakers, it is important to regularly collect and analyse data about attacks on journalists in the region. This would lay the foundation for generating evidence to frequently engage with politicians and to sensitize them at all levels.

As mentioned earlier in the findings section of this report, there is no continent-wide collection of data about attacks on journalists. The Safety of Journalists in Africa digital platform suffers from several weakness, which have already been described in earlier sections. Though it was launched more than 10 months ago, the platform has not been able to set up a robust data collection process, or to get the support or recognition of governments. Efforts to improve the platform are slow and marred by lack of resources.

Several respondents agreed that a pilot project to set up a database by collecting data from selected countries in sub-Saharan Africa could pave the way for generating the required evidence. Based on the types of attacks, gender-based disaggregated data could be collected to develop a critical mass of evidence. This would not a be duplication of the process initiated by the Safety of Journalists in Africa digital platform but would complement it.

The data collected through the project could be used to develop several advocacy products, of which some are listed below. IPI proposes that the data could be mined and analysed to produce the following advocacy products:

- **A) Monthly factsheets:** IPI's experience with the #FreeTurkeyJournalists and the South Asia Cross-border Journalism project demonstrates that monthly factsheets<sup>76</sup> <sup>77</sup> are powerful tools to create public awareness and sensitize politicians. Similar monthly factsheets could be produced based on the data collected from project countries and distributed to all stakeholders, including politicians.
- **B)** Quarterly policy briefs: Quarterly data-based policy briefings could be produced to highlight cases of press freedom violations and attacks on journalists, with gender disaggregated data. The policy brief would also look into the drivers and factors behind attacks on journalists.
- **C)** Annual Report: To engage with politicians at the AU, ACHPR, and the Pan-African Parliament, as well as other stakeholders, an

<sup>76</sup> IPI's #FreeTurkeyJournalist project publishes a monthly factsheet highlighting press freedom violations and legal harassment of journalists, including detention. For more see <a href="https://freeturkeyjournalists.ipi.media/wp-content/uploads/2021/09/IPI\_TURKEY-MONTHLY-UPDATE-SEPT-1-2021.pdf">https://freeturkeyjournalists.ipi.media/wp-content/uploads/2021/09/IPI\_TURKEY-MONTHLY-UPDATE-SEPT-1-2021.pdf</a>

<sup>77</sup> IPI has been publishing monthly factsheets as part of the South Asia Cross-border Journalism project, which is a partnership between five publications in Bangladesh, India, Nepal, and Pakistan. For more see <a href="https://ipi.media/covering-and-investigating-attacks-against-journalists-in-south-asia-a-cross-border-cooperation/data-analysis-state-of-press-freedom-and-attacks-on-journalists-in-south-asia/">https://ipi.media/covering-and-investigating-attacks-against-journalists-in-south-asia/</a>



annual report could focus on an analysis of the disaggregated data and aim to draw out trends and patterns. The report would make recommendations to duty bearers and rights holders, as well as to the international community and civil society organizations. This report could also be used to present evidence to the Pan-African Parliament, the African Union, and the High-Level Political Forum on SDGs, among others, during its annual review meetings.

D) Special policy brief: These data-based policy briefs could be produced for presentation during the World Press Freedom Day conference, International Women's Day, the Ordinary Session of the ACHPR and other forums within and outside Africa to bring pressure on governments to act.

## IX. For the Konrad-Adenauer-Stiftung and the International Press Institute

The Konrad-Adenauer-Stiftung (KAS) and the International Press Institute have a long history of collaboration on issues of press freedom and the safety of journalists. Both organizations have extensive experience conducting advocacy and have the ability to convene politicians and lawmakers.

- O To create awareness amongst politicians in sub-Saharan Africa and the continent overall, KAS and IPI should launch a joint effort. This could include, as suggested in the previous section, organizing a conference at the PAP to present the findings of the report. This would lay the groundwork for a continued engagement with the PAP members and provide the entry point to organize policy dialogues with parliamentarians at the national level.
- KAS and IPI could jointly organize similar policy discussions during the annual AU Bureau of Heads of government summit, at the ordinary session of the ACHPR, and during the meetings of regional cooperation bodies like SADC.
- Based on its assessment of the press freedom and advocacy situation in Africa, IPI is planning to launch a pilot database project in selected countries to collect data about attacks on journalists and use it for evidence-based advocacy. KAS, in line with its mission, may consider supporting this work.
- KAS and IPI should organize press freedom missions where media freedom and the safety of journalists is under threat. The IPI press

freedom mission to Tanzania in 2019, supported by KAS, was successful in bringing policymakers and journalists together to explore the possibility of a dialogue over the Media Services Act.

O It would be worth exploring the possibility of arranging an event at the European Parliament to present the findings of the report to influence parliamentarians. Statements by the EU could impact policies in Africa, as the EU is a major donor and has the diplomatic ability to influence African governments.

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