

XIX ARTICLE 19

Around Africa January 2008

The continent has seen an increase in attacks and killings of journalists in several countries spanning the African over the past year. Again Somalia is the hot-spot for violations of freedom of expression rights, with Ghana, Egypt, Nigeria and Kenya, all falling within the category for an unfriendly media environment; stemming from harassment, imprison and physical attacks on media practitioners. **ARTICLE 19**, in January 2008, is concerned at the lack of improvement to the protection of the media in Africa.

ARTICLE 19 in Africa

Following on from the ten day training course in Nairobi, Kenya in December 2007, facilitated by ARTICLE 19 for **exiled Somali Journalists**, in coordination with the UN Human Rights Advisor for Somalia in; in January 2008, ARTICLE 19 published a legal analysis on the **Draft Somalia Media Law**. While this draft law acknowledged the need for media freedom as established by the Universal Declaration on Human Right and the ICCPR, but concerns are, however, over the “defined very broadly to cover not only print media and broadcasters but any system for disseminating messages, including drawings, books and even speeches – which is largely controlled by the government”. The whole analysis can be access at <http://www.article19.org/pdfs/press/somalia-media-note-pr.pdf>

The **Kenyan Presidential and legislative elections** were held on 27 December 2007 and the outbreak of violence and chaos that has ensued since the controversial re-election of Mwai Kibaki as President has also impacted on the media. An order issued on 30 December, banned live broadcasts – effectively imposing a **media blackout** was challenged on 29 January 2008, by Media Institute and Kenya Editors Guild who filed a lawsuit in the Kenyan High Court, against the government, to quash the ban. The ban was lifted on 4 February owing to pressures from ARTICLE 19 and other media organizations globally. However the situation in Kenya remains tense, with deadly clashes being reported in Nairobi and several provincial cities. Local journalists had reported that news is circulating mainly by means of SMS messages. Freedom of expression and information has been severely dented in the country throughout January. **ARTICLE 19** therefore welcomes the **lifting of the ban** but calls on the government to: ensure it respects the right to information and expression and of all parties involved to assist in overcoming the current impasse, and in tackling the degenerating human rights conditions. Two journalists were shot while covering riots, several others have received death threats.

Detention, Death and attack on Journalists

Once again high levels of harassment, attacks and unlawful imprisonment of journalists have been reported in the African continent for the start of 2008. **Somalia, Tunisia, Liberia, Ghana, Chad and Nigeria**, are but a few countries demonstrating instances of violation of the media.

In **Somalia** Journalist Hassan Kafi Hared was killed in Kismayu town of Lower Jubba region. NUSOJ called the “killing outrageous attack” and declare that “...the journalist and the aid workers is an attack on the society itself”. (IFJ) Three other journalists are still detained by the

Somalia authorities without charge. Puntland Ministry's attack on a journalist, Abdihakim Yusuf Moalim, of Somali Broadcasting Corporation (SBC), a privately owned Radio Station in Bossaso. A journalist was handed down a prison sentence of one year in **Tunisia** in what has been called by many human rights groups as a "politically-motivated" ruling of a Tunisian appeals court. This decision upholds the sentence of a journalist who had written articles critical of the President Zine El Abidine Ben Ali and his family.

Ghana has seen a decrease in the protection of media freedom of expression rights over the past year or so, but African Nations Cup tournament in January 2008. A digital camera belonging of Fred J. A. Ibrahim, a Kumasi correspondent of the *Daily Guide*, a privately-owned Accra-based newspaper, was destroyed. Also, two journalists of privately-owned Accra-based newspapers were violently attacked by armed policemen on the night of 19 January 2007. Anas Aremeyaw Anas, an investigative journalist for the *Crusading Guide*, and Halifax Ansah-Addo, reporter for the *Daily Guide*, were beaten, paraded alongside suspected criminals, and detained for approximately twenty minutes at the police headquarters, before being released. In a similar fashion, a crew of TV1, an Egyptian television station covering the ongoing 26th African Cup of Nations in Ghana, was on 25 January 2008 attacked by some players of the Desert Hawks, the Sudanese national team.

ARTICLE 19 stresses that under international law such as the International Covenant on Civil and Political Rights (ICCPR), and in accordance with the **ACHPR's Declaration of Principles on Freedom of Expression in Africa**, (XI); 'Attacks... and threats to media practitioners and others exercising their right to freedom of expression ...undermines independent journalism, freedom of expression and the free flow of information to the public' and it is the obligation of States to take 'effective measures to prevent such attacks'.

Meanwhile, in **Niger**, Ben Issoufou Mohammed and Moussa Inne, two journalists of *Sahara FM*, a privately-owned radio station, based in Agadez, were on January 10 threatened by local police. The police called the journalists "...hypocrites and accomplices; I wish you [would] suffer the same fate as your colleague who drove over a landmine in Niamey", referring to the killing of Abdou Mahamane, director of *Radio R & M (Radio and Music)*, first independent radio station in Niger, in a landmine explosion on January 9. January has also seen the Niamey magistrate court trying two French journalists accused of "undermining state security" of Niger, granting them bail at **10 million CFA francs** (about 22, 360 US\$) each before they would be released.

In Chad, a major crackdown is currently underway against journalists in Chad as the government continues fighting armed opposition movements, especially in the east of the country. Journalists reporting on the conflict are increasingly accused of being sympathetic to armed opposition movements and "enemies of the state" when they express criticism of the Chadian authorities.

Imprisonment, and harassment of the media in **Nigeria** have seen worrying levels in January; many incidences of for arrest of journalists and editors are linked to corruption reporting. In spite of government initiatives, corruption remains rife in the country. Freedom of expression defenders have been called for the release of the **Sam Asowata**, the chairman of the board of the Abuja-based independent weekly *Fresh Facts*, who was arrested in Abuja on 27 January with his daughter and was subsequently transferred to Uyo, in Akwa Ibom,. On 30 January 2008, Mr. Bayo Onanuga, the managing director of *The News* magazine, was beaten by thugs believed to be working for the People's Democratic Party (PDP) after he finished giving evidence in a libel suit against his magazine at a Lagos High Court. Chief Bode George, the South West Chairman of the PDP, instituted a N500 million (approx. US\$4.2 million) libel suit against the publishers of the *The News* magazine, "PM News" newspaper, and Independent Communications Network Ltd.

On January 31, 2008 the **Community Court of Justice of the Economic Community of West African States (ECOWAS)** is expected to give its judgment on the long running case of Chief Ebrima Manneh, a Gambian journalist at the pro-government Banjul-based *Daily Observer* newspaper, who had 'disappeared' since July 2006.

Defamation, Libel and Seditio

In Nigeria, authorities in the southern Akwa Ibom State sent a journalist to prison on Monday on seditio charges, according to local journalists and news reports. The move was part of a crackdown launched by the state government in response to a story alleging corruption by the state governor. The newspaper's distributor was arrested in relation to the same article on January 24 and the paper itself has been legally banned. Uganda and the Central African Republic have this month seen **six journalists imprisoned** for criminal defamation. The journalist Bambou, was handed a six month sentence for libel and insult even though the Central African Republic Parliament repealed the law providing for imprisonment for press offences in 2004.

Censorship and Regulation

In **Ethiopia**, five journalists were refused publishing licenses after they were freed from jail. In January, **The Gambia**, the authorities indefinitely suspended the broadcast of *Radio France International (RFI)* in Banjul for airing what they referred to as an "erroneous news story". A release from the Department of State for Communications, Information and Technology, six days after the closure on January 21 in explaining government's action said the decision was in line with the professional ethics of the media in The Gambia. The ban has been lifted; however the practice of such censorship on the media, at will of the government, is major concern that has led to detention, torture and death of journalists by the authorities.

Other News

Sierra Leone's new President Ernest Bai Koroma visited London in January to drum up aid and support for his country's nascent democracy. In dialogue with an audience of activists, MPs, business people and reporters, President Bai Koroma spoke fervently about the "urgency for change in Sierra Leone" and called for capacity assistance from the international community including his compatriots living abroad. The president said "Sierra Leone has made Africa proud by holding a democratic election that has been acknowledged to be free and fair". He wants to build on that foundation by accelerating the pace of improving economic and social life of Sierra Leoneans. He has prioritized *Local government elections* to be held in July 2008 to develop democracy and governance at the local level. He recounted how local governments were abolished since 1973, which created a gap in democratic development, "however, my government is ready to build on the foundation we laid with recent elections." President Bai Koroma said he has appointed a new commissioner with powers to "investigate, prosecute and punish" corrupt practices in government agencies. He intends to order a review of legislations with the aim strengthening the rule of Law in Sierra Leone. He said his agenda for change includes the **adoption of an access to information law**. He also aims to expand media freedom by updating of the Public Order of 1965 and the Secrecy Act of 1911 to **expunge the criminal and seditious libel** components, a move he has advocated since he was as opposition party member.

Zambia has seen positive developments in January with promise of the reintroduction of the FOI bill by the president. During his opening of the House of Parliament, President Levy Mwanawasa, announced his government would **re-introduce the Freedom of Information Bill (FOI)** back into Parliament in 2008. This bill has been view by parliament before but was dismissed 2002.