



# West Africa Freedom Of Expression Monitor

Jan-Mar 2018

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# *Table of Content*

Executive Summary ..... 2

Introduction.....3

Methodology .....3

Incidents of Violations.....4

Countries and Types of Violations Recorded.....4

Perpetrators of Violations.....9

Targets/Victims.....10

Redress for Violations .....11

Culture of Impunity.....12

Some Key FOE Developments .....13

Conclusion.....13

Recommendations.....14

## *Executive Summary*

**T**he Media Foundation for West Africa (MFWA) has been monitoring the freedom of expression (FOE) environment across West Africa over the past two decades. Since 2014, the results of the monitoring exercise are published on a quarterly basis as the *West Africa Freedom of Expression Monitor*, which serves as an index on press freedom in the region and a reference tool for advocacy.

The results over the years show a positive trend as far as the number and gravity of violations are concerned. While violations such as politically instigated attacks, enforced disappearances and detention of journalists have decreased considerably over the past few years, security agents acting on the orders of powerful individuals or out of overenthusiasm, continue to pose considerable threats to press freedom and freedom of expression generally.

Fifty violations were recorded during the period under review (January-March, 2018). Security agents accounted for 24 of the violations. Individuals perpetrated 11 and political party affiliates 10 violations. The other perpetrators were state officials (4) and a media regulatory body (1).

The violations were recorded in 13 out of the 16 countries in West Africa, with Guinea Bissau, Cape Verde, and Burkina Faso as the exceptions. Guinea recorded the highest number of violations (nine). Niger recorded eight while Cote d'Ivoire recorded seven. Nigeria recorded six violations, one of its lowest in recent times. Liberia recorded four violations while Ghana, Sierra Leone and Senegal recorded three violations each.

Social and political agitations in Niger, Guinea and Cote d'Ivoire accounted for a considerable number of the violations, particularly physical attacks as well as arrests and detentions. Other types of violations recorded were sentencing, suspension and the shutdown of a media outlet.

The violations contained in this report and the virtual absence of redress indict the governments of the countries involved with regard to their obligations to protect freedom of expression under their national constitutions as well as relevant regional and international treaties to which they are state parties. The MFWA therefore appeals to governments in the region to assume their full responsibilities with regard to protecting the right to freedom of expression and punishing violators of this fundamental right.

# *Introduction*

Compared to the situation in the 1960's through to the 80's, the media environment in West Africa has improved significantly from the 1990's onwards. This improvement has come about as a result of the restoration of multi-party democracy in most of the countries in the sub-region. The democratic dispensation has brought with it a boom in the media industry with FM radio in particular and lately social media putting news at the fingertips of citizens and making it possible for citizens to participate more in public discourse.

These advances are however challenged by a persistent culture of impunity for violations against journalists, media, citizens, and activists. Critical media are censored, shut down or crippled with excessive fines or damages in criminal or civil libel suits. Journalists suffer arbitrary arrests and detentions, physical assaults and even loss of their lives.

Some governments also deploy the full force of their security apparatus against peaceful anti-government demonstrations. Sometimes the internet or targeted social networking websites are shut down to muffle critical voices and to prevent images of the brutal crackdowns from reaching the outside world.

This report highlights some of the above threats to freedom of expression and of assembly, and forms part of the MFWA's advocacy efforts to help push back the repression. It is also intended as a reference tool for advocacy by other FOE rights organisations.

A total of 50 violations were recorded in 12 countries during first quarter of 2018 (January-March). The violations included physical attacks, arrests and detentions, censorship, and seizure/destruction of property of the victims of abuse.

Security agents accounted for 24 violations of violations reported, followed by individuals (11) and political party affiliates (10). State officials and regulatory bodies perpetrated four and one violation respectively.

# *Methodology*

This report is a consolidation and analysis of freedom of expression monitoring reports received from the MFWA's correspondents and national partner organisations from across West Africa which were published on our website either as alerts or as part of a situational analysis. The information from our correspondents and partners is complemented by reports or alerts published by other partner organisations.

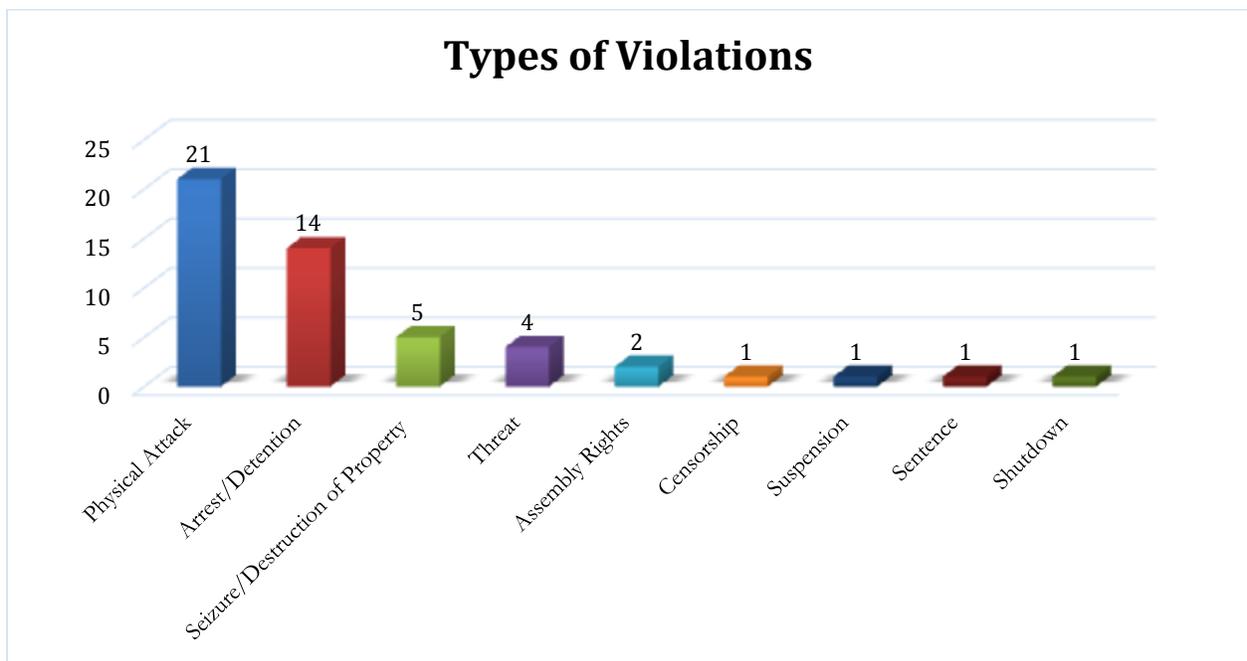
The findings of this report are presented in five sections: incidents of violations recorded, countries and types of violations recorded, perpetrators of violations, targets/victims of violations and redress for violations. The issue of impunity is also highlighted as well as key developments within the FOE

space. The report ends with a set of recommendations to key stakeholders on measures to take to improve the media and the FOE landscape in West Africa.

## Incidents of Violations

A total of 50 violations were recorded from January - March 2018, which is a significant increase over the 26 recorded during the last quarter of 2017 (October-December). Figure 1 below illustrates the types and frequency of violations recorded.

Figure 1: Types and Frequency of Violations



## Countries and Types of Violations

Thirteen out of the 16 countries in West Africa recorded violations, the exceptions being Burkina Faso, Cape Verde, and Guinea Bissau. Guinea recorded the highest number with nine violations. Niger recorded the second highest number of violations with eight while Cote d'Ivoire followed with seven. Nigeria, which has been recording the most violations over the years, this time, came forth with six violations. Ghana, Sierra Leone and Senegal recorded three incidents of violations each. Table 1 below gives more details of the type and number of violations perpetrated in each of the 12 countries.

**Table 1: Countries and Types of Violation**

Country	Types of Violation									Total
	Threat	Arrest/ Detention	Physical Attack	Censorship	Suspension	Assembly Rights	Sentence	Shut down	Seizure/ Destruction of Property	
<i>Guinea</i>	2		5						2	9
<i>Niger</i>		4	1			1		1	1	8
<i>C. d'Ivoire</i>		2	4				1			7
<i>Nigeria</i>	1	2	2	1						6
<i>Liberia</i>			3						1	4
<i>Ghana</i>	1		2							3
<i>Senegal</i>		2	1							3
<i>Sierra Leone</i>			3							3
<i>Togo</i>		1				1				2
<i>Mauritania</i>		1							1	2
<i>Mali</i>		1								1
<i>Benin</i>					1					1
<i>The Gambia</i>		1								1
<b>Total</b>	<b>4</b>	<b>14</b>	<b>21</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>50</b>

As the table 1 above indicates, 12 countries recorded violations with physical attacks as the dominant type of violation. Below is a highlight of violations recorded during the quarter.

## Guinea

January 31: Some unknown gunmen [attacked](#) the home of Abdoul Latif Diallo, News Editor of the online magazine *Depêche Guinee.com*. Some ten shots were fired at the home of the investigative journalist who had received death threats a few days before the attack.

March 13: A football club official physically assaulted and threatened to kill Djibril Firawa Toure of *guineegoal.com* at a stadium in Conakry. The journalist was assaulted when the club official saw him recording his verbal abuse of the referee who handled a football match between local clubs, Fello Star and Wakriya.

March 14: Some thugs believed to be supporters of Guinea's ruling party, Rassemblement du Peuple Guinéen, [stormed](#) the premises of Hadofo Media group, and vandalized the window glasses of the building. The youth also vandalised vehicles and motorbikes that were parked on the premises.



*The vandalized window of Hadofo Media*

March 14: individuals suspected to be ruling party supporters attacked two journalists. Idrissa Barry and Djibril Kaback Camara were attacked while going to Kaloum to cover a demonstration. The motorbike they were riding, their camera and recorders were destroyed, their phones snatched from them.



*The Charred vehicle of the attacked journalists*

In a separate incident on the same day, (March 14), a six-member crew of journalists from Evasion TV attacked on one of the highways in Conakry by a group of protesters. The protesters set fire to their vehicle with all the working equipment consisting of cameras, recorders, cell phones and other objects on board

## Niger

January 15: The cameras of the Labari TV and Ténéré TV crews were [confiscated](#) by the members of the National Guard at the Korombé High School. Labari's camera was broken. The camera of RTT was later given back but the images had been deleted.

January 22: Officials of the Criminal Investigations Department arrested and [detained](#) Arouna Yacouba, Director of Publication of the *Le Canard en Furie* newspaper, after a defamation complaint was filed by the minister of Agriculture, Albadé Abouba. Yacoub was released a day later following

the minister's withdrawal of the complaint.

March 19: The municipal authorities in Niamey, Maradi, Zinder and Tahoua, citing unfounded security concerns, [banned](#) marches planned for March 25 to protest against a new Finance Law in the country.

March 25: The police attacked demonstrators and arrested 23 of them. These included known civil society leaders; Moussa Tchangari and Nouhou Arzika.

On the same day (March 25), the government closed down Labari Television for refusing to hand over the recording of its evening magazine programme. Police officers also arrested a lawyer and civil society activist, Abdourahamane Lirwana, who was the guest on the programme. Later that day, the police arrested Ali Idrissa, the General Manager of the television station.

## Cote d'Ivoire

January 29, 2018: Olga Ottro, a reporter-photographer of *Le Nouveau Réveil* newspaper was [abused](#) twice while she was covering a case at the Plateau Courthouse in Abidjan. She was beaten by security officers and subsequently detained at the court.

January 26: A court in Abidjan on imposed a [fine](#) of CFA francs 10 million (about US\$ 20,000) on the owner of a news website and sentenced an outspoken citizen to six months in prison. The two are Laurent Despas, owner of *Koaci.com*, which published a list of people described as opposition political prisoners and Michel Gbagbo whose interview provided the information for the story.

February 26: Diomandé Karamoko of the investigative weekly, *Allô Police* was assaulted by a group of young people in Williamsville where a local child had been murdered. Karamoko's claim to be a journalist was challenged by one young man who insisted he knew him as a tailor and friend of a local jeweler who was widely suspected to be the killer of the child.

February 17: Chris Paterne Assémian, a correspondent of Benin-based Sikka TV, was physically [assaulted](#) by the youth of the town of Boléquin who accused him of working with the state broadcaster, Radiodiffusion et Television Ivoirienne (RTI) which they said "never tells the truth."

March 22: A freelance journalist, Daouda Coulibaly, was beaten and humiliated by a group of police officers while covering a political demonstration in Abidjan. During the same demonstration, 18 people, mostly opposition figures, were arrested and detained.

## Nigeria

January 1: Daniel Elombah, the publisher of the news website, elombah.com was [arrested](#) and detained together with the editor of website, Timothy Elombah, after publishing an article that criticised Nigeria's Inspector General of Police. While Daniel was released same day, Timothy spent 25 days in detention. The two were charged with cybercrime on March 1.

January 4: the police denied 10 journalists access to the venue for the commissioning of a dry dock in Kaduna Nigeria and [physically assaulted](#) Enemaku Ojochigbe of AIT (television) and Taye Adeni of the Nigeria News Agency.

February 18: Four thugs suspected to be a vigilante group of Nigeria's ruling All Progressives Congress (APC) in Kogi State, accosted and [assaulted](#) Atabor Julius, a journalist with the *Independent* newspaper. The assailants also threatened to kill Atabor if he did not desist from writing critical reports about their political party.

February 28: Journalists Tony Ezimakor and Jide Oyekunle, of the *Daily Independent* newspaper were arrested and [detained](#) by the Department of State Services (DSS) for a story Ezimakor authored in which he alleged the Nigerian government paid ransom to secure the release of some Chibok schoolgirls abducted by Boko Haram. Oyekunle was released the same day but Ezimakor was detained for seven days.

## Liberia

January 31: A police officer flogged two journalists, Abraham Morris of the *Inprofile Newspaper* and Austin Kawa of *Prime FM* at the premises of the Liberian Senate, allegedly upon the orders of Grand Bassa County Senator, Nyonblee Kangar-Lawrence.

February 9: a Member of Parliament of the ruling Coalition for Democratic Change (CDC), Munah Pelham-Youngblood, verbally and physically [assaulted](#) Henry Karmo, the parliamentary correspondent of the *FrontPage Africa* newspaper at the premises of the House. The lawmaker accused the journalist of publishing a hostile story about her.

February 15: The staff of an abattoir snatched the recorder of Sylvester Choloplay of Fabrics FM and deleted his recordings. This was after they had granted the journalist an interview about alleged pollution by their facility.

February 23: A military officer, Isaac Duo, slapped Sylvester Worwee, a reporter of Fabrics FM for failing to respond to his questions.

In other incidents police in Ghana assaulted two journalists in separate incidents while a political party affiliate also threatened a journalist. Latif Idris of Joy News was [brutalised](#) while covering an event at the police headquarters in Accra. Chris Kelvin Asima of A1 Radio was also beaten and dragged on the street by police officers in Bolgatanga in northern Ghana.



*Victim of police brutality, Latif Idris, in cervical collar*

The Police in Senegal also attacked protesters and [arrested](#) fifteen, including two MPs. Gendarmes also stormed the premises of Dakaractu, a private online radio station, and [arrested](#) its guest who they accused of making insulting comments. Four other journalists of the station were also arrested in connection with the same issue.

During the presidential run-off elections in Sierra Leone held in March, journalists Patrick Jaiah Kamara of Concord Times Newspapers, Ibrahim Samura of New Age Newspaper and Thomas Dixon of Salone Times Newspaper were physically [attacked](#) in separate incidents. The three were all attacked by political party affiliates while on duty.

There were two violations each in Mauritania and Togo and one each in Benin, Mali and The Gambia.

## Perpetrators of Violations

The 50 violations were carried out by six different types of perpetrators. As has been happening in previous quarters and years, security agents were the worst offenders, having accounted for 24 of the violations recorded during the quarter under review. This was followed by individuals who accounted for 11 of the violations. Political party affiliates and state officials perpetrated ten and four violations, respectively while a regulatory body carried out one violation.

Table 2 below indicates the type of perpetrators and the number of violations they carried out in each of the 12 countries cited.

**Table 2: Country and Types of Perpetrator**

Country	Type of Perpetrators					
	Security Agents	State Officials	Regulator	Political Party Affiliates	Individuals	Total
Guinea				3	6	9
Niger	5	1			2	8
Cote d'Ivoire	4	1			2	7
Nigeria	4			2		6
Liberia	2	1			1	4
Ghana	1			2		3
Senegal	3					3
Sierra Leone				3		3
Mauritania	2					2
Togo	1	1				2

Mali	1					1
Benin			1			1
The Gambia	1					1
<b>Total</b>	<b>24</b>	<b>4</b>	<b>1</b>	<b>10</b>	<b>11</b>	<b>50</b>

## Targets /Victims of Violations

This section of the report focuses on the direct targets and/or victims of the violations reported. It excludes mass victims whose number is not definite, such as the people affected by internet shutdowns or a ban on public assembly/procession. Also while some of the violations affected a group with a definite number, sometimes the gender distribution of the group could not be established.

A total of 113 identifiable persons/entities were affected by the 50 violations, made up of 56 citizens, 48 journalists, four activists and five media organisations which were abused through suspension, physical attack and closure. Crackdowns on Anti-government protests in Cote d'Ivoire, Niger and Senegal accounted for the huge number of citizen victims. These victims were mostly physically attacked or arrested. Table 3 below illustrates the type and number victims affected by the violations in each country.

**Table 3 Types and Number of Victims**

Country	Types and Number of Victims				
	Journalist	Citizen	Media House	Activist	Total
Guinea	10		1		11
Cote d'Ivoire	3	19			22
Nigeria	14				14
Niger	2	21	3	3	29
Ghana	3				3
Senegal	4	14			18
Sierra Leone	3				3
Liberia	5				5
Mauritania	1				1
Togo		2			2
Mali	3				3
Benin			1		1
<b>Total</b>	<b>48</b>	<b>56</b>	<b>5</b>	<b>4</b>	<b>113</b>

## Redress for Violations

While, a few redress actions were recorded during the quarter, most victims of violations reported during the quarter did not receive any form of redress action.

The few cases of redress were recorded in Niger, Ghana, Nigeria and Togo. In Niger, a court ordered for the reopening of Laabari TV which was closed down on March 25.

In Ghana, the Police Service took some steps towards appeasing two journalists who were brutalized by their men. On February 26, the Commander of the Upper East Region, DCOP Vincent Redeemer Dedjoe, apologised to Christopher Kevin Asima, three days after the journalist's assault by three policemen. A delegation from the Police headquarters also visited the Multimedia Group and [apologized](#) for the police brutality meted out to journalist Latif Iddris. The visit on April 9 came almost two weeks after the reporter was assaulted by police officers on duty. Ten days after the Police apology, Ghana's Minister for the Interior, Ambrose Dery, also publicly [condemned](#) the assault on Iddris and apologised to the journalist on behalf of government. However, justice is yet to be served, as the police hierarchy has till date not come out with the status of their investigations. The health of Iddris remains in critical condition as he is yet to fully recover from his bruises.

Similarly, the director of Public Relations of the Nigerian Police Service, Moshood Jimoh, called Taye Adeni of the Nigeria News Agency and [apologised](#) to her after she was assaulted together with Enemaku Ojochigbe of AIT (television) by some police personnel. However, the promised penal action against the assailants has not been carried out.

Also during the quarter, of 45 out of 92 persons who had been detained for taking part in political demonstrations in Togo in 2017 were [released](#). The pardon followed a dialogue between the government and the opposition mediated by Ghanaian president, Nana Addo Dankwa Akufo-Addo.

## Culture of Impunity

As stated earlier, most of the violations recorded during the period are yet to be addressed. One outstanding feature is the absolute impunity with which the 50 violations were perpetrated.

Unfortunately the lack of accountability for these abuses encourages further abuses and makes the perpetrators more vicious.

It is evident from the above narrative that the court decision in favour of Laabari TV was the most outstanding case of redress. Even here, the state security officials refused to comply with the court order for two days. When they finally reopened it, the media organisation received no compensation for the loss of business during the two days of unlawful closure.

In Ghana, there has not been any action on the threat proffered against journalist, Kwakye Afreh-Nuamah of TV3, despite the police's assurance that they are investigating the incident in occurred

on January 3. Even the gestures by the Ghana police are no more than cosmetic ploys to appease public anger, as no disciplinary measures are taken against the perpetrators.

In Guinea, the perpetrators of the series of attacks on journalists and the Hadafo Media group have not been arrested, nor has there been any assurance from the security agencies that the attacks are being investigated.

The persistence of impunity for crimes against journalists is a real threat to quality and independent journalism which is a prerequisite for inclusive, transparent and accountable governance.

The situation is all the more disturbing because most of the attacks on citizens exercising their right to peaceful assembly are often carried out with governments' tacit approval. Attacks on journalists and media houses perceived to be anti-government are often carried out by ruling party vigilantes, as in the case of Guinea, and so are not likely to be investigated and redressed. Additionally, there are no judicial follow-ups on police brutalities against journalists, since the police service itself as the first point of call in the law enforcement system, often treats such cases as an internal matter.

If no action is taken to reverse the trend, journalists, critical citizens and civil society activists will be gripped by a sense of siege, leading to widespread self-censorship and unwillingness to participate in governance processes. To avoid such a scenario, urgent and drastic measures must be taken to end impunity. What is needed now is a real commitment by governments to prioritise the protection of journalists and the redress of crimes against journalists dissenting voices, particularly by overzealous security officers.

## Some Key FOE Developments

In what is a milestone development, the ECOWAS Court of Justice [ruled](#) on February 14 that Gambia's laws on sedition, false news and criminal defamation were unconstitutional.

Sierra Leone also held successful polls on March 7 and 31 with no aggressive incidents recorded between the police and the media. The MFWA organised a media-security forum in Freetown ahead of the polls, and this contributed to a cordial police-media relation throughout the election period.

The media environment in Liberia, was however [hostile](#) during the period under review. In what the Press Union of Liberia described as "rabble-rousing comments", the Mayor of Monrovia said the government "cares less" about the media while a deputy Minister of Information also cursed and condemned the media to 12 years of poverty. President George Weah himself also got irritated by a question from a senior journalist at après conference and embarrassed the journalist. The journalist in question, Jonathan Paye-Leyleh, has since left the country for the United States, saying that he does not feel safe, although there are no reports of threats against him.

The Speaker of Liberia's House of Representatives, Bhofal Chambers, further alienated the media fraternity when he called armed security guards to drive away three journalists who had gone to his office to seek clarification on a public controversy concerning him.

# Conclusion

The 50 violations contained in this report are a blot on West Africa's otherwise solid reputation as a bastion of democracy compared to other regions of the continent. They also constitute a blatant breach of the various legal frameworks adopted by all the 11 countries cited to guarantee the right to freedom of expression and assembly. These frameworks include the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights, the ECOWAS Protocol on Democracy and Good Governance and the national Constitutions of the respective countries.

The persistence of these violations and the almost lack of redress tend to establish a culture of impunity which induces widespread fear, thus impairing the free exercise of freedom of expression.

Given the centrality of freedom of expression and press freedom to building strong, inclusive and peaceful societies, every effort must be made to end the abuse of journalists and repression of dissenting voices.

To this end, the MFWA make the following recommendations towards improving the freedom of expression environment in the region.

## Recommendations

### **To Media Organisations and Journalists**

- Media owners and managers must have regular safety training programmes for journalists and other media workers.
- Media managers and owners must denounce and report violations against media organisations and journalists
- Media managers must commit to using all legal means to ensure justice for media persons whose rights are violated in the line of duty.
- Work with high standards and professionalism at all times.

### **To Governments in West Africa**

- Ensure that both state and non-state actors respect and protect FOE rights
- Promote the safety and protection of journalists and media organisations
- Ensure that security agents stop violating the rights of journalists and others exercising their right to freedom of expression.
- Train security agents to appreciate the work of the media in democratic societies and to work in collaboration with the media.
- Order a stop to the use of excessive force, particularly, live bullets to control demonstrators

### **To ECOWAS**

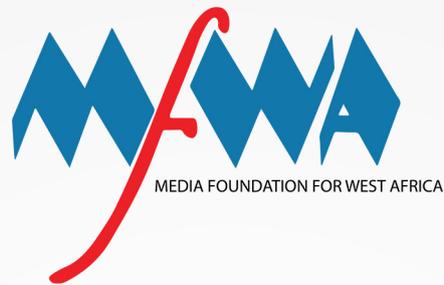
- Hold accountable culprits (both state and non-state actors) of freedom of expression violations through criminal, civil, administrative, or other sanctions to combat impunity.
- Encourage member states to “ensure respect for the rights of journalists” as stated in Article 66 of the ECOWAS Revised Treaty.
- Impose and enforce sanctions on Member States that recalcitrantly flout statutory obligations.

### **To the African Commission Special Rapporteur on Freedom of Expression and Access to Information**

- Monitor compliance of West African countries with the binding Lohé Issah Konaté judgment of the African Court concerning decriminalisation.
- Engage the governments of the countries where violations rampant; Nigeria, Niger, Guinea to take steps to end the violations and to fight impunity for attacks on journalists.

### **To the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion**

- Call on the governments in West Africa, particularly Nigeria, Niger and Guinea, where violations have been recurring, to respect and protect freedom of expression rights.
- Include more West African countries in fact-finding missions.



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