



Media Foundation for West Africa

Fondation pour les Medias en Afrique de
l'Ouest (FMAO)

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May 3, 2020

Commissioner Lawrence Mute
Special Rapporteur of Freedom of Expression and Access to
Information

African Commission on Human and People's Rights
31 Bijilo Annex Layout, Kombo North District
Western Region P.O. Box 673 Banjul
The Gambia

Dear Sir,

Petition for ACHPR's Intervention to Secure the Release of Jailed Journalist

The Media Foundation for West Africa together with its national partner organisations in West Africa, write to you to express our concern about the imprisonment of Beninois journalist Ignace Sossou, whose 'crime' was reproducing the words of the country's Prosecutor, on social media.

Sossou, who works with the online media, Benin Web TV, was sentenced on December 24, 2019 to 18 months in prison on a charge of "harassment by means of electronic communication" and fined CFA Francs 200,000 (about US\$ 350).

This charge relates to the journalist's posts on Twitter and Facebook, which was, in fact, a reproduction of part of a speech by the country's Public Prosecutor at a public forum in Cotonou on December 18, 2019.

The reproduced words were as follows: "The internet shutdown on (legislative) polling day on April 28 (2019) is an admission of weakness on the part of those in power."

"The legal system in Benin in its present state does not offer judicial security to litigants," read another.

Following these posts on social media, the public prosecutor, Mario Metonou, filed a complaint with the Central Office for the Repression of Cybercrime that the journalist had taken his words "out of context." Consequently, officers from this unit on December 20, 2019, arrested Sossou at his home and detained him for four days before charging him to court for cyber harassment.

One of the professional organisations to which Sossou is affiliated, the International Consortium of Investigative Journalists (ICIJ), said excerpts of audio recordings of the workshop showed that Sossou did not misrepresent the prosecutor's remarks.

Despite this evidence by the ICI and other objections by those present at the forum that Sossou did not misinterpret the words of the public prosecutor, a judge on December 24, 2019, found the journalist guilty of "harassment by means of electronic communication" and sentenced him to 18 months imprisonment and a fine of CFA Francs 200,000.

Since Sossou's imprisonment, several appeals by freedom of expression and media rights groups to the government of Benin to intervene to get the journalist released have been unsuccessful.

Although there are reasonable limitations to online and offline freedom of expression rights under international law, criminal speech laws and digital rights laws under which Sossou was imprisoned falls outside the scope of legitimate restrictions on this right.

Sossou's case is an example of a public official abusing his power and using the judiciary to silence journalists who are merely doing their job. We find it curious that merely reproducing the words of a public official could be considered as harassment, leading to the imprisonment of journalist.

Again, assuming that he misquoted the prosecutor, the journalist still deserved the benefit of being notified and asked to rectify the information. The recourse to criminal justice to litigate a case of alleged inaccurate publication in a country that has decriminalised libel is deeply worrying.

Sir, we the undersigned organisations, therefore implore you to intervene in this matter and urge President Patrice Talon to ensure the release of Ignace Sossou from prison and to desist from further harassing the journalist.

Signed,

- Media Foundation for West Africa
- Associação de Jornalistas de Cabo Verde- Cape Verde
- Center for Media Studies and Peacebuilding- Liberia
- Gambia Press Union- The Gambia
- International Press Center- Nigeria

- L'Association Guinéenne des éditeurs de la Presse Indépendante-
Guinea
- l'Observatoire de la Liberté de la Presse, de l'Ethique et de la
Déontologie- Cote d'Ivoire
- l'Observatoire de la Déontologie et de l'Ethique dans les Medias-
Benin
- Maison de la Presse du Mali- Mali
- Media Reform Co-ordinating Group- Sierra Leone
- National de Presse Norbert Zongo- Burkina Faso
- Observatoire Nigérien Indépendant des Medias- Niger
- Regroupement de la Presse Mauritanienne- Mauritania
- Sindicato De Jornalistas e Tecnicos De Comunicacao Social Guinea
Bissau
- Syndicat des Professionnels de l'Information et de la Communication
au Sénégal- Senegal
- Union des Journalistes Indépendants du Togo- Togo