



West Africa Freedom of Expression Monitor



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Executive Summary

There has been an explosion in media outlets and media pluralism in most west African countries over the past nearly three decades. This development is one of the outcomes the mass return to democratic governance in the 1990s after decades of military dictatorship and self-perpetuating civilian rule by ex-military leaders.

The space for civic participation in governance and public discourse has been further widened by the increasing access to the internet for a growing number of citizens. Taking advantage of the improved freedom of expression environment, civil society organisations sprang up and flourished in many of the countries. The work of these civil society organisations contributed to deepening a democratic culture underpinned by media plurality and tolerance of divergent opinions. Together with the media, civil society has helped to prop up and sustain nascent democracy in many countries of the sub-region

Over the past few years, however, democratic standards have deteriorated to the point that two West African countries are currently ruled by the military. Increasing frustration with poor public service and unresponsive, self-serving political leadership has led to a coup d'état in Mali and at the time of compiling this report, in Guinea. Prior to the coup, President Alpha Conde had amended the Guinean Constitution to allow him to seek a controversial third mandate. President Faure Gnassingbe of Togo and Alassane Ouattara of Côte d'Ivoire have also set back the clock of democracy by entrenching themselves with multiple mandates. Thus, the ECOWAS Region, which had distinguished itself as a model in terms of respect for presidential term limits, is gradually losing this shine.

The backslide has sparked fears that the region could join the autocracy in Eastern and Central Africa and Northern Africa, with potentially repressive fallouts for the media and freedom of expression generally.

The Media Foundation for West Africa (MFWA) has been monitoring and reporting on the freedom of expression (FOE) situation in West Africa and carrying out campaigns to seek redress for violations against the media and dissenting citizens and activists. The results of the monitoring have been published as the West Africa Freedom of Expression Monitor (or simply The Monitor).

This report covers the second quarter of 2021 (April-June) and recorded 28 violations in nine countries. The figure is a 44% drop from the 50 violations recorded in the first quarter (January-March).

Meanwhile, the violations have largely gone unpunished, underlining an entrenched culture of impunity. More curiously and regrettably, all the countries featured in the report are supposed to be democratic states who are supposed to promote press freedom and protect freedom of expression and assembly under their national laws together with several international treaties and conventions which they have acceded to. The violations are also

in breach of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity which urges all countries to take steps to protect journalists and ensure justice for journalist victims of violations.

Introduction

West Africa has for some time been held up as a model of democracy in Africa. The region has one of the most impressive records of regular peaceful changes in government through largely free and fair elections. Compared to the Northern, Central and Eastern sub-regions of the continent, the ECOWAS zone distinguished itself as a bastion of democracy and respect for civil liberties including the right to freedom of expression.

This progress has largely been a corollary of the region's return to democracy beginning of the 1990's after a period of military rule in the 70's and 80's.

Democracy eased the iron hands of despots and autocrats on the media and introduced a new era of tolerance for dissent. With this came a massive media boom characterised by a vibrant radio and television industry that has democratised the dissemination and consumption of news and information.

Social media has further expanded the frontiers of freedom of expression (FOE), enhancing citizens' ability to participate in national discourse. As a result, the demand for accountability in respect of the resources entrusted to government and public service institutions has become even louder and more insistent.

Such scrutiny and demands for accountability from the media and the enlightened public has not, however, been met with forbearance from government and other vested interests. State and non-state actors often antagonise journalists, media organisations and activists perceived to be too prying or critical. They subject such targets to physical assaults, arbitrary arrests and detentions, threats and even killing.

The Media Foundation for West Africa (MFWA), in collaboration with its partner organisations in the various countries in the sub-region, has been actively engaged in advocacy around these threats to press freedom and freedom of expression generally. The organization has been publishing the results of the monitoring as the Freedom of Expression Monitor (The Monitor). The monitoring reports are meant to serve a reference material and an advocacy tool for promoting and protecting media and FOE rights in West Africa.

During the second quarter of 2021 (April-June), Nigeria recorded ten violations, same as it did in the first quarter, followed closely by Ghana with eight. Burkina Faso and Cote d'Ivoire recorded three and two respectively. The Burkina incidents include the killing in harness of two foreign journalists by armed terrorists.

The rights that have been violated as contained in this report are guaranteed under the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights, to which all the twelve countries featured in this report have subscribed. These violations of FOE rights violations recorded in the region infringe these protocols. The impunity surrounding the violations also underlines a persistent culture of impunity that calls for a sustained collaboration among stakeholders to help combat it.

Methodology

This report is based on daily Alerts and Analysis received from the MFWA's correspondents in all 16 countries of West Africa who monitor FOE developments in their assigned countries. The daily alerts, which are published on the MFWA website, are collated, analysed and published on a quarterly basis as The Monitor. Sometimes, like the case with this report, relevant materials and alerts published by our national partner organisations are incorporated in the Monitor.

The findings in this report are discussed under six sections: incidents of violations, perpetrators of violations, targets/victims of violations as well as redress. Also highlighted in the report are some key trends and developments in the FOE landscape in the region that are not necessarily violations. The report ends with a series of recommendations to relevant stakeholders on measures to take to improve the FOE situation in West Africa.

Incidents of Violations

Twenty-eight violations were recorded in the course of the MFWA's monitoring of the FOE landscape in West Africa over the period April-June, 2021. The violations were in ten different categories and were recorded in nine countries. Physical attacks were the dominant type of violation, recording 11 cases. Four incidents of killing were also recorded with a toll of six victims (two journalist victims in Burkina Faso and one in Nigeria, one activist and two citizens/demonstrators in Ghana). Three arrests/detentions and the same number of seizure/destruction of journalist's equipment were also recorded. The frequencies of the ten categories of violations recorded during the period are presented in Table 1 below:

Country	Types of Violation										
	Killing	Physical Attack	Arrest/ Detention	Sentence	threat	Suspend /Ban	Censor	Shutdown (Internet)	imprison	Seizure/ Destruction of Property	Total
Nigeria	1	4	1		1		1	1		1	10
Ghana	2	4	1							1	8
Burkina Faso	1			1		1					3
Cote d'Ivoire		1								1	2
Benin		1									1
The Gambia		1									1
Liberia					1						1
Mauritania			1								1
Senegal									1		1
Total	4	11	3	1	2	1	1	1	1	3	28

Countries and Incidents of Violations

Twenty-five violations were recorded in eight countries during the quarter. Nigeria had the worst record with 10 violations, followed by Ghana with eight. Burkina Faso and Cote d'Ivoire Benin, Liberia Mauritania and Senegal recorded a single violation each.

Remarkably, four countries which were featured in the previous report, distinguished themselves by their absence from the roll this time around. They are Guinea Bissau, which recorded seven violations during the January-March monitoring period; Guinea and Togo (five violations each). and Niger, which posted four violations in the previous quarter.

Eleven incidents of physical attacks and four of killing were recorded during the quarter under review. Three cases each of arrests/detentions and of seizures or destruction of journalists' equipment were also recorded.

In Nigeria, some unidentified gunmen shot and killed Titus Badejo, a presenter for Naija FM, while he was leaving a club. The assailants stopped Badejo and ordered him out of his car, together with his friends. The gunmen then shot the journalist, leaving his friends. The assailants took nothing from the group.

On June 4, 2021, Nigeria's information and culture minister, Mr Lai Mohammed, announced a [ban on Twitter](#) in the country, stating that the site's activities are "capable of undermining Nigeria's corporate existence." Ironically, the Minister published the statement on Twitter ban on Twitter – and other mediums.

In Ghana, the small town of Ejura in the Ashanti Region of Ghana was plunged into mourning and chaos when some suspected political party thugs fatally attacked a social media activist, Muhammed Ibrahim Anyass Kaaka. Armed security forces deployed to control possible riots during the activist's burial shot and killed two protesters.

On June 29, A joint police and military force opened fire on protesters in Ejura, killing two and injuring ten others. The security forces had been deployed to forestall trouble during the burial of the murdered social media activist, Muhammed Kaaka.

Still in Ghana, a team of seven armed security officers on May 11, 2021, stormed the premises of Accra-based Citi FM/TV, throwing the entire organisation into panic and disarray. The security officers had come in search of Zoe Abu-Baidoo, a journalist accused of receiving some video files from her colleague, Caleb Kudah. Kudah had earlier been arrested over 'unauthorised' filming at the premises of the Ministry of National Security.

Click [here](#) to read more about the various violations recorded in each of the eight countries featured in this report.

Perpetrators of Violations

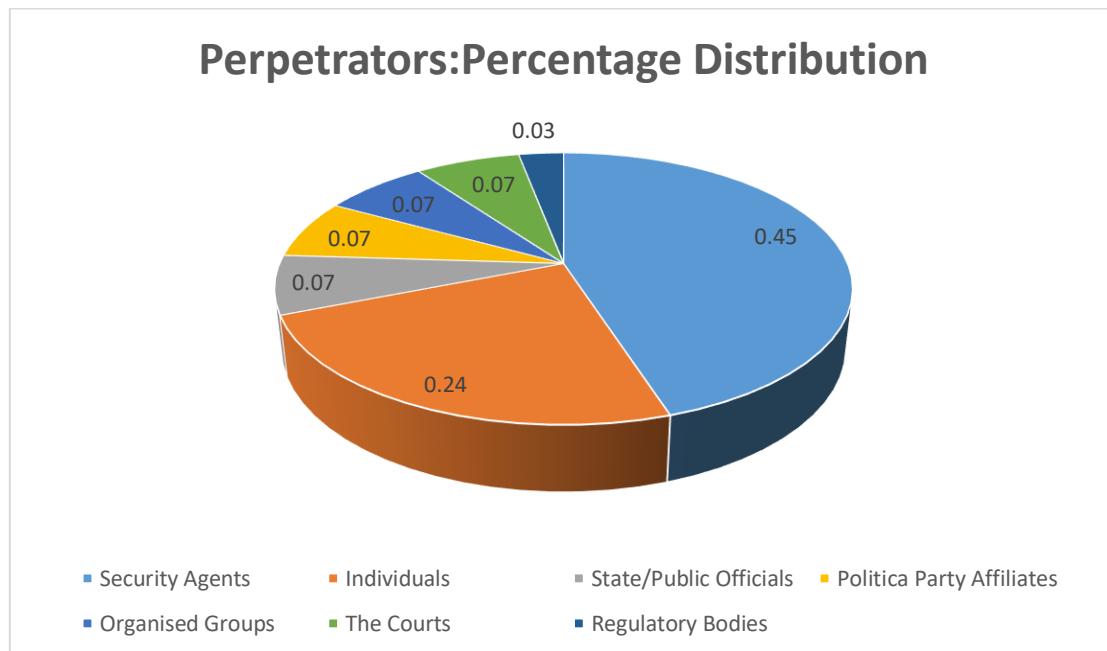
The 28 violations were perpetrated by seven types of perpetrators, with security agents and individuals the worst culprits. Between them, the two accounted for 13 (46%) and 7 (25%) violations respectively, bringing their tally to 20 or 71% of the violations. This compares to 37% of the 50 violations perpetrated by security agents and 20% by individuals during the first quarter (January-March, 2021).

Table 2 below provides more information on the types of perpetrators and the number of violations they perpetrated in each country.

Table 2: Country and Types of Perpetrators

Country	Types of Perpetrators							
	Security Agents	Organised Group	Regulatory Bodies	State/Public Officials	The Courts	Political Party Affiliates	Individuals	Total
Nigeria	5			1			4	10
Ghana	7						1	8
Burkina Faso		1	1		1			3
Cote d'Ivoire						2		2
Benin							1	1
Gambia				1				1
Liberia							1	1
Mauritania	1							1
Senegal					1			1
Total	13	1	1	2	2	2	7	28

Figure 1 below shows the percentage distribution of the violations per type of perpetrators



Targets /Victims of Violations

In terms of distribution, 17 of the 28 violations, representing 66%, were targeted at journalists. Five media organisations (two in Burkina Faso and one each in Nigeria, Ghana and Benin) were victims of abuse. Four violations were directed at citizens and two at activists. Table 3 below illustrates the violations/victims distribution.

Table 3: Violations and Victims

Country	Types of Victims and Number of Violations suffered				
	Journalists	Citizens	Activists	Media Organisations	Total
<i>Nigeria</i>	6	2	1	1	10
<i>Ghana</i>	4	2	1	1	8
<i>Burkina Faso</i>	1			2	3
<i>Cote d'Ivoire</i>	2				2
<i>Benin</i>				1	1
<i>Gambia</i>	1				1
<i>Liberia</i>	1				1
<i>Mauritania</i>	1				1
<i>Senegal</i>	1				1
<i>Total</i>	17	4	2	5	28

Table 3 above shows the distribution of violations against the various types of victims. Thus, 17 of the violations were targeted at journalists and four at citizens. However, in absolute terms, 36 identifiable individual victims were directly affected by the 28 violations. Seventeen of the victims were journalists, incidentally making it a ratio of one violation to one journalist. Five media houses were also affected by five incidents. While a total of four violations were directed at citizens in Ghana and Nigeria. Two activist victims, one each from Ghana and Nigeria, were recorded.

It must be understood that one incident can result in multiple violations against the same victim or against many victims. It should also be noted that the exact number of victims of certain violations such as the Twitter disruption and the assault on trade union demonstrators in Nigeria could not be established. Thus, while the attacks perpetrated on demonstrators in Ghana are recorded against citizens, only the two persons killed in the crackdown and the ten identified to have been injured were captured. Similarly, the activist Omoyele Sowore, was the only person identified among the victims of a security crackdown on protesters denouncing acute insecurity in Nigeria.

Redress/Impunity over Violations

On May 3, the Media Foundation for West for Africa (MFWA) and its partner, the Guinean Association of Independent Press Editors (AGEPI), appealed to the Guinean authorities, to release two detained journalists, Ibrahima Sadjo Bah and Amadou Dioulde Diallo on compassionate grounds.

On May 11, the Appeal Court in Conakry, released Ibrahima Sadio Bah from prison after the journalist had spent three months and one week of his six months' sentence. He had, on February 4, been convicted of defamation, public insults, and slanderous denunciation against the president of the Guinean Football Federation. The charges related to a critical Facebook article about the tenure of Mamadou Antonio Souare.

On May 19, a court in Conakry released Amadou Diouldé Diallo from detention after the reporter with the state-owned radio and TV broadcaster (RTG) had been held in prison for 81 days. He had been found guilty of "insulting the Head of State." This charge related Diallo's comments on *Radio Lynx FM*, a private station, on 27 February, 2021.

The prison terms were handed the journalists although prison sentences have been abolished for press offences in Guinea. The detentions provoked numerous actions by press associations and press freedom organisations within and beyond Guinea including the afore-mentioned petition by the MFWA.

On June 7, 2021 Guinea's Minister of Sports withdrew his defamation suit against Habib Marwane Kamara, Administrator of the news website révélateur24.com. The journalist had republished on his personal Facebook page a story carried by the website citing accusations by ex-beauty pageants that the Minister, then in charge of Culture, had made amorous proposals to them.

On June 22, the ECOWAS Court of Justice in Abuja "restrained" the government of President Muhammadu Buhari and its agents from unlawfully imposing sanctions or doing anything whatsoever to harass, intimidate, arrest or prosecute Twitter and/or any other social media service provider(s), media houses, radio and television broadcast stations, the Plaintiffs and other Nigerians who are Twitter users, pending the hearing and determination of this suit."

The ruling followed a suit filed against the government by the Socio-Economic Rights and Accountability Project (SERAP) and 176 concerned Nigerians arguing that the suspension of Twitter in Nigeria and the criminalisation the use of the microblogging platform was unlawful.

On June 15, prosecutors took testimony from Claude Dassé as they continued investigations into a case of assault and detention of the journalist at Abidjan's main

prison, *Maison d'arrêt et de correction d'Abidjan (Maca)*. The Reporter for *L'Intelligent d'Abidjan* had gone to follow-up on reports of extortion at the penitentiary almost a year back on May 6, 2020 when he was assaulted by prison guards.

Other Key FOE Developments

On April 12, 2021, the MFWA and its partner organisation in Sierra Leone, Media Reform Coordinating Group (MRCG) as well as the Sierra Leone Association of Journalists (SLAJ) petitioned the Sierra Leonean Minister of Information, Mohamed Rahman Swaray, demanding an end to the frivolous prosecution of Fayia Amara Fayia, a journalist with the Standard Times newspaper. Soldiers assaulted while he was covering a COVID-19 story in April 2020, and later handed him to the police who charged him with assault and obstruction of security officers' duties. The journalist has been going to court for over a year.

On June 30, the MFWA and the Nigeria Union of Journalists (NUJ) launched a report on the state of press freedom in Nigeria which revealed that over 3,000 violations including the killing of seven journalists have been recorded since President Buhari assumed office. The report was produced with funding support from OSIWA, while the launching ceremony was supported by the Hewlett Foundation.

Conclusion

The continued abuse of freedom of expression and freedom of assembly under what is supposed to be democratic governments is disturbing. Arrest and detention instantly deprives journalists of the ability to carry out their journalistic duties, and is therefore, one of the worst forms of press freedom violations.

Similarly, physical attacks create a climate of fear among journalists and activists and people with dissenting opinions. Seventeen journalists suffered various forms of violations alongside five media organisations and two activists.

Security agents accounted for 13 of the 28 violations a figure that is in line with an established trend. While security agents are traditionally among the dominant perpetrators of FOE violations, a disturbing phenomenon is emerging whereby unknown individuals are becoming fearsome predators. Individuals perpetrated seven of the violations, the second highest during this quarter, and 10 during the first quarter of 2021.

Given the role of the media and the crucial contribution to public debate of activists, it is imperative that these constituents of democracy are protected. The expression of opinion including dissenting ones by citizens is also a vital part of democracy. Attacks on demonstrators must therefore be fought back vigorously.

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

Recommendations

To Media Organisations and Journalists

- Work with high standards and professionalism at all times.
- Media managers must commit to using all legal means to ensure justice for media persons whose rights are violated in the line of duty.
- Provide journalists with safety training and protective equipment

To Governments in West Africa

- Ensure that both state and non-state actors respect and protect the 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. Specifically, police and security forces must cease committing acts of physical attacks, arbitrary arrests and detentions against journalists and dissenting voices.
- Train security agents to appreciate the work of the media in democratic societies and to collaborate with them.

To ECOWAS

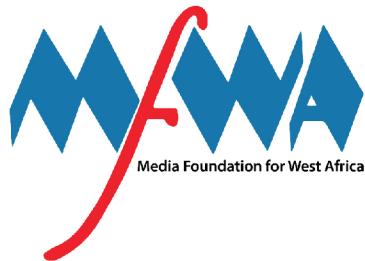
- Hold accountable culprits (both state and non-state actors) of freedom of expression violations through criminal, civil, administrative, or other sanctions to combat impunity.
- Encourage member states to “ensure respect for the rights of journalists” as stated in Article 66 of the ECOWAS Revised Treaty.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

- Encourage all Member states to take steps to end the serial violation of FOE rights in their countries.

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 and Ghana, where severe violations have occurred in recent times, to respect and protect freedom of expression rights.
- Include more West African countries in fact-finding missions.



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