



West Africa **Freedom of Expression** Monitor

Quarter 2

April - June, 2022

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Executive Summary

The Media Foundation for West Africa (MFWA) has been monitoring and reporting on violations of the freedom of expression in the 15-member Economic Community of West African States (ECOWAS) in addition to Mauritania. The reports highlight incidents of violations, the introduction, review or reform of laws affecting the right to freedom of expression and other positive developments. The reports also call on the appropriate authorities to take remedial action(s).

The monitoring has shown that there has been a marked decline in freedom of expression in West Africa over the past five years within the context of the remarkable improvement in democratic standards and the freedom of expression environment in the region over the past three decades. The military takeovers in Guinea, Mali and Burkina Faso underline the democratic reverse in West Africa. Hitherto, West Africa was seen as a citadel of democracy in Africa, especially after the fall of military strongmen Yahyah Jammeh and Blaise Compaoré in 2014 and 2016 respectively.

Benin, Senegal and Ghana which have traditionally been held high as models, are fast losing their shine as democratic states that uphold press freedom and the freedom of expression. This decline could lead to further deterioration of the political and human rights environment in West Africa with a possible return to the era of repressive and authoritative regimes. It is therefore crucial that all stakeholders increase their collaboration in the efforts to build a democratic West Africa with strong institutions and a free, vibrant media ensuring accountability.

It is in this quest that the Media Foundation for West Africa (MFWA) has been working to promote press freedom and to build the capacity of the media in the sub-region to effectively play its critical role. As part of its press freedom programme, the MFWA monitors the media environment, reports on press freedom violations and engages in advocacy to seek redress.

Since 2014, the findings of its monitoring activities were collated and analysed into quarterly publications titled, the West Africa Free Expression Monitor. This edition of the West Africa Free Expression Monitor covers findings from the monitoring and tracking of freedom of expression violations and other developments recorded in the second quarter of 2022 (April-June 2022).

In the period under review, 42 freedom of expression violations were recorded. The figure is 23 percent higher than that of the preceding quarter (January-March 2022) which stood at 34. Unfortunately, most of the violations reported had not been redressed in any way as at the time of compiling this report.

Nigeria recorded 12 violations to top the table of repression, followed by Senegal (10 violations). Ghana, which recorded 11 violations to top the chart in the first quarter of 2022, recorded six this time around with Guinea following with five.

The 42 violations were perpetrated by five types of perpetrators with security agents accounting for 20 of them, representing 47% of the violations. Political party affiliates carried out 9 or 21% of the violations, with state/public officials and individuals each accounting for 4 or 10% of the violations. The others are organised groups and the courts.

Introduction

Right after independence in the 1960s, West Africa and Africa generally slumped into authoritarian, mostly military-led governments. However, the past three decades beginning in the early 1990s have seen a wave of changes that saw a mass return to democracy in West Africa. These changes have encouraged a media boom and opened up the civic space, leading to greater participation of citizens in governance. In line with the new democratic dispensation, the various countries adopted liberal constitutions that enshrined fundamental rights such as the right to free expression, association and assembly.

While these rights have not always been fully upheld in practice, their consecration in the constitution provides a legal basis to challenge abuses which come in a wide range of forms. Killings, threats, physical attacks, arbitrary arrests and detentions, and imposition of crippling fines even in civil defamation suits are among the repressive measures adopted by government officials, influential individuals and security agencies to silence journalists as well as human rights and civil society activists.

The threat to human rights generally and to press freedom in particular has, however, become more pronounced in recent years. Armed rebellion and terrorist attacks in the Sahel zone of Burkina Faso, Mali, Niger and northern Nigeria have led to the adoption of a raft of legislations that restrict the civic space and suppress press freedom. The civilian governments of Mali, Guinea and Burkina Faso have also been overthrown by the military. In this stifling political context, media coverage has become a delicate balancing act for journalists who seek to report the facts but are also minded to avoid being harassed by the authorities for breaching national security, demoralising the armed forces among other offenses.

Consequently, self-censorship has become widespread in these countries. Social media is closely monitored for critical comments and journalists are harassed. The Media Foundation for West

Africa (MFWA) has been monitoring and highlighting these developments demanding redress and providing documentary evidence to inform advocacy interventions.

The monitoring and reporting are informed and guided by provisions in international, regional and sub-regional human rights frameworks to which most West African countries are parties and/or signatories. Specifically, all 16 countries in the region are parties to the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights both of which have provisions for safeguarding FoE and freedom of association and assembly rights. Article 9 of the African Charter, for instance, states that "Every individual shall have the right to receive information" and "Every individual shall have the right to express and disseminate his opinions within the law." In terms of the right to freedom of association and assembly, Article 11 of the African Charter states inter alia that "every individual shall have the right to assemble freely with others."

The MFWA's monitoring and reporting, therefore, focus on the extent to which these international, regional and sub-regional safeguards, as well as FoE provisions in national Constitutions, are respected and upheld both in principle and in practice.

This edition of The Monitor covering the second quarter (April– June 2022) recorded 42 violations. The three-month monitoring report covers the frequency of violations recorded, types of violations, perpetrators, and the countries in which the violations occurred.

Methodology

This report is compiled using data from the monitoring reports received from MFWA's correspondents in the various West African countries. To ensure that other violations not captured by our correspondents are factored into the analysis, information published by the MFWA's partner organisations in all the West African countries and Mauritania are integrated into the report.

Findings from the daily monitoring are published as Alerts to draw attention to the issues identified for remedial action. In 2014, the organisation introduced the West Africa Free Expression Monitor (The Monitor), a quarterly publication which collates and analyses violations of the rights to freedom of expression, rights to assembly. It also highlights other significant developments regarding democratic freedoms in the sub- region. The Monitor has since been serving as an advocacy material for the promotion, defence and protection of media and FoE rights.

The report is guided by the UNESCO Journalists' Safety Indicators. Specifically, the safety and impunity statistics indicators informed the coding of the violations. The findings are presented below under the following areas: incidents of violations, countries and incidents of violations, perpetrators, targets of violations. The report also highlights some other important developments which occurred during the quarter. It concludes with a number of recommendations that will facilitate the nurturing of a progressive media landscape in the region.

Incidents of Violations

Forty-two (42) violations were recorded in the course of the MFWA's monitoring of the FoE landscape in West Africa over the period of April-June, 2022. Eight different types of violations were recorded in eight countries. Physical attacks and arrests/detentions were the dominant type of violation, recording 17 and 11 cases respectively. **Table 1** below illustrates the types and number of violations recorded in each country.

Table 1. Countries and Types of Violations

Country	Types of Violations							
	Physical attack	Arrest/ Detention	Sentence	Killing	Seizure/ Destruction of property	Censor	Threat	Total
Nigeria	4	4	1	1		1	1	12
Senegal	4	1			2	1	2	10
Ghana	3	2			1			6
Guinea	2	1			1	1		5
Burkina Faso	1					1	1	3
Sierra Leone	1	2						3
Liberia	2							2
Mauritania		1						1
The Gambia							1	1
Total	17	11	1	1	4	4	5	42

Countries and Incidents of Violations

Eight countries were featured in this report, the same as the previous quarter. Among the incidents responsible for the violations recorded here are attacks on media houses, journalists and protesters. Some incidents give rise to more than one violation and, sometimes, more than

one victim. An example is the incident of May 16, 2022, where three men suspected to be activists of the ruling New Patriotic Party (NPP) [attacked](#) the premises of *Benya FM*, a radio station based in Elmina in the Central Region of Ghana. The rampaging thugs kicked, slapped and pummelled the presenter of a live programme Osofo Blessing, together with the producer, Nana Gyefo and [destroyed](#) equipment.

Below are highlights of some of the incidents:

On April 5, 2022, a court in the State of Kano, Nigeria, [sentenced](#) an activist, Mubarak Bala to 24 years in prison for blasphemy. Prior to the sentence, Mubarak, who was the President of the civil society group Humanist Association of Nigeria, had been detained for two years on the same charge. The activist was arrested on April 28, 2020, after a group of lawyers in Kano State petitioned the Commissioner of Police accusing him of insulting the Prophet Muhammad on his Facebook page.

On May 2, 2022, President Adama Barrow of the Gambia [verbally attacked and threatened](#) Madi Jobarteh, one of his government's fiercest critics in a live broadcast. President Barrow accused the activist of seeking to set the country on fire, adding that media organisations that offer him their platforms are harming the country.

On May 12, 2022, students of the Shehu Shagari College of Education in Sokoto, North-West Nigeria, [lynched and burned](#) their colleague student, Deborah Samuel on accusations of blasphemy. Deborah had protested against what she felt was the flooding of a common academic WhatsApp page with religious posts. She also made a critical comment about the Prophet Mohammed which some of her Muslim colleagues considered blasphemous.

On May 13, 2022, the State Security Service (SSS) in Ogun state, Nigeria [arrested](#) Olamilekan Hammed, a journalist and publisher of online outlet *EaglesForeSight*, on undisclosed charges. The arrest came after Hammed's outlet republished a report about the "alleged criminal records" of Ogun State Governor, Dapo Abiodun. After republishing the article, the SSS in Ogun state invited Hammed for questioning only to detain the journalist when he reached the secret police's office. Hammed was transferred to the state police headquarters, where he is still held.

On June 13, 2022, the police [assaulted](#) demonstrating students of an Islamic Senior High School in Kumasi, capital of the Ashanti Region. The demonstrators had blocked the road in front of their school in protest against frequent accidents on that portion of the road. The violent repression by the police resulted in about 25 students and some policemen being taken to hospital to be resuscitated or treated for various injuries.

On June 15, 2022, ex-MP Aboubacar Soumah and current president of the political party Guinée pour la Démocratie et l'Équité (GDE), [physically assaulted](#) radio presenter Ahmed Camara during the highly popular socio-political discussion programme “Les Grandes Gueules” on *Radio Espace*. The journalist had cited Mr. Soumah as one of the political figures who supported ex-President Alpha Condé’s third term agenda.

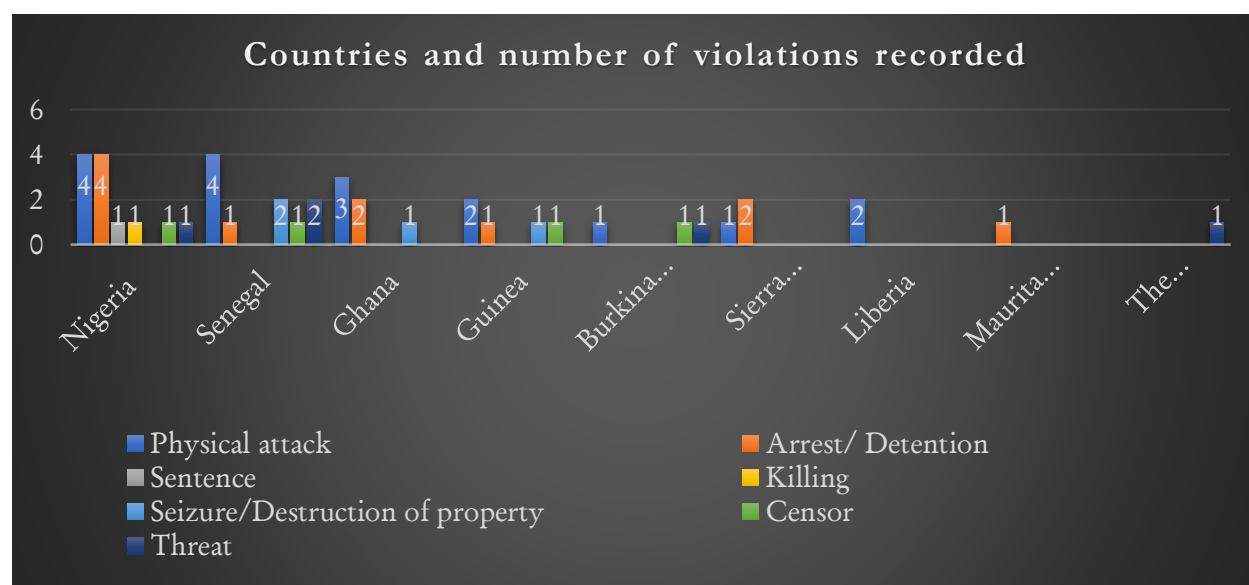
On June 27, 2022, the police [detained](#) Haruna Mohammed, the publisher of *WikkīTimes*, and Idris Kamal, a reporter of the online newspaper for about 10 hours after taking their statements when they honoured an invitation from the Bauchi State Criminal Investigation and Intelligence Department (SCIID).

In June 2022, Talla Sylla, one of the leaders of the Convergence des Jeunes Républicains (COJER), a youth group attached to the ruling party of Senegal, [called](#) for the burning of the private television station *Walfadjri* in a video that has gone viral in Senegal. The Syndicat des Professionnels de l'Information et de la Communication du Sénégal (Synpics) and several voices condemned these remarks, prompting the young leader to later apologise in another video.

The summary narrative of all the violations recorded during the third quarter can be read [here](#)

The number of violations recorded in each of the eight countries is presented in Figure 1 below:

Figure 1: Countries and number of violations recorded



Perpetrators of Violations

The 42 violations were perpetrated by five types of perpetrators with security agents accounting for 20 of them, representing 47% of the violations. Political party affiliates accounted for 9 or 21% of the violations, with state/public officials and individuals each recording four violations (10%). The other perpetrators are individuals, organised groups and the courts.

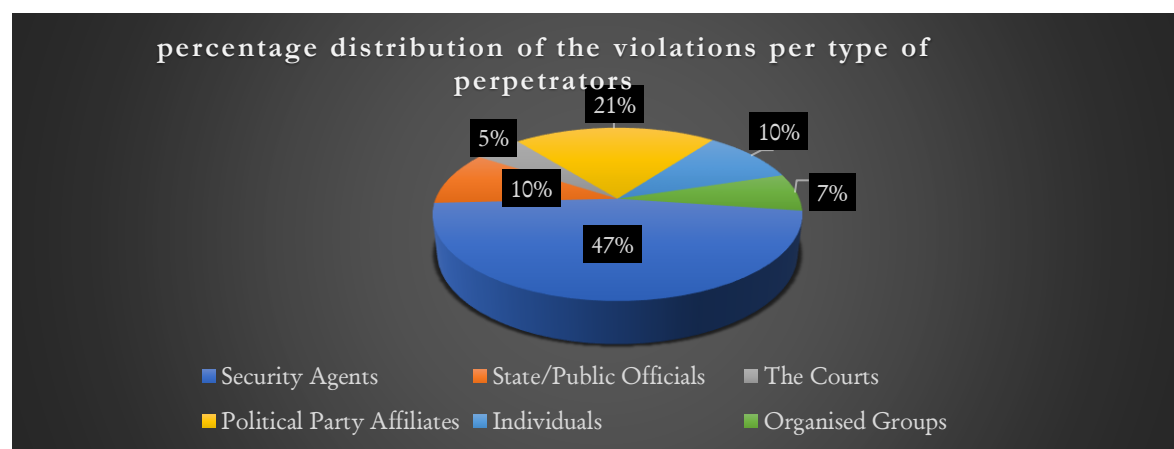
Table 2 below provides more information on the types of perpetrators and the number of violations they perpetrated in each country.

Table 2: Countries and Types of Perpetrators

Country	Types of Perpetrators						Total
	Security Agents	State/Public Officials	The Courts	Political Party Affiliates	Individuals	Organised Group	
Nigeria	7		2	1	2		12
Senegal	3			4	1	2	10
Ghana	3			3			6
Guinea	3			1			4
Burkina Faso	1				1	1	3
Sierra Leona	1	2					3
Liberia	1	1					2
Mauritania	1						1
The Gambia		1					1
Total	20	4	2	9	4	3	42

Figure 2 below shows the percentage distribution of violations per type of perpetrator

Figure 2: Percentage distribution of the violations per type of perpetrators



Targets/Victims of Violations

In terms of the distribution, thirty-five (35) of the violations were targeted at journalists with three (3) targeted at citizens and two each directed at activists and media organisations.

Table 3 below illustrates the violations/victims distribution.

Table 3: Types of victims and number of violations

Country	Types of Victims and Number of Violations suffered				
	Journalists/Media Workers	Citizens	Activists	Media Organisations	Total
Nigeria	10	1	1		12
Senegal	9			1	10
Ghana	4	1		1	6
Burkina Faso	3				3
Liberia	2				2
Mauritania			1		1
Sierra Leone	2	1			3
Guinea	4				4
The Gambia	1				1
Total	35	3	2	2	42

In absolute terms, the violations were perpetrated against 79 victims. Of this, 46 were journalists and media workers (two of them females), 27 were citizens, two activists and media organisations each. It is to be noted that one violation can target more than one victim. Sometimes too, the victims of violations such as a crackdown protests and social media shutdowns cannot be numbered.

Digital Rights

There were also some important developments in the digital space. The Circuit Court in Accra, presided over by Mrs. Sedinam Awo Balokah, on June 20, 2022, [sentenced](#) Solomon Doga, a repairer, to 14 years imprisonment after pronouncing him guilty of sexual extortion and non-consensual sharing of intimate images. According to State Prosecutor,

Chief Inspector Maxwell Lanyo, the victim is a Lebanese woman based in Accra who contracted the repairer's services to unlock her phone. While unlocking the phone, the phone repairer illegally accessed the memory and downloaded the victim's naked pictures. Doga subsequently sent the pictures to the complainant and demanded money from her. When she refused, he published her naked pictures on Facebook and Messenger.

Ghana's Parliament, on March 29, [approved](#) the contentious Electronic Levy (E-Levy) bill despite a walkout by the minority, who said the levy will hurt the poor and hamper efforts to promote financial inclusion. The law imposes 1.5% charge on all electronic transfers and will apply to mobile money transfers done between accounts on the same electronic money issuer and mobile money transfers from an account on one electronic money issuer to a recipient on another electronic money issuer. Others include; transfers from bank accounts to mobile money accounts and transfers from mobile money accounts to bank accounts. The rate applies to electronic transactions that are more than GH¢100 on a daily basis.

Meanwhile, the Electronic Transaction Levy (E-Levy) came into effect on May 1, 2022. The tax, which has become a subject of debate among Ghanaians is expected to rake in GH¢ 4.5 billion in tax revenue for the country. Critics however say it will make the affected transactions more expensive and therefore, hurt the poor. It is also feared that the levy might compel many people to return to offline transactions and reverse the gains made in the drive for financial inclusion.

Nigeria's secret police, the State Security Service (SSS) in Ogun state, on April 29, forced the Olamilekan Hammed, publisher of *EaglesForeSight*, to [delete](#) from the news website a story he had republished. Olamilekan was subsequently arrested and detained. The article about the "alleged criminal records" of Ogun State Governor, Dapo Abiodun, was originally published by the People's Gazette news website which was also raided.

On April 5, 2022, a court in Kano state [sentenced](#) an activist, Mubarak Bala to 24 years in prison for blasphemy in connection with his Facebook posts. Prior to the sentence, Mubarak, who was the President of the civil society group Humanist Association of Nigeria, had been detained for two years on the same charge of blasphemy.

A mob of Muslim students of the Shehu Shagari College of Education in Sokoto, North-West Nigeria, on May 12, 2022, [lynched](#) and burned their colleague Deborah Samuel. Deborah had protested against the flooding of an academic group's WhatsApp page with religious posts. She also made a critical comment about the Prophet Mohammed which some of her colleagues considered blasphemous.

On June 29, 2022, the police detained Journalist Noël Kouadio Konan at the instance of NSIA Bank, following a post he made on his [Twitter](#) account. Konan posted about an alleged theft case at the bank's branch in Daoukro, a town in central Cote d'Ivoire. said bank through its branch in Daoukro, a town located in central Cote d'Ivoire.

Redress for Violations/Impunity

While the UN Plan of Action for the Safety of Journalists lays emphasis on preventive mechanisms, the authorities' response to violations of press freedom is an equally important indicator of commitment to promoting the safety of journalists. Unfortunately, violations against press freedom often go without any redress.

However, two positive developments were recorded in this regard during the monitoring period.

On April 13, 2022, the Media Foundation for West Africa (MFWA) and its partners in Guinea-Bissau made a proposal for a [negotiated](#) payment plan to the government. As a result, the government agreed to allow the stations to reopen while they honour their obligations according to the agreed plan. However, two of the affected stations, Radio Cidade and Rádio Capital FM, remain closed as a result of failure to agree on payment terms. The government insists that the stations must discharge all their financial obligations to the regulator, while officials of the two stations plead that they do not have the lump sum.

On June 29, 2022, publisher Haruna Mohammed and reporter Idris Kamal of the online newspaper *WikkiTimes* were [released on bail](#) by a court of the State of Bauchi in Nigeria after almost 24 hours in police custody. The journalists were being harassed after a member of the House of Representatives for the Bauchi Federal Constituency initiated a petition concerning a recent report by the newspaper.

Other Key FOE Developments

On April 1, 2022, Oludare Richards, a reporter for *The Guardian* newspaper, was nearly [abducted](#) by unknown individuals in Nigeria's capital Abuja. The journalist was returning from the National Industrial Court in the city after covering a case said that he was able to escape thanks to a pepper spray that he used to ward off the kidnappers. Mr. Oludare, who could not say

whether the incident was connected to an investigative work that he was working on, went into hiding and didn't return home until after three days.

On April 7, 2022, the authorities of Guinea-Bissau [ordered](#) the closure of 79 radio stations that failed to regularise their broadcast license status. The Ministry of Communication announced in a press statement that the 72-hour deadline given by the Minister, Fernando Mendonça, elapsed on April 6, 2022. The measure affected national, regional and community radio stations.

On April 15, 2022, Ousainou Darboe, the leader of the most prominent opposition party, the United Democratic Party (UDP), [verbally attacked](#) Pa Nderry Touray, morning show host of *Star FM*, a radio station based in Banjul, capital of The Gambia. Mr Daboe is reported to have chided the journalist labelling him as divisive while he addressed new UDP National Assembly Members at his house.

On April 25, 2022, seven professional media organisations (OPMs) issued a statement to express concern about the recent actions of the junta in Burkina Faso. threatening to occlude press freedom, freedom of expression, the rule of law and democracy. According to the OPMs, the junta has been taking a number of actions which might suggest a potential resolve to keep freedom of expression and press freedom in the country on a tight leash.

In April 2022, authorities in Mauritania [released](#) blogger Hamda Ould Oubeidallah who was jailed on October 26, 2021, for posting a series of live videos critical of government policies on his Facebook page.

In April 2022, month authorities in Taraba State, Nigeria, [provided](#) security to Oloye Ayodele Samuel, publisher of the *Taraba Truth and Facts* newspaper following intelligence about an assassination plan against the journalist. The Management of the newspaper [issued an alert](#) about an alleged plot by some politicians to kidnap and assassinate its Publisher over certain critical publications.

On June 4, 2022, two hooded individuals [smashed](#) the windshields of the car of journalist Malick Konaté, Managing Editor of Horon TV in Bamako, the capital of Mali. The journalist made a Facebook post showing pictures of his car with front and rear windows destroyed. The incident occurred at the Horon TV media premises, while the journalist was in his office.

On June 19, 2022, some unknown individuals [broke into](#) the premises of *La Source*, located at the National Stadium of Niamey, the capital city of Niger. The robbers took away one of the laptops that is used to manage the newspaper's digital platforms and damaged another computer as they tried to remove the hard disk drive.

Conclusion

The 42 violations recorded in eight countries translate into some 5 violations in each of the countries featured in the report. The figure is not particularly high in the regional context and in terms of recent trends. Nonetheless, any level of hostility against journalists and the media as well as citizens expressing themselves either online or offline is a threat to freedom of expression, a key pillar of democracy and participatory governance.

Physical violence against journalists, followed by arrests and detentions, continues to be the dominant type of violation, both of which severely attack the physical integrity and morale of the victims. A further cause for concern is the near absolute impunity with which the violations were perpetrated. This state of impunity often fuels further attacks on the media and critical activists, with the risk of creating a vicious cycle that could lead to widespread self-censorship. The fact that state actors such as the security forces and public officers are the lead perpetrators demands calls for further reflection on media-state relations. In this regard, the media, governments and civil society in West Africa must work more collaboratively to address the freedom of expression and freedom of assembly issues in the region. 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.

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.
- Train security agents to appreciate the work of the media in democratic societies and to collaborate with them.

To ECOWAS

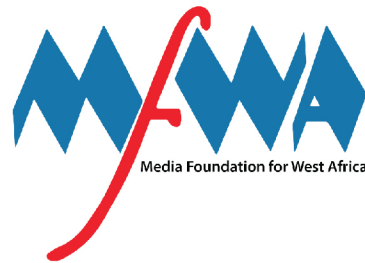
- Hold accountable culprits (both state and non-state actors) of freedom of expression violations through criminal, civil, administrative, or other sanctions to combat impunity.
- Encourage member states to “ensure respect for the rights of journalists” as stated in Article 66 of the ECOWAS Revised Treaty.
- Impose and enforce sanctions on Member States that persistently flout statutory obligations.
- Work with the military authorities in Mali, Burkina Faso and Guinea to ensure respect for FOE rights and a return to constitutional order within the shortest possible time.

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

- Encourage all Member states, particularly Nigeria, to take steps to end the serial violation of FOE rights in the country.

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

- Call on the governments in West Africa severe 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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