



Action Plan for the consolidation of freedom of speech in Mauritania

June 2007

I. Context and justification

When the country became independent in 1960, the information sector was exclusively held by the State and was comprised of: Radio Mauritania and the Mauritanian news agency (AMI), which served as editor of *Chaab* and *Horizons*, respectively published in Arabic and French. The Mauritanian Television, created in 1980, has monopoly at national level. In addition to the government media, one observed the emergence of a nascent private press, comprising partisan newspapers, run by young nonconformists. These newspapers, which encountered numerous difficulties linked to their production, disappeared in the early 1960s. However, this did not mark the end of the independent press venture. In 1984, *Mauritanie Demain*, a monthly magazine published in French and considered as the first independent paper in Mauritania, was created. Despite several problems with the administrative authorities, the monthly magazine succeeded in remaining on the market up to 1991.

1991 marked a turning point in the country's political history, with the institution of the multi-party system, which created a framework conducive for the emergence of individual freedoms. The adoption of the order relative to press freedom in July of that year, resulted in the emergence of the independent press. However, after a promising start (1991-1994), referred to as "Spring of the Desert", during which the press enjoyed a certain freedom, came the difficult years marked by numerous restrictions which impeded freedom of expression. More than 100 cases of censorship were reported. Journalists were regularly arrested. Besides, a policy aimed at banalizing the independent press by creating satellite newspapers, was introduced. Thus, more than 600 approvals were issued by the services of former President Ould Taya. "*Mauritania had become a closed country, insensitive and tyrannical to its journalists and human rights advocates*", according to the 2006 RSF (Reporters without Border) Report ¹.

The events of 3 August 2005 which led to the overthrow of the Taya regime, ushered in a framework that was favourable for the freedom of expression. The proceedings of the national advisory Commission for press and audiovisual reform resulted in the revision of the very restrictive law 91-023 of 25 July 1991 and the adoption of a new law abolishing censorship and providing for the decriminalisation of press offences. A regulatory body, namely the 'Haute autorité de la presse et de l'audiovisuel' (HAPA) was set up. This means that since August 2005, a legal and institutional framework designed to promote freedom of expression

¹ http://www.rsf.org/article.php3?id_article=17021&Valider=OK

was created. *“Within two years, freedom of the press registered spectacular progress in what used to be the “private preserve ” of deposed President Maaouiya Ould Taya, today in exile ”* observed RSF². But there are numerous challenges to be addressed. The socio-economic environment is extremely depressing. According to the national advisory commission: *“The sale price of these newspapers is relatively high. The market is narrow, distribution is non-existent and advertising revenues, where they exist, are insignificant. This situation is exacerbated by lack of professionalism, limited access to information, the insufficient training of journalists, the amateurism of operators of the sector, the under-development of local and foreign partnership, etc. The circulation is insignificant (1500 to 2000 copies with peaks of 2500 copies, on rare occasions). In 2004, it was observed that 14 newspapers were regularly issued in the form of weekly or daily papers, 24 as bi-monthly, monthly and periodicals which were issued between six and ten times ”*³.

Besides, the audiovisual space is still in the hands of the State and as a result, Mauritania is the only country in the West African region without a private radio or television. In addition to the consolidation of the current legal and institutional environment, there is need to strengthen the capacities of media practitioners and other actors of the Mauritanian civil society to enable them to fully play their role of challenging established authority, while participating in strengthening the existing democratic framework.

The following action plan is in keeping with the efforts deployed by ARTICLE 19 to support the process underway in Mauritania. It gives effect to the two workshops organised in June 2006 and in March 2007, in partnership with the Mauritanian Human Rights Association (AMDH) and meant to sensitize the Mauritanian civil society actors on the African and international mechanisms for the promotion and protection of freedom of expression.

II. Global objective

- Create conditions conducive for freedom of expression in Mauritania through the consolidation of the legal and institutional framework, especially after the presidential elections
- Encourage the use of regional and international mechanisms
- Strengthening the capacities of national stakeholders

² RSF, 2007 Report on Mauritania

³Findings made by the National Advisory Commission for press and audiovisual reform in page 12 of the provisional general report.

III. Specific objectives

- Advocate to facilitate the adoption and/or revision of laws on freedom of expression in accordance with international standards;
- Initiate local actors: journalists, magistrates, lawyers, and human rights activists in the use of international and African mechanisms for the promotion and protection of freedom of expression;
- Institute a mechanism that could tap on available regional expertise to facilitate the training and skills development of media practitioners, in journalism, investigative reporting, basic writing techniques, ethics, media law etc.
- Reactivate the organisations of media practitioners so as to promote and defend the material and moral interests of journalists.
- Work with the new government to ensure that reform of media laws remains on their agenda

IV. Expected results

- Laws promoting freedom of expression, and access to information in accordance with international standards are adopted and promulgated by the National Assembly ;
- National actors are up to date with regional and international mechanisms and actively contribute to the work of the African mechanisms;
- The advocacy and lobbying capacities of national actors are effectively strengthened;
- The organisations of media practitioners are operational.

V. Results indicators

- All the laws mentioned are adopted and/or amended promulgated and applied (laws on assistance to the press; liberalisation of airwaves, the HAPA statutes, etc.);
- Training sessions on the African and international mechanisms for the promotion of freedom of expression are organised;

- The organisations of media practitioners participate in the proceedings of regional and international human rights institutions, particularly those working on the freedom of expression and the media;
- Reports on freedom of expression are prepared periodically by national stakeholders and submitted to the Special Rapporteur on freedom of expression in Africa and the UN;
- Number of national stakeholders participating in the sessions of the African Commission on Human and Peoples' Rights and of the African Union increased
- Training sessions on relevant freedom of expression issues for media practitioners are organised;
- Partnership agreements allowing Mauritanian media practitioners to benefit from services provided by regional journalism training institutions such as CIRTEF, CESTI, ISSIC, CIERRO, etc. are signed.
- The statutes as well as the policies and procedures of the organisations of media practitioners are revised; new governing structures are elected and a national platform for the joint action of the different stakeholders is created.

VI. Planned activities

This action plan is structured around three (3) major axes: the consolidation of the legal and institutional framework, participation in the African and international mechanisms for the promotion of freedom of expression and the strengthening of civil society capacities.

I. Consolidation of the legal and institutional framework on freedom of expression and access to information

This action is geared towards advocacy for the adoption and/or amendment of laws in favour of press freedom.

1.1. Organisation of an information day on the role of the media in a democratic process

It shall consist of sensitising locally elected representatives and other policy-makers about the place and role of the media in a democratic process; the need for the public and media to have access to public information especially about past violations of human rights and to participate fully in the public debate about the future of the country, its ethnic/racial diversity and challenges.

1.2. Organisation of a workshop to harmonise laws governing the media with African and international standards

The purpose of this meeting is to enable the different stakeholders to review the various press laws that are currently under consideration in order to harmonise them with African and international standards.

1.3 setting up of a working group to review proposal of the national commission on the reform of media laws

This working group will make proposals that will enhance the work of the national commission on media reform. It will produce a detailed study and comparative analysis on how to liberalise the airwaves and respect diversity and pluralism in the broadcast sector, how to transform the national state broadcaster into a truly public service broadcaster. It will also draft in consultation with relevant stakeholders a progressive access to information law and contribute to the formulation of a national communication policy that could enhance freedom of expression and the press

II. Participation of national stakeholders in African mechanisms

2.1. Participation in sessions of the African Commission on Human and Peoples' Rights

This shall consist in providing financial support to facilitate the participation of freedom of expression and human rights organisations and journalists in two ordinary sessions of the African Commission on Human and Peoples' Rights. The said participation is expected to help these organisations to better understand the mechanisms of the African system for the promotion and protection of human rights. Brief back sessions shall be organised at the national level with a view to maximising such experiences and share the knowledge gained

2.2. Production and submission of the annual report on the freedom of expression situation

It entails the production of an annual report on the freedom of expression situation, in accordance with the standards in this regard. This report shall be publicised and submitted to the local authorities as well as the African and UN Special Rapporteurs on freedom of expression, on the basis of the appropriate procedures. This report can be made public on the world press freedom day.

III. Strengthening the capacities of national stakeholders

3.1 Training sessions for journalists

Lack of training is one of the major challenges of Mauritania's independent press. Most of the media practitioners joined the profession without prior training. To make up for this shortcoming, series of training sessions, shall be organised, (basic and advanced level) for journalists on the following theme:

'Editorial practices, ethics and professional conduct in journalism'.

Each participant who would have attended these sessions shall be awarded a certificate of competency and a library holding comprising reference manuals. At the end of these sessions, a national training policy for the media community in Mauritania shall be defined. These sessions could be hosted at the Faculty of Arts and Humanities (FLSH) of the University of Nouakchott with the support of relevant institutions in the region. Regional experts could serve as lecture on regular basis and exams organised through a distance mechanism

3.2. National consultation for the reactivation of the associative movement in the media

It is a workshop to reflect on the theme: *'Advantages and constraints of the associative movement in the media community in Mauritania'*. It will enable participants to take stock of the existing media organisations and work toward their reactivation. The session shall also serve as a framework for the establishment of a national platform with a view to creating a synergy between the different associations.

3.3. Training seminar for magistrates and lawyers

Strengthening capacities also requires the training of legal practitioners. Actually, the training needs are felt both at the level of judges and among lawyers. For this reason, a training session shall be organised on the theme: *'Justice and freedom of expression and of the press in Mauritania'*.

The seminar will also discuss legal and judicial assistance for journalists.

3.4. Developing curricula on freedom of expression and of the press

Training modules on national, regional and international mechanisms which guarantee freedom of expression shall be developed and offered in the ‘grandes écoles’ notably the Law Faculty of the University of Nouakchott. This will allow future policy/decision makers, to understand the basis of freedom of expression.

A module on media literacy could also be explore to enable students to develop a critical eye on how the media perform

3.5. Organisation of a national press day

The aim is to ensure the visibility of the role of the media and enhance the value of the journalist’s work. To that end, a series of activities can be envisaged:

- Organisation of discussion/meetings, in the ‘grandes écoles’ and cultural centres, on a key freedom of expression issues relevant to the Mauritanian context of post elections
- Official presentation of the report on the situation of freedom of expression in Mauritania. This same report shall be transmitted to the political authorities as well as to the African and UN Special Rapporteurs.
- Awarding a prize for the best journalist and best press organ of the year to encourage professionalism in the media sector. These prizes could be in the form of a refresher course abroad and a computer equipment and resource materials pack, etc. The criteria for the attribution of these prizes shall be determined beforehand.