

Reporters Without Borders

<http://www.rsf.org/kenya-rwb-alarmed-by-new-security-law-22-12-2014,47408.html>

Africa - Kenya

Legislative gag

RWB alarmed by new security law threat to freedom of information

22 December 2014

Reporters Without Borders is worried about a controversial security bill that President Uhuru Kenyatta signed into law on 19 December.

Its adoption ended a week of stormy debates overshadowed by an increase in terrorist attacks in Kenya by Al-Shabaab, an Islamist militia based in neighbouring Somalia. Some of the law's provisions dangerously limit freedom of information and could have a grave impact on journalists' ability to work in Kenya.

"We condemn the draconian provisions in this law that are liable to result in drastic censorship of the Kenyan media, Reporters Without Borders deputy programme director Virginie Dangles said. It is vital that journalists should be able to work freely and that the Kenyan people have the right to complete news coverage."

The law says freedom of expression and freedom of the media *"shall be limited (...) for the purposes of limiting the publication or distribution of material likely to cause public alarm, incitement to violence or disturb public peace."* It provides for heavy penalties for anyone disseminating *"any information (...) relating to terrorism,"* without qualifying this in any way. It says covering terrorism or publishing images of victims, *"which are likely to cause fear and alarm"*, without prior permission from the police is punishable by *"a fine not exceeding five million shillings [55,600 dollars] or imprisonment for a term not exceeding three years or both."* The law also provides for a sentence of up to 20 years in prison for anyone convicted of encouraging or abetting terrorist acts in Kenya via social media. Reporters Without Borders is extremely concerned by the possibility that these provisions could be applied to journalists.

This law continues the escalation in draconian media legislation that began in 2013, when laws were adopted creating a special government-appointed media court to rule on editorial content and, in certain circumstances, prevent journalists from working. The creation of this court took powers held until then by the Kenya Media Council, a journalists' self-regulatory body.

[Ranked 90th out of 180 countries in the 2014 Reporters Without Borders press freedom index,](#)

Kenya is nonetheless supposedly guaranteed freedom of the media, expression and information in a new constitution that was approved in a 2010 referendum.
