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ARTICLE 19

AROUND AFRICA March 2008

It has been an eventful month in Africa, not least for the much awaited result of the **Zimbabwe's** legislative and Presidential elections. While holding on to official results, the ruling party led by President Robert Mugabe is proposing recounts and run-offs. ARTICLE 19 joins calls by Zimbabweans, SADC summit of Heads of State and Government and the international community for immediate release of election results by the Zimbabwe Electoral Commission (ZEC). ARTICLE19 urges ZANU-PF and the government of President Mugabe to respect the people's right to know the result of their election.

The government should let the media do its work of reporting on the electoral process and counting process rather than using its repressive media law, and the media regulatory body to gag local press. In the run up to and during the elections several members of the international press were refused accreditation and entry into the country, leaving little room for independent coverage and analysis of the elections. Government control of news media has manifested itself in uneven share of air time, 1 hour 9 minutes for Mugabe and his allies against 17 minutes for all the others political groups.

In **Cameroon** as the president seeks to prolong his presidential term to 2012, tension has risen between the government, military and press. This month the government continued its crackdown on the press with newspaper publisher **Jacques Blaise Mvie** being held incommunicado at unknown location with no access to legal representation. Three other journalists were attacked by government security forces, and their equipment destroyed while covering anti-government protests.

Freedom of Expression

In March, the government of **Sudan** re-established censorship for privately owned media and has continued to take ever more repressive steps against the media as a whole, reneging on gains in freedom of expression since the peace agreement became effective. Sudan's armed forces have twice raided media offices and suppressed reports that the governments perceive to be unfavourable. On a recent mission to Sudan, ARTICLE 19 representatives visited the premises of a number of newspapers based in Khartoum and heard reports of muzzling and witnessed the levels of censorship the media are subject to. Since the Chadian dispute with the Sudanese National Government over its alleged support of rebel militias, many Sudanese newspapers receive daily visits by security forces which enforce pre-print and post-print censorship. **ARTICLE 19** condemns the blatant harassment and intimidation of media practitioners and the government's failure to protect and promote freedom of expression as provided by the 2005 Comprehensive Peace Agreement. [Sudan: Freedom of Expression Under Threat.](#)

In Kenya, the post-election environment remains oppressive for the media. In March three journalists were harassed by army personnel while reporting on the continued conflict in the Rift Valley. The media remain low-key and timid in their reporting on the political crisis. Meanwhile, Freedom of Assembly also came under attack in Nairobi. Kenyan police were observed firing tear gas at dozens of protesters, including Nobel laureate Wangari Maathai, during a demonstration in the capital. The rally was held against plans by President Mwai Kibaki to boost the number of ministers in the new cabinet. President Kibaki wants to

increase the cabinet positions to 44, but opposition leader Raila Odinga insists the number should remain at 34 or less. The rivals agreed to share power in February after the disputed elections, and appear to be well on their way to resolving issues over the size of government.

In the aftermath of post-election conflict in **Kenya**, **ARTICLE 19** with its partners **Reporters without Borders, and International Media Support** conducted a fact finding mission and investigated the successes and failures of the media during this period. The joint fact finding team released its report on their findings and recommendations with regard to strengthening media capacity to report election and conflict. The report: [Kenya: How Far to Go?](#); And Recommendations: [Kenya: Media under Pressure Recommendations](#) are available from ARTICLE19 website. IMS have already begun acting on some of the recommendations made in the report with planned training on trauma counseling for journalists. Issues surrounding hate speech by vernacular broadcasters in Kenya, and inquiries into the role of the media during the political crisis continue to be hotly debated.

The guarantee of freedom of expression remains fragile in several conflict and post conflict countries. In **Somalia** armed forces raid offices of three radio stations seized equipment and beat a journalist for reporting on human rights violations. In **Rwanda** the government continues to crackdown on press, this month the presidential spokesperson called on citizen to help track down the editor and founder of **Umucyo** charged with defamation and insulting the president. In **Chad** the independent media has ceased to exist, this month the prison term for press offence was increased by presidential decree and over 10 journalists have been forced to flee the country since February.

Impunity

ARTICLE 19 supports regional human rights defenders and media institutions attempting to combat the continued and overt oppression of freedom of expression in the **Gambia**. This month two court proceedings dealing with journalist reporting of government inefficiency have been stalled. In addition the Government of Gambia appears to be impervious to the regional concerns over its violation of freedom of expression: with six government officials defying a court summons compelling them to appear before the ECOWAS Community Court of Justice to answer questions in the ongoing case of a "disappeared" Gambian journalist **Chief Ebrima Manneh**.

Journalists in the **Democratic Republic of Congo** were once again subjected to threats and intimidation; recently **Nsimba Embete** and his assistant received threats for reporting on the president's health and has since been arrested. In addition to violation of the international and regional instruments protecting freedom of expression the government also continues to violate international human rights instruments by holding the journalist without charge and denying him access to legal representation.

Criminal Defamation

Swaziland, Rwanda, Uganda, Ethiopia, Algeria, continue to violate freedom of expression using repressive defamation laws to intimidate and harass journalist who give unfavourable media coverage to the government this month alone 17 journalists have been arrested across the five countries. Though **Uganda** saw the lifting of the ban on two radio shows, the hosts and panellist still face charges of defamation and 'inciting violence'. Disproportionate sentencing for press offences continues throughout Africa with journalist being detained anywhere from a few hours to two months. The most disproportionate sentence was given in **Algeria** where two journalists accused of 'ruining the reputation of the country abroad' were sentenced to two months in jail a fine totalling 10,000 euros. ARTICLE 19 calls for repeal of criminal defamation clauses in African countries' legislation; currently only Ghana no criminal defamation on its books.

Censorship of new media

Despite the fact that less than 10% of the population of either **Tanzania** or **Gambia** have access to the internet, governments of both countries cracked down on this media form. With no laws governing ICT it is possible for governments to restrict all and any type of coverage. In **Tanzania** 2 website editors have been detained for reporting on a contested energy charge. In **Gambia** the government was accused of blocking access to internet newspaper **Freedom Newspaper** for reporting on mismanagement on state-run GAMETEL.

Journalist safety

A welcome reprieve from journalists casualties in March 2008. Encouragingly no deaths of African were reported throughout the month, though the numbers of physical assault on journalists have increased. Across **Malawi, Tunisia, Liberia, Guinea**, 7 journalists were beaten and detained. In **Nigeria, Egypt, Rwanda** 3 journalists are in hiding following raids on their homes. Journalists are not the only victims of government assaults. Some human rights activists were also violated. **ARTICLE 19** condemned the attacks on two human rights activists' **Sihem Bensedrine** and **Omar Mestiri** at an airport in **Tunisia**. [Tunisia: Assault on Human Rights Activists Condemned](#).

Freedom of Information

UNESCO has launched a book on Freedom of Information: [Freedom of Information: A Comparative Legal Survey](#) written by Toby Mendel, **ARTICLE 19** Law Programme Director. The book outlines the basics of freedom of information, defined as the universal right to access information held by public bodies, and includes useful case studies, including the cases of South Africa and Uganda. **ARTICLE 19** is supporting a number of advocacy efforts in Africa for the adoption and implementation of Freedom of Information legislation. In Sierra Leone Freedom of Information is yet to be a legal right. **ARTICLE 19** supports efforts by the Sierra Leonean civil society to expedite adoption of this important legislation which will enhance the effectiveness of other human rights and development initiatives such as new gender laws passed by the West African nation's Parliament, in a bid to reduce the level of violence and abuse against women. The right to information would enable people to provide data on abuse and violations of the rights of women.

ARTICLE 19 Africa Programme

ARTICLE 19 Africa Programme welcomes the arrival of Paul English, Senior Director, Regions (Africa, Latin America and Europe). Paul comes to **ARTICLE19** with a wealth of experience in organizational development and programme development. We also welcome the return of Fatou Jagne-Senghor Africa Programme Officer based in Dakar, Senegal after her maternity leave – and baby makes two.

ARTICLE 19 is an independent human rights organisation that works globally to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.

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