



# STATE OF PRESS FREEDOM REPORT

TRENDS AND REFLECTIONS

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# PRESS FREEDOM

## Introduction

A free press is vital for every democracy because a free press plays a critical role in informing people about their rights, holding governments accountable and allows for varying conversations about issues of public interest.

A free press allows for difficult and challenging questions to be asked and answered. This can be seen as destabilising, but the accountability that comes with the answered questions, in the long run, is worth it.

Whereas Section 22 of the constitution of the Federal Republic of Nigerian (1999, as amended) notionally guarantees press freedom in the country when it claims that “the press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this chapter, and always uphold the responsibility and accountability of the government to the people”, the truth is that Section 39 of the same constitutions effectively nullifies the



substance of that claim.

It does not help matters that Nigeria flouts its own multiple treaty obligations when it abuses its press and offers permission for its agents to violate the freedom of journalists, bloggers and those working in broadcast as well as allied public communication environments. Articles 19 of the Universal Declarations on Human Rights, Article 9 of the African Charter on Human and People's Rights, as well as Sections 65 and 66 of the Economic Community of West African States (ECOWAS) Protocol not to mention other United Nations Educational, Scientific and Cultural Organisation (UNESCO) protocols are just a handful of international instruments that the country has committed to but constantly flouts with regards to its obligation to promote a free press at home.

This then is why, despite the "empowerment," that Section 22 of the constitution earns in relation to the responsibility of our press to hold our government accountable is continually rendered hollow, while the lofty ideal of a free press in Nigeria continues to be relentlessly attacked

while journalism as a practice remains an endangered profession. Indeed, look no far for the best illustration of this than in the recent #EndSARS protests in the country to see how state actors suffocate the press with impunity even while journalists are assaulted and media organisations have been slammed with crippling fines for the duty of merely covering the protests.

Journalists and activists have been spied on, threatened, arbitrarily arrested, forcibly kidnapped and unlawfully detained. Worsening these threats was the introduction of two prohibitive legislative proposals - the Hate Speech and the Social Media Bills, which until recently were under consideration in the National Assembly.

Our vision at Premium Times Centre for Investigative Journalism [PTCIJ] is a truly independent media landscape that advances fundamental human rights, good governance and accountability in Nigeria. The Centre cannot achieve this vision without advocating, through its Media Freedom Project, a free press in Nigeria. This report, supported by

Free Press Unlimited (FPU), seeks to review the landscape of press freedom and draw connections between the several issues that concern the media in a way that reflects the state of its existence

We are grateful to Professor Umaru Pate, Professor Chris Ogbondah, Professor Ladi Sandra Adamu, Godwin Onyeacholem, Solomon Okedara, Gloria Ballason, Adedeji Adekunle,

Osai Ojigho, Muthoki Mumo, Chido Onumah, Jonathan Rozen, Fisayo Soyombo, Simon Kolawole and Dapo Olorunyomi for their contributions to the content of this report.

I also thank the Media Freedom Project team Adenike Aloba, Stephanie Adams and Benedicta Akpede for the support and sleepless nights that made this report a success.



**Ms Oluwatosin Alagbe**

Programme Director, PTCIJ

# PRESS ATTACK



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## The Press Attack Tracker

**Current State of Press Freedom, Trends  
and Regional Prevalence of Attacks Against  
Journalists.**

By Adenike Aloba

Twenty years of uninterrupted democratic governance and yet attacks against journalists and media organisations have continued unabated, rivalling military regimes where journalists were locked up and media houses attacked with impunity.

Year by year, Nigeria's ranking on the Press Freedom Index continues to sit in the red zone, ranking 115 in the 2020 ranking, an improvement on its 2019 ranking but no less solidly red, the colour used to identify countries that earn the badge of "bad". In the

Nigerian context, if a child keeps returning with such poor results year on year, that child will likely be tagged a black sheep; this description is apt to describe Nigeria with its poor ratings on Press Freedom, and thus, deserves to be treated as such.

While the Global Press Freedom Index is a marker for how countries perform on press freedom issues and ranks countries accordingly, The Press Attack Tracker provides details of the nature, trends, prevalence, types of press freedom issues that are peculiar to Nigeria. Data from the [Press Attack Tracker](#) helps to properly contextualize press freedom issues in Nigeria and make sense of its repeatedly poor ranking.

The Press Attack Tracker is a civic technology tool, designed to track and report attacks against the press. It was developed as a response to the increasing trends of attacks against journalists to provide a data-driven advocacy response to the continued repression of the media through physical attacks/assaults, arrests and detentions, unconstitutional legal proceedings, repressive laws, cyber attacks etc.

The [Press Attack Tracker](#) contains records of violations against journalists and media organisations from 1985 till date including the time/

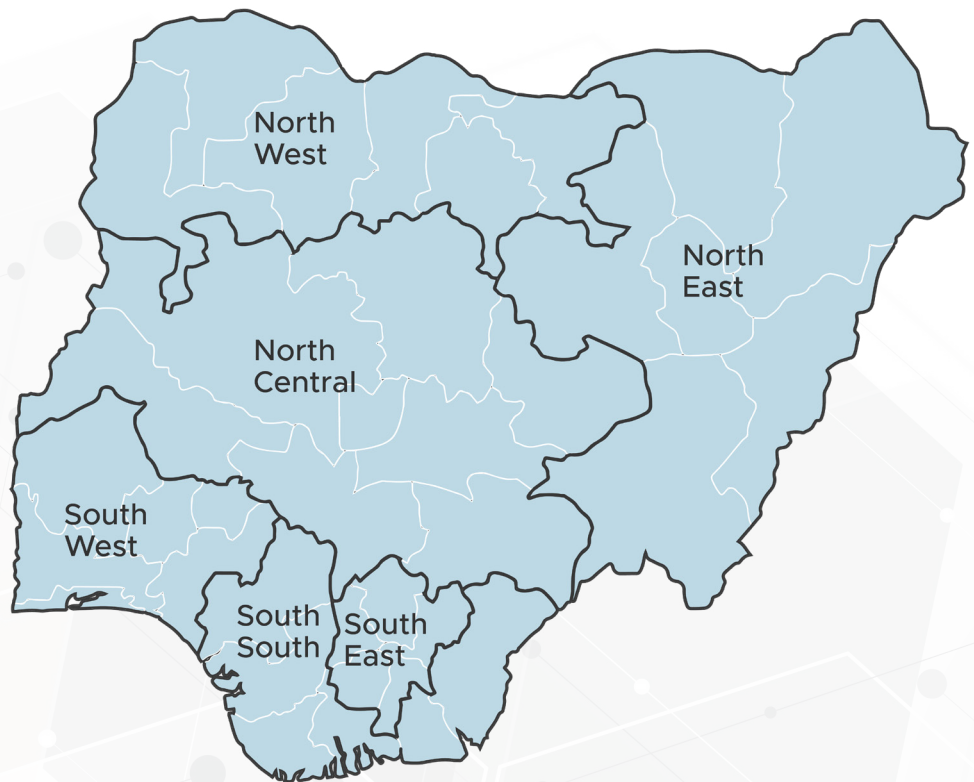
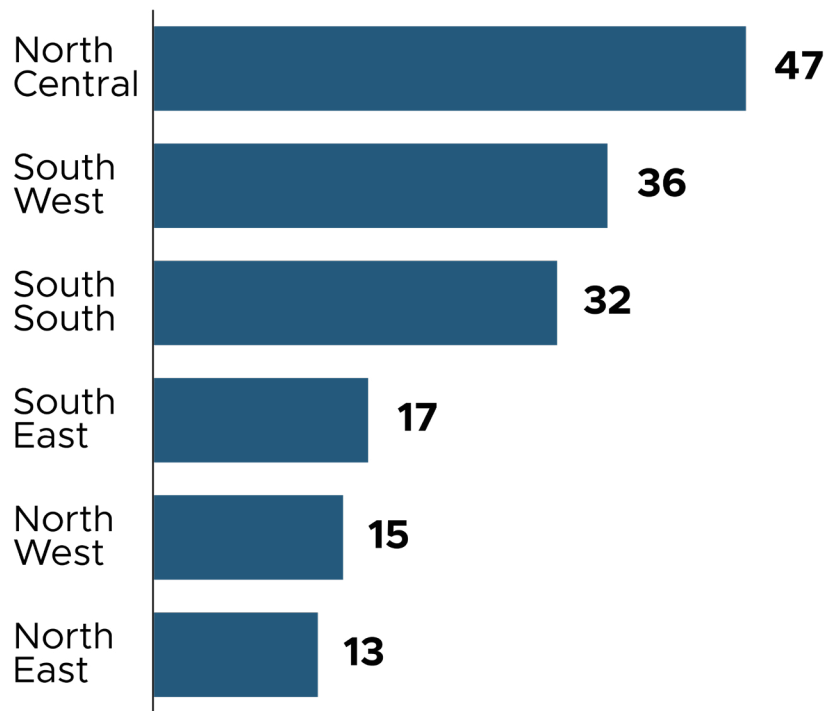
date, type, location and perpetrators of attacks. In the past five years, the Press Attack Tracker has recorded over three hundred cases of different forms of attacks.

The analysis below looks at data from 2018 - 2020 and spotlights trends, perpetrators of attacks, most prevalent types of attacks and regions with the highest prevalence of abuse of journalists. The analysis that follows examines the why of these data outcomes and both answers and raises questions on how the results shape the state of press freedom in the country.

### **Zone Categorisation: Safe And Unsafe Regions For Press Freedom In Nigeria**

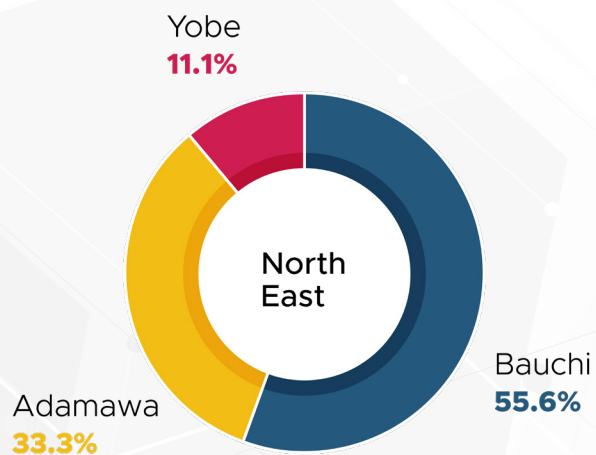
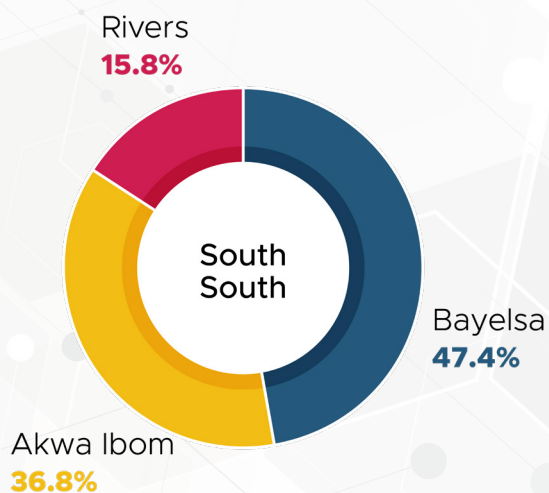
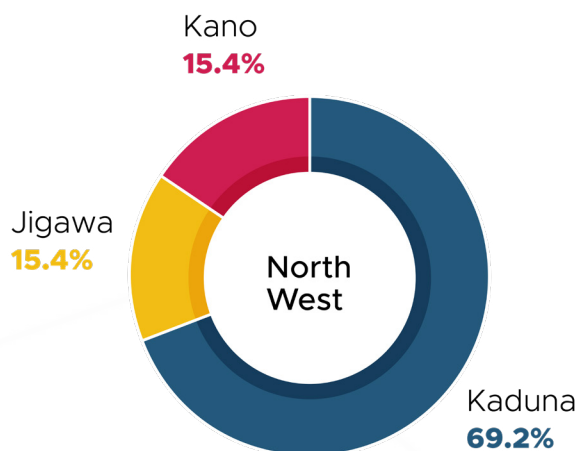
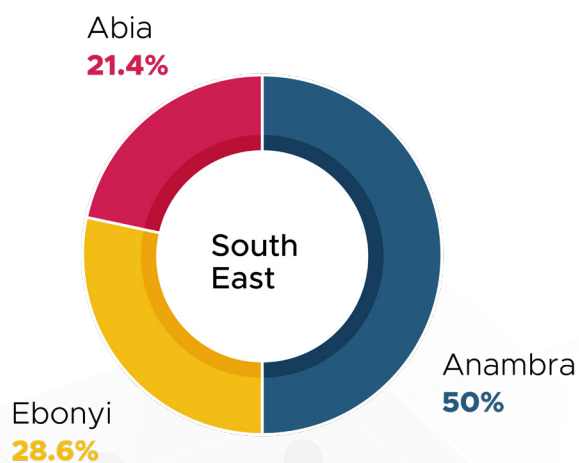
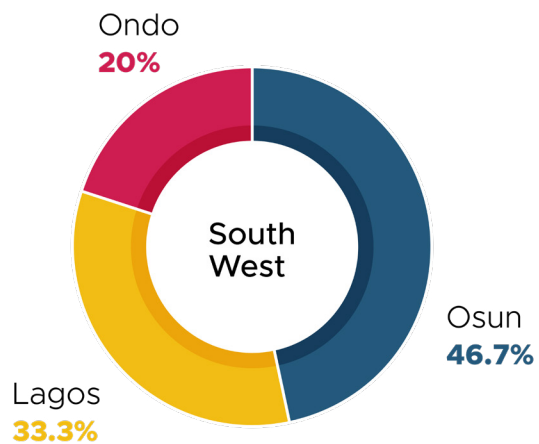
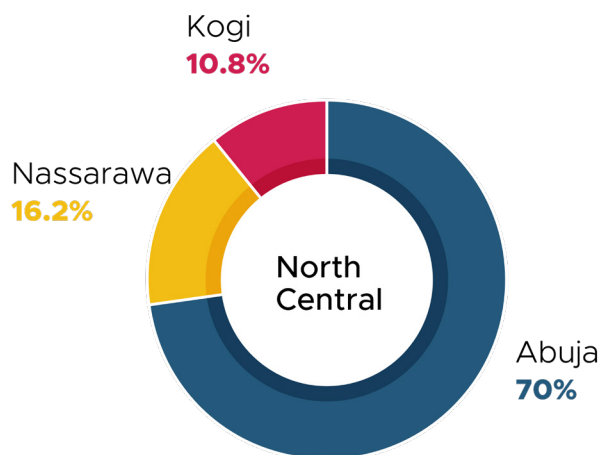
Certain regions and states are notorious for media repression and the data below serves a dual purpose; naming and shaming these zones so that the administrators in these regions are made aware of the toxicity of their States to journalists and media, and put them on their toes by this spotlight. The second purpose is to serve as advisory to journalists and media organisations as well as aid their risk assessment and consequently, safety and security planning for safe operations in these zones.

## Number of Attackers by Region (2018-2020)





## Top Three States Per Region with High Volume of Attacks



That North Central has the highest volume of attacks of all the 6 geo-political zones is unsurprising considering that the Federal Capital Territory (FCT), the seat of power, is in this zone. The reality is reflected in a deeper look at the cities with the highest volume of attacks with the FCT hosting 73% of all attacks in the region. This is likely a pointer to the government's attitude towards the freedom of the press and its constitutionally guaranteed rights to hold the powerful to account.

The North East has the lowest volume of attacks of all the regions and begs the question, are journalists really safer in this region? Or does it shed a light on the absence of media coverage in this region, which consequently mean the absence of journalists and media organisations? The insurgency and insecurity in the region may explain this dearth of journalists. At various times, journalists and media organisations have been the target of the Boko Haram terrorists with direct threats made at both individuals and media outfits. Unfortunately, there is no reprieve for the media as security agencies also cast the media in the light of adversaries rather than partners in the fight against terrorism and violent extremism, going as far as labelling some media outfits as mouth pieces for the terrorists and on several occasions arresting and/or destroying journalists and media equipment

on allegations of some variation of espionage.

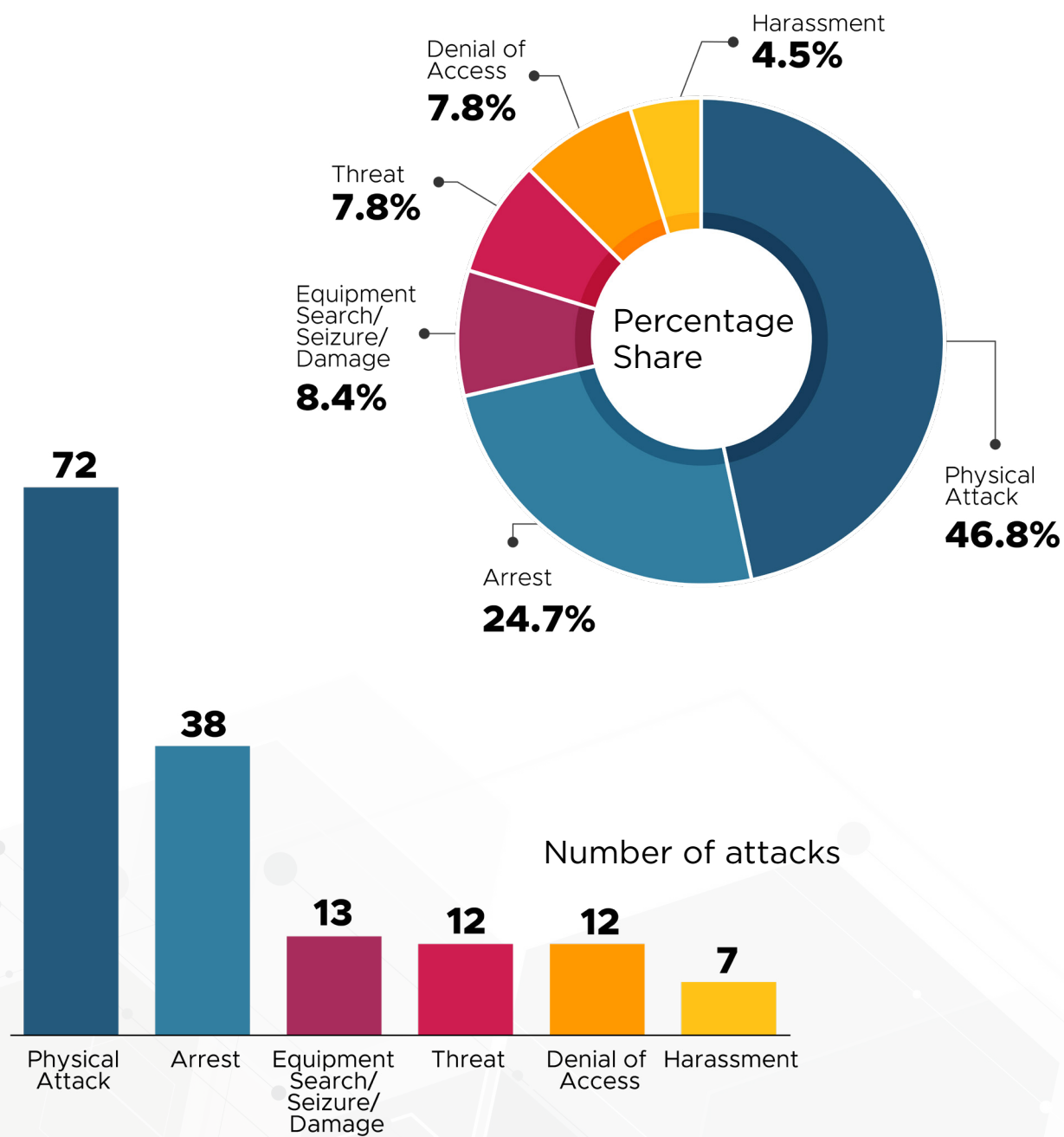
Hence, the low volume of attacks in the North East, rather than a mark of thriving freedom of the press in that region. This points to a more sinister and dangerous form of limitation on press freedom; insecurity and conflict. The inability of the press to effectively cover zones of conflict and insecurity has many implications and might carry a snowballing effect with the true victims, which are the people.

It is also important to point out that while the data clearly spotlights specific cities with a high volume of attacks, there is a question of representation of non-urban localities. There is consensus among press freedom watchers that a lot of violations against journalists especially in non-urban regions go unreported. This places a burden on press freedom watchers to design a process that will effectively capture all violations against journalists and media organisations irrespective of their location. Using groundtruthers is one of such strategies and has the potential to be cost effective thus, dealing with the challenge of financing such coverage and reach.

## Types of Attacks

What types of attacks are mostly used against journalists and media organisations?

## Types of Attacks (2018-2020)



At 46.8%, physical attack where journalists are roughly handled, beaten, shot and experience other forms of torture, is the preferred approach to silencing journalists in the country. Almost all of these attacks go unacknowledged, unpunished and continue with impunity. Physical attack is followed by arrests (24.7%) and detentions often without recourse to due process.

These attacks against journalists highlight other operational issues in media management and operations. Pursuing the legal option is often ignored with media organisations hardly ever seeking justice from the courts. Although the courts have appeared to rubber stamp these violations by not throwing out some of the unconstitutional cases raised against journalists and media organisations, the reality is most journalists and media organisations do not approach the courts at all. This is often due to the challenge of finance.

Journalists are left to finance their own legal fees, pay for their own hospital bills, pay for their own security and that of their family

members etc. When put against the backdrop of inadequate or outright non-payment of salaries, complete lack of any kind of insurance despite the high risk nature of the job, it reveals the precarious situation of journalists and media in the country.

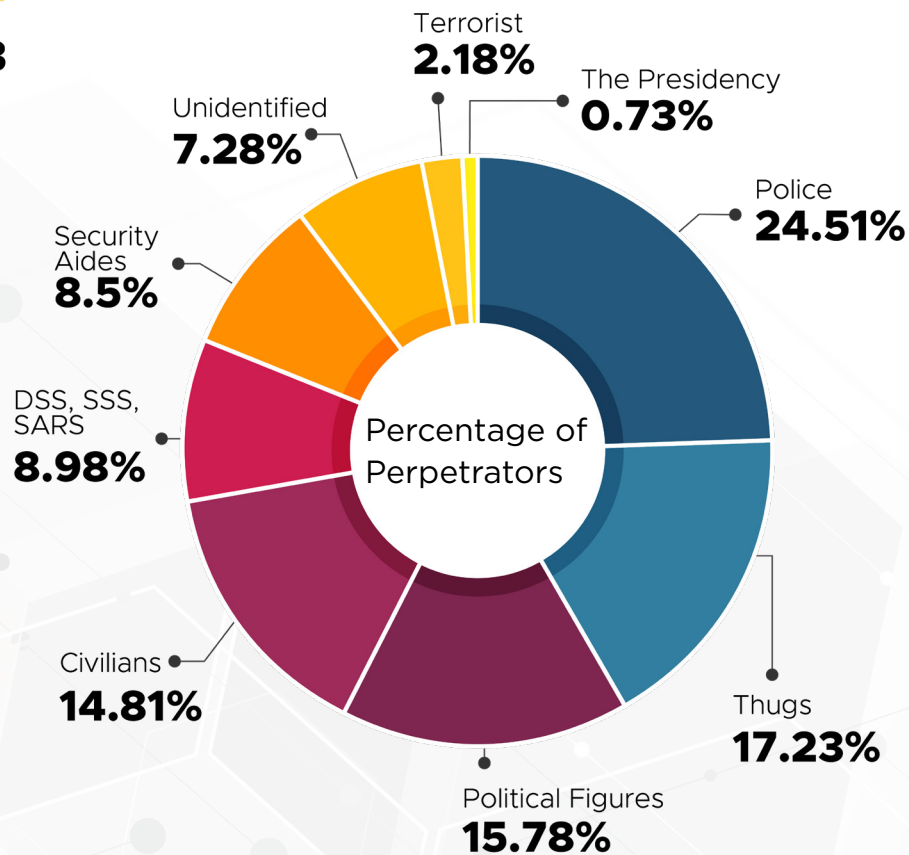
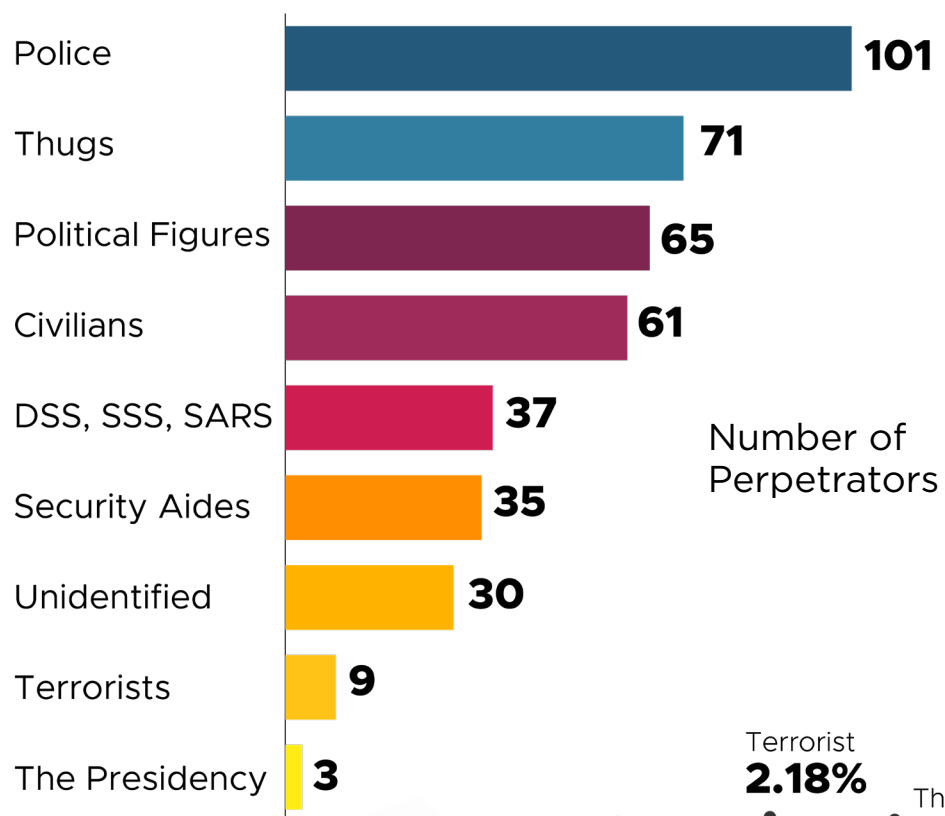
The attacks continue with impunity because media organisations and journalists literally cannot afford to protect themselves against these attacks and cannot defend themselves when these attacks do happen. This leads to a far more dangerous form of media repression and self-censorship. It is the kind that cannot be tracked and is difficult to deal with using the usual tools of advocacy, legislation etc.

The financing of media organisations and consequently, the welfare of journalists becomes an important variable in the conversation of press freedom.

## Perpetrators Of Attacks

Who are the people guilty for these attacks against the press?

## Perpetrators of Attacks (2018-2020)





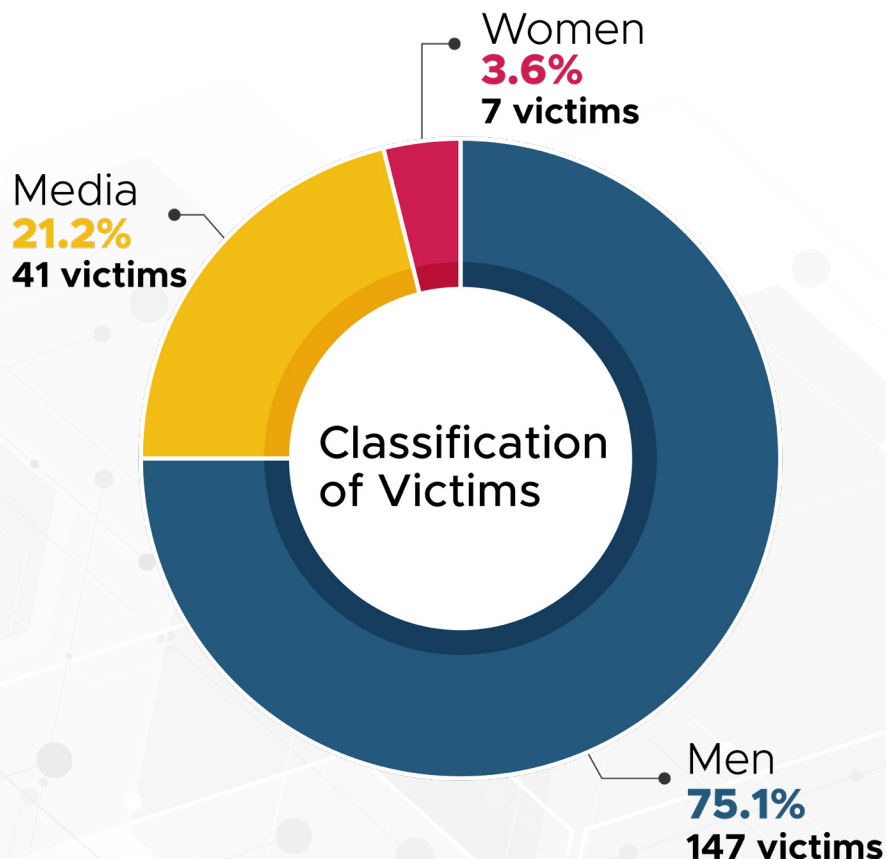
It is unsurprising albeit no less concerning that the police (24.9%) are the chief oppressors of journalists and media organisations. The fact that the list is filled with state actors is a pointer to the fact that the state wittingly or unwittingly sanctions these attacks against journalists. The presence and volume of attacks by political figures (15.8%) is indicative of insufficient separation of state from politics with state actors using their position to advance their political ambition.

Although the presidency is only identified as perpetrator 0.7% of the time, as the custodian of the constitution from where the media

derives its duties and protection, it shares a huge percentage of the blame that these attacks against the press continue to happen with impunity and are perpetrated mostly by state actors.

## Classification Of Victims Of Attacks

Although journalists and media organisations are the victims of attacks against the press, it holds some importance to identify the proportion of attacks on journalists and media organisations and the gender distribution of attacks against journalists.



There are more incidences of attacks against individual journalists than there are against media organisations. Often, journalists rather than the media organisations they represent are attacked for their work. The data is also reflective of a media landscape that likely has more freelance journalists working on their own than those affiliated to specific media organisations, which is more likely than not to make them vulnerable to attacks. As media organisations continue to face extreme financial challenges amplified by the devastating impact of Covid-19 and more journalists are released from full time employment; more journalists will likely go into freelance work and become even more vulnerable to attacks without the backing of a media organisation.

The staggering difference between reported cases of attacks against male and their female counterparts could mean several things. The placement of women on 'soft beats' to supposedly protect them is well known in the media circle. Since there are less chances of assignments that could lead to an attack, it could account for the small number of reported attacks against women.

This reverse or benevolent discrimination is not a compliment to the media. The media should represent equality, advocate same and should not in any way appear to encourage discrimination in any form.

The notion that women are less likely to speak up or report attacks could also account for the low number of reported attacks against women. Again, the media has a responsibility to encourage and amplify female voices.

## Conclusion

The data from the Press Attack Tracker over a two-year period reveals several important issues in the continued fight against press repression. The regions and cities with a high prevalence of attacks need to be the focus of advocacy efforts including the option of litigation where there is clear need. Experts in media development have advocated an offensive approach to these litigations rather than a defensive one where action is taken after attacks have been perpetrated. The use of international and regional instruments and institutions is also an option where the judiciary fails to objectively and fairly interpret the laws that guarantee and/or support freedom of the press.

Insecurity and conflict are as much impediments to press freedom as attacks directly targeting the press. The financing of the media and consequently the welfare of journalists have direct implications for press freedom. Conversations around evolving Business Models for the Media are important and must continue with the goal of achieving media sustainability.

## Select Reports From The Press Attack Tracker

### Security Forces vs Media Houses.

- On Sunday 6th of January 2019, men from security forces including Army, DSS and Police raided the offices of Daily Trust Newspaper in Abuja, Lagos and Maiduguri. Their media tools were seized and staff were forced to go into hiding.
- On 17th January 2017, men of the Nigerian Police Force stormed the Premium Times Headquarters in Abuja, searched the office premises, confiscated work tools belonging to staff and demanded that a story, which was written about the President's Chief of Staff, be withdrawn.
- In April 2020, Chijioke Agwu was arrested for writing a story on Lassa fever, which a State governor claimed violates the State's coronavirus law. The Governor of Ebonyi state during a press briefing said the reporter's actions contravened the recently passed Ebonyi State Coronavirus and other Dangerous Infectious Diseases And Related Matters Law 005 of 2020.
- Kufre Carter, a sports journalist based in Akwa Ibom was arrested on allegations of speaking against the State Commissioner of Health, Dominic Ukpung and that Mr Carter was critical of the State's response to Covid-19. Carter was allegedly taken to court commando-style by a large contingent of DSS operatives and arraigned at a magistrate court in Akwa Ibom on a three-count charge bordering on defamation. The magistrate was said to have granted the reporter bail to the sum of N3 million.
- In January 2020, Alfred Olufemi, then a student journalist at Obafemi Awolowo University, Ile-Ife and the Editor of News Digest, Gidado Yushau were arrested and later arraigned in court over an investigative report on hemp smoking at Hillcrest Agro-Allied Industry published by News Digest on May 19, 2018. The Special Adviser to President Muhammadu Buhari on Finance and Economy, Sarah Alade, whose company was the subject of the investigation, brought charges of criminal defamation against Olufemi and Yushau and demanded N500 million in damages from the two journalists.



Freedom of press



# Section 1: Reflections On Press Freedom

## Why is Press Freedom Necessary in Nigeria?

By Prof Umaru A. Pate

This year's World Press Freedom Day could not be celebrated with the normal activities globally because of the Covid-19 Pandemic ravaging humanity. In Nigeria, the current situation has revealed the quality of leadership at different levels in the country and exposed the underlining ailments in our system. The situation has also highlighted the great role of journalists and the inevitable need for their independence, safety and freedom to operate, giving credence to the saying that when the media does well, the society does well. However, the media cannot do well without operational freedom to gather, process and disseminate information in the interest of the society.

Free media is essential in the development of nations as it remains the strongest safeguard against the dark side of power, particularly unaccountable power. The Nigerian Constitution is clear on its assigned responsibility to the media to keep the government accountable to the

people. With accountability, there will be a transparent application of public resources and protection of the sanctity of human rights of citizens.

Freedom of information develops knowledge and promotes justice, fairness and participatory democracy that can translate in qualitative development. Equally, freedom of the "written word" increases the confidence of the people in their governments. Absence of it can also mean the reverse. And, this is why the country needs expansive media freedom for credible journalism guided by professional ethics; rooted in investigative journalism to provide independent editorial content. As has been severally noted, public trust in the media is a function of editorial independence.

Similarly, the advent of the internet has brought with it limitless advantages and a sharp rise in attacks on the truth propagated as fake news, misinformation and hate speech. All over our nation, the internet or specifically, the social media has been used as dark channels to misinform, misdirect and brainwash the populace. Hence, the need for trusted media brands to have the freedom and



professional capacity to fact check and inform the public correctly. If not, the society will be doomed to misrule, impunity and retrogression.

Furthermore, independent and free media are threats to dictators, corrupt elements and perpetrators of impunity. With an independent-minded media, dictators can be checked. Dictators endanger the country's democratic credentials, cause instability and get the population disenchanted. Often, dictators begin by attacking journalists to subdue them not to rise against their impunity and fangs of misrule on the public. By attacking press freedom and endangering the safety of journalists, they threaten and perpetuate fear in society. Once they succeed in their negative acts, society degenerates and retrogression sets in. In this context, the most important antidote and safeguard is freedom of expression to allow the people to express their aspirations and frustrations than for them to be constrained to resort to subversive tendencies.

But we are also conscious of the challenges to freedom of expression

in the country. With high poverty rate, poor governance, corruption, extreme inequality, low-quality education and pervasive illiteracy compounded by unemployment and prevalent ethnic and religious discrimination perpetrated by the ruling elite, citizens are pauperized, pulverized and traumatized not to bother with issues of civil rights like freedom of expression; instead, they concentrate their energies on how to escape from the demons of poverty, misrule and injustice wreaked on them by the rulers. And, where courageous voices dare to challenge such negative acts by expressing alternative opinions, the official weight of the system is deployed to crush such dissenters.

It is, therefore, important for all of us to continuously exercise eternal vigilance and safeguard the freedom of expression in the form of media freedom and protection of the safety of journalists as strategies for societal freedom from corruption, misrule and total decay that have enveloped Nigeria and arrested its development for many decades. As argued by Amartya Sen, freedom is development.

## The Future of Nigerian Press Freedom

By Chris Wolumati Ogbondah, PhD

At the opening of the first International Press Institute (IPI) training course in Lagos on January 1, 1964, the legendary doyen of Nigerian journalism, Dr Nnamdi Azikiwe, proudly announced to the world that, “We in Nigeria are determined to continue to claim to have the freest press in Africa and one of the freest in the world.” Writing earlier in the November 1960 issue of *The Quill*, Sexon Humphreys, observed that: “Nigeria became independent on October 1, 1960... there is perhaps no press anywhere in the world so outspoken as that of this emerging nation.”

Today, however, many would argue that the Nigerian press is anything but free. Several factors account for the loss of Nigeria’s boasted press freedom. The trend began with military rule from January 15, 1966, during which democratic values were suppressed.

Ironically, since 1999 when the country transitioned to democratic rule, the same institutional measures utilized by the military to suppress expression in the press – extra-judicial and arbitrary actions – seem to persist. As a result, Nigerian journalists are frequently arrested and detained.

The arbitrary proscription and confiscation of media products by security agencies seem to also persist. This is in sharp contrast with Nigeria’s neighbour, Ghana, where since 2001, no journalist has been arrested or detained arbitrarily, and no newspaper has been shut down because of what it published. Broadcast stations are victims of regular harassment by the National Broadcasting Commission (NBC), the broadcast industry’s watchdog. These extra-legal actions against media personnel have contributed to eroding Nigeria’s tradition of press freedom.

The failure of legislative and judicial oversight functions over the executive arm, when it over-reaches and utilizes extra-legal measures against the media, the fourth branch, in another way, has also contributed to mitigate freedom of the press in Nigeria. Police officers’ persistent charge of sedition against reporters and political critics – despite its abrogation by the court in 1983 and the courts’ failure, for example, to strongly chide the police when they do so, seem to embolden this unit of the executive to tamper with freedom of the press.

Even though the obnoxious Newspaper Amendment Act of 1964 has been repealed since 2003, and Freedom of Information Act (FOIA), introduced in 2011, there are lots of rooms for legislative reforms that can enhance press freedom. One of such reforms is the introduction

of an Anti-Press Censorship law that criminalizes arbitrary arrest and detention of journalists. Article 16 of the Constitution of Ghana provides against the arbitrary arrest and detention of journalists, and Article 162(2) guarantees that “there shall be no censorship in Ghana”. Section 4 of Article 162 provides that, “Editors of newspapers and other institutions of the mass media shall not be subject to control or interference by Government, nor shall they be penalized or harassed for their editorial opinions and views, or the content of their publications.” Legislative reform of this type will strengthen freedom of the press in the future.

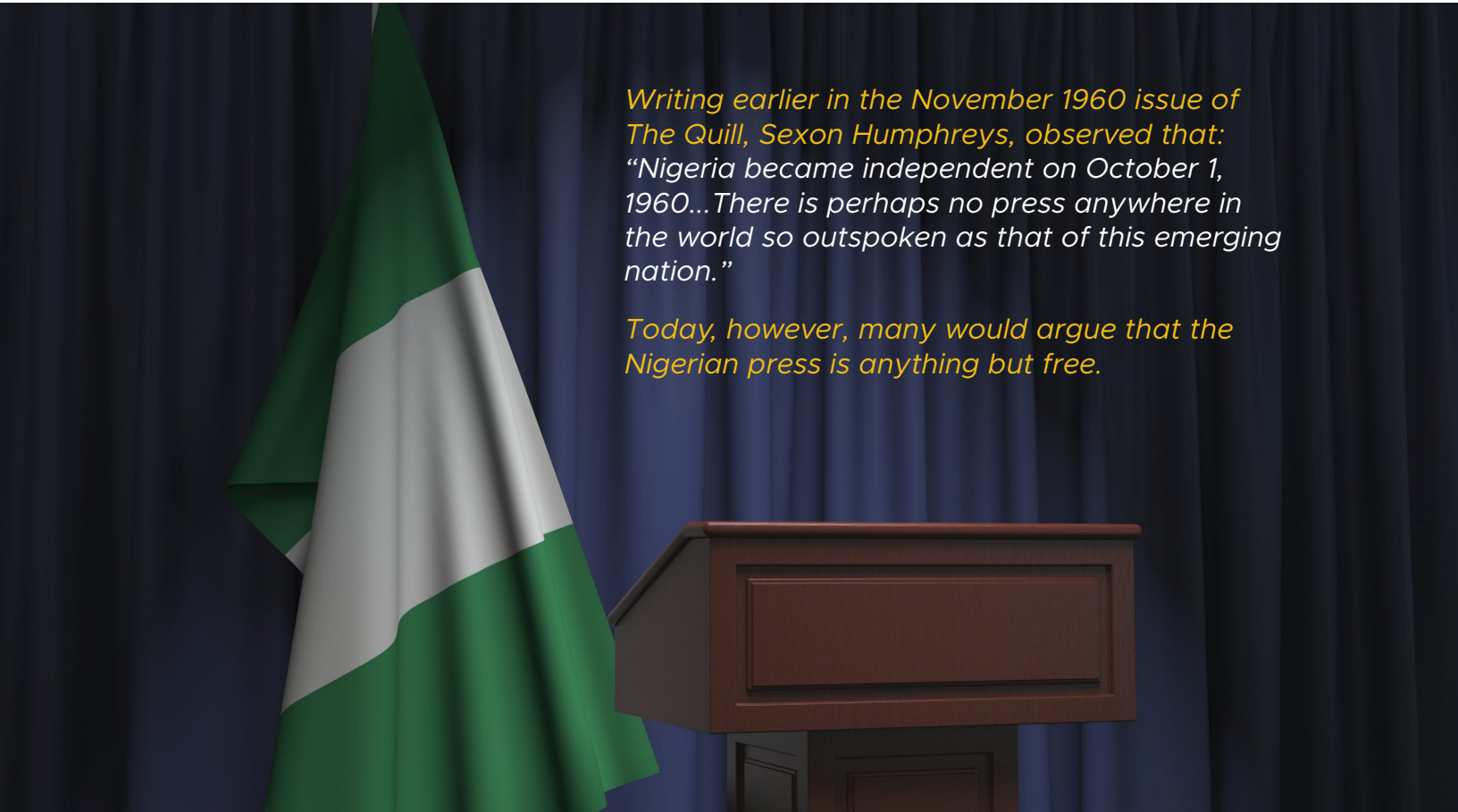
Derogable measures and clawback clauses in the Constitution minimize freedom of the press when enforced. Section 39(1&2) of the Constitution guarantees freedom of expression. However, the right is suppressed by provisions in Subsection 3 of the same constitution. Other sections of the Constitution state that nothing invalidates any law reasonably made in the interest of public safety, public order, public health etc. When enforced, this can render the right of press freedom vulnerable as it can reverse that right. Derogable measures and clawback clauses tend to take with the left hand what the Constitution has given with the right hand. These clauses should be reformed with a view to defining

narrowly, by the court, those special circumstances when press freedom may be abridged. This will enhance press freedom in the future.

The Public Order Act that requires a permit from the police for groups to hold public rallies should be reformed. Zimbabwe has reformed its Public Order and Security Act (POSA), just as Britain has done. The anachronistic Official Secrets Act of 1962 should be reformed so that its impenetrable veil of secrecy can be modified to facilitate media access to information. The antiquated National Archives Act should also be reformed so that the clause that provides for non-disclosure of state documents until after ten years can be repealed. Both laws are antithetical to the FOIA.

The FOIA has had dichotomous court interpretations as to whether it is applicable in all the states. Press freedom in Nigeria will be strengthened in the future if it is binding in all states. This is what Nigerians expect from the Supreme Court if the issue comes before it in the future.

Unethical practices on the part of journalists can constitute perhaps a far more serious threat to the future of press freedom than the use of extrajudicial measures against the press by the state. This is because the public will rally around the press when it is victimized by the state but the public will not rally around the



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*Today, however, many would argue that the Nigerian press is anything but free.*

press when it suppresses the truth, abandons accuracy and fairness or acts irresponsibly, paternalistically and champions ethnic tendencies.

The enactment of the legislative policies and changes mentioned in

this article will create the enabling environment that will facilitate Nigerian press freedom in the future and catapult it to the height worthy of praise again as the freest in Africa and one of the freest in the world.



## Data is key to affirming press freedom

By Adedeji Adekunle

“Information” has always been the stock and trade of journalism. Access to information therefore has been one of the best measures used to determine the degree to which a nation has empowered its press. With the current technological disruption, information has shed its skin and taken the form of DATA, a more liberal and now versatile form of knowledge or record presentation.

The concept of data is not new, however, the democratization of access to it is. A fact that speaks to how far we have evolved as a society. A significant benchmark into this great new frontier, as a nation, came on the 24th of May 2011 when the Goodluck Jonathan government signed the Freedom of Information Act (FOIA) into law, a piece of legislation that supersedes the Official Secrets Act (OSA) originally enacted in 1911 pre-independence.

This law gave every citizen access to knowledge about the running of governance and put public servants on notice about their roles as custodians of public trust and their accountability to the general population whose trust they hold. It is however naïve to assume that

due to the execution of the FOIA legislation, the actual liberalization of information has been achieved. Indeed, it is still in many ways and forms a work in progress. This is even made more evident in a [REPORT](#) by Udeme, a social accountability project of the [PTCIJ](#) which claimed that out of over 600 FOI requests to Federal Ministries, Departments and Agencies (MDAs), only 30% of such requests were effectively treated and the information requested disclosed. The remaining 70% were either ignored or acknowledged with no information provided.

### Implications for Press Freedom

For the press to be truly free to fulfil its constitutional mandate as spelt out in chapter 22 of the Nigerian Constitution, which is to hold the government and its actors accountable at all times, it needs to have unlimited access to the runnings of governance state, as much as have full disclosure to the records of events past, present and future. With a deeper study of the FOIA, it is clear that this is not a right reserved for just the press, but for every Nigerian. It would not be a stretch to then say that the press fulfils its duty at the behest of the public just like all governance structures are meant to be. That is why a key role of the press is also to help the citizens make well-informed decisions.

One of the most important and



innovative parts of the FOIA however, is the mandate to public institutions to engage in the practice of continuous proactive disclosure of all their dealings. This, in lay man's terms, means that before anyone asks, the information/data should be made available. The actuality of this process has also not been achieved yet, but baby steps are being taken. The snail-like nature of disclosure has led to an Open Data campaign in the civil society ecosystem and by supra-governmental agreements like the Open Government Partnership (OGP) to which Nigeria is a signatory. On this press freedom day therefore, I want to call on the government once again to ensure the promotion of open data by digitizing old data and put in place proactive planning methods of disclosure into the execution of all its ventures.

### **Open Data and the Nigerian Journalist: A call to evolution and survival**

Every time I walk into a class of journalists curious to learn about data and its role in storytelling, I do my best to inform them of the importance of an inquisitive attitude and a deep understanding of the "statistics" of their beat. In public records lie hidden amazing stories yet untold, clues to decade-long investigations and most importantly, the intelligence needed to advance our craft as we explore other emerging forms of journalism. These include Solutions

Journalism, Interpretative Journalism, Investigative Journalism and so on. The adoption of such practice affirms the relevance of journalism and thus, the financial viability of our practice. In other words, we should note that the key to the existential challenge to freedom of the press is the financial/economic freedom of the press. With the emergence of blogs and social media, journalism needs to bring a unique value to the fore. And this uniqueness can only be driven by data and mostly, Open Data! Hence, our advocacy.

On a final note, I have provided a list of data sources which can help enrich the practice of journalism and the freedom of the press. Beginning with a data source for attacks against the press. PTCIJ's [Press Attack Tracker](#), has documented attacks on the press since 1986 to date and serves as a crowdsourcing interactive tool for this purpose. Others include:

- DTI
- [Udeme](#)
- [National Bureau of Statistics](#)
- [Statista](#)
- [FAO](#)
- [Knoema](#)
- [Budgit](#)
- [Dataphyte](#)

## Climate of Fear: Issues of Press Freedom in Nigeria

By Godwin Onyeacholem

“We know where you are, and we know how to deal with you.”

The spooky one-line extract prefacing this subject was part of the sorrowful account of a hounded Nigerian journalist assailed with the terror of those who were not comfortable with his work. Even in hiding, the threats came in torrents.

Although Africa’s so-called most powerful nation enjoys real media pluralism, there are stories almost on a daily basis of assaults on media practitioners and restrictions on press activity. Covering stories involving politics, terrorism or financial embezzlement by the ruling class and their agents is a daunting task as journalists are continuously arbitrarily arrested, harassed, tortured, detained, and even killed for doing their job.

Between July 2019 and January 2020, two journalists were shot dead in Abuja, the country’s capital, while covering protests by the Islamic Movement of Nigeria. Some are held incommunicado (at least one of them was in this condition for two years) and slammed with preposterous charges ranging from “terrorism” to “treason and disturbing the peace of

the country.”

Nigeria is a putrid environment of media suffocation. Media houses do not operate independently, and journalists working in both private and government-owned media houses rarely enjoy the right to freedom of expression, much less carry out their job without fear of reprisals. There is no protection for Nigerian journalists. Instead of protection, police and other security agents unleash intimidation and all kinds of assault on journalists, while armed soldiers occasionally raid media houses.

Censorship by media owners is prevalent, and journalists, also gauging the mood of their employers, would not touch stories their employers would not want published even when these stories have to do with grave injustices. Such stories often involve corruption and impunity in high places. For example, five media houses initially reporting with vigour a high-level whistleblowing case alleging corrupt activities of the head of a government agency, suddenly started exhibiting reluctance to publish or withdrew completely from reporting. There can be no other reason for their action than the fear of the deluge of charges of criminal defamation regularly slammed on media houses and reporters who are pursuing corruption cases.

Although the Nigerian press facilitated the realization of democracy and

has been actively playing its role in strengthening the democratic process, challenges to press freedom have lingered. That 21 years into the Fourth Republic, Nigeria has an unimpressive ranking of 115 out of 180 countries on the World Press Freedom Index 2020 testifies to the unhealthy condition of liberty in the country. With this ranking, the country is only a little better than Afghanistan (122), Zimbabwe (126) and South Sudan (138).

The defence of quality journalism and protection of journalists are not the priorities of a government which frequently uses indirect ways to truncate press freedom. One of such methods is the continuous enactment of laws to suppress the truth. An example of the outrageous laws is the 2015 Cybercrime Law, which curtails online freedom and is now widely used to arrest and prosecute journalists and bloggers in an arbitrary manner.

In addition to these restrictive laws, the government as the biggest advertiser habitually hits the revenue of newspapers. It unconscionably arm-twists the media by withdrawing adverts from the critical press. But it is all too obvious that only a free and unfettered press, not a docile one, can pursue the goals of national development. And for all its exemplary pluralism, Nigeria is saddled with a weakened mass media whose owners and industry associations are endlessly seeking favours from the government. Such inexpedient servile predisposition towards power centres that the media is supposed to monitor and hold accountable negates the yearning for the ideal press freedom.

The international non-profit, Reporters Without Borders, was right, after all, in describing Nigeria as “one of the most dangerous and difficult” countries for journalists to work in.

## Tackling Punitive Legislations Against Press Freedom

By Solomon Okedara, Esq

The Nigerian media has been under severe attacks these days, perhaps, more than any other time in the recent democratic history. As a Digital Rights lawyer whose practice in defence of media freedom has spanned across the spectrum of domestic courts and regional mechanisms ranging from the High Courts and Federal High Courts to the Supreme Court and ECOWAS Court of Justice, I embrace the modest privilege of identifying three categories of laws which restrict media freedom in Nigeria, essentially as one who is litigating or has litigated on all of these laws.

The categories of the three media laws I will identify here are (i) Federal Legislation, (ii) Federal Regulation and (iii) State Legislation. For the Federal Legislation, no law has been used to suppress media in the last three years like the Cybercrimes Act 2015. In the last two years, most Nigerians arrested, detained or prosecuted in connection with their online expressions have had their arrest, detention and prosecution hinged on the Cybercrimes Act. Section 24 of the Act in its vague, ambiguous and overbroad form is generally used to indict journalists, bloggers and citizen journalists. On the list of those who

have received the tearing “fangs” of Section 24 of the Cybercrimes Act are Omoyele Sowore, Jones Abiri, Agba Jalingo, Saint Meinpamo Onitsha, Fejiro Oliver among others.

The second law is the Nigeria Broadcasting Code (6th Edition) and its recent Amendments. The Code is regarded as a law for this purpose as it was issued pursuant to Section 2 (h) of the National Broadcasting Commission Act. The Code, among others, criminalizes allowing broadcast of “offensive reference” to any persons or group of persons, alive or dead. It further criminalizes broadcast of “hate speech” which is described in the Code as a speech which attacks any persons based on some grounds including political leaning. The Code imposes not only the generally known excessive fine of Five Million Naira (N5M) but also far-reaching penalties like revocation of broadcasting license or shutdown of transmitters.

The last category of the legislation is state laws which include laws Criminal Defamation, Sedition and Blasphemy. While the conviction and sentencing of IG Wala by the High Court of FCT is still fresh in our memory, the recent conviction and death sentence imposed on the Kano-based singer, Yahaya Sharif-Aminu has left a chilling effect on our media space.

To address this scary rise in the suppression of the media by the



state via legislation, I recommend that the media community should consider doing the following urgently (i) Funding of strategic litigation to challenge the repressive laws, regulations and Codes (ii) Robust engagement of the legislative arm of the government and the executive when the legislation are still bills or proposed regulation as the case may be. (iii) Creating awareness among the

media community, civil society and the general public on such repressive bills or proposed regulations via roundtables, seminars, conferences, symposium or even media releases.



*The Nigerian media has been under severe attacks these days, perhaps, more than any other time in the recent democratic history.*

*Solomon Okedara, Esq*



## Of Press Freedom & Constricting Laws In Nigeria

By Gloria Ballason

But for the Premium Times Centre for Investigative Journalism (PTCIJ) and its strategic partner, the Coalition for Whistleblower Protection and Press Freedom (CWPPF) who, in commemorating the 2020 World Press Freedom Day, extended a warm invitation to me to contribute an article on 'Press Freedom and Constricting Laws', my attention would probably not roam around and anchor on how politics and populism have systematically made concerted and consistent efforts at throttling the independence of free press in Nigeria. That recently enacted laws such as the Cyber Crimes Act 2015 have in the main, criminalized free speech makes it even more problematic. Add that to the relinquishing of power by the media, and it will not be difficult to see that the threats against free press are as real as its dangerous impact on democracy.

History tells us of returning merchants, sailors and travellers who would bring back as souvenirs, news items to the mainland prior to journalism. News was then picked up by peddlers who spread it from place to place in hues and shades the

peddlers intended. This caused the news received to be unreliable or so lost in texture and meaning that it was often radically different from the information that left its source.

By the 18th century, the ancient scribes had begun to write information down in a more enduring form. Revolutionary changes of the 19th century in businesses, politics and culture made newspapers a worthy and timely asset. Radio and television made it through the 20th century and the internet in the 21st. Politics moved up the pyramid. Politicians soon began to sponsor newspapers at local and international level. By the end of the 20th century, advertising became a thing and the main source of funding for media organisations.

With the political rat race in swing, politicians began to sponsor media houses in order that they might control or tinker with the news as they saw fit. They would dangle the carrot and media houses would bite the bait. Why is this crash course in history important except to say that even today that bait has become a lump that is too big to be swallowed and too hinged for surgical removal. It lends credence to French writer, Jean-Baptiste Karr's assertion that the more things change, the more they stay the same.

# LAWS CONSTRAINING PRESS FREEDOM IN NIGERIA



## **Criminal Code Act / Sedition and Undesirable Publication**

Chapter 7 section 51  
Chapter 33 section 375



## **Electoral Act**

Section 100  
Section 101



## **Penal Code /Sedition by Words, Spoken or Written Publication**

Section 416-21



## **Printing Presses Regulation Act/Printing Presses Regulation Law**

Section 5, P 12 - Lagos State



## **Official Secrets Act/ Classified Matters**

Section 9  
Section 4/1 -Edo and Delta State  
Section 16/17 - Cross River State  
Section 21 (I, II, III) - Lagos State



## **The Rights of Journalists**

Section 45(1) of the 1999  
Constitution



## **Obscene Publications Act**

Section 4I  
Section 3I



## **The National Broadcasting Commission Act**

Section 1  
Section 2/2



## **Nigeria Press Council Act**

Section 3  
Section 9

## **Legislative Provisions**

*The following are laws enacted or being considered by the legislature with implications for media freedom:*

**The Sedition Act**

**The Libel Act**

**The Cybercrime Act**

**The Hate Speech Bill**

**The Social Media Bill**

## Press Freedom & Constricting Laws

When the founding fathers (and mothers) of our Constitution sought to design a grundnorm that will serve as our national charter, they envisioned a land where freedom rings and rights prevail. In their wisdom, they deemed Section 39 an imperative 'Every person shall be entitled to freedom of expression including freedom to hold opinions and to receive and impart ideas and information without interference'.

Subsection two of the same provision goes on to assure that: 'Without prejudice to the generality of subsection (1) every person shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions. The section retains power in the President who alone can authorize any person or body to operate a television or wireless broadcasting station for any purpose whatsoever upon the fulfilment by such applicant, conditions laid down by acts of the National Assembly.

The exceptions to freedom of expression and the press as constitutionally provided include: preventing the disclosure of information received in confidence, maintaining the authority and independence of courts or regulating telephony, wireless broadcasting, television or the exhibition of

cinematograph films. Holders of office under the government of the federation or of a state, members of the armed forces of the federation or members of the Nigeria police force or other government security services or agencies established by law may have certain restrictions imposed on them due to the nature of their assignments and the offices they occupy.

Section 39 comes across as a fair deal except that government officials have made a habit of honouring the provision more in breach than in compliance. Media practitioners who should call for accountability for such breaches are sometimes willing allies and ready tools to be oppressed or for oppression. And just so that point does not come across as sweeping, a quick census drives home the point: Any media organisation that relies on government or political party for its existence is wholly disqualified from the conversation about free press for the reason that it is bad table manners to talk while eating just as he who plays the piper dictates its tune. It is on this altar of political or governmental expediency that the facts of what happens in the society is often sacrificed. And for this ignoble cause, we get to see media outfits every now and again throw their conscientious reporters under the bus, kill stories in the editorial rooms or minimize the effect of stark facts that are already exposed to the public.

Picture this as the media putting out its hands to be chained and reaching out its neck for the hanging noose.

This, sadly, is Nigeria's Press reality in many ways. To be clear, the defence of quality journalism and protection of journalists who hold alternative views to official narratives are very far from being the government's priority and may not be in a long time. The political consideration is interest-stories that make a government look popular or earn votes for a political party.

Social Media, which is the new village square of ideas, has provided a platform for anyone with data and bandwidth to express their ideas. Unfortunately, the rush of satisfaction that citizens had of a venue that allows for the cross-pollination of ideas is now dampened by organized political trolls and bullies. Censorship has been enabled by government secrecy, direct clampdown of ideas and legal pressure that translates in criminalizing offline or digital free speech and making criminals of those who seek to exercise their constitutionally guaranteed right to free expression.

There is already the setting of a blistering pace by such laws. That there can be a Section 24 in Nigeria's Cyber Crimes Act in a 21st century world speaks to the progress we make doubling backwards. The section makes it an offence for any person

knowingly or intentionally to send a message or other matter by means of computer systems or network (1) that is grossly offensive, pornographic or of an indecent obscene or menacing character. It is also an offence when a person sends a message via computer or network knowing such information to be false, or for the purpose of causing annoyance, inconvenience, danger, obstruction, injury, criminal intimidation, enmity, hatred, ill will or needless anxiety to another or causes such a message to be sent.

**The section stipulates a fine penalty of N7,000,000 or imprisonment for up to 3 years.**

There are many reasons Section 24 of the Cyber Crimes Act is a poor legal art including but not limited to the fact that it is vague, lacks clear definition and is a hazy mish-mash of several acts (actus reus) with different ingredients that should not belong in a single provision. The guilty mind (Mens rea) required to form the series of punishable acts in that section is at best, unclear. How does a person for instance know at the point of digital self-expression that his/her act will be interpreted as 'menacing', or 'cause annoyance, inconvenience or hatred?' Where is the definition section for what these acts could be? There is none.





This regimented regime of Laws that serve as swords and shields in the quiver of government officials is the very antithesis of democracy. It enables freedom, the most valuable asset in a democracy, to be peddled for cheap smuts. Prior to the 2019 elections, for instance, there was the rife buzz about hate speeches. In reality, hate speech or what it means is not found in the Nigeria Law codes. And that's not where it freezes: If the overarching idea of hate speech is an

expression that encourages hate or violence towards a person or group based on race, religion, ethnic group or political affiliation, what do we say about state-sponsored actions and inactions that drive inequities and enable Injustice at people? How, for all that is good and fair, do we talk of hate speeches without speaking of the corresponding hate actions? There is a situation of classic Injustice that keeps with the notion that the led could do wrong but not the leader.



## Journalism Without Fear Or Favour

The 2020 theme of the World Free Press Day is 'Journalism Without Fear or Favour'. It is a worthy theme. Nigeria is not much better than Kim Jong-Un's North Korea whose totalitarian regime has kept its citizens in a state of ignorance and fear. According to a 2020 World Press Freedom Index by Reporters Without Borders, 'Nigeria is now one of West Africa's most dangerous and difficult countries for journalists, who are often spied on, attacked, arbitrarily arrested or even killed.' Quality journalism is undermined by repressive government actions. In July 2019 and in January 2020 respectively, two journalists were killed while covering a protest by the Islamic Movement in Nigeria. State Governors are some of the biggest Free Press repressors. Oyo State's Abiola Ajimobi ordered the demolition of Yinka Ayefele's Fresh FM and caused the arrest of Oriyomi Hamzat, an investigative journalist. Idowu Adekoya was arrested in Ogun State after she reported on the stone-filled beans distributed as Covid-19 palliative. In 2017 the Nigeria Union of Journalists declared Kaduna State 'the most lethal state to practice journalism' and warned that '... such attacks (in the state) may not abate soon'. The state under Governor Nasir Elrufai has seen at least ten journalists and online commentators arrested and/or imprisoned such as

Jacob Onjewu Dickson, Leadership Newspaper's Midat Joseph, Vanguard's Luka Binniyat and Steven Kefas. Abubakar Idris (AKA Dadiyata) an online critic of the government who was picked up by daredevil looking men since August 2019 is yet to be found dead or alive. I should add with utter dismay that some of these reporters who reported for reputable media organisations were sued as individuals. In the case of Vanguard, they found it convenient to lay off their staff, refusing to pick up his legal bills or pay his entitlement.

In the face of these difficulties and more journalists have the calling to keep a probing watch over the public space, to bring reliable information and counter disinformation. It is their task to clinically present different perspectives and to connect the globe to its people.

Walter Williams foresaw this when he scribbled The Journalist's Creed, an oath journalists all over the world subscribe to. Journalism is a public trust. It requires stout independence, abhors greed of power, is clear thinking, accurate and fair. The suppression of news for any consideration other than the welfare of the people is indefensible. Bribery by the pocketbook of another is to be avoided. Journalism must fear God and honour man or it is no journalism at all. Having sworn to that oath, the Nigerian media must count the cost and carry its cross.

## Contextualizing Press Freedom for the Next Generation of Journalists in Nigeria

By Prof Ladi Sandra Adamu

From Colonial to Post-Colonial Nigeria the relationship between government and the press has oscillated between outright hostility and cooperative partnership. At the centre of this rocky relationship is the contradictory understanding of the role of the press in society, especially in a democratic society. While the government expects the press to report the policies and programmes of government and project the administration favourably to the people, the press sees its role as not only to inform, educate and entertain but to be an agenda-setter and to hold government accountable to the people.

The Nigerian press, despite challenges, has remained resilient, robust and critical. In the process, it has drawn the ire of the government. Successive governments have tried in one way or another to muzzle the press through regulatory and restrictive legislations. Laws on libel, defamation, privacy, contempt, the right of fairness and obscenity are summoned to rein in critical journalists. During military administrations, restrictive laws such

as Public Officers (Protection Against False Information) Decree No. 4 of 1984, or the Detention of Persons Decree No. 2 of 1984 were used to limit press freedom. The Babangida Administration used the following restrictive legislations to fight the critical press: Detention of Persons Decree No. 2 of 1984, Newspaper Registration Board Decree No. 45 of 1992, and Newswatch Proscription Decree.

Other methods used by successive governments to whittle down the powers of the press or contain their assumed excesses include appointing top media personalities to government positions, or recourse to extra-legal means like granting government contracts to friendly publishers or coming to the rescue of news organisations in distress.

There is a need for retooling of the media. During military rule, confrontation was an acceptable strategy. However, democracy is about rules, processes and procedures. The press needs fundamental retooling to effectively engage the civil democratic dispensation. Also, the press is yet to strategically engage the National Assembly. The relationship remains adversarial. In respect of the Executive, the press has not sharpened its investigative journalism tools. In a democracy, you must be thorough and dig deep. No room for speculations. Your reports must be evidence-based.

Online Publishing is the New Normal. Media organisations must reposition themselves and embrace opportunities thrown up by the new information technology. Newspapers must find creative ways of publishing and reaching subscribers and advertisers online. Aspiring journalists or journalists of the future must be computer compliant and internet savvy. The traditional media will still remain but we now run a knowledge-based economy that is technology-driven.

Because the media is technology-driven, the battle for press freedom has now shifted to cyberspace. In recent times, there has been a flurry of activities in the National Assembly, all centred on freedom of the press/ expression. The Anti - Social Media Bill which suffered a setback in the National Assembly was a major move aimed at checkmating citizen journalists who have been exploiting the infinite possibilities of the social media for both noble and ignoble purposes.

There is an understanding that all is not well with social media. But the government's move to regulate social media is viewed with suspicion. This is because we have enough laws to

bring to book anyone who libels or defames someone, or brings a person to public odium or ridicule.

The Freedom of Information Act (FOIA) is a key legislation that empowers the press to seek for information. It has however been underutilized. The challenge before the press is how to balance the demand for freedom with the pursuit of truth and upholding of ethical values and behaviour.

The only way the press can push back the forces of press regulation is to effectively self-regulate its activities. It must strengthen its internal mechanisms for sanctioning erring journalists.

Additionally, it must take the challenge of weeding out criminals from social media or other new media platforms seriously. The press can work closely with progressive members of the National Assembly and civil society organisations to put together a bill that will make the social media a truly democratic platform, a marketplace of ideas, not an avenue for damaging people's reputations and deepening conflicts/ hate in society.

A grayscale photograph of a person's face, with their mouth obscured by a white rectangular sign that has the word "FREEDOM" written on it in bold, black, capital letters. The person has dark hair and a beard.

# Section 2: Stemming Impunity Against Journalists

## Press Freedom – The First Line of Defence for Human Rights

By Osai Ojigho

“A free, uncensored, and unhindered press or other media is essential in any society to ensure freedom of opinion and expression and the enjoyment of other Covenant rights. It constitutes one of the cornerstones of a democratic society. The Covenant embraces a right whereby the media may receive information on the basis of which it can carry out its function.”  
– [UN Human Rights Committee](#)

### [General Comment 34.](#)

The press holds a special position because they not only have the right to freedom of expression but exercising that right is essential in order for them to do their work. This makes press freedom a double blessing and burden for media practitioners. It also explains why attacks on the press are more vicious and very personal. The essence of the press is diminished in countries where dissent is dangerous. In addition, the enjoyment and protection of other rights, especially civil and political rights as contained in the International Covenant on Civil and Political Rights



(ICCPR), are affected when the right to freedom of expression is weakened.

There are numerous international and regional instruments that incorporate press freedom. Notably, the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights (Banjul Charter) and the Declaration of Principles on Freedom of Expression in Africa.

Article 19 of the ICCPR recognises that the right to hold opinions without interference including the right to seek, receive and impart information and ideas of all kinds, carries special duties and responsibilities. Therefore, the right to freedom of expression may be subject to certain restrictions, in very specific circumstances such as when it is necessary to respect the rights or reputations of others; for the protection of national security or of public order (*ordre public*), or of public health or morals. However, these restrictions must be applied strictly. They must satisfy the 3-part test of legality (being provided by law), legitimacy (pursue a legitimate aim) and necessity. In the Nigerian constitution, the right to freedom of expression including press freedom provided for in S.39 of the Constitution of the Federal Republic of Nigeria, 1999, the 3-part test is qualified further to include the phrase: "reasonably justifiable in a democratic society." So, the standard is not just

in any society but one that abides by democratic principles and values.

Governments seek to justify restrictions on press freedom on the basis that the right to freedom of expression is not absolute. However, very few of them successfully meet the criteria for restricting this right. The ECOWAS Community Court of Justice in June 2020 ruled in [Amnesty International Togo and 7 others v Togo](#), that the internet shutdown in Togo in 2017 violated the right to freedom of expression. The internet was recognised as a tool that facilitates the enjoyment of the right therefore any limitation on the internet must be construed under the strict test permitted for restricting freedom of expression. The State's argument that the restriction was necessary under security grounds was dismissed as not within the ambit of permissible emergency measures.

Across Africa, we have instances of cases where journalists and other media practitioners have been beaten, assaulted, threatened, arrested, and even killed for pursuing and publishing stories or reports of human rights, corruption, and issues of public interest. [Hopewell Chin'ono](#) is currently facing charges of inciting public violence in Zimbabwe for exposing corruption in government coronavirus intervention. [Abiri Jones](#) was a victim of enforced disappearance for nearly 3 years until the Nigerian secret police confirmed



that he was in their custody and subsequently released him on orders of a court. In October 2019, Amnesty International Nigeria released a report: [Endangered Voices](#) – Attacks on freedom of expression in Nigeria that documented several cases where journalists, media activists and freedom of the press, in general, has been under attack in the country.

Interestingly, governments are using similar tactics across the world. In Northern Ireland, 2 investigative journalists Trevor Birney and Barry McCaffrey had their homes and offices raided by police officers and [arrested](#) under the suspicion of stealing confidential official government documents. The duo had been involved in a documentary, ‘No Stone Unturned,’ which raised questions about the Loughinisland massacres that happened in 1994. Also, new ways are being employed to limit access of journalists to information and to practice their profession. In Hong Kong, foreign journalists are denied visas preventing them from remaining or entering the country. One of such cases is [Aaron Mc Nicholas](#), incoming editor of Hong Kong Free Press, whose work visa was denied. This raises concerns about the government’s attempts to limit coverage of year-long anti-government protests as well as to enforce Hong Kong’s recent national security law without minimal scrutiny by the Press. Similarly, in the

Philippines, Maria Ressa, founder of Rappler – an online news platform is appealing a [cyber-libel conviction](#) which imposed a minimum 6-months jail term and fine.

Increasingly, press freedom is needed more than ever under the cloud of constant surveillance, repression, and attacks. We are in times that have been described as the [post-truth era](#). It is important that we are supporting efforts to seek the truth, to publish fairly and to bring unheard or marginalised voices to public attention. While the international and regional frameworks provide clear provisions and have been ratified and incorporated in many national legal systems all over the world, it is not enough. State authorities should implement and enforce the protections afforded in these instruments.

This is the reason that we celebrate judicial victories as in the Northern Ireland situation highlighted above, where the court held that the invasion of the homes and offices were illegal and violated the rights of the journalists. It is also the reason why attempts by the government to introduce laws under the pretext of managing fake news, misinformation and hate speech is resisted by [civil society](#). As long as governments are not actively providing a safe environment for free speech to thrive, it is going to be difficult to accept wholly state-led and state-sponsored

legislation to regulate the internet and limit the enjoyment of freedom of expression under the guise of national security or combating fake news. Government has a responsibility to be open and transparent to the public. This means that state authorities should take steps to proactively provide information to deal with the fake news phenomenon. The risk of losing one's freedom is much higher than the effects of fake news which is within the State's purview to investigate and prosecute under existing law enforcement provisions.

Sadly, the attacks against press freedom would continue except steps are taken to push back. Journalists too have a role to play. Firstly, media practitioners must make concerted efforts to build and maintain solidarity for all media practitioners facing attacks locally, nationally, regionally, and globally. There are divisions within

the press that should look beyond their differences and unite under one goal which is to protect press freedom. That solidarity is important to show to the authorities and the public that an injury to one is an injury to all. Secondly, the press should identify and work with other civil society actors. The ability of the press and civil society to complement each group's efforts in striving for a better society would produce collaborations that secure and strengthen civic space.

Everyone should support a free, uncensored and unhindered press. It is the first line of defence in ensuring that every person, not only a privileged few, or those in power have access to information to make informed decisions about issues affecting all of our lives.

## False news law: Latest cudgel against the press in Sub Saharan Africa

By Muthoki Mumo

When broadcast journalist Abdiaziz Ahmed Gurbiye was [convicted](#) of publishing false news about COVID-19 in July, he only avoided six months in prison through a provision of Somali law that allowed him to pay a fine instead. Though he's not behind bars, he's not free of restrictions.

"I used to publish a story [about COVID-19] every day, an update on the situation. I am not doing that anymore and I think others are also afraid," Gurbiye said via messaging application in early October 2020.

Gurbiye's case is an example of a worrying trend in which governments in Sub-Saharan Africa are using the spectre of "fake news", particularly about the COVID-19 pandemic, as a pretext to enforce laws that ultimately muzzle the press. When these laws include broad prohibitions or criminal penalties, they run counter to both [regional](#) and [international](#) legal instruments on freedom of expression.

Against Gurbiye, prosecutors used provisions of Somalia's [decades-old penal code](#) that stipulates up to six months in prison for circulating "false" or "exaggerated" news and up to

three years in prison for insulting a government body.

Some countries are enacting entirely new legislation, granting officials broad powers to restrict speech, particularly online. In Tanzania, the government's [systematic assault](#) on press freedom has included the enactment of restrictive [online content regulations](#) that require licensing of bloggers and prohibit the publication of so many categories of speech as to effectively gag any journalist who wants to comply with the letter of the law. These online content regulations, which were recently made even [more restrictive](#), have consistently been used against critical media, with barely a veneer of safeguarding any public interest.

In September 2019 the Kwanza Online TV was hit with a [six-month ban](#) on allegations that failure to identify a source by both their first and last names amounted to misleading reporting. This year the station was once again [banned for 11 months](#), after publishing an Instagram post of a United States State Department [health alert](#), which the Tanzanian government said was tantamount to false news about the state of COVID-19 in the country.

Legitimate concerns about [incitement](#) gave the Ethiopian government room to enact a new hate speech and disinformation law that has been [criticized](#) by experts as including

[overbroad definitions](#) of offences that are [misaligned](#) with international law.

Broadcast journalist Yayesew Shimelis was most likely the first person charged under this law, following an arrest in March on [false news](#) allegations after airing a report which claimed that religious leaders were preparing 200,000 graves for COVID-19 victims. After a [dubious legal process](#) prolonged his detention, he was eventually released in April but the case continues in court.

When governments are given the power to determine truth, anything, from minor editorial errors to critical reporting, can be conflated with falsehood to the detriment of journalists and the public's right to access diverse opinions and information.

The media and civil society have sought to legally challenge some of these false news provisions. However, an assessment of judicial pushback in the region presents a mixed picture.

In a [March 2018 ruling](#), in a case against The Gambia, the ECOWAS Court of Justice [found](#) that “the practice of imposing criminal sanctions on sedition, defamation, libel and false news” has a [chilling effect](#) on journalism. Two months later, the Gambian Supreme Court would declare criminal defamation unconstitutional but [maintained provisions](#) on sedition and false news.

The East African Court of Justice (EACJ) last year [found](#) that a section of Tanzania's Media Services Act that criminalized publication of false statements likely to cause fear and alarm was too vague and [violated the treaty](#) for the establishment of the East African Community, of which Tanzania is a member. Tanzania is [yet to amend](#) the law.

Some court decisions have even eroded gains made on freedom of expression. In February 2020, Kenya's High Court [upheld](#) the deeply problematic [2018 Computer Misuse and Cyber Crimes Act](#) which stipulates up to 10 years in prison for the publication of false news. In the ruling, the judge stated that the nature of “cyber libel” was substantially distinct from libel via “traditional means”. This ruling is at odds with an [earlier decision](#) by the Kenyan courts declaring criminal defamation unconstitutional and the United Nations' Human Rights Council 2018 [affirmation](#) that people should enjoy the [same rights](#) online as offline.

Since the February cybercrime law ruling, Kenyan officials have not been shy about flexing the new powers. In a recent [report](#), the free speech organisation Article 19 found that between March and August “at least 10 journalists including online communicators have been arrested or threatened with prosecution” under Kenya's cybercrime law, for “allegedly publishing and spreading ‘false and



alarming information’ on social media about the Coronavirus”.

While false news laws and regulations are being weaponized against journalists in unique and specific local contexts, efforts to fight back must recognize that this is an insidious trend that flows transnationally.

In 2012, Committee to Protect Journalists (CPJ)’s annual [“Prison Census”](#) included one journalist jailed on false news charges but by 2019 this number had [risen to at least 30](#). Noxious political rhetoric about “fake news”, as exemplified by U.S. President Donald Trump, for instance, has been [associated](#) with this uptick.

Governments have explicitly told CPJ or indicated in public documents that they are copying each other. In April authorities in Eswatini [alleged](#) that journalist Zweli Martin Dlamini had published “unauthentic information” in breach of a March law that criminalizes false news about the pandemic. In a statement to CPJ, a government spokesman later justified these regulations by citing a [similar law](#) passed in South Africa in March.

On April 26, 2018, during [a parliamentary debate](#) about Kenya’s cybercrime law, then majority leader in parliament, Aden Duale, justified new, last-minute provisions criminalizing false news by saying that “the ingredients [had] been informed by the existing legislation from similar jurisdictions in the Philippines and Malaysia.”

Nigerian senator Mohamed Sani Musa earlier this year told CPJ that the country’s problematic social media bill had been [inspired](#) by laws in other jurisdictions, including the United Kingdom, the European Union and the United Arab Emirates. And CPJ’s review of the bill revealed worrying similarities to another law we had [condemned](#) half a world away, Singapore’s 2019 Protection from Online Falsehoods and Manipulation Act.

The international nature of this threat to press freedom suggests that response must similarly transcend borders, recognizing that a threat to press freedom in a neighbouring, or even distant, country can quickly become a threat at home.





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**TRUST**  
SATURDAY  
anti-graft agency from plotting Emir Sanja  
**SUSPECTED**  
**VIRUS PATIENTS**  
**IN LAG**

operation  
to AKC  
16m case  
in Kasai  
choice



# Section 3: Building Hedges Against Impunity

## (Press Statements on Press Freedom Issues)

### Committee to Protect Journalists (CPJ)'s 2020 Global Impunity Index spotlights countries where journalists are slain and their killers go free

Published October 28, 2020

Incremental progress toward reducing the murders of journalists worldwide is fragile and could be thwarted by legal appeals and lack of political leadership, CPJ found in its latest report on impunity in retaliatory media killings.

CPJ's annual Global Impunity Index, which spotlights countries where journalists are singled out for murder and their killers go free, showed little change from a year earlier. Somalia, Syria, Iraq, and South Sudan occupy the worst four spots on the list, in that order, as war and political instability perpetuate the cycle of violence and

lawlessness.

But each year the index includes more stable countries where criminal and political groups, politicians, business leaders, and other powerful actors resort to violence to silence critical and investigative journalists. CPJ has found that corruption, weak institutions and lack of political will to pursue robust investigations are all factors behind impunity in these countries, which include Pakistan, Mexico, and the Philippines.

In Pakistan, a surprise legal development this year—while not directly affecting the 2020 Impunity Index—showed that even murder cases that were long thought to be resolved can be upended.

On April 2, the Sindh High Court [overturned](#) the murder convictions of four men accused in the 2002 killing of Wall Street Journal reporter [Daniel Pearl](#). The decision found Ahmed Omar Saeed Sheikh, who had previously been sentenced to death, [guilty only of kidnapping](#) Pearl and reduced his sentence to seven years, which he has already served. The

Pearl family and the Sindh provincial government [appealed](#), and according to [news reports](#), the four men remained imprisoned at the end of September.

As CPJ Executive Director Joel Simon [wrote](#) in the Columbia Journalism Review, freeing the men “would be a devastating setback for justice that would also send a dangerous message to Jihadi militants in Pakistan and around the world, who have systematically targeted journalists in the 18 years since Pearl was killed.”

Pakistan and the Philippines have been mainstays on the Global Impunity Index since its inception in 2008. The Philippines is the biggest mover in this year’s rankings, improving from the fifth worst country worldwide to the seventh worst.

The change reflects the fact that the [November 2009 Ampatuan, Maguindanao, massacre](#) of 58 people, including 30 journalists and two media workers, no longer falls into the 10-year time frame for calculating the index. (Read more about the index methodology).

Landmark convictions late last year led CPJ to adjust the status of the Ampatuan cases to “partial impunity” from “full impunity” previously – meaning that they would no longer have figured into the index calculation regardless of the time frame. On December 19, 2019, a regional court

[convicted the mastermind, his brother, and 26 accomplices](#), and issued prison sentences of up to 40 years. The Philippines has 11 unsolved murders in the current 10-year index period, compared with 41 for last year’s index.

However, the Ampatuan case [took a full decade to try](#), and the chief defendants, namely convicted masterminds Andal Ampatuan Jr. and Zaldy Ampatuan, have appealed their convictions. In the Philippines’ labyrinthine and politicized legal system, their legal challenges could take several years to be tried and the possibility of their acquittal on appeal still looms large. Scores of suspects remain free, including Ampatuan clan members, leaving those who have pursued justice for the slain journalists exposed to possible reprisals. Meanwhile, the unaccountable killings continue apace, with at least two Filipino journalists murdered for their work so far in 2020.

In part because of the Philippines moving down the index, Mexico – the deadliest country for journalists in the Western hemisphere – moved to the sixth worst impunity ranking from seventh last year. The number of unsolved murders in Mexico is 26 for this 10-year period, compared with 30 unsolved murders for the previous index.

In the past year, Mexican authorities achieved convictions for some perpetrators in the murders of



[Miroslava Breach Velducea](#) and [Javier Valdez Cárdenas](#), a CPJ International Press Freedom Awardee. However, the masterminds of both crimes remain at large. Further clouding the outlook for achieving justice for those and other journalists, the federal special prosecutor's office largely responsible for progress in the Breach and Valdez cases is less assertively taking on new cases since President Andrés Manuel López Obrador took office. So far in 2020, at least four journalists have been murdered in retaliation for their work in Mexico.

Globally, the [number of journalists murdered in reprisal for their work was the lowest in 2019](#) that CPJ has recorded in any year since 1992. The [reason is difficult to pinpoint](#), with self-censorship, the use of other tools to intimidate reporters, and the high profile nature of some recent cases potentially playing a role.

The number of murders in 2020 has already exceeded 2019, but is not on track for a major increase. A couple of additional legal developments, meanwhile, do not bode well for ending the cycle of violence and injustice.

On September 7, the Belgrade Appeals Court announced that it had [overturned](#) the convictions of four former Serbian state security officers involved in the 1999 killing of journalist [Slavko Ćuruvija](#). The case is expected to be retried, according to [news](#)

[reports](#). CPJ had previously upheld the investigation into Ćuruvija's murder – led by a joint commission of journalists and government officials – as [one model for combatting impunity](#) because of its transparency, mixed investigative team, and willingness to pursue new leads.

And in Slovakia, a criminal court on September 3 [acquitted](#) a business tycoon suspected of masterminding the 2018 murders of investigative journalist Ján Kuciak and his fiancée. Kuciak's family vowed to appeal, according to [news reports](#). Kuciak was one of two journalists reporting on corruption in the European Union who were murdered in a six-month period; the other is [Daphne Caruana Galizia](#) in Malta, in whose 2017 case no one has been convicted.

During the 10-year index period ending August 31, 2020, 277 journalists were murdered for their work worldwide and in 83% of those cases no perpetrators have been successfully prosecuted. For last year's index period, CPJ recorded complete impunity in 86% of cases. The rate of complete impunity has inched lower in recent years. In "[The Road to Justice](#)," a 2014 examination of the causes of impunity in journalist murders and possible solutions, CPJ found that the [killers went free in nine out of ten cases](#) between 2004 and 2013.

Illustrating the entrenched nature of

impunity, the 12 countries on the index account for 80% of the global total of unsolved murders of journalists for the 10-year index period. All 12 have featured multiple times since CPJ first compiled the index in 2008, and

seven have appeared every year.

Nigeria is the only country to come off the index this year. One murder in that country, from 2009, is not included in the decade now under scrutiny.

### Global Impunity Index

Index Rank	Country	Population (in millions)	Unsolved Murders
1	Somalia	15.4	26
2	Syria	17.1	22
3	Iraq	39.3	21
4	South Sudan	11.1	5
5	Afghanistan	38	13
6	Mexico	127.6	26
7	Philippines	108.1	11
8	Brazil	211	15
9	Pakistan	216.6	15
10	Bangladesh	163	7
11	Russia	144.4	6
12	India	1,366.4	17

Source: World Bank's 2019 World Development Indicators

## Methodology

CPJ's Global Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between September 1, 2010, and August 31, 2020, and remain unsolved. Only those nations with five or more unsolved cases are included on the index. CPJ defines murder as a deliberate killing of a specific journalist in retaliation for the victim's work. This index does not include cases of journalists killed in combat or while on dangerous assignments, such as coverage of protests that turn violent. Cases are considered

unsolved when no convictions have been obtained, even if suspects have been identified and are in custody. Cases in which some but not all suspects have been convicted are classified as partial impunity. Cases in which the suspected perpetrators were killed during apprehension are also categorized as partial impunity. The index only tallies murders that have been carried out with complete impunity. It does not include those where partial justice has been achieved. Population data from the World Bank's 2019 World Development Indicators, [viewed](#) in September 2020, were used in calculating each country's rating.

## Attack On Media Houses and Journalists Portends Greater Danger - IMESO

The Institute for Media and Society, IMS, has noted with great worry, the unleashing of terror on media organisations and the wanton destruction of property in Lagos during the #ENDSARS protests. The media NGO in its statement was reacting to the ongoing looting and destruction of private and public property in the aftermath of the reported killing of some #EndSARS protesters at the Lekki Toll Gate in Lagos on the night of Tuesday, October 20, 2020

On Wednesday, the next day, when a rampaging horde went through the city following the reported killing, several notable media organisations in Lagos State were attacked. Television Continental, popularly called TVC; Max Radio; The Nation Newspaper and Lagos Television were attacked by hoodlums with offices of TVC and the Nation Newspaper set ablaze by the hoodlums. Lagos Television, LTV, was attacked with cars within the premises damaged.

Executive Director of the organisation, Dr Akin Akingbulu, said: “We also received reports of journalists being

attacked while on duty covering the protests. Ayo Makinde of Channels TV was attacked by hoodlums while reporting live the setting ablaze of the TVC office in Ketu, Lagos. We also note that two Punch Newspaper journalists Segun Odunayo and Femi Daudu were attacked while covering the protest at the Lagos State House of Assembly, Alausa. These attacks are totally uncalled for.

“While we support peaceful protests by citizens, a constitutionally-recognized right, we are opposed to the violation of people’s rights, including attacks on media organisations and their workers.

According to him, the media are an important and indispensable institution in our country, adding that the Constitution of the Federal Republic of Nigeria mandates it to monitor governance on behalf of the people.

He said; “Attack on the media, in any form, is an attack on the performance of this function as it is a derogation on the right of individual journalists and other media workers.

“It is common knowledge that the media have done well in the coverage of the #ENDSARS protests. The coverage has been generally rich and professional.

“Our take is that the media deserve commendation and encouragement to take this quality of coverage to



greater heights rather than being brought down as the attackers have done during the past few days.

In his considered view, the task of strengthening the media at this time is one that must be done, with stakeholders playing various roles. He, therefore, called on all stakeholders, namely the government, security agencies, industry professional and civil society groups, the media, and journalists to play the following roles as a matter of urgency:

### **The Government:**

1. Launch an investigation into these cases of attack and destruction, and ensure that perpetrators of these acts against media houses and their workers are brought to justice.
2. Visit the affected media organisations, assess the scale of damage, and support them to rebuild and return to operations.

### **Security Agencies:**

1. Fish out the perpetrators of the attacks, follow up with sanctions and provide appropriate remedies to the media houses and journalists whose rights have been violated by their (security agencies') operatives during the #ENDSARS protest.
2. Guarantee and provide security for media organisations.
3. Educate their operatives to

appreciate the role of the media in crisis resolution and to work with them in achieving peace and development.

### **Industry Professional and Civil Society Groups:**

1. Give solidarity to the affected media outlets and journalists
2. Conduct a collaborative assessment of the damage done to the affected media organisations.
3. Develop an industry response or strategy informed by the assessment.
4. Continue to support the media in strengthening professionalism, particularly at this time.

### **The Media and Journalists:**

1. Remain consistent in professionalism despite the challenges of this period.
2. Prioritise safety consciousness and measures at all times.

**QUOTE 1:** "While we support peaceful protests by citizens, a constitutionally recognized right, we are opposed to the violation of people's rights, including attacks on media organisations and their workers."

**QUOTE 2:** "It is common knowledge that the media have done well in the coverage of the #ENDSARS protests."

The coverage has been generally rich and professional.”

Our take is that the media deserve commendation and encouragement to take this quality of coverage to greater heights rather than being brought down as the attackers have done during the past few days.

## Press Freedom Coalition Condemns Assault on Judiciary, Sowore's Re-Arrest by DSS Agents

Saturday December 7, 2019

The Coalition for Whistleblowers Protection and Press Freedom (CWPPF), a national alliance of media and civil society organisations, today condemned the reckless display of brutality and lawlessness by operatives of the Department of State Security (DSS) who re-arrested human rights and pro-democracy activist, and founder of Sahara Reporters, Omoyele Sowore at the premises of the Federal High Court in Abuja on Friday, December 6, 2019, less than 24 hours after he was released from 124-day detention.

The Coalition called on President Muhammadu Buhari to take stern punitive action against the DSS agents involved in the attack on the court as well as the agency's leadership in order to reassure Nigerians and the international community that they were not acting under his instructions and that his government does not condone their actions in desecrating the temple of justice, undermining the rule of law and their wanton disregard for the rights of citizens.

In a statement, the Coalition said

failure by President Buhari and his Government to take immediate and decisive action in response to such apparent brigandage by a security agency, would remain a permanent blemish on the Administration's human rights record and would ultimately result in the Government being ostracized by the international community while also undermining its legitimacy at home.

The Coalition described the action of the armed DSS operatives who invaded the courtroom where proceedings were going on in an effort to re-arrest Sowore and his co-accused, Olawale Bakare, who had been charged with treasonable felony by the Federal Government, as the most frightening assault on the authority and independence of the Judiciary that Nigeria has ever witnessed.

Besides, it said, prior to the release of Sowore and Bakare on Thursday, December 5, 2019, the DSS had consistently undermined the authority of the courts by refusing to release the human rights activists for months despite several orders for their release on bail issued by different judges of the Federal High Court during the period, adding that this was an unacceptable violation of the principles of the rule of law in a constitutional democracy.

The coalition condemned the violent re-arrest of Sowore and Bakare in the

court premises on Friday, December 6, 2019, as a gross desecration of the sanctity of the Judiciary and the judicial process as well as a crude attempt to circumvent the order of the court issued on Wednesday, December 4, 2019, for Sowore and Bakare to be released from custody by the DSS within 24 hours.

It stressed that the brazen acts of disrespect to the court and disobedience of its orders, should not go unpunished.

The Coalition called on the United Nations (UN), the African Union (AU) and the Economic Community of West African States (ECOWAS) to urgently take steps to launch investigations into the deplorable human rights situation in Nigeria as the country is facing a rapid descent into totalitarianism and tyranny.

The coalition said any delay by the international community in taking firm action to address the Nigerian situation could result in a violent conflict in Africa's most populous nation, which would constitute a grave threat to international peace and security, particularly in the region.

Signed

#### Coalition For Whistleblowers Protection And Press Freedom (CWPPF)

- African Centre for Media and Information Literacy (AFRICMIL)
- Civic Media Lab
- Civil Society Network Against Corruption (CSNAC)
- Daily Trust Newspaper
- International Centre for Investigative Reporting (ICIR)
- International Press Centre (IPC)
- HEDA Resource Centre
- Media Rights Agenda (MRA)
- Nigeria Union of Journalist (NUJ)
- OrderPaper
- Paradigm Initiative (P.I)
- Premium Times (PT)
- Premium Times Centre for Investigative Journalism (PTCIJ)
- Sahara Reporters (SR)
- Socio-Economic Rights and Accountability Project (SERAP)
- The Cable
- Wole Soyinka Centre for Investigative Journalism (WSCIJ)



## Statement by CWPPF on the occasion of the 2019 International Day to End Impunity for Crimes Against Journalists

The Coalition for Whistleblowers Protection and Press Freedom (CWPPF) notes the alarming trend of media censorship by state authorities in Nigeria. We observe that public officers and influential individuals are increasingly intolerant of critical reporting and fair comments by journalists. They, therefore, resort to the use of instruments of the state criminal justice system to suppress freedom of expression and free press. From January 2019 till date, we have recorded 71 attacks on the media, including arrests, intimidation, detention and killings. We, as a coalition, totally condemn this abuse of power by state actors and security agencies.

Section 22 of the 1999 Constitution and several international instruments acceded to by Nigeria guarantee the right to press freedom as the media exercise their statutory duties. The right of citizens to freedom of expression, to seek, receive and impart information and ideas through any medium is guaranteed under Article 19 of the Universal Declaration of Human Rights. Article 19 of the

International Covenant on Civil and Political Rights (ICCPR) also guarantees the right to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media.

The flagrant disobedience of court orders and the charges of treason, terrorism and cybercrimes against citizens by Federal and State Governments set a dangerous precedent in the misuse of the state criminal justice system to silence free expression. In recent times, the Federal Government has charged journalists, including Jones Abiri and Omoyele Sowore, with treason and terrorism for engaging in social activism and practising journalism. This is unacceptable. As if taking a cue from the federal government, the governors of Cross River, Kaduna and Kano States have followed this trend by charging Agba Jalingo, Chidi Odinkalu and Nazir Ahmad respectively with obnoxious and strange offences of terrorism, cybercrime and criminal defamation.

Furthermore, some sections of the judiciary, as a consequence of its lack of independence, have become willing tools in the hands of state and federal governments by granting judicial approvals that stifle free speech. They do this through the demand of onerous bail conditions and unconventional trial procedures in criminal charges against journalists

and other citizens. This also contributes, in no small measure, to the validation of human rights abuses by the State.

We demand that Nigeria must take steps to amend or repeal oppressive provisions of the Cybercrime (Prohibition, Prevention, etc.) Act 2015, particularly Sections 24 and 25, and other laws, which violate international and regional treaties on human rights to which Nigeria is a state party as well as Section 1(3) and 39 of the 1999 Constitution (as amended).

The government's declared intention to regulate citizens' use and access to social media and the civic space must not be in conflict with or constitute a breach of existing laws pertaining to freedom of speech and association. Media stakeholders and the civil society need to continue to harp on the inviolability of Section 22 of the Nigerian Constitution, which accords the media the role of holding the government accountable to the people. The campaign for free press must be sustained by the media and civil society to ensure that public officials fully guarantee that journalists, bloggers, broadcasters, social media users and all media practitioners are allowed to carry out their work without any form of intimidation and persecution. The government must also take concrete measures to respect, protect and ensure the effective enjoyment of the

right to freedom of expression and media freedom.

Media practitioners must be proactive in the defence and protection of media freedom. We must engage in advocacy and public enlightenment while also holding regular public hearings into allegations of harassment and attacks on journalists, bloggers, broadcasters, social media users and all media practitioners' right to freedom of expression.

We call on the African Union, regional and sub-regional bodies and the international community to prevail on state authorities in Nigeria to abide by their obligation to respect media freedom, citizen's freedom of expression and enable the growth of a free and vibrant press in Nigeria.

Freedom of expression is critical to the sustenance of democracy and the advancement of an orderly, informed and progressive society. The Coalition is prepared to defend the interest of citizens and organisations whose rights are violated in the exercise of freedom of expression.

Signed

Coalition For Whistleblowers  
Protection And Press Freedom  
(CWPPF)

- African Centre for Media and Information Literacy (AFRICMIL)
- Civic Media Lab
- Civil Society Network Against

Corruption (CSNAC)

- Daily Trust Newspaper
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- HEDA Resource Centre
- Media Rights Agenda (MRA)
- Nigeria Union of Journalist (NUJ)
- OrderPaper
- Paradigm Initiative (P.I)
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- Premium Times Centre for Investigative Journalism (PTCIJ)
- Sahara Reporters (SR)
- Socio-Economic Rights and Accountability Project (SERAP)
- The Cable
- Wole Soyinka Centre for Investigative Journalism (WSCIJ)

## CWPPF Condemns Harassment Of Daily Trust Journalist By Former Minister Of Aviation, Femi Fani-Kayode

The Coalition for Whistleblower Protection and Press Freedom (CWPPF) vociferously condemns the intimidation and harassment of the Daily Trust journalist, Eyo Charles by former Minister of Aviation, Femi Fani-Kayode.

In a viral video, the former spokesman to former President Olusegun Obasanjo was captured verbally assaulting the Daily Trust reporter on the 20th of August during a press conference in Calabar, Cross River State.

The verbal assault was as a result of a question Mr Charles asked regarding Mr Femi Fani Kayode's travels to inspect projects across states and who was funding the work. To which he responded not with a response to

the question but with vitriolic insults, demanding to know what right the journalist had to ask this question considering his status and threatening Mr Eyo with some kind of backlash.

The Coalition for Whistleblower Protection and Press Freedom (CWPPF) calls Mr Fani Kayode's outburst a violation of the journalist's rights and points out that verbal assaults and threats such as he has made constitutes an attack on the journalist who was simply performing his civic and constitutional duty.

This harassment by the Former Minister is an indication of an insidious lack of regard for the media and its work in investigating and reporting on issues. Journalism is the bedrock of democracy; therefore, media practitioners must NEVER be intimidated or threatened as they carry out their civic duty.

No one should ever call any journalist 'stupid' for doing their job. The media has a very vital role to play as a public watchdog in a democratic society and should not be cowed or harassed into silence.



## MRA, IPC Condemn NBC Fines Against 3 TV Stations Over Coverage of #ENDSARS Protests

LAGOS, Wednesday, October 28, 2020: Media Rights Agenda (MRA) and the International Press Centre (IPC) today condemned the sanctioning of three television stations by the National Broadcasting Commission (NBC) over the coverage of the #ENDSARS protests, describing the Commission's action as an outrageous violation of the Constitution and basic principles of fair hearing, which cannot be allowed to stand.

By a letter dated October 23, 2020, signed by its Acting Director-General, Prof. Armstrong Idachaba, the NBC fined each of the three stations – Channels Television, Africa Independent Television (AIT) and ARISE Television - N3 million as penalty for their alleged use of unsubstantiated footages from social media in their coverage of the #ENDSARS protests and gave them three weeks from the date of receipt of the letter to pay the amount to avoid further sanctions.

The Commission said it had earlier written to them on October 21, 2020, where they were “cautioned on the

sustained use of fake news, disturbing visuals, close-up shots and attacks in the coverage of the #ENDSARS protests”. It stated that although social media may be a source of information, it is incumbent on broadcasters to verify such materials before usage and drew attention to some provisions of the Broadcasting Code, implying that the provisions had been breached without indicating any broadcast that breached any of these provisions.

In a Joint Statement issued in Lagos, the two organisations accused the NBC of turning itself into a “kangaroo court” and called on it to immediately reverse its decision sanctioning the three stations in order to save itself the embarrassment that both the Commission and the country would suffer locally and internationally as a result of its action.

MRA's Executive Director, Mr Edetaen Ojo, said: “a situation where the NBC, which is so glaringly lacking in independence and subject to the direct control of political authorities, wrote the Nigeria Broadcasting Code creating the offences for which the stations were sanctioned and was the complainant in the allegations against the stations, prosecuted them and sat in judgment on the matter without even giving the stations any opportunity to defend themselves against the charges while also imposing a fine of N3 million on each of them, which it intends to collect

and pocket, is offensive to any notion of fair hearing, equity or justice.”

According to him, “Every Nigerian ought to be scandalized by this obscene violation of a principle that is sacrosanct not only under our Constitution but under every regional and international human rights instrument to which Nigeria is a state party. It portrays Nigeria as crude and primitive and will no doubt bring the country to ridicule.” He pledged that his organisation would take legal action to challenge NBC’s action.

Mr Lanre Arogundade, the Executive Director of IPC, spoke in the same vein saying, “The NBC has in this

matter again constituted itself into the accuser, the prosecutor and the judge in its own case. It is indeed strange that the fines were arbitrarily imposed without giving the concerned media outlets the option of defending the allegations. All this constitutes an affront on rule of law”

Mr Arogundade said IPC would team up with MRA to use the instrumentality of the law to challenge the absurdities perpetrated by NBC.

## Coalition Condemns The Recent Attacks, Detention Of Journalists And Has Taken A Legal Step To Challenge NBC

The Coalition of Whistleblowers Protection and Press Freedom (CWPPF) has condemned the recent detention of Oga Tom Uhia, publisher of Independent Steering Magazine; Tosin Ajuwon and Victor Ogungbenro, journalists with Sahara Reporters and death of Pelumi Onifade of GboahTV, and has taken legal steps to challenge the legality of the National Broadcasting Commission (NBC) code.

According to [reports](#), Oga Tom Uhia, publisher of the monthly Independent Power Steering Magazine on the 13th of October was arrested and charged with 14 counts of alleged defamation and injurious publication based on a complaint filed with the police by Minister of State for Power, Goddy Jeddy Agba regarding a report on the official in Power Steering Independent Magazine.

This is evidently not the first attack and harassment on the Fourth Estate, which is constitutionally guaranteed the rights to hold the government accountable. In November 2020, during the #EndSARS protest, which

lasted two weeks across States in Nigeria, seven journalists were seen to be brutally attacked and their equipment seized by security agents, which also led to the death of a 20-year-old journalist, Pelumi Onifade who was arrested by the task force team in Lagos and his body was later found in a mortuary. The continuous intentional harassment of the Fourth Estate by state and non-state actors is against the rule of law and the perpetrators of Pelumi's death should be held accountable.

In the same vein, the NBC imposed the total sum of Nine Million Naira (N9M) on three independent broadcasting stations; Arise TV, Channels TV and Africa Independent Television (AIT) for broadcasting footage from the #EndSARS protest. This was done without a panel hearing, which is a breach of conduct and fair hearing.

CWPPF has condemned the detention of Mr Uhia and demands the immediate release of Tom Uhia, Tosin Ajuwon and Victor Ogungbenro from detention. Passing the ball down to NBC, the Coalition has taken legal steps to challenge the legality of the code.

As far as democracy is concerned, the Defamation Law has not been favourable to the media. It is unethical and illegal to arrest a journalist over civil issues as Criminal Defamation has become largely outdated in other

parts of the world and supported by several precedents in the Nigerian court. Therefore, if the federal government and its institutions think its reputation has been injured by slanderous publications, a libel suit (which is a civil proceeding rather than a criminal one) should be filed according to the rules and boundaries of the law that cover it. After all, the government derives its legitimacy on the platform of the law hence, the

mandates of the people should boldly submit to the decisions and directions of the court of law.

It is therefore imperative that the Defamation Law is amended by the Federal Government of Nigeria. This will enable journalists to speak the truth to power without fear of reprisal and intimidation; a right and responsibility granted them by the constitution of Nigeria.





# Section 4: Impunity Beyond Politics

## The Role of Journalists in Shaping the Narrative of the Covid-19 Pandemic in Nigeria

By Chido Onumah

On May 3, 2020, the world marked this year's World Press Freedom Day. The theme of this year's celebration is, "Journalism without Fear or Favour." Coming on the heels of a global pandemic, the theme is apposite considering the role journalists have found themselves playing in containing the spread of the deadly coronavirus disease or COVID-19 and an equally troubling epidemic of misinformation.

Very few occasions have tested the resolve and creativity of Nigerian journalists like the present. Journalism in Nigeria, and around the world, is being reshaped by the COVID-19 pandemic with many journalists risking their lives daily to provide information from the frontlines about a disease for which the world has yet to find a cure.

COVID-19 has created a global health crisis that has had a deep impact on how people interact and receive information. Journalists, therefore, must retool to ensure that governments and institutions are held to account while ensuring that citizens are provided regular and reliable information. These are principles that undergird good journalism.

Nigerian journalists have been front and centre in the social-political evolution of the country whether we are talking about the anti-colonial and independence struggles, the civil war of 1967-70, and the various campaigns against military dictatorship; but no other time has tested their determination like now as journalism has become an "essential service." Like everyone else, journalists must keep safe and protect themselves, but they have the added responsibility of providing the public with information, and it must be the right kind of information. Nothing is more essential to ensuring effective responses to COVID-19 than the right information.

In February, when COVID-19 became a global health issue, the World Health Organisation (WHO), confronted by a deluge of false information, including



conspiracy theories about the disease, warned about a COVID-19 “infodemic.” “We’re not just fighting an epidemic; we’re fighting an infodemic,” said WHO Director-General, Tedros Adhanom Ghebreyesus, at the Munich Security Conference on February 15.

Journalists can play an important role in shaping the narrative of the COVID-19 pandemic in Nigeria. As the disease spreads in the country, there are many issues that have come up and there could not be a better time for journalists to prove their mettle by informing and educating the public on what needs to be done for citizens to be safe and to “flatten the curve” of coronavirus cases. Journalists must be concerned not just about the kind of information that they provide, but also about how it is presented so that it is understood and useful.

In this crisis situation, while the free flow of information is important, it has to be backed by a thoroughness that ensures that Nigerians know the truth about the spread of the disease in order to respond effectively and help protect themselves and their communities.

By relying on fact-based reporting, journalists can play an indispensable role in the containment of COVID-19. While doing this, it is important that they adhere to ethical journalism standards.

While they battle to save lives and

provide critical information, Nigerian journalists, like their counterparts around the world, must also be conscious of the threats to media freedom and safety of journalists occasioned by COVID-19.

During his World Press Freedom Day speech on May 4, UN Secretary-General, António Guterres, remarked that protecting journalists and ensuring a free press is “key to thwarting the dangerous outbreak of COVID-19 disinformation on social media.”

“Since the pandemic began around the world, many journalists have been subjected to increased restrictions and disproportionate punishments simply for doing their jobs,” Mr Guterres noted. “While temporary constraints on freedom of movement are essential to beating COVID-19, they must never be used as a pretext for cracking down on journalists’ ability to do their work.”

## Presentation to CAJ on COVID-19 and press freedom in Africa - 29.07.2020

By Jonathan Rozen

Hello, bonjour,

I want to open by expressing my deep gratitude to the Congress of African Journalists for the invitation to speak at this forum today and extend my sincere condolences to everyone who has lost someone they know recently to COVID-19 (or any other cause). The coronavirus is a global tragedy with ripples that have affected each and every one of us in different ways.

Recognizing this, today I am going to focus on what we at the Committee to Protect Journalists (CPJ) have documented for the past five months: how this public health crisis has impacted conditions for press freedom and journalists' safety.

Unfortunately, what we have seen across Africa includes a persistent crackdown against journalists reporting on COVID-19, security forces' use of COVID-19 response measures as a pretext to attack journalists, and an expansion of government authority to control information and freedom of expression.

In addition to this, and perhaps most

urgently, there are over 30 journalists behind bars in Sub-Saharan Africa. This number changes frequently as journalists are on an almost daily basis detained and then released. But the bulk of these journalists have been jailed for years. Their arrest and detention has always been an injustice, but COVID-19 has made these circumstances even more dangerous and created conditions where their ongoing incarceration may very well amount to a death sentence.

The examples I will share today are not, by any means, an exhaustive list of incidents, but should be viewed as a set of reference points for understanding the relationship between COVID-19 and threats to press freedom across the continent.

First, journalists have been consistently harassed, assaulted, and/or detained for reporting on the pandemic.

In Nigeria, in June, federal agents detained [Saint Meinpamo Onitsha](#) after he responded to a summons referencing his reporting about the alleged collapse of a COVID-19 isolation centre. He was then charged with a section of Nigeria's Cybercrime Act 2015 that criminalizes "false" information.

In Sierra Leone, in April, soldiers assaulted and arrested [Fayia Amara Fayia](#) for photographing a COVID-19



quarantine centre. They took his phone and allegedly kicked and hit him with their guns. He spent the next four days handcuffed to a hospital bed under police guard.

Also in April, [Abdiaziz Ahmed Gurbiye](#) was arrested after being summoned by police. State prosecutors alleged that his Facebook posts which criticized the government's management of the pandemic amounted to false news, and offended the honour of the president. He would later be charged with different crimes for these posts and was convicted today.

In March, in Niger, journalist [Maman Kaka Touda](#) was jailed for weeks for social media posts about a possible COVID-19 case. Authorities claimed the posts threatened "public order."

Coronavirus response measures have also been used to target journalists.

In South Africa, in May, police beat journalist [Paul Nthoba](#) after he photographed them enforcing the COVID-19 lockdown. The officers later charged him with obstructing law enforcement under a coronavirus regulation of the Disaster Management Act. In [Ghana](#), soldiers enforcing COVID-19 restrictions attacked two journalists in April. And in March and April, [Ugandan](#) security personnel enforcing COVID-19 measures harassed or assaulted at least six journalists.

We've also seen the proliferation of laws or regulations that claim to offer a remedy to the problem of "disinformation," "misinformation," or "false news."

In [South Africa](#), for example, new regulations published in March criminalized "disinformation." In April, Eswatini authorities issued an arrest warrant for journalist [Zweli Martin Dlamini](#) under new regulations concerning false news for his reporting on COVID-19. An Eswatini government spokesperson justified the regulations in a statement to CPJ because of the similar rules passed in South Africa.

In Nigeria, new state-level laws have also been passed pertaining to infectious diseases. In late April, journalist [Chijioke Agwu](#) was detained and accused of publishing "false and damaging" information, breaching the new Ebonyi State law.

Every year, CPJ publishes a [census](#) of journalists behind bars for their work on December 1. The 2012 census documented only one journalist jailed on false news charges. Last year there were [thirty](#). In 2018, there were [twenty-seven](#).

We know from our reporting that anti-terrorism laws have been repeatedly used against the press. The use of cybercrime legislation to prosecute reporters has also proliferated. Like terrorism and cybercrime,

disinformation is a serious challenge for societies.

But what must be guarded against is the justification of legal harassment of the press under a new guise of preventing false news. Unfortunately, COVID-19 poses a new danger as an excuse to broaden governments' efforts to control speech and information.

The pandemic also, of course, poses a direct danger to journalists' health. If you haven't seen it, I would encourage everyone to review [CPJ's Safety Advisory](#) for journalists reporting amid the pandemic. It is available in nearly 40 languages - including [Wolof](#), [Hausa](#), [Nigerian Pidgin](#), [Kiswahili](#), [Afsoomaali](#), and [Amharic](#) - and offers practical advice for avoiding infection on the job.

But for journalists in detention, avoiding infection may not be a choice. And here I want to return to the particularly urgent concern I mentioned earlier. Journalists in detention for their work risk having their journalism turned into a death sentence. In April, CPJ and 80 other media and rights groups [wrote](#) to African heads of state where journalists were behind bars and called for them to be released in light of the increased health risks posed by COVID-19.

Since then, this call has gained renewed urgency because journalists

in [Egypt](#) and [Honduras](#) have died from the coronavirus, which they contracted while behind bars for their work. Just last weekend, journalist [Azimjon Askarov died](#) in a Kyrgyzstan prison after having a fever. His wife told my colleague that while the authorities refused to test him before his death, she suspected he died of COVID-19.

The detention of any journalist, even briefly, amid this pandemic increases their risk of contracting this deadly disease. The arrest and ongoing detention of journalist [Hopewell Chin'ono](#) in Zimbabwe is one recent example. But journalists in [Cameroon](#) and [Eritrea](#), [Rwanda](#) and [Burundi](#), have remained behind bars for months or years, some in pre-trial detention. All of their lives are at risk.

I have tried to keep my remarks here brief, and greater detail on all of these cases and more can be found on CPJ's website: [www.cpj.org](http://www.cpj.org).

For many of you, these cases and the dynamics I have described are things you know well and with which you have first-hand experience. With that in mind, allow me to conclude with an emphasis on the value of solidarity in the call for COVID-19 not to be used as a tool against the press, and solidarity in the call for every single journalist behind bars for their work around the world to be freed.

## The Economics of Media Freedom

By Dapo Olorunyomi

### Substance of press freedom in Nigeria

While advancing the argument for a free press in Nigeria, Amnesty International, in one of its recent advocacy statements spoke of how journalists are harassed, detained, tortured and killed for doing their job. This trenchant tone, this urgency, with regards to the environment of work that Nigerian journalists have to navigate, reminds the keen observer that, despite the rich pluralism of our media and the relatively decent quality of its journalism, the protection of journalists has never been a major priority of our political establishment and our government.

This poor appreciation of the valuable work journalists do and of the exponential values they bring to society in promoting the standards of truth, freedom, transparency and accountability are therefore better appreciated when we take a view of the broader context of our media and their relationship to the human rights of citizens, as well as to the tangible manifestation of the freedom of expression regime in the country.

The mission to therefore make Nigeria a functioning democracy and an open society, requires us to constantly

review the meaning of media freedom as a consequence of the development of human rights in the country, and more importantly, to locate the conditions that enable or constrain those rights, but most importantly to address the often ignored discourse of the economic subsoil that defines the regime of those rights.

### Why press freedom matters

We normally worry about freedom of expression [and information] as aspects of media freedom because they are key components and a test of any sound democratic society. However, as a function of media freedom, the baseline for a freedom of expression demands constant advocacy to ensure that media institutions and practices are allowed to operate independently, and journalists carry out their job without fear of reprisals.

Ultimately therefore all discussions around violations of free expression begins from a scrupulous monitoring and demanding of accountability for attacks and harassments. It also concerns the accountability for such extreme incidents like murder, the prosecution of journalists for their professional activities, the review of legislations that can affect free expression, as well as legislations regulating the media. These discussions ultimately achieve substance only if they are layered on how the three critical protocols

of treaty instruments, statutes and case laws affect media and politics in the context of a shifting political, technological and other cultural revolutions affecting social and power relationship in the community.

### Journey from Treaty to Statute

I will write passingly on these protocols, focusing mainly on the foundational treaty that defines media law jurisprudence, and on best practice statutes, where national laws have emerged stoutly to affirm the value of media freedom. In this regard, Article 19 of the Universal Declaration on Human Rights [UDHR] as well as the same instrument from the International Covenant on Civil and Political Rights [ICCPR] represent the grundnorm - the touchstone of every other right, when it proclaims that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

The essential nature of this right for democratic participation, and for collective aspiration as a right that empowers the individual as much as the collective [the speaker and the hearer] is profound. It's intensely pivotal insight on how, in the development of a democratic culture, citizens must not only have the right to unrestrained opinion

[free from forced acceptance or repression of their opinion], but a right to expression is the lead way to understanding the intricate intersection of journalism and the democratic project.

The phrasing of the Right in its subtle but important distinction between expression and opinion is the pathway that leads us towards a comprehensive appreciation of how Article 19 gives, in its insistence on “to seek” information, life to the practice of investigative journalism for the public interest; such that when the language reinforces the right to receive information and to impart the information it transforms that exercise into a duty through any media of choice.

Yet the argument remains valid that there is no explicit instrument in international human right standards that guarantees media freedom. This, then, is why the recourse has been to national laws and the three lodestars in Africa remain Section 162[5] of the Constitution of Ghana, Section 16 of the South African Constitution (1996) and Article 21(1) of the Namibian Constitution which affirm, by and large, to the right to ‘freedom of speech and expression, that include freedom of the press and other media’ of citizens in those countries.

Media freedom therefore rests on the important assumption that fundamental as it is, individuals



generally cannot get sufficient information on their own to make informed decisions on public matters, for that reason therefore they rely on the media to pick up the keg. For this reason, in a democracy, the media are an indispensable passage for public conversation and opinion formation and generally fulfill the functions of seeking truth, verifying claims, educating and entertaining the public, but above all attending as a watchdog over government.

### **Beyond Political, Legal and Constitutional Reforms**

To be sure, with more than dozens of independent newspapers, radio and television [community, private, and government] stations, as well as online media platforms, Nigeria enjoys real media pluralism covering a range of stories and contending on diverse perspectives. On account of data from the [pressattack.ng](https://pressattack.ng) which dutifully monitors state and non-state actor attacks on our media and journalists, political, legal, and state over reach represent the overwhelming definition of impunity against our journalism today. This puts political, legal and constitutional reforms as key agenda on the table and in the effort to improve the state of media freedom in the country, since the country's effective transition to digital in about 1996 and of the life-changing impact of that shift, it will be appallingly myopic to assume that the constraints on media freedom in the country are

dimly contained in that capsule.

At the end of May this year [2020], about two dozen media organisations in Nigeria announced desperate policies of layoffs and significant pay cuts. What made this development disturbing was that the biggest and apparently strongest newsroom brands in the country led on this announcement.

The excuse was the COVID -19 pandemic, which had ravaged the revenue base of the media and for which there was no end in sight. The three principal legs of the business model of most Nigerian media organisations — advertisements, sales and events—were out at a go. In the 1970s, the country had a blossoming government-funded media (radio, print and television) at the subnational [states] level, but today they are almost all dead. In sum, the range of business models that hitherto supported the media in Nigeria had atrophied, now badly in need of innovation.

Yet, to call this a peculiar Nigerian situation is to ignore the screaming pain that many media institutions in Africa are currently undergoing. From all the four corners of the continent but particularly in sub-Saharan Africa, anxiety is growing about the future, more so now, in the COVID era, when the need for up-to-the-minute and accurate information has become most cogent.

The imperative of the moment, therefore, how to produce a media that is independent and professional, in the face of dim economic realities, constraining political realities and the worst public health crisis of our life time, the COVID pandemic, calls for radical insights and fresh innovation that can build on some promising foundations already manifest in many markets of the continent.

Central to this conversation is how to build an enduring financially sustainable media system in the country. This in turn reminds us that the omnibus categorization of content producers as media, requires an urgent qualification. Since not all media define their core mission as holding structures of power accountable, or as an audit mechanism for the promotion of democracy, it is important then to stress that we are talking here of that narrow but prized segment of the media that announces itself as journalism. This is the media type, to borrow the views of Bill Kovach and Tom Rosenstiel, whose essence is defined by primary loyalty to citizens, that represent disciplines in verification, whose practitioners maintain an independence from those they cover, and whose first principle is truth and accuracy.

To be sure, this is not the type of journalism where its promoters will be smiling to the bank, even at the best of times, if it discharges its mission

faithfully, more so in a country, as we now see before our very eyes, where the political culture is increasingly growing illiberal, intolerant and annoyingly autocratic. The implicit question has always been how to transform all these constraints to advantage and build a pathway to financial sustainability.

### The Economics of Journalism Today

Certainly, the economics of media has forced itself up the food chain to own the odd reputation today as the most devastating force negating the journalism of purpose, of accountability and of freedom in our country. Awkwardly too, media freedom woke up to find a strange bedfellow in its rank, suggesting that except we address this elephant in the room, the case for media freedom cannot be adequately accounted for nor resolved. The glorious age of media economics in Nigerian media dates back to the Babatunde Jose years at the Daily Times of old. The three traditional legs of the business model that sustained our media took flight at this point and affirmed itself as the foundation for building a virile and independent media. The business model that defined the Jose years — advertisements, sales and events — was vivid, firm and growth-centric. All that define our received notion of business model have come under incredible stress today making it easy to affirm that these three pillars of

our media economics have virtually collapsed.

## **Enter A Public Media Fund**

A bold, even if tentative, response is growing towards a solution. Sometime midyear, the Nigerian Newspapers proprietors Association of Nigeria [NPAN] and the Nigerian Press Organisation [NPO] opened dialogue with the Central Bank of Nigeria (CBN), with regards to a state subsidy by way of a low interest rate loan to the media. The uptake has so far been slow, and debates continue in the industry on what a salvation path for the media would entail. It is still far afield from the vision of the Mauritius academic, Roukaya Kasenally, who has been forceful in her case for a public media fund, a proposal a bit different from the state grant in Francophone African countries which has become a surreptitious mechanism for censorship.

## **Between Membership Model and Philanthropy Funding**

Although many Nigerian media organisations are opening themselves to some form of reader revenue option, the easy way out of donations is what is prevailing in the industry. Premium Times, Daily Trust, Women FM, and the youthful Stearsng.com have opened up plans towards a membership model. The famous endearment yet still is the appeal to philanthropy funding as a way to

sustainability as the critical foundation for independence. One thing is clear, if the Nigerian media will help create a deepening of democratic development, market growth, and a tradition of liberty and human rights, it must solve this important question of financial independence. Skills in audience growth and its monetisation, as well as innovation around multiple digital platforms will play big in this vision.

## **Reader Revenue Through Subscriptions**

The debate around subscriptions endure however and whereas content paywalls have not been very successful in Nigeria, Business Day is implementing it with some success. The Punch, The Guardian and the now-defunct Newswatch magazine all tried but failed in the process of implementing the model. Business Day's relative success suggests that perhaps the Nigerian market is not rejecting paywalls, rather, they may be seeking a well administered and organised process of execution.

Today Business Day complements its subscription paywall with a philanthropy model, along with other products like advertising, events, specialized publications and an investment in migrating its "commercially viable" content into new value prisms like "a full research and data analytics company which aims to publish up to 20 reports

including the Nigerian Banking Sector Report, the Fund Managers' Transparency Report, the Future of Work in Nigeria Report, the Nigerian Technology Industry Report, and the Nigerian SME Financing Report, the Top 100 Companies in Nigeria Report, Banks' Corporate Governance Report, Nigerian Vegetable Oil Exports' Report, etc."

The complete bouquet of Business Day includes publishing two expert economists as add-ons; a paid subscription that includes content from the London Financial Times and The Economist, as well as access to its metered wall where readers are able to view five articles each month at no charge; monthly rates range from N835, N1,200 to N1,500. [\$2, \$3, and \$4].

The recent flourishing of data journalism on the continent, both as complement to existing news operations, and as stand-alone enterprises, represent one of the pleasant promises in the country today, for which institutions like Budgit and Dataphyte in Nigeria remind us that however dim the sustainability landscape may be, fresh ideas are springing up that point to a waiting renaissance.

Premium Times' responds to this challenge by broadly diversifying its sustainability bandwidth to accommodate donations, a membership model, book publishing,

a data project, philanthropic support, partnerships, due diligence operations, commercial advertising, events convening, and training, which it conceives as a mixed model rests on the principle that news consumers and a loyal audience will gravitate only to platforms that reflect their basic aspirations, offer depth, context, and interpretative layers, as well as serve as a courageous watchdog of a social and political system.

In less than a decade of existence, Premium Times publication portfolio include Premium Times (Nigeria and Ghana), Dubawa (Nigeria and Ghana) Campus Reporter, Leaks NG, and PT Data. The platform is followed by 1.2 million subscribers on Facebook, 1.4 million on Twitter, and over 239,000 on Instagram. Premiumtimesng.com receives 9.6 million users/readers quarterly and 93 million page views (quarterly) from these users; significant site traffic is registered from United States, United Kingdom, Europe, and Nigeria. Premium Times ranks in the top 2 newspapers read outside of Africa: a primary source of current affairs and news for foreign missions and high commissions around the globe. Premium Times team of investigative journalists have won several national and international awards including the Pulitzer and the Global Shining Light Awards.

In September 2020, Premium Times signed a major and bold partnership deal with a Silicon Valley



Integrated Digital Media company, VOTAC, with offerings in Content, Experience and Exchange. VOTAC Content is ACM TODAY™ & ACM DATA (African Capital Markets News Broadcast and Business Intelligence Data Services), Bintu & Friends™ (Children's Animation Series), Newscast54™, Daylight Africa Weekday and Weekend (a News Magazine Program), Let's Get Specific (a weekly current affairs program), and Films and Documentaries. VOTAC Content delivery is via live streaming to mobile apps, and to U.S. cable network systems; available in over 33 million television households, and local television in these U.S. media markets: Atlanta, Chicago, Dallas, Houston, Philadelphia, Los Angeles, New York (includes New Jersey and Connecticut).

In all, the paper employs a cocktail of models that, on the one hand deploys a non-profit vehicle to fund its investigative and social endeavour units like climate change journalism through grants, while it also seeks partnerships and impact investment to fund its accountability journalism around social issues.

An interesting endeavour is the baby steps Dubawa.org, the fact-checking platform is taking to use new digital platforms to expand reach for audience growth, distribution and donation support, implemented via digital routes like the WhatsApp messaging platforms.

This is learning from the groundbreaking Zimbabwean innovative platform, 263chat, pioneered this model, but has increasingly blossomed in South Africa with the notable representations like [The Continent](#) - a Pan African weekly newspaper founded by Simon Allison and Sipho Kings, and produced in partnership with the Mail & Guardian. The most successful of this genre, however, is HealthAlert service, the COVID helpline initiated by Gustav Praekelt that is now used by the World Health Organisation and many national governments and has over 20 million global users. It publishes on the premium WhatsApp Business Api unlike [What's Crap on WhatsApp](#), a fact-checking 5-minute voice note, an initiative of AfricaCheck.

## Conclusion

A lot of the arguments on how accountability journalism strengthens democracy also explain why making the media economically independent and resilient correlates to the building of an enduring democracy, regimes of freedom, as well as the liberty and fundamental rights of citizens.

The principal gaze, therefore, in assessing the case for media freedom is to focus on how it enables and sustains democracy, because at the core of every well-functioning market system is a political and constitutional order that builds demand for media


freedom and democracy in return.

The truth is that despotic predispositions are commonly attended by pervasive corruption, state capture and the privileged position of elites who are always in bed with unaccountable politicians, power moguls, roguish bureaucrats, drug cartels and the bad guys in the community. These sets of interests, after all, are also the targets of a professional media, since, even when they mouth support for liberal democracy, they surreptitiously oppose its promise to bring tangible economic growth.

Many Nigerians, on the pages of newspaper opinion pages, social media and radio commenting, agonise today on what they characterize as a vanishing tradition of checks and balances through which legislative and/or judiciary control of the executive's craving for abuse of political power and disregard for the rule of law. Whether this is fully proven, it nevertheless reinforces that case for a strong media freedom

tradition to act as a redoubtable watchdog and as a strong element of a liberal democratic order.

This order, this liberal democratic dispensation, known to expand transparency of government actions, restrain inclinations to corruption, the capture of state institutions by groups of interests, that creates long-term guarantee for political and economic rights, the democratic replacement of political elites, and the incidences of power abuse cannot function with media freedom. This, therefore, is why the economics of the media is the unspoken hallmark, the ultimate enabler, whenever we contemplate any meaningful conversation on media freedom. And relatedly, it is what reminds us that at the epicentre of the discourse on the economics of media freedom is the imperative to rethink how to privilege the sustainability of our media and our journalism through innovation, better institutional management, healthy investment and profitability.



# Section 5: In the Eye of the Storm

## (Personal Accounts of Press Freedom Violations)

**By Fisayo Soyombo**

It was the evening of June 8, 2020, I had abandoned my Twitter-linked email address for three years but once I updated it to a current one on that night, a flurry of suspended messages all nestled in my inbox at once. One in particular caught my attention. Sent back on May 14 by account name 'Headboy @Feb21' with the handle '@SageAmbrose', it read: "Stop being a snitch young man & get a life."

Four things struck me about this message. It was sent late into the night, at exactly 9:53 pm. The sender's bio read "Christian & a medic... who loves to share the wealth of God's riches..." The avatar bore the lines: "Different day, same G." The account

had been restricted by Twitter; that, surely, must count for something! Now abandoned with mission accomplished, that account must have been opened for the sole purpose of sending me that message.

What could have irked him? My works in the preceding 72 hours were about the horde of COVID-19 positive citizens roaming the streets of Katsina unattended to; the hurried and shady efforts of Chukwuemeka Odumegwu Ojukwu University to force final-year students of its College of Medicine to secretly resume school, much against prevailing medical advice; and the lack of proper contact tracing after a sick staff member of Mushin General Hospital, Lagos, tested positive for COVID-19. I was shocked to learn



someone summed any of these stories up as a product of “snitching”.

This sort of disguised warning, though, is not my biggest headache. Earlier in May, after publishing another COVID-19 thread on a certain state, someone close to the Governor sent me a message: “I wanted to let you know that my Governor is a very ruthless human and quite crude at it too. Watch over your shoulders please and keep safe.”

While the official threat to press freedom in Nigeria is well-documented, it is the unofficial threat that worries me the most — the saddening reality that investigative journalists, or indeed any good journalist, must live each day watching their backs. Focus that should otherwise be on the best strategies to tell a story are shifted to answering questions such as who is tracking you or who has your real home address.

It is a needless distraction.

In an ideal scenario, journalists should be running to the state for cover. But that would be moving from pillar to post — because we’re talking the same state that arrested journalist Agba Jalingo for his series on the diversion of N500m approved for the Cross River Microfinance Bank only to arraign him on trumped-up charges of “conspiracy, terrorism, treasonable felony and attempt to topple the Cross River State government”.

It is the same state where social critic Abubakar Idris, better known as Dadiyata, was unconventionally abducted in August 2019 but the government is uninterested in unearthing the mystery.

The impossibility of seeking state cover also explains why the Police is not the go-to agency for protection. This is the Police that arrested and detained Premium Times journalist Samuel Ogundipe and arraigned him for “criminal trespass and theft” when his real ‘offence’ was his refusal to disclose the source of his story on the widely-condemned siege to the National Assembly by the Department of State Service (DSS). It is the same force that is constantly being spotlighted by journalists — for instance, for its complicity in the multiple-layer corruption blighting Nigeria’s criminal justice system, which I exposed last year, or for its role in the serial breaching of lockdown measures in exchange for cash, as revealed by a number of journalists in recent months. This collusion of the man on the street with the state and security forces to frustrate the journalist is not just an affront on gentlemen honestly doing their jobs, it is a crushing damage to the very essence of our existence. All of us. By derailing the journalist, we hold back our society from realising its full potential.



## By Simon Kolawole

Having cut my journalism teeth in a military era, I understood press freedom in a somewhat narrow way: being able to perform my duties and responsibilities as a journalist without being harassed, abducted, arrested, detained or murdered — and without my organisation being intimidated, raided, shut down or proscribed. The advent of democracy in 1999 was supposed to bring smiles to our faces. Press freedom, in the final analysis, is part and parcel of the democratic order. What is democracy without freedoms, and what is freedom without free expression?

It did not take long for me to begin to see that the press was still in shackles, even though the air, on the whole, appeared fresh. The open intimidation was still there, despite arrests and detentions not being rampant. There were routine death threats. When I was editor of THISWEEK in 2001/2002, I received one or two warnings to “redeploy your correspondent because we can not guarantee their safety”. I pretended to be stubborn by refusing to change their duty posts, but I feared for their lives. Subconsciously, we had to tone down our aggression.

But by far the major threat to press freedom under the democratic dispensation is the “soft power”. The state does not send truckloads of security agents at the same rate it

used to do, but the barriers are now clinically — and legally — erected to stifle free speech. It took over a decade to pass the freedom of information law, mainly because the politicians felt it was going to benefit the media in the push for openness in government. Even with the law, government agencies have found a way of subverting it, using legal jargons and interpreting some provisions in a way contrived to obstruct the media from performing its constitutional role of holding government accountable.

There is also the legalistic barrier, which is hurting the cause of press freedom. Under the military, there was hardly any recourse to legal means to stifle the press. The soldiers did whatever they wanted. Their word was law. However, under democracy, press freedom is being curtailed through SLAPP — the acronym for Strategic Lawsuit Against Public Participation. It is intended to censor, intimidate and silence critics through legal means, even if there is no substance. The media will be intimidated with injunctions and burdened with legal costs while the substance suffers. This has undermined the media very much. TheCable, which I founded in 2014, has been at the receiving end of this, particularly in our reporting of the scams around the return of Abacha’s loot.

While all these are big threats to press freedom, the biggest obstacle, as I see

it, is self-censorship. This is brought about by commercial and proprietor interests. In the past, journalists were denied press freedom. These days, journalists are voluntarily giving up their rights and responsibilities — because an advertiser might kick, a publisher's friend might complain and business interests might be hurt. It is perhaps one of the major reasons why most traditional newspapers in Nigeria do not encourage investigative journalism and just stick to routine

reporting, mostly of press releases and events that are in the public glare. The cost of running media outfits is high and the returns are low, with many organisations struggling to pay salaries and fulfil other obligations. Press freedom is willingly slaughtered on the altar of economic expediency. This is a deadly poison to our freedoms.





# Section 6: Public Perception of Media and Press Freedom

## (Snap Survey Analysis)

### Public Perception of Media, Media Freedom, Operations and Sustainability

By Adenike Aloba

As actors at the demand side of the freedom chain, citizens, either as direct audience or the public, in a general, non-specific sense, are ultimately the inadvertent victims when press freedoms are taken away. The people's access to true and factual information and eventual democracy and all its tenets are what gets taken away when the press is not free. Unfortunately, Press Freedom across the world in the last decade has continued to deteriorate according to the Freedom House 2019 Freedom and the Media Report.

Increasingly, we are now seeing a global downward spiral where even

influential democracies are clocking a downturn in their press freedom fundamentals, sadly signposting permission of poor conduct for less established democracies, with regards to upholding citizen's rights as a whole and media rights specifically, but even more horribly posting in disturbing records of violations and accepting impunity as a norm.

In Nigeria, press freedom appears to be doing a backward dance despite uninterrupted democratic rule since 1999. According to data from the Press Attack Tracker, there have been 160 recorded attacks against the press in the last two years alone, several attacks, especially in less prominent states and cities go unreported.

An increasingly difficult press freedom regime that has seen impunity from both state and non-state actors is further compounded by complicity from legislators with the introduction of several legislations



that blatantly target freedom of the press and freedom of expression. The judiciary, the harbinger of justice and institution of last resort, has also appeared to rubber stamp frivolous unconstitutional charges against journalists and media organisations.

The Nigerian media, like its global peers, have also suffered significant decline in their fortunes following the huge question marks on the existing business models and sustainability principles sustaining the industry. This decline has been compounded by the Covid19 pandemic which has disproportionately affected the business of media.

Factors such as media financing and sustainability are among those factors forcing a reckoning in press freedom conversations.

An important logical question is what role can audiences/public play in the fight for press freedom especially considering that they stand to lose the most if the important institution of the media crumbles.

This snap survey looks at the public's understanding of press freedom, media operations and sustainability. How well does the public understand media operations beyond the consumption of media products? How clearly do audiences see the correlation between media and democracy? Do the audiences even agree that the press is oppressed?

How do audiences think journalism is financed and how do they think it impacts on media freedom? The survey contains questions that could also provide in roads to understanding why audience-supported journalism as a new business model has not particularly taken off in Nigeria,

There have been several investments in the research to understand and deepen audience engagement, from the standpoint of how media products are consumed, that it has now become imperative to examine audience engagement across specific issues that impact on the media's ability to consistently produce its products.

## Detailed Findings

### Section 1: Public Perception

Responses to the open ended question of "what do you think about the Nigerian Media" yielded responses that fell into 2 clear categories, Negative and Challenged. Keywords that one would hope to find in the definition of media were few and often used in the negative sense (Chart 1).

The words used to describe the media are very telling about attitudes and perceptions of the media that ranges widely from distrust of the media to a lack of understanding of media operation and processes. It raises salient questions and begs a different definition of audience engagement

for media organisations. Is it enough that audiences engage with media products if their opinions of the producers are not necessarily good? How will an understanding of the public's perception of media shape audience engagement strategies? How will a more symbiotic relationship between media and its audiences shape media products? These questions should shape conversations and research around deepening audience engagement.

In response to the question of the importance of media and how much influence they have in shaping narratives, respondents agree that media and journalism is important and that the media plays an important role in shaping narratives. This is significant especially when compared with their perception of the media. Despite seeing the media in mostly challenged and negative lights, respondents still believe that the media is important and has the power to shape narratives. Investments in deeper audience engagement strategies may help move the needle so that audience belief of media roles and power begin to align with audience perception of the Nigerian media (Chart 2, 3).

Respondents' responses appeared to move from aspirational to perception again when responding to the question of the type of influence the media has. A significant 65.7% of respondents think the media has

neither positive or negative influence on its audience (Chart 4). Again the question of the consumption and impact of media products is raised. How well is the media performing its agenda setting role if audiences think the media has no influence on them? What about the education role? Response to this question is in consonance with the perception of the media expressed in the responses to the first question. A responsibility is placed on media development specialists, media managers and journalists to find platforms to engage audiences to understand what gaps exist in their experience of media, their understanding of media roles and the impact of media.

- What do you think about Nigerian Media?

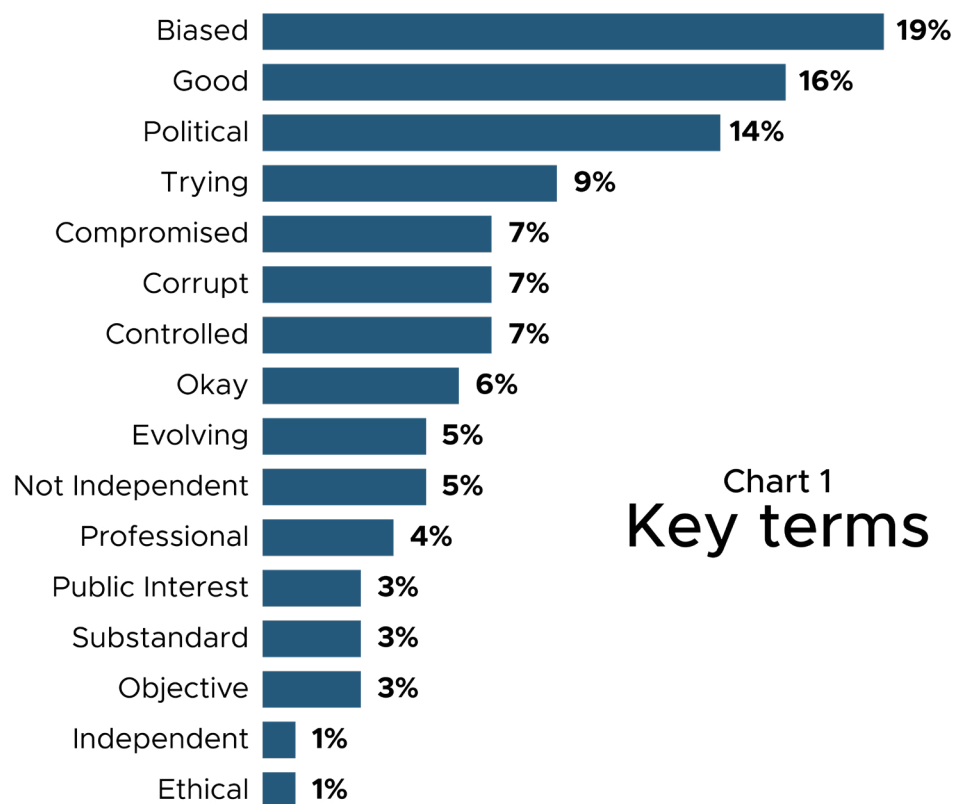
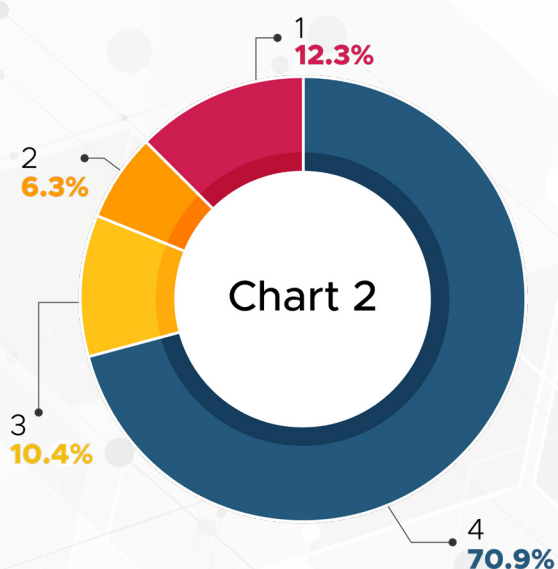
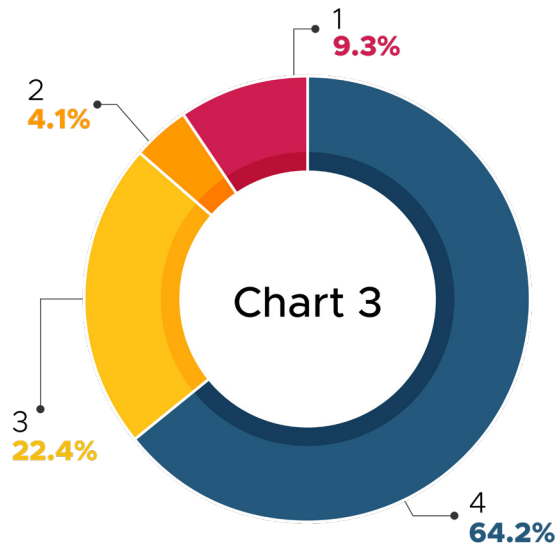


Chart 1  
Key terms

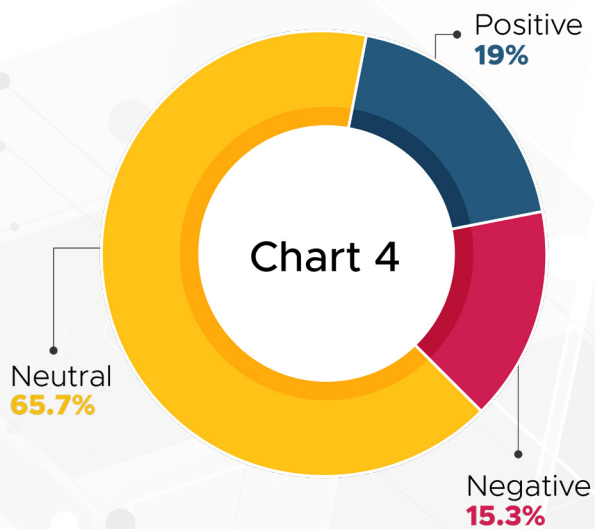
- How important do you think the media and journalism is on a scale of 1-4 (1 being least important and 4 being very important)



- How much influence does the media have in shaping issues and narratives? Please choose from a scale of 1-4 (1 (1 being not influential and 4 being very influential)



- Is the influence positive or negative in shaping how people understand and react to issues? Choose from a scale of 1-3 (1 being negative influence and 3 being a positive influence)





## Section 1b: Public Perception

This second part delves deeper into what drives the perceptions expressed in the first section and so raises important points that are possible explainers or drivers of audiences' perception of media.

73.1% of respondents think the media is biased against a mere 6.3% who think they are not (Chart 5). This response provides understanding of the kind of language used to describe the media and why most respondents deny media influence of any kind. The most identified bias of a selection of biases is political bias (78%), Ideological bias (54.9%), Regional bias (42.9%) and Corporate bias (29.1%) (Chart 6). It is interesting to see that respondents believe that corporate bias is minimal which implies that business interests do not impact the media and that ideological bias is very present, second only to political bias. However, considering that the lines of political power and corporate power are often blurred this may not necessarily mean that business interests do not impact the media. It may also be worth investigating what audiences understand about media ideologies and how it affects media operations.

In keeping with the sentiments expressed with prior questions, 76.9% of respondents think that the media push deliberate agendas (Chart 7). There has been debate

on whether the media should push deliberate agendas especially around development issues, there has been no consensus on this among stakeholders and it appears the audience is equally divided on whether the media should push deliberate agendas. 34.7% think the media should push deliberate agendas, 42.2% think the media should not and 23.1% are neutral/unsure (Chart 8).

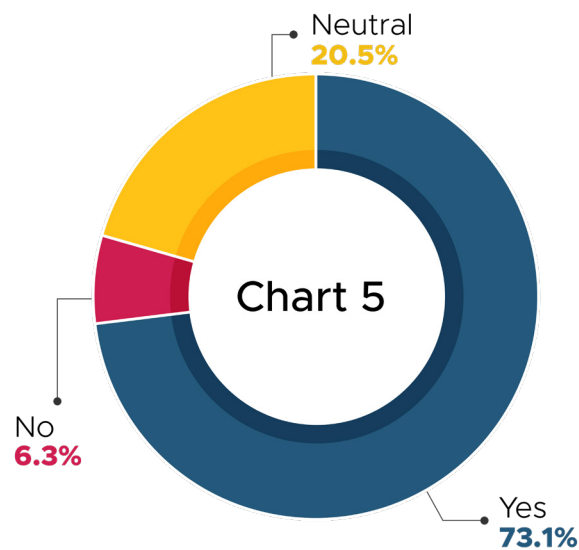
Investigative journalism was described in much more positive terms than Nigerian Media. Respondents think that investigative journalism is different from regular journalism (77.2%), although 14.2% are unsure if there is a difference between both and only 8.6% think there is no difference (Chart 9). Perhaps investigative journalism presents a pathway to redemption for media practice and earning the trust and confidence of audiences which will likely deepen audience engagement. This can yield benefits in stronger people/audience driven advocacy for issues such as press freedom and even increase the viability of audience/people-funded journalism.

The last queries in this section have to do with trust in journalists and media organisations, only 22.2% and 17.2% respectively of respondents express trust in journalists and media organisations. Respondents are mostly neutral when it comes to the issue of trust (50% Journalists, 47.4%

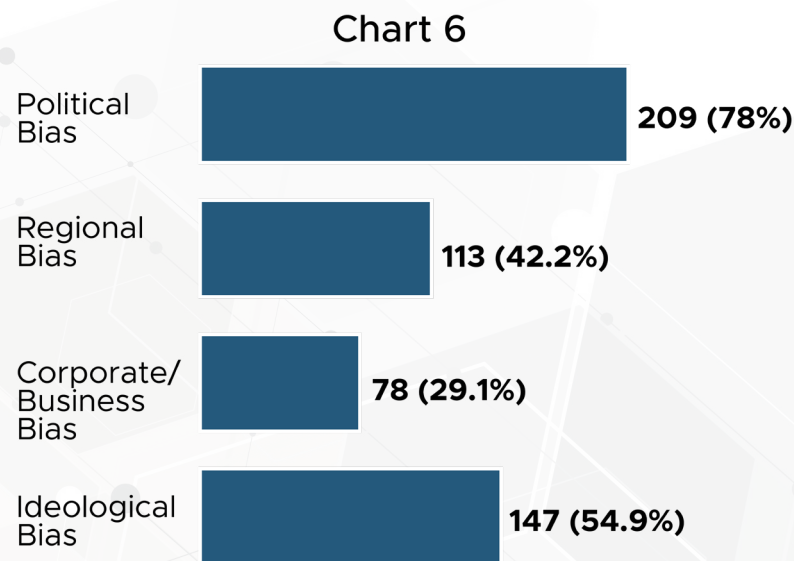
Media organisations) (Chart 10). The maths appear simple, where the audience does not trust journalists and the organisations they work for,

they are likely less inclined to either defend their rights or support their work

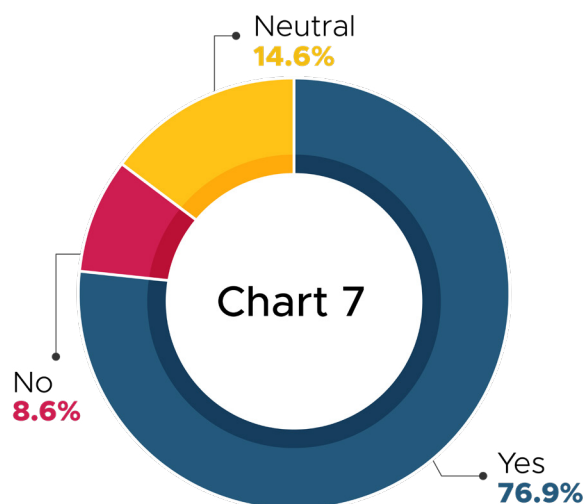
- Do you think the media generally is biased?



- If the answer above is yes, what forms of bias exist in the media?



- Do you think the media pushes deliberate agendas and narratives?



- Do you think the media should push deliberate agendas and narratives?

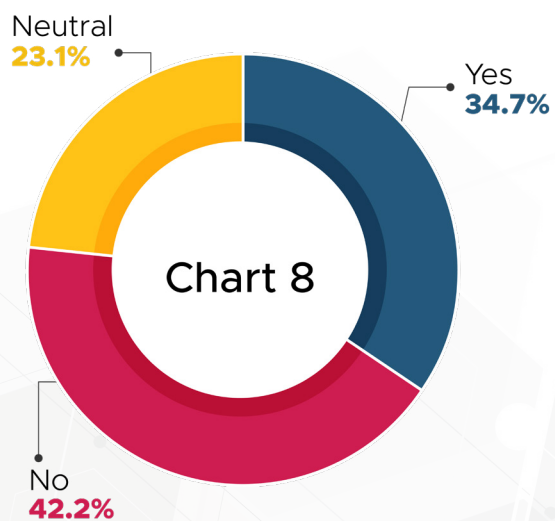
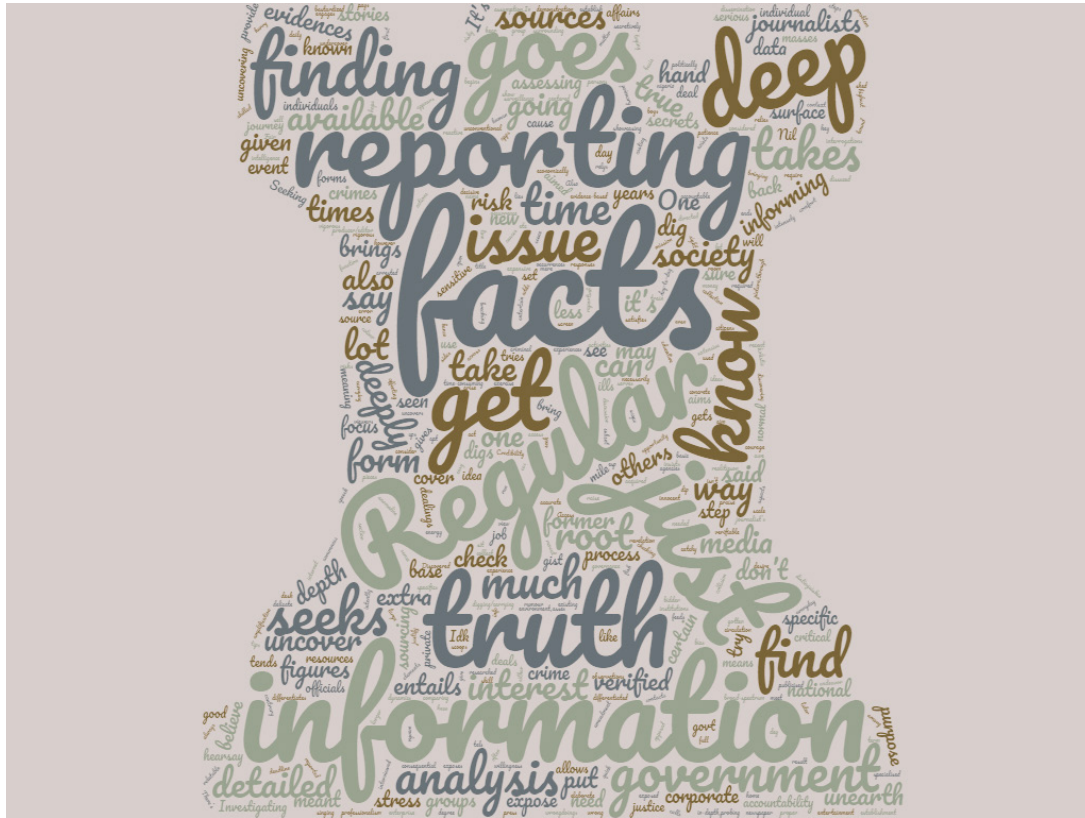
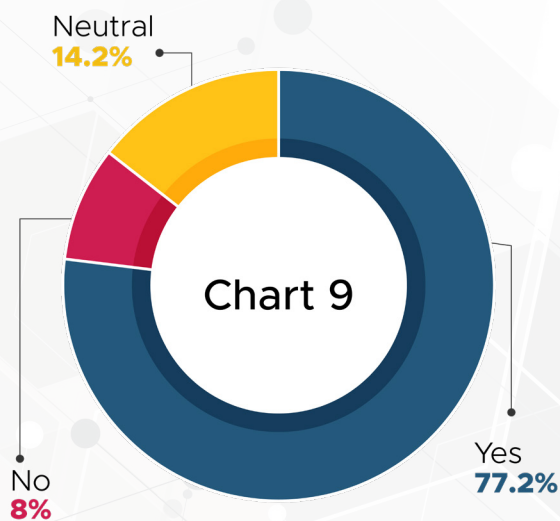


Figure 1

## Difference Between Investigative Journalism and Regular Journalism



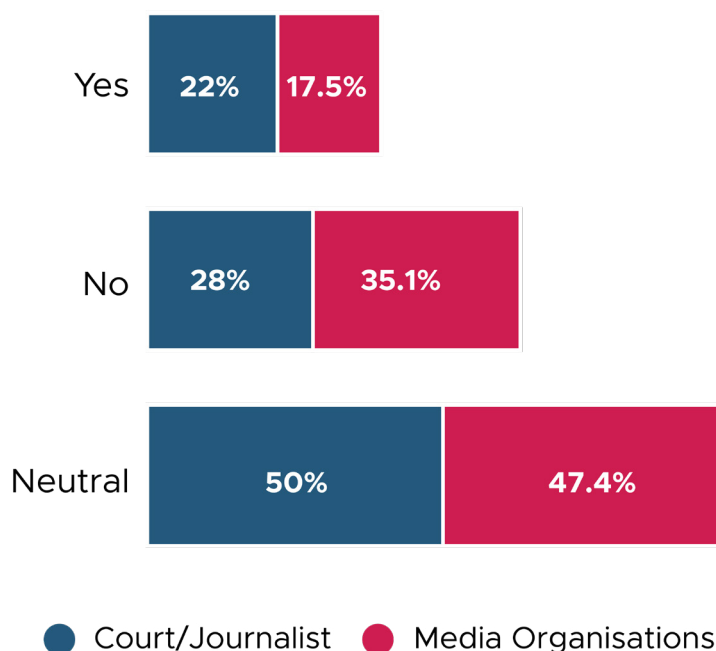
- Do you think Investigative Journalism is different from regular journalism?





- Do you trust Journalists/ Media Organisations?

**Chart 10**



## Section 2: Role of Media In Democracy

Respondents are emphatic in how important journalism is to democracy (72%) (Chart 11). On specific roles of media, from a list of options, information was most frequently selected followed by education and holding power accountable (Chart 12).

However, respondents did not think the media is doing a great job of performing these roles with the needle hovering in the middle but leaning towards a negative rating. It does say something that only 9% of respondents think the media is doing a good enough job and is cause for concern that despite the volume of

media products churned out everyday, audiences do not necessarily see the volume of content as particularly informational, educational, holding power to account or even entertaining (Chart 13).

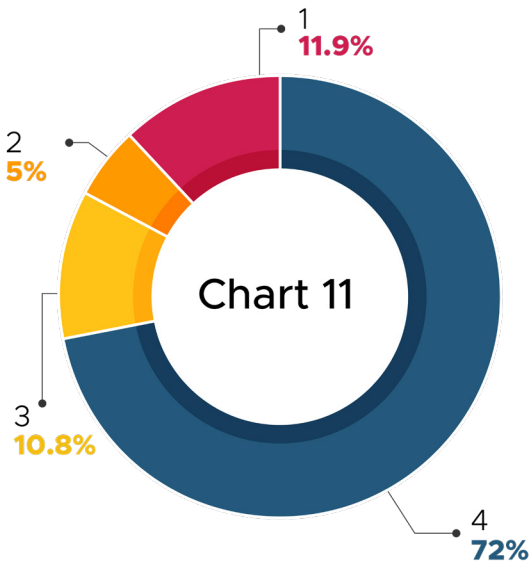
Focus was placed on the specific role of holding the government accountable and respondents think again that the media is hardly doing a good job (Chart 14).

This assessment of media roles may not be unconnected, in part, to the fact that audiences now have access to what appears to be multiple sources of information because of the proliferation of tech and are more likely to think those roles are better

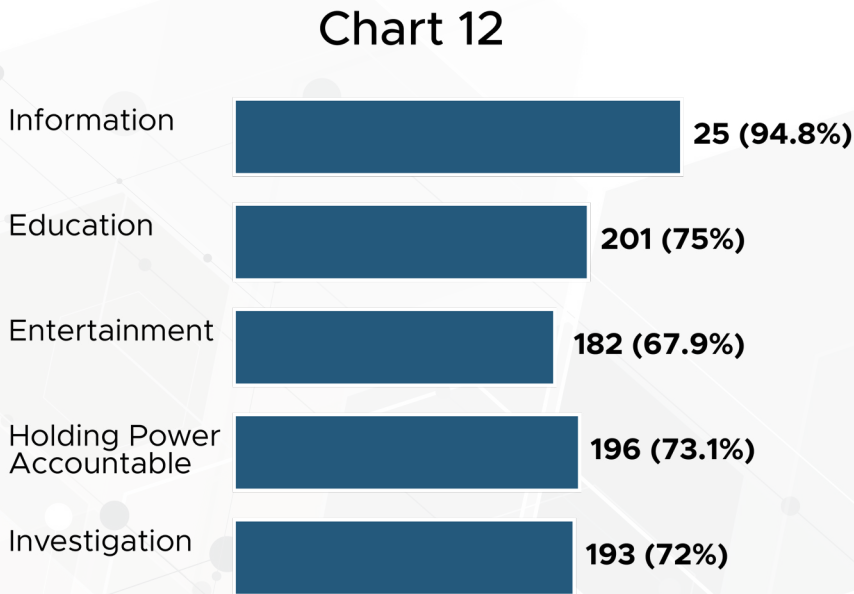
performed by social media. Media will have to continue innovating around presentation and distribution to

compete effectively and efficiently with all these other sources.

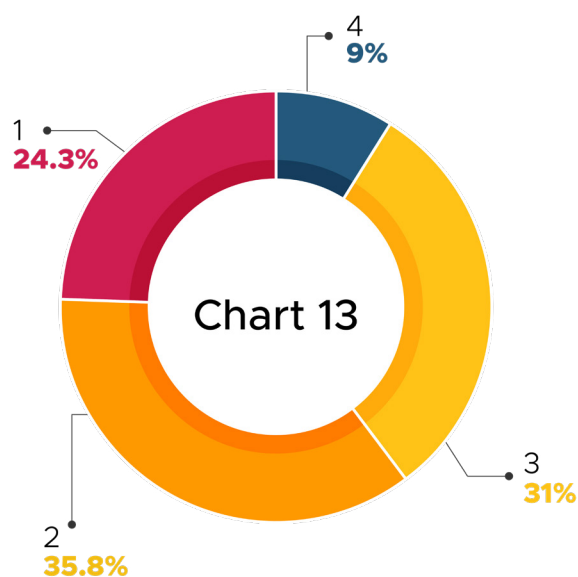
- How important is journalism to democracy?



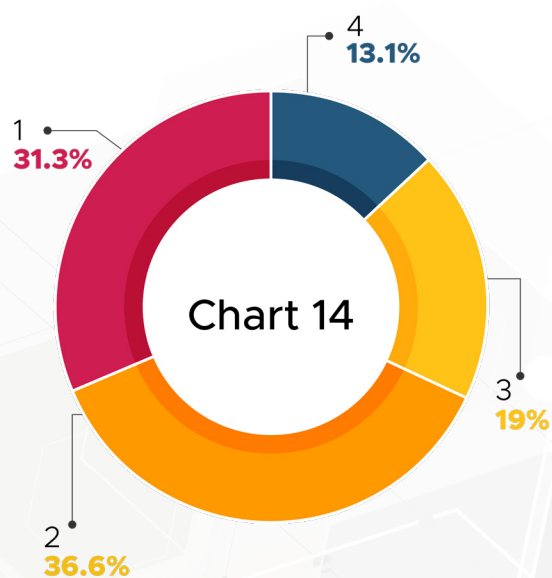
- What do you think the role of the media is?



- How well is the media performing its roles?



- How well is the media doing in holding the government accountable? How Well is the Media Performing its Roles? (1 being “Not Well Enough and 4 being “very well”)



### Section 3: Audience Understanding of Press Freedom

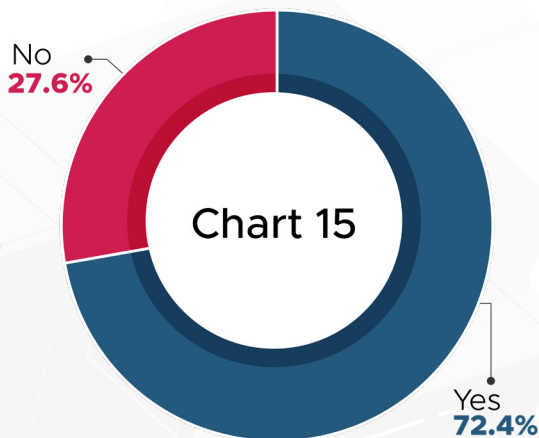
How well do audiences understand the concept of Press Freedom? 72.4% of respondents think that the role of the media is entrenched in the constitution (Chart 15) and that press freedom means a constitutionally guaranteed right, absence of censorship, journalism without fear or favor, freedom from oppression and agreement etc. 76.2% of respondents think the press is not free at all or barely free.(Chart 16)

86.6% of respondents think journalists are endangered and 81% have either witnessed or heard about an attack

on journalists (Chart 17, 18). Audiences appear to be aware of the state of press freedom however a smaller number said they would intervene to stop an attack against a journalist (66.8%) with 28.4% uncertain about intervening where they witness a journalist being attacked (Chart 19).

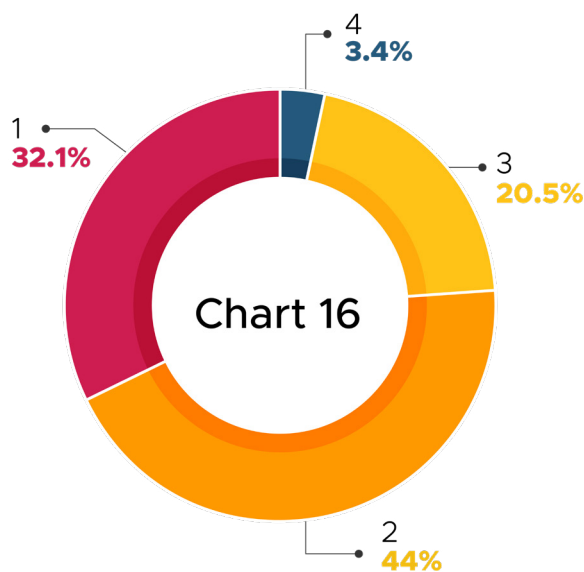
Perhaps the lack of trust in the media occasions some distrust in reports about attacks against journalists and media organisations and might explain the difference between audience's awareness and their willingness to intervene in attacks against the press. Enlisting audiences' support in the fight for press freedom will require crossing the trust barrier.

- Are you aware that the media's role is entrenched in the Nigerian constitution?

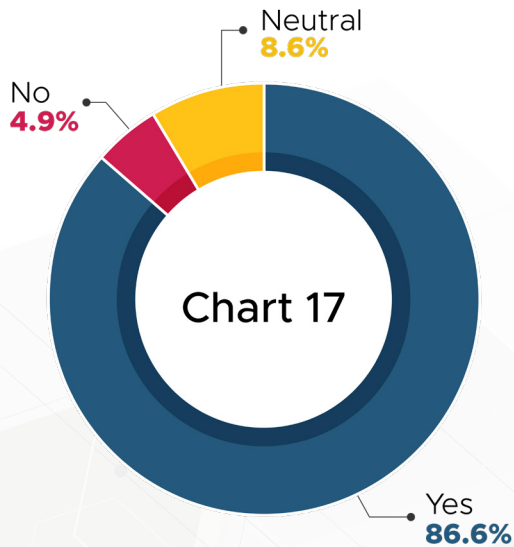




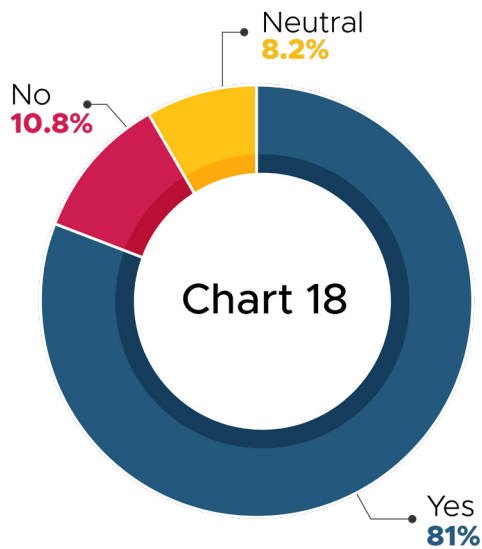
- How free is the Nigerian Media environment?



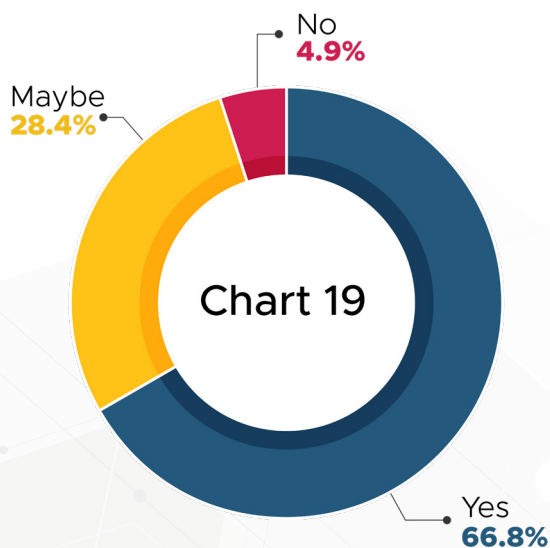
- Do you think journalists are oppressed and endangered in Nigeria?



- Have you witnessed or read about attacks on journalists?



- Will you help a journalist being attacked or abused?



#### Section 4: Audience Perception of Media Operations

So how do media audiences think the media is funded? Predominantly, advertising, as well as government,

grants, interests, businesses among others (Figure 2). There is no consensus on the financial viability of media organisations, there are slim margins between Yes (29.4%), No

(32.8%) and Maybe (37.3%) (Chart 20). Responses changed quite dramatically when the question was whether journalism is adequately funded, only 6.7% of respondents thought journalism was well funded, 56% said no and 37.4% were unsure (Chart 21).

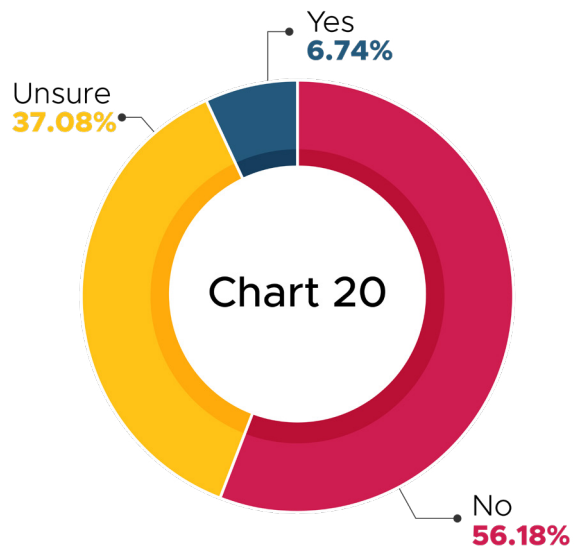
It appears as if the audience separates media organisations from journalism and while quite a large percentage of respondents think journalism is poorly funded, a far higher percentage think media organisations are viable. Are the fortunes of journalism and media organisations not joined so that the viability of one means more funding for the other? Media audiences don't seem to think so.

Respondents are largely willing to support the media financially (73.9%) (Chart 22). This is a good number and portends that audience-funded journalism has prospects in Nigeria. 85.4% of respondents think that source of funding influences, from significant to greatly significant, on media content (Chart 23). There is an opportunity here to shape and consistently promote the narratives around audience-funded media, in the form of subscriptions and memberships, in such a way that helps audiences connect the dots so that they realize that a people-funded media is a people-centric media and thus influenced by the interests of one group, the people.



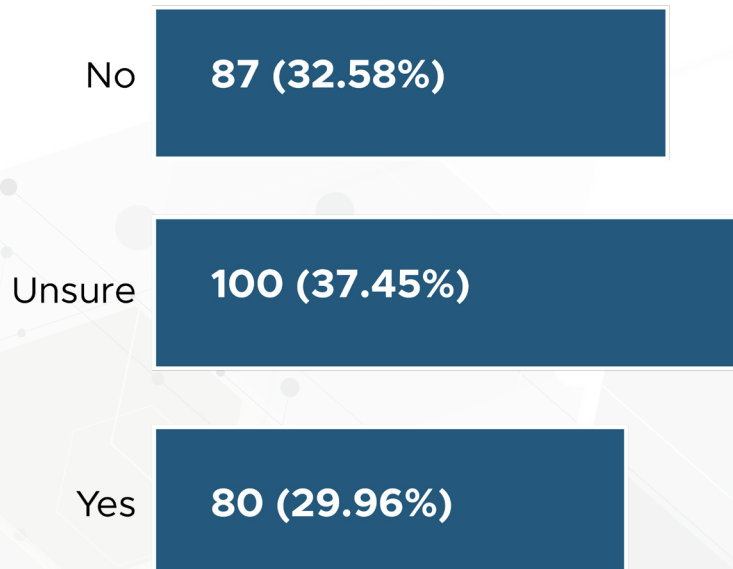
Figure 2

- Do you think journalism is adequately funded?



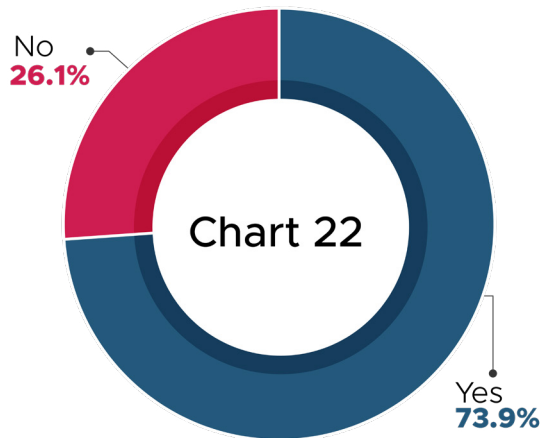
- Do you think media organisations are financially viable?

Chart 21

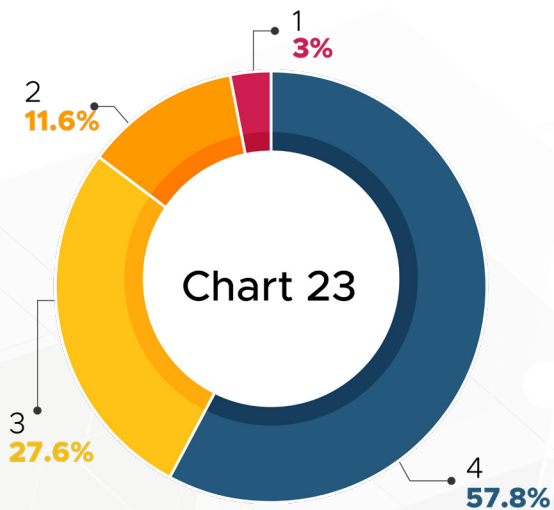




- Would you support the media financially?



- How much influence does the source of media funding have on media content?



## Conclusion

This snap survey has raised important points for further research and conversations that can bring innovative strategies to the fight for press freedom and media sustainability that are hinged on deeper audience engagement. The question of public trust is an obvious barrier against the media in its quest to effectively benefit from audience support. It is evident that this exploration, of the complex ramifications of the phenomenon of the trust versus engagement matrix deserves far more understanding in Nigerian media than is currently available..

Media organisations and journalists can no longer afford to be high handed with their audiences, expecting gratitude and recognition for the “thankless job” of keeping the public informed. Communication between media and its audience

needs to be more nuanced and must go beyond contact by product, a deeper more meaningful engagement with audiences is obviously required to win over media audiences.

To be sure, yes, it will likely be a wooing away from the allure of alternative sources of information like social media. First, because the media needs its audience as much as the audience needs the media, but more importantly, because the fourth estate of the realm must constantly strive to fulfill its mandate as the accountability quotient in a democracy, it cannot give up on the challenge to win back audience trust.

This challenge is now all too important, particularly with the assault from new enemies of truth like misinformation and disinformation, ensnaring audiences and creating disillusionment that continue to prove as dangerous for the people, their nation and democracy.

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# About the Press Freedom Project

The Press Freedom Project aims at promoting press freedom, freedom of expression, net neutrality and media plurality in Nigeria.

In executing, monitoring issues around press freedom, Premium Times Centre for Investigative Journalism through the support of Free Press Unlimited formed the Coalition of Whistleblowers Protection and Press Freedom, a combination of civil society organisations and investigative newsroom in Nigeria with a focus on challenging the legality of codes and laws that constraints press freedom and to seek protection for whistleblowers.

The CWWPF is an initiative which

had its roots in the 2017 'No News Is Bad News Programme' organised. At a two-day engagement in 2017, after deliberations on the challenges of investigative journalism and various policy threats to the press in Nigeria, the coalition was formed. The coalition is a collaboration between investigative newsrooms and Civil Society Organisations working on Whistleblower Protection and Press Freedom in Nigeria with support from FPU.

The coalition makes a total number of 16 members, 6 investigative newsroom and 10 civil society organisations with the aim to create a positive impact on the Nigerian media landscape, through advocating for whistleblower



protection, press and internet freedom in Nigeria, increasing access to information and collaborating on investigative reporting on corruption and human rights violations and to build a secure, trustworthy whistleblowing platform.

Essentially, the coalition is a response to the battle against corruption in Nigeria. The establishment of the coalition also comes at an opportune time as the whistleblower protection policy has been a topic of discussion in the Nigerian legal sphere.

The making of the Coalition for Whistleblower Protection and Press Freedom also led to the birth of Leaks.ng, an independent whistleblowing platform that protects whistleblowers and guarantees the public's access to relevant information launched in 2018.

The platform allows members of the public to share confidential information of public interest with the Nigerian media.

This tool allows people to send information of public interest to media outlets and civil society organisations through secure technologies that protect the identity of the source, the

system has been designed for the public to share these materials with 100% anonymity using transparency and civil participation, it aims to build a fairer and more democratic society.

The platform released the first joint investigative story on the 11th April 2018, which debunked the forged certificate of a Nigerian Senator, and has since its inception investigated and published 5 in-depth investigative stories and is currently in a series of investigation on alleged corruption in the Nigerian Bulk Electricity Trading PLC with affiliations with the Nigerian Regulatory Commission and the irregularities of the Nigerian Football Federation which led to an investigation by the Nigerian anti-corruption graft agency Economic Financial Crimes Commission.

In 2019, PTCIJ formed the Coalition of Lawyers for Press Freedom, a coalition of over 25 lawyers from across the 6 geo-political zones of Nigeria, who offer legal advice and support to journalists. Request are collected and collated through AsariTheBot, a digital tool connected to the Press Attack Tracker.

# Civic Technology Platforms

Press Attack Tracker ([pressattack.ng](http://pressattack.ng)) as the name implies, is a platform that tracks and reports attacks on the press. The platform provides a map of threats and attack on the press thus providing data for periodic review and also serves as an advocacy tool for Press Freedom in the wider Nigerian society. The platform is also created to provide legal support and advice to journalists who cannot afford legal representation.



LeaksNG ([leaks.ng](http://leaks.ng)) is a tool that allows people to send information of public interest to media outlets and civil society organisations through secure technologies that protect the identity of the source. Using transparency and civil participation, it aims to build a fairer and more democratic society.



**Reveal the truth**

AsariTheBot is a tool embedded on the Press Attack Tracker, used to access legal support and advice for journalists who cannot afford legal representation.





#### **ADVOCACY**

Promote press freedom, freedom of expression, net neutrality and media plurality.



#### **CAPACITY DEVELOPMENT**

Train journalists, civil society and government institutions on various components of development communication.



#### **CIVIC TECHNOLOGY**

Develop civic tools to track, monitor, report and present information useful for decision making by governments and citizens.



#### **INVESTIGATIVE JOURNALISM**

Conduct fact-based and data-driven investigations to hold government and institutions to account at all times.



#### **OPEN DATA**

Deploy data analysis and its tools to increase access to public and hidden data within government institutions.

## About PTCIJ

Premium Times Centre for Investigative Journalism (PTCIJ) is a non-governmental organisation, founded in 2014, to promote a truly independent media landscape that advances fundamental human rights, good governance and accountability in West Africa through investigative journalism, open data and civic technology.

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