



West Africa Freedom of Expression Monitor



Quarter 1

Jan-Mar, 2024

WEST AFRICA FREEDOM OF EXPRESSION MONITOR

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Executive Summary

The Media Foundation for West Africa (MFWA) has been promoting press freedom and fostering media development, with the aim of enhancing the media's vital role in upholding good governance across the sub-region. As part of its press freedom programme, the MFWA monitors and reports on press freedom and freedom of expression issues. It systematically documents violations and potential threats to media freedom and the civic space, while actively engaging in advocacy to advance freedom of expression throughout West Africa.

Threats to human rights generally and particularly press freedom has become more pronounced in recent years. Armed rebellion and terrorist attacks in the Sahel zone of Burkina Faso, Mali, Niger and northern Nigeria have led to the adoption of a raft of legislations that restrict the civic space and suppress press freedom. Furthermore, the overthrow of civilian governments by military forces in Mali, Niger, Guinea and Burkina Faso has produced a stifling context that restricts press freedom.

Since 2014, the MFWA has been collating and analysing the findings of its monitoring activities into quarterly publications titled, the West Africa Freedom of Expression Monitor. The monitoring and reporting are informed and guided by provisions in international, regional and sub-regional human rights frameworks to which most West African countries are parties and/or signatories.

This edition of the West Africa Freedom of Expression Monitor covers the findings from our monitoring and tracking of freedom of expression (FoE) violations and other notable developments recorded in the first quarter of 2024 (January-March 2024).

During the period under review, a total of thirty-nine (39) incidents of freedom of expression violations were recorded. The figure is similar to that of the preceding quarter (October-December 2023). Unfortunately, most of the violations reported had not been redressed in any way at the time of compiling this report.

Nigeria recorded thirteen (13) violations, the highest number of violations during the quarter. Senegal and Guinea followed with seven (7) violations each, while Mali recorded four (4) violations respectively. Ghana and Togo recorded two (2) violations

each. Guinea-Bissau, Mauritania, Liberia and Cote d'Ivoire each recorded a single (1) violations.

Six (6) different types of perpetrators were responsible for the thirty-nine (39) violations. Security agents accounted for nineteen (19) violations, representing forty-nine per cent (49%) of the total. State/public officials carried out nine (9) violations (23%), while media regulatory bodies each accounted for four (4) violations (10%). Individuals and political party affiliates each accounted for three (3) violations (8%). The remaining violation was attributed to the courts which recorded one violation (1) representing two per cent (2%).

Introduction

The boom in digital technology and internet penetration has brought about a corresponding explosion in the media sector across the world including West Africa. Adding to the favourable conditions for the growth and expansion of the media and civic space is the mass return to democratic governance which began in the early 1990s. By the year 2000, almost the entire West Africa sub-region had adopted multi-party democracy, in contrast with the situation in the 1960s-1980s when the military juntas monopolised political power in the sub-region.

With democracy have come sweeping reforms to the legal environment of the media. Many countries have adopted constitutions that guarantee press freedom. Criminal libel has been repealed and Access to Information laws passed in several countries, significantly reducing legal obstacles to press freedom and the right to information.

Moreover, all the countries in the sub-region are parties or signatories to several international treaties and covenants relating to the right to freedom of expression. Specifically, all 16 countries in the region are parties to the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights, both of which have provisions for safeguarding FoE and freedom of association and assembly rights. Article 9 of the African Charter, for instance, states that "every individual shall have the right to receive information" and "every individual shall have the right to express and disseminate his opinions within the law." In terms of the right to freedom of association and assembly, Article 11 of the African Charter states inter alia that "every individual shall have the right to assemble freely with others."

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

While the evidence does not show that these rights are fully upheld in practice, their consecration in the constitution provides a legal basis to challenge their violations. These violations come in multiple forms. Killings, threats, physical attacks, arbitrary arrests and detentions, and imposition of crippling fines, even in civil defamation suits, are among the repressive measures adopted by government officials, influential individuals, and security agencies to silence journalists as well as human rights and civil society activists. In recent times, digital surveillance, forensic search and hacking of journalists' and activists' digital devices have added to the repressive mechanisms.

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

This edition of the Monitor covers the first quarter of 2024 (January-March 2024), which recorded thirty-nine (39) violations. The three-month monitoring report presents the frequency of violations recorded, types of violations, perpetrators, and the countries in which the violations occurred.

Methodology

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

Findings from the daily monitoring are published as Alerts to draw attention to the issues identified for remedial action. The Freedom of Expression Monitor (The Monitor), is a quarterly publication which collates and analyses the alerts into a report. It also highlights other significant developments regarding democratic freedoms in the

region. The Monitor has since been serving as an advocacy material for the promotion, defence and protection of media and FoE rights.

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

Countries and Incidents of Violations

Thirty-nine (39) violations were recorded in the course of the MFWA's monitoring of the FoE landscape in West Africa over the period of January to March 2024. Eleven (11) different types of violations were recorded in ten (10) countries. Arrests/detentions and physical attacks were the dominant types of violation, occurring (12) and eight (8) times respectively.

Table 1 below illustrates the types and number of violations recorded in each country.

Table 1: Countries and Types of Violations

Country	Types of Violations											Total
	Physical Attack	Arrest/ Detention	Suspension	Sentence	Killing	Threats	Seizure/ Destruction of Property	Internet Shutdown	Censorship	Media Shutdown	Denial of Assembly	
Nigeria	4	6				1	1		1			13
Senegal	1	1			1	1		2		1		7
Guinea		2	2	1					2			7
Mali		2	1	1								4
Ghana	2											2
Togo		1	1									2
Guinea-Bissau											1	1
Mauritania			1									1
Liberia	1											1
Cote d'Ivoire						1						1
Total	8	12	5	2	1	3	1	2	3	1	1	39

The quarter was marred by a wave of arrests and detentions, physical attacks, and suspension in the subregion. The most serious incidents of violations occurred in Senegal where a deadly repression of protests left at least three [dead](#), with several others arrested, amidst restrictions to mobile internet. Another grave incident indicating the fast-shrinking civic space, the government of Guinea-Bissau [banned](#) public demonstrations or rallies across the country due to alleged security issues. *Below are highlights of some of the major incidents:*

On January 18, 2024, police officers repressed protests, [arresting](#) at least 9 journalists. The attack disrupted the gathering of dozens of media professionals at the Maison de la Presse, the compound hosting the offices of media professional organisations in Guinea's capital. The demonstration had been called by the Syndicat des Professionnels de la Presse de Guinée (SPPG) to demand an end to internet restriction and the jamming of several broadcast channels.

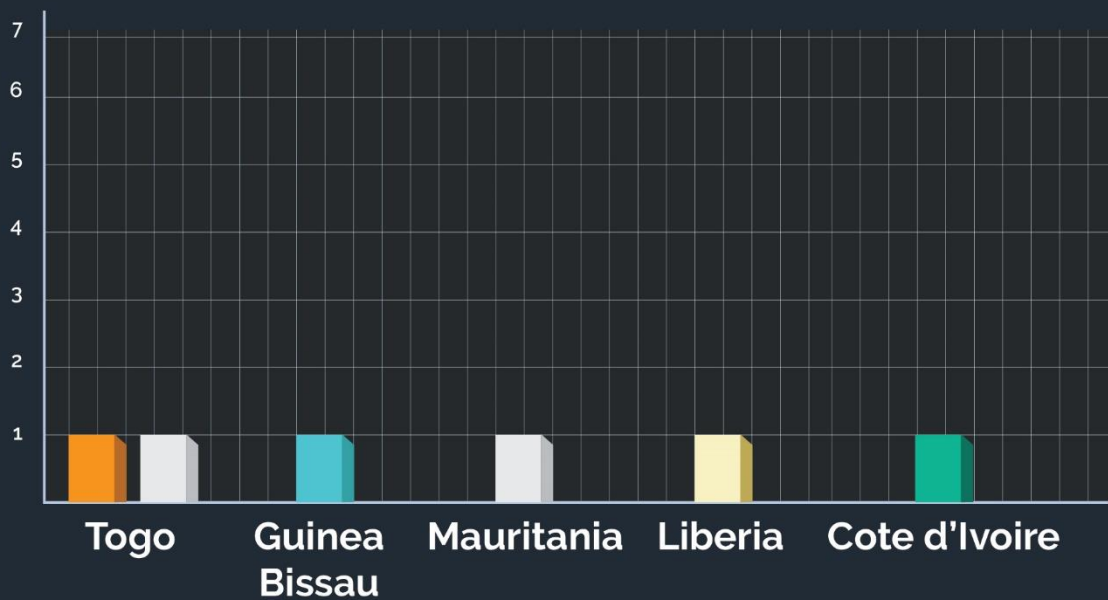
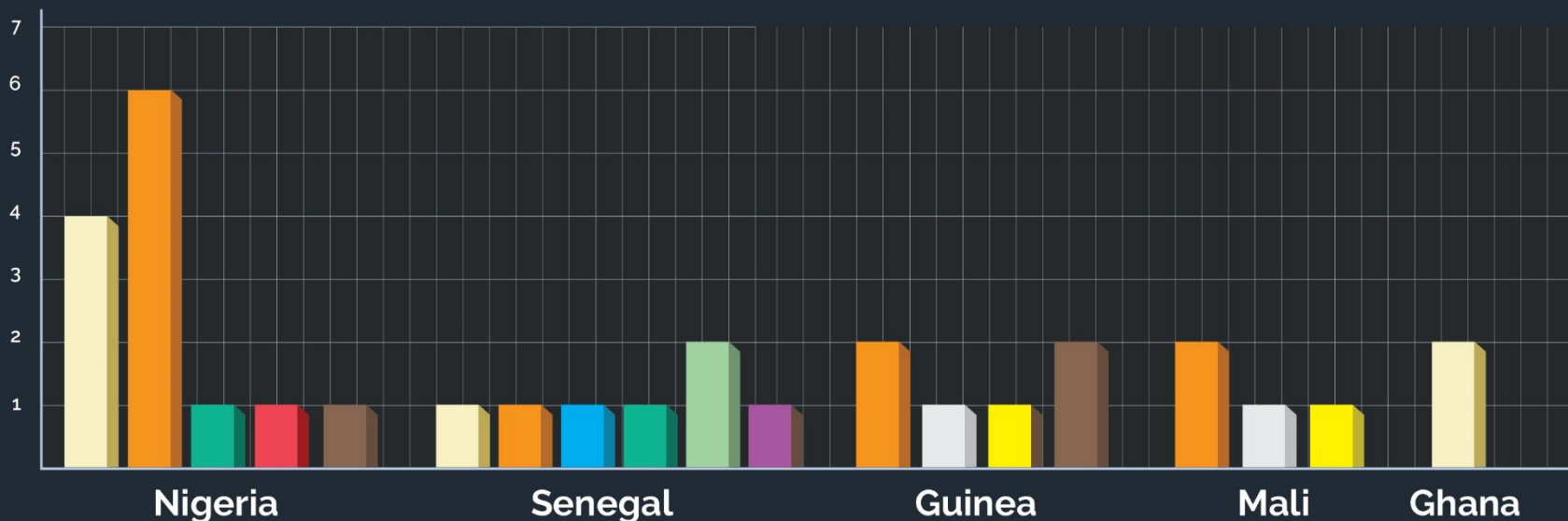
On February 2, 2024, the Haute autorité de la communication (HAC), the media regulator, [suspended](#) *France 2* was from Malian television channels for a period of four months. The suspension came after the broadcast on January 20, 2024, of a report on the security situation in Mali following the departure of the French military force Barkhane. The HAC accused France 2 of glorifying terrorism by juxtaposing the firepower of armed terrorist groups with that of the Malian armed forces.

On February 4, 2024, the Ministry of Communication in conjunction with the Conseil national de régulation de l'audiovisuel (CNRA), [suspended](#) *Walf TV* over incitement to violence. The suspension followed the media's broadcasting of clashes that broke out on February 4, 2024, in Dakar between security forces and demonstrators protesting against the unprecedented postponement of the presidential election announced the day before by the Head of State, Macky Sall.

On March 15, 2024, armed individuals in military attire [arrested](#) Segun Olatunji, the editor of *FirstNews*, an online news platform based in Lagos, South West Nigeria. Olatunji was apprehended from his residence in Iyana Odo, Abule Egba area of Lagos, reportedly due to a series of accountability stories published by his media outlet.

The summary narrative of all the violations recorded during this quarter can be read [here](#). *The number of violations recorded in each country is presented in figure 1 below:*

Figure 1: Countries and number of violations recorded



Key

- Physical Attack
- Arrest/Detention
- Suspension
- Sentence
- Killing
- Threats
- Seizure/Destruction of Property
- Internet Shutdowns
- Censorship
- Media Shutdown
- Denial of Assembly

Perpetrators of Violations

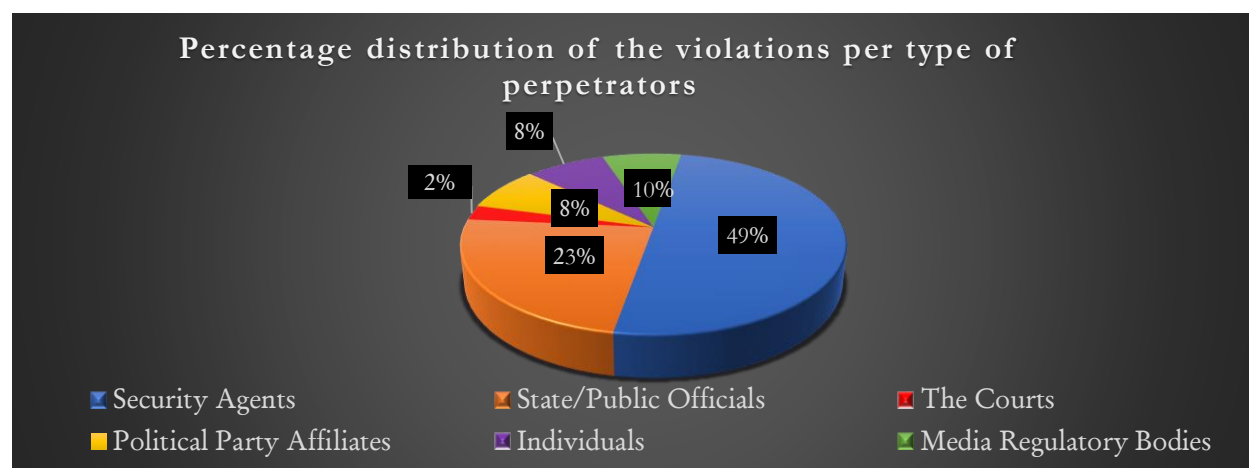
The thirty-nine (39) violations were perpetrated by six (6) types of perpetrators. Security agents accounted for nineteen (19) violations, representing forty-nine per cent (49%) of the total. State/public officials carried out nine (9) violations (23%), while media regulatory bodies accounted for four (4) violations (10%). Individuals, political party affiliates and media each accounted for three (3) violations (8%). The remaining violation was attributed to the courts which recorded one violation (1) representing two per cent (2%). *Table 2 below provides more information on the types of perpetrators and the number of violations recorded against them in each country.*

Table 2: Countries and Types of Perpetrators

Country	Types of Perpetrators						Total
	Security Agents	State/Public Officials	The Courts	Political Party Affiliates	Individuals	Media Regulatory Bodies	
Nigeria	9	1		1	2		13
Senegal	3	3			1		7
Guinea	2	3		1		1	7
Mali	2		1			1	4
Ghana		1		1			2
Togo	1					1	2
Guinea-Bissau		1					1
Mauritania						1	1
Liberia	1						1
Cote d'Ivoire	1						1
Total	19	9	1	3	3	4	39

Figure 2 below shows the percentage distribution of violations per type of perpetrators.

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



Targets/Victims of Violations

In terms of distribution, twenty-three (23) of the violations were targeted at journalists and media workers, while eight (8) were targeted at citizens. Seven (7) of the violations were directed at media organisations with one (1) targeted at an activist. *Table 3 below illustrates the violations/victims distribution.*

Table 3: Types of victims and number of violations

Country	Types of Victims and Number of Violations suffered				
	Journalists/Media Workers	Citizens	Activists	Media Organisations	Total
Nigeria	10	1	1	1	13
Senegal	2	4		1	7
Guinea	5			2	7
Mali	1	2		1	4
Ghana	2				2
Togo	1			1	2
Guinea-Bissau		1			1
Mauritania				1	1
Liberia	1				1
Cote d'Ivoire	1				1
Total	23	8	1	7	39

In absolute terms, the thirty-nine (39) violations were perpetrated against at least fifty-eight (58) victims. Of this, forty (40) were journalists and media workers, twelve (12) were citizens, five (5) were media organisations, and one (1) was an activist. It is to be noted that one violation can target more than one victim while one entity can be victim of multiple violations. Sometimes, the exact number of victims of violations such as crackdowns on protests, internet and social media shutdowns, cannot be established.

Redress for Violations/Impunity

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

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

The suspension of mobile internet service lasted for more than three days before being lifted on February 7, 2024. The decision to reinstate internet access came amidst growing tensions over the postponed election and its implications for the country's political landscape. Senegal experienced heightened political tensions on February 4, 2024, when the Ministry of Communication, Telecommunications, and the Digital Economy announced the temporary shutdown of mobile internet services.

Walf TV has [resumed](#) broadcasting after a week-long suspension and the withdrawal of its license by authorities due to its coverage of protests in Senegal. The TV station had its license revoked on February 4, 2024, sparking widespread outcry. Announcing the restoration of the channel's signal, CEO Cheikh Niass stated that the decision came after presidential mediation and a meeting involving all parties. The President agreed to reinstate the license during the hearing. A press statement from Minister of Communications, Moussa Bocar Thiam, confirmed the reinstatement, attributing it to the President's leniency. The meeting between the President and *Walf TV*'s management, along with media and civil figures, followed a boycott by Senegal's media sector in protest against the closure of the opposition-aligned TV station.

On April 9, 2024, a court in Lomé ordered the release of the publishing director of *La Dépeche* under judicial supervision. Despite his release, Mewenemesse was required to

appear at the court twice a month for future hearings and was prohibited from leaving Lomé, the capital of Togo. He fourteen days in detention.

Other Key FOE Developments

On January 29, 2024, the Nigerien authorities [suspended](#) the Maison de la Presse in Niger and prohibited it from operating within the country until further notice. The Ministry of the Interior provided no explanation for the suspension but instead announced the formation of an ad hoc committee, appointed by the government, to oversee the activities of the umbrella organisation. This suspension followed the Ministry of Interior's previous decision to prevent the organisation from convening its general assembly to elect a new Board of Directors. The Ministry cited complaints from some member associations of the Maison de la Presse, alleging misconduct by the existing Board, as the reason behind the decision.

On February 6, 2024, Ghana's communications regulator, the National Communications Authority (NCA), [shut down](#) the radio station *Salt FM's*, in the Asante Akyem North District of the Ashanti Region. The NCA closed down the media's facility due to its failure to renew its authorisation license. The closure has sparked allegations of political motivation and prompted hundreds of residents to demonstrate immediately. However, the NCA maintains that it is merely enforcing the licensing regulations, stating that the action was taken after multiple reminders to the station were disregarded. The Authority also noted that similar measures have been taken against other radio stations nationwide.

On February 28, 2024, the ECOWAS Court of Justice [ruled](#) in favour of Mohamed Morlu, a Sierra Leone citizen, ordering the government of Sierra Leone to pay him \$25,000 in compensation. Morlu had sustained gunshot wounds during a police crackdown on demonstrating students in March 2017.

The court found the Sierra Leonean government guilty of violating Morlu's fundamental human rights and ordered it to cover the costs of any surgery needed to remove the bullet still lodged in Morlu's abdomen. Additionally, the government was tasked with investigating the incident to identify and prosecute the officers responsible for shooting

Morlu, and to implement measures to properly train law enforcement officers in crowd control.

On February 24, 2024, the National Communications Authority (NCA), a Ghanaian media regulatory body, [announced](#) the closure of four broadcast stations - *Bawku FM*, *Source FM*, *Zabra FM*, and *Gumab FM* - on “grounds of national security.” The closure follows a history of inflammatory remarks observed by the NCA and other stakeholders, prompting warnings from the National Media Commission (NMC) in 2022 regarding the need for stricter gatekeeping measures. Despite this, the situation persisted, leading to the action by the NCA. However, concerns were raised over the NCA's authority in enforcing ethical standards, with critics arguing that such mandates fall under the purview of the NMC, as outlined in Ghana's constitution.

On February 29, 2024, an unidentified individual [assaulted](#) Maimouna Ndour Faye, owner of Dakar-based *7TV*, outside her home. The assailant ambushed her, stabbing her multiple times and dragging her several metres before leaving her unconscious and covered in blood. The brutal assault took place in the evening, shortly after Maimouna Ndour Faye's regular programme with Farba Ngom, a Member of Parliament and head of propaganda for the ruling party, the Alliance pour la République (APR).

On March 6, 2024, the Senegalese parliament passed an amnesty bill introduced by President Sall to foster national reconciliation and political harmony. Although the bill received a majority of votes, it has faced criticism for being seen as a symbol of impunity, with human rights defenders calling for accountability for instances of police brutality.

On March 14, 2024, Ivorian parliament members convened to discuss a **draft Bill** on electronic communications, slated for final approval in April. The Bill has faced media opposition, particularly due to concerns over Article 214, which imposes severe penalties for intercepting or disclosing electronic messages without consent. This article alters the legal landscape for electronic communications, requiring prior consent for dissemination, except in cases authorized by a judicial body during investigations. Despite opposition, Minister Ibrahim Kalil Konaté argues that the Bill aims to enhance data privacy, protect consumer rights, and expand digital service access for citizens.

On March 18, 2024, President Macky Sall made a significant decision to [absolve](#) Senegal's media outlets of their tax debts, which amounted to over 40 billion CFA francs. Additionally, he announced a reduction in the monthly license fee for television and radio stations.

The cancellation of press debts is part of a broader effort to alleviate political tensions in Senegal. Just a week earlier, authorities had released dozens of detainees, including demonstrators, political leaders, and activists, as the country teetered on the brink of crisis.

The crisis had erupted with the arrest of opposition leader Ousmane Sonko amid suspicions of President Macky Sall's alleged plans to seek a third term in office. Tensions escalated further when the government postponed the presidential elections scheduled for February.

Among the prominent figures released were Ousmane Sonko and his protege, independent presidential candidate Bassirou Diomaye Faye, both pardoned on March 14, 2024. Other detainees were freed on March 18, 2024, as part of the broader peace-building efforts.

Conclusion

The thirty-nine (39) violations recorded in ten (10) countries translate into some four (4) violations in each of the countries featured in the report. The previous quarter (October-March 2024) recorded 39 violations. The level of hostility against journalists and the media as well as citizens expressing themselves either online or offline is alarming and poses a threat to freedom of expression, a key pillar of democracy and participatory governance.

Arrests and detentions, followed by media and internet shutdowns, and physical violence against journalists are the dominant types of violations. These violations severely attack the physical integrity and morale of the victims. A further cause for concern is the near absolute impunity with which the violations were perpetrated. This state of impunity often fuels further attacks on the media and critical activists, with the risk of creating a vicious cycle that could lead to widespread self-censorship.

The fact that state actors such as the security forces and public officers are among the lead perpetrators calls for further reflection on media-state relations. In this regard, the media, governments and civil society in West Africa must work more collaboratively to address the freedom of expression and freedom of assembly issues in the region. To this

end, the MFWA wishes to make the following recommendations for improving the freedom of expression environment in the region.

Recommendations

To Media Organisations and Journalists

- Work with high standards and professionalism at all times.
- Media managers must commit to using all legal means to ensure justice for media persons whose rights are violated in the line of duty.

To Governments in West Africa

- Ensure that both state and non-state actors respect and protect the FOE rights.
- Promote the safety and protection of journalists and media organisations.
- Train security agents to appreciate the work of the media in democratic societies and to collaborate with them.
- Continuously train security agents and provide them with the appropriate crowd control equipment to enable them to control violent crowds without panicking and using lethal force.

To ECOWAS

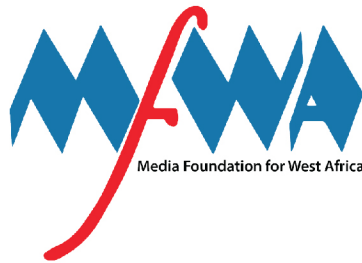
- Hold accountable culprits (both state and non-state actors) of freedom of expression violations through criminal, civil, administrative, or other sanctions to combat impunity.
- Encourage member states to “ensure respect for the rights of journalists” as stated in Article 66 of the ECOWAS Revised Treaty.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

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

- Encourage all Member states, particularly Senegal, Nigeria, Mali and Burkina Faso, to take steps to end the serial violation of FOE rights in these countries.

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

- Call on the governments in West Africa, where severe violations have been recurring to respect and protect freedom of expression rights.
- Include more West African countries in fact-finding missions.



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