



ANALYSIS OF THE IMPACT OF THE SECURITY CRISIS ON FREEDOM OF EXPRESSION AND THE PRESS IN BURKINA FASO

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ABOUT BURKINA-FASO



Burkina Faso or “land of upright men” former republic of High Volta, is a country in West Africa with a surface area of **274,200 km²** and an estimated population of **20,505,155**. It is landlocked and surrounded by six countries: **Niger, Benin, Togo, Ghana, Côte d'Ivoire** and **Mali**.

Its political capital is Ouagadougou, in the centre of the country, and its economic capital is Bobo Dioulasso, in the Hauts Bassins, south-west of the country.

The official working and teaching language in Burkina Faso is French; there are also around sixty national languages, the four main ones being **Moore, Fulfulde, Dioula** and **Bissa**.



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https://web.facebook.com/CeacAfrica6/post/ouagadougouburkina-faso-108103394070126171_sido=1&lc_sld



Photo credit:
<https://www.britannica.com/place/Burkina-Faso>

BACKGROUND AND JUSTIFICATION



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Since its independence on 5 August 1960 until 2015, Burkina Faso has faced a security crisis due to attacks by armed groups in several areas. The country has known four democratic regimes and six military regimes due to poor governance based on corruption, embezzlement and misallocation of the country's resources, as well as the plundering of subsoil resources since the discovery and exploitation of gold in 2004.

In 2022, this situation led to a crisis characterised by political upheaval and growing insecurity, which are threatening the very foundations of the country's democracy. The rise to power of a military government, justified by the need to combat the jihadist threat, has led to profound changes in the country's media and civic landscape. As a result, freedom of expression and the right to an independent press, both essential to the proper functioning of a democratic society, are under severe threat.

This analysis of the situation brings to light fundamental issues concerning the comprehension and enforcement of the applicable legal texts. Although Burkina Faso has a legal framework that is supposed to guarantee freedom of expression, the lack of awareness of existing rights and the arbitrary application of these laws are hindering their effectiveness. Faced with rising tensions, the authorities are passing restrictive laws which, instead of protecting fundamental rights, are often used as instruments of

censorship. This paradox raises crucial questions about society's ability to access free and diversified information.

In this environment, journalists and citizens find themselves in a vulnerable position, where the risk of intimidation and reprisals drives them to self-censorship. Hate speech, often encouraged by political figures, aims to discredit the media and silence critical voices, thereby exacerbating social divisions.

Faced with this worrying reality, we will analyse the impact of freedom of expression and of the press in Burkina Faso, given that freedom of expression and of the press is one of the four fundamental principles of a good democracy.



I. STATE OF FREEDOM OF EXPRESSION AND OF THE PRESS

I.A Legal and regulatory framework



Burkina Faso has a legal framework that guarantees freedom of expression. However, these rights are subject to restrictions that can be interpreted extensively by the authorities, especially during periods of crisis. Although the existing legislation is theoretically protective, it is often circumvented by repressive measures. The control exercised by the Conseil supérieur de la communication (CSC) is also becoming increasingly centralised.

On 21 November 2023, the 70 members of parliament unanimously voted in favour of a law-making sweeping changes to the institutional structure of the CSC¹. This legislation gives the Head of State the power to directly appoint the President of the CSC, a prerogative that previously fell to the Board of Advisors. Furthermore, article 34 of this law stipulates that 'the vice-president is appointed by decree in the Cabinet on the proposal of the president of the Conseil supérieur de la communication'. This new law has broadened the scope of the CSC's powers. The new legislation extends the CSC's authority to content posted by bloggers, web activists and influencers, enabling the regulatory body to supervise social media, in particular Facebook accounts and pages with a minimum of 5,000 subscribers. This measure comes at a time when the

authorities are seeking to control the dissemination of information on platforms deemed critical.

Article 55 of the new law gives the CSC search powers, allowing it to seize equipment and close down facilities. In addition, article 63 gives it the power to suspend broadcasting activities and to withdraw press cards temporarily or permanently. Such prerogatives raise concerns about the risk of abuse of power and potential censorship of the media.²

Despite efforts by Communication Minister and government spokesman Jean-Emmanuel Ouédraogo to appease media professionals by asserting that 'journalists have nothing to worry about, as long as they respect the regulations and their work does not harm the reputation of individuals or national cohesion', professional media organisations perceive this new legislation as a serious threat to media independence and the safety of journalists in a country already facing multiple security crises. Le cadre juridique théorique garantit la protection de la liberté d'expression et de la presse, mais la réalité sur le terrain est marquée par une répression croissante et une autocensure alarmante parmi les journalistes et les citoyens, illustrant ainsi l'écart entre les droits proclamés et leur application effective.

¹Afrique de l'Ouest: Le Burkina Faso place le Conseil de la communication sous l'autorité du président et inquiète les journalistes - allAfrica.com
²RAPPORT SUR L'ETAT DE LA LIBERTE DE LA PRESSE 2023 AU BURKINA FASO

I. STATE OF FREEDOM OF EXPRESSION AND OF THE PRESS

I.B Repression and self-censorship

The precarious security situation has strengthened government control over the national press, while at the same time intensifying the crackdown on the international press. Since the takeover by the military in 2022, there has been systematic repression of dissenting voices, journalists and civil society players. Arrests, kidnappings and intimidation have become frequent, creating a climate of fear that drives journalists to self-censorship. Hate speech against the media and government critics is on the rise, limiting journalists' ability to do their job independently.

In late December 2022, Jean-Emmanuel Ouédraogo ordered the *'immediate suspension until further notice'* of *Radio France Internationale (RFI)*, accusing it of having relayed an *'message of intimidation'* attributed to a *'terrorist leader'*. Similarly, on 27 March 2023, a communiqué signed by the same minister announced the suspension of France 24 television. On 23 March 2023, the president of the transition, Ibrahim Traoré, issued a solemn warning to journalists and the media, stating: *'Those who imagine they can remain in the shadows, whether inside or outside the country, while continuing to provide information and communicate for the benefit of the enemy, will have to face the consequences.'*

Following this announcement, repressive measures rapidly intensified. On 27 March 2023, the France 24 news channel was suspended *'until further notice'*. On 1 April, the Burkinabe authorities expelled the French journalists Agnès Faivre and Sophie Douce, correspondents for the daily newspapers *Libération* and *Le Monde*. On 12 August 2023, OMEGA radio station was also suspended for broadcasting an interview in favour of Mohamed Bazoum, the former president of Niger, who was overthrown by a putsch on 26 July 2023.

Since 2022, there has been growing hatred of journalists and the media, who are being accused of serving the interests of the *'imperialists'* and being their *'local accomplices'*. This situation has led the International Federation for Human Rights (FIDH) to state that *'The threats to freedom of expression and freedom of the press are very alarming in Burkina Faso. The measures taken by the authorities in this country, especially in recent months, are likely to infringe upon the fundamental right to information of citizens.'*

While repression and self-censorship continue to hinder freedom of expression, recent cases of kidnappings and violations of fundamental rights reveal a worrying escalation of violence against critical voices, underlining the urgent need to defend those who dare to challenge the imposed silence.



I.C Abductions and Human Rights Violations



“No one can be deprived of their liberty unless they are prosecuted for acts provided for and punishable by law. Similarly, no one can be arrested, detained or deported except by virtue of the law.”³

Violations of freedom of expression and of the press have taken a turn for the worse since 2022, whereas previous years had already seen various forms of threats such as assassinations, kidnappings, ransacking of media outlets by terrorists, acts of intimidation and death threats.

Since September 2022, there has been a concerning rise in hate speech directed at journalists and leaders of civil society organisations. Death threats, intimidation and public insults on social media have multiplied. Individuals claiming to be firm supporters of the transitional government called for the assassination of specific individuals or for their homes to be set on fire. Yet Article 2 of the Constitution stipulates that it ‘protects life, safety and physical integrity’, while Article 3 states that *“no one may be deprived of liberty unless they are being prosecuted for acts stipulated and punished by law. No one may be detained, deported or exiled except by virtue of the law”*.

This raises the question of whether compliance with these laws is guaranteed.

In 2023, the situation deteriorated further, with numerous cases of kidnapping of journalists and activists reported, underlining the seriousness of the crisis. Court rulings, such as that relating to the abduction of KAMBOU Sansan Anselme, a citizen abducted by agents of the National Intelligence Agency on 20 September 2023, show that even when complaints are made, the state’s response is often slow or non-existent. The kidnapping of the renowned lawyer Guy Hervé Kam also highlights the alarming lack of protection for those who dare to express their opinions freely.

In 2024, kidnappings escalated dramatically. Rasmane ZINABA and Bassirou BADJO, members of Balai citoyen, were abducted by unidentified individuals from their homes in Ouagadougou. These individuals, dressed in civilian clothes and armed, took them to an unknown location, leaving their families, loved ones and fellow activists in anguish and uncertainty.⁴

³Article 3 du PROJET DE RAPPORT DU BURKINA FASO ELABORE CONFORMEMENT A L'ARTICLE 29 DE LA CONVENTION INTERNATIONALE POUR LA PROTECTION DE TOUTES LES PERSONNES CONTRE LES DISPARITIONS FORCE en Mars 2024

⁴Burkina : Rasmane Zinaba enlevé par des individus non identifiés - leFaso.net

I. STATE OF FREEDOM OF EXPRESSION AND OF THE PRESS

The current situation in Burkina Faso underscores a worrying climate for freedom of expression and the press, exacerbated by political upheaval and growing insecurity. Despite a legal framework that is supposed to protect these rights, their application is undermined by widespread repression, self-censorship and outright human rights violations. Recent incidents of kidnappings and threats targeting journalists and dissenting voices highlight a troubling rise in violence and a grave threat to democracy. The analysis that follows, delves deeper into the crucial impact of freedom of expression and the press on Burkinabe society, highlighting their fundamental role in preserving democracy, fostering public debate, and defending human rights.



FOCUS : Forced into Silence: The Story of Serge Atiana Oulon and Repression in Burkina Faso



Serge Atiana Oulon, publication director of the newspaper L'Événement, is a symbol of the repression of press freedom in Burkina Faso. In May 2024, he was abducted under ominous circumstances, and his family has not heard from him since. It wasn't until a meeting of the African Commission on Human Rights in Banjul that the Burkina Faso authorities admitted that he had been sent to the battlefield, without providing any further details. Prior to his abduction, Serge Atiana Oulon's L'Événement had revealed a scandal involving the embezzlement of 400 million CFA francs by a captain in the army. He wrote about this in the paper's most recent publications, which led to the suspension of the paper by the Conseil supérieur de la communication (CSC). As a result of this suspension and the kidnapping of its director, the media outlet had to shut down.

II. IMPACT OF THE SECURITY CRISIS ON FREEDOM OF EXPRESSION AND OF THE PRESS

II.A Deterioration of the media landscape

The media landscape has deteriorated considerably since the security crisis began. Journalists face economic pressure and increased insecurity, which limits their ability to investigate and report on sensitive issues. Fear of abuse and intimidation is a major obstacle to covering political events. There is a currently a trend for journalism to align itself with the government in power, creating a situation where those who continue to practise their profession despite the difficulties face find themselves in a situation of insecurity. This deterioration of the media has direct repercussions on access to information for the general public. The concentration of media control and censorship means that citizens are deprived of varied and objective information. The manipulation of information by the authorities compromises the ability of Burkinabè to form an informed opinion on critical issues such as security, governance and human rights. The lack of transparency in official communication also undermines trust between the state and its citizens.

In light of this deterioration in the media and the increasing restrictions on freedom of expression, it is important to highlight the deep anxiety gripping the population, an anxiety fuelled by fear of repression and uncertainty.

II.B Population's concern

In Burkina Faso, freedom of expression is deeply compromised, leading to a climate of mistrust and fear among the population. The events of recent years, marked by political upheaval and growing insecurity, have created an atmosphere in which citizens are reluctant to express their opinions, particularly on sensitive issues such as the governance of the country, security and the crackdown on dissent. This phenomenon of self-censorship manifests itself in many aspects of daily and social life, affecting not only journalists but also ordinary citizens.

Distrust also reigns in social interactions, with people afraid to share their thoughts or criticisms for fear of being misinterpreted or reported. The following comments by a citizen, who expressed his concern about the current situation, illustrate this well: *“The situation in the country is very worrying, we can no longer speak freely and say what we think. We distrust people because we don't know who we are talking to or who is watching us”*. This statement underlines the pervasive feeling that individual opinions could have harmful consequences, both personally and professionally.

Moreover, citizens have seen real cases of people who have dared to express themselves publicly and who have faced retribution. This has a deterrent effect: even those with legitimate concerns are reluctant to speak out, fearing for their safety or well-being. Public debate is restricted, and discussions on crucial issues such as corruption, mismanagement and public policy are often silenced.

Beyond the political consequences, this fear also has a psychological impact on the population. Citizens live in a constant state of stress, which can affect their mental and emotional well-being. The feeling of powerlessness and despair in the face of the situation can also lead to a temporary acceptance of the conditions without trying to change them, which can undermine the social fabric and solidarity within communities.

As this growing fear shapes people's mindsets, it becomes crucial to explore the prospects for the future. By considering reforms and initiatives to restore freedom of expression and strengthen media pluralism, we can chart a course towards a future where citizens feel safe to express their opinions and participate fully in the democratic process in Burkina Faso.

II. IMPACT OF THE SECURITY CRISIS ON FREEDOM OF EXPRESSION AND OF THE PRESS

II.C Prospects

The first key factor is the willingness of the authorities to respect and promote fundamental rights. A proactive approach on the part of those in power, based on respect for constitutional and international agreements, is essential to create an atmosphere of trust and safety for journalists and civil society actors. This means not only putting an end to repressive laws, but also establishing protection mechanisms for those exercising their right to freedom of expression. The introduction of favourable legislative frameworks, accompanied by public policies supporting media diversity, could create an environment conducive to independent and responsible journalism.

The second factor is the mobilisation of civil society. The commitment of local stakeholders and civil society is essential. Human rights organisations, journalists' unions and community actors must play a proactive role in protecting freedom of expression. This can take the form of awareness-raising campaigns on the importance of these rights, training journalists in human rights reporting, and setting up support mechanisms for victims of repression.

In addition, creating an environment conducive to dialogue, i.e. working to establish an environment where dialogue and

constructive criticism can flourish, even in times of crisis. This requires initiatives to promote tolerance and plurality of opinion. Spaces for dialogue, such as community forums, awareness-raising workshops and public consultations, can encourage citizen participation and strengthen ties between authorities and civil society. By cultivating a climate of trust, these initiatives can encourage public debate and the peaceful resolution of conflicts.

Last but not least is the resilience and commitment to innovation of the media. The resilience of the media against repression and instability will be crucial to the future of freedom of expression. Journalists must develop new and innovative strategies to continue to inform the public while protecting themselves. This could include using digital platforms to circumvent censorship, establishing collaborations with foreign media to share information, and creating support networks between journalists. By developing ethical and responsible journalism practices, Burkina Faso's media can strengthen their credibility and impact.

Support can also be given to the many Burkinabè journalists in exile so that they can continue to produce quality information about Burkina Faso to counter propaganda.



CONCLUSION



The defense of freedom of expression and of the press in Burkina Faso is not only a question of human rights, but also a democratic imperative. The issues at stake affect the country's stability and future, and it is essential that all players - government, civil society organisations, the media and citizens - work together to build an environment in which everyone can express themselves freely and safely. The road to a more open and democratic society is full of challenges, but it is also full of opportunities to build a future where diverse voices are heard and respected for a peaceful social context.

Media Foundation for West Africa
Aar-Bakor Street, Ogbojo

 +233 (0) 302 555 327

 @TheMFWA

 Media Foundation for West Africa

 info@mfw.org

 www.mfw.org