

Freedom of Expression Monitor Monitor for West Africa



WEST AFRICA FREEDOM OF EXPRESSION MONITOR

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Executive Summary

The Media Foundation for West Africa (MFWA) has been working to foster press freedom and enhancing media development to strengthen the media's critical role in supporting good governance throughout the sub-region. Through its freedom of expression initiatives, the MFWA tracks and reports on issues related to press freedom and the right to free speech, including the right to protest. The organisation records instances of violations and threats to media freedom and civic spaces, while also engaging in advocacy to improve freedom of expression across West Africa.

In recent years, threats to human rights, especially press freedom, have become more pronounced. The rise of armed insurgencies and terrorist activities in the Sahel region, particularly, in Burkina Faso, Mali, Niger, and northern Nigeria, has led to the enactment of restrictive laws that shrink civic spaces and weaken press freedom. Moreover, military coups in Mali, Niger, Guinea, and Burkina Faso have further stifled the environment for press freedom.

Since 2014, the MFWA has been compiling and analysing data from its monitoring activities into quarterly reports known as the West Africa Freedom of Expression Monitor. These reports are guided by international, regional, and sub-regional human rights frameworks that most West African countries have acceded to or signed.

This edition of the West Africa Freedom of Expression Monitor highlights findings from the monitoring and tracking of freedom of expression (FOE) violations and other significant developments during the fourth quarter of 2024 (October-December 2024).

During this period, a total of 35 incidents of freedom of expression violations were documented. This represents a 12,5% decrease compared to the previous quarter (July-September 2024), which saw 40 violations. Regrettably, most of the reported violations remained unresolved at the time this report was compiled.

Ghana recorded eight violations, the highest during the quarter. Nigeria, Mali and Guinea followed with four violations each. Cote d'Ivoire and Senegal recorded three violations each, while Guinea-Bissau, Sierra Leone and Niger recorded two violations each. Burkina Faso, Togo, and Mauritania recorded one violation each.

Seven different types of perpetrators were responsible for the 35 violations. Security agents accounted for 15 violations, representing 43% of the total violations. State/Public Officials were responsible for six violations (17%), while Other Individuals and Media

Regulatory Bodies were behind with four (11%) violations each. The Courts, Organised Groups and Political Party Affiliates committed two violations each (6%).

Introduction

Freedom of the press and freedom of expression are the backbone of any functioning democracy. They foster transparency, enable citizens to hold power to account, and empower citizens with the information they need to make informed decisions. These freedoms enable all citizens, including journalists who are uncovering corruption; and activists advocating for sustainable environment; to express their views without fear. Recognising the importance of these freedoms, every nation in West Africa has committed to upholding these rights by ratifying key international treaties, such as the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights (ACHPR). These frameworks guarantee the right to free expression, peaceful assembly, and access to information. Article 9 of the African Charter, for example, explicitly states that every individual has the right to receive information and express and disseminate their opinions within the law, while Article 11 protects the right to assemble freely with others.

Despite these commitments, the reality on the ground tells a different story. Across West Africa, freedom of expression is under siege. In the Sahel region, where countries like Burkina Faso, Mali, and Niger battle with armed conflicts and military takeovers, dissent is stifled, and the press is silenced. Even in Benin, Senegal and Ghana, long celebrated as bastions of democracy and human rights, there has been a worrying erosion of these freedoms.

Violations take many forms. Journalists and activists are killed, threatened, assaulted, or arbitrarily arrested or detained. In other instances, perpetrators resort to Strategic Lawsuits Against Public Participation (SLAPP) and crippling fines to silence dissent. The perpetrators of such crackdowns are often those in positions of power - government officials, security forces, political party fanatics and influential individuals - who use their authority or affiliation with those in power to suppress criticism and maintain control.

In recent years, these repressive tactics have grown more sophisticated, with digital surveillance, forensic searches, and the hacking of devices becoming increasingly common tools to intimidate and silence.

The above-mentioned examples highlight the urgent need for vigilant monitoring, fact-based reporting, and sustained advocacy to hold governments accountable and protect the voices of the vulnerable.

It is in this light that the Media Foundation for West Africa (MFWA) continues its vital work. For years, the organisation has been promoting press freedom and free expression, monitoring violations, documenting abuses, and advocating for change. Through its efforts, the MFWA highlight the gaps that exist between the promises made in constitutions and international treaties and the harsh realities that journalists, activists, and ordinary citizens face. Its findings are shared through alerts, statements, and its quarterly Freedom of Expression Monitor, which serves as a tool for advocacy and policy interventions.

This report is the Freedom of Expression Monitor for the fourth quarter of 2024 (October-December 2024). It presents findings of daily monitoring conducted throughout the 16 countries in West Africa during the reporting period. It sheds light on some of the developments and challenges in the press freedom and freedom of expression landscape across the region.

Methodology

This report is compiled using data gathered from the MFWA's own monitoring and monitoring reports received from MFWA's correspondents in the various countries in West Africa. To complement the monitoring reports from the MFWA and its correspondents, FOE developments reported by MFWA's partner organisations, the media and other human rights organisations that work in the region are integrated into the report.

Reports from the daily monitoring by the MFWA, its correspondents and partners, as well as other stakeholders as detailed above, are published as *Alerts* to draw attention to the issues identified for remedial action. This report, the Freedom of Expression Monitor (The Monitor), is, however, a quarterly publication that collates and analyses the Alerts issued from October to December 2024. It also highlights other significant developments regarding civic liberties in the region. The Monitor serves as an advocacy material for the promotion, defence and protection of media and freedom of expression (offline & online) rights.

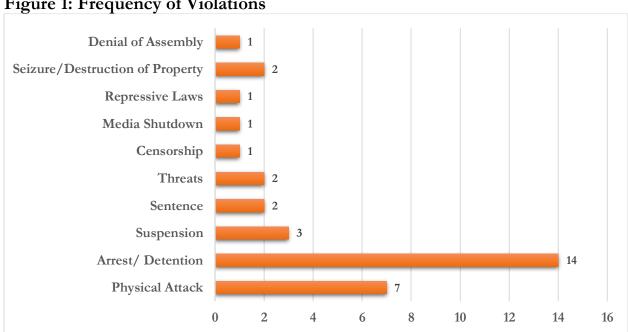
The report is guided by the UNESCO Journalists' Safety Indicators. Specifically, the safety and impunity statistics indicators informed the coding of the violations.

Findings

The findings of the October-December 2024 edition of The Monitor are presented under the following key subheadings: incidents of freedom of expression violations recorded; countries and incidents of FOE violations; perpetrators of the violations; and the targets of the abuses. Additionally, the report highlights other notable developments during the quarter, offering a comprehensive overview of the state of FOE in West Africa over the three-month period. It concludes with a series of recommendations aimed at fostering a more progressive and inclusive media landscape in the region.

Incidents of FOE Violations

A total of 35 FOE violations were recorded during the monitoring period (October to December 2024). The 35 violations were made up of eight different types of violations. Arrests/detentions and physical attacks were the dominant types of violations, occurring eleven and five times respectively. Figure 1 below presents all the violations recorded and their respective frequencies:



Countries and Incidents of Violations

A total of eleven countries recorded the 35 FOE violations during the quarter. In Guinea and Ghana, which recorded the most violations, at least six journalists were physically assaulted or arrested, while three media houses were shut down in Mali, Niger and Burkina Faso.

In Guinea-Bissau, a peaceful vigil organised by students turned into a nightmare, with the police violently repressing the protest. At least six students were arrested and two journalists assaulted. A summarised narration of all the violations recorded during the quarter under review can be found <u>here</u>.

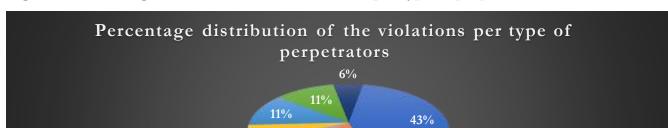
In Table 1 below, the frequency of FOE violations recorded in each of the eleven countries is presented. It also features the different types of violations recorded in the respective countries cited.

Table 1: Countries and Types of Violations

	Types of Violations										
Country	Physical Attack	Arrest/ Detention	Suspension	Sentence	Threats	Censorship	Media Shutdown	Repressive Laws	Seizure/ Destruction of Property	Denial of Assembly	Total
Nigeria		3								1	4
Guinea-Bissau	1	1									2
Sierra Leone		1			1						2
Mali		1		1			1	1			4
Niger		1	1								2
Burkina Faso			1								1
Guinea	1	2		1							4
Senegal	1	1				1					3
Togo			1								1
Ghana	4				1				3		8
Mauritania		1									1
Cote d'Ivoire		3									3
Total	7	14	3	2	2	1	1	1	3	1	35

Perpetrators of Violations

The 35 violations recorded over the three-month period were carried out by seven categories of perpetrators. Security agents accounted for 15 violations, while State/Public Officials accounted for six violations. Organised Groups, Media Regulatory Bodies, The Courts and Political Party Affiliates accounted for the remaining 14 violations as illustrated in Figure 2 below.



17%

■ The Courts

Organised Group

■ Political Party Affiliates

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

6%

■ Media Regulatory Bodies ■ Other Individuals

6%

■ State/Public Officials

During the quarter under review, security agents emerged as the primary perpetrators of freedom of expression (FOE) violations, committing at least one violation in each of the countries featured in this report, except for Niger, Burkina Faso, and Togo. They were responsible for 15 out of the 35 violations recorded, with the majority of the violations being in the form of arrests, detentions and crackdown on protests.

Table 2: Countries and Perpetrators

■ Security Agents

	Perpetrators								
Country	Security Agents	State/Public Officials	The Courts	Political Party Affiliates	Media Regulatory Bodies	Other Individuals	Organised Group	Total	
Nigeria	3	1						4	
Guinea- Bissau	2							2	
Sierra Leone	1	1						2	
Mali	1		1		2			4	
Niger		2						2	
Ghana	2					4	2	8	
Burkina Faso					1			1	
Guinea	1	2	1					4	
Senegal	1			2				3	
Togo					1			1	
Mauritania	1							1	
Cote d'Ivoire	3							3	
Total	15	6	2	2	4	4	2	35	

Targets/Victims of Violations

The 35 violations documented targeted four distinct groups. Out of the 25 violations, 21 were directed at journalists and media workers, four at media organisations, three at protesters and seven at other individuals. In terms of direct victims, 20 journalists and media workers; four media houses; and 79 individuals, primarily protesters and other civilians, were directly impacted. However, the monitoring could not account for the number of indirect victims who may have been affected by these violations.

That said, it is worth noting that the exact number of direct and indirect victims of violations such as crackdowns on protests, shutdown of media outlets, repressive laws and internet shutdowns cannot be established. A violation such as the shutdown of a media outlet will directly affect its audiences (which can only be estimated) as they will be denied access to information, and its journalists and other workers. However, the dependants of those journalists and other media workers whose salaries would be affected because of the action may not be captured numerically in the analysis.

Table 3 below illustrates the distribution of violations and victims, as well as the specific targets in each of the respective countries.

Table 3: Targets and frequency of violations suffered

	Targets and Frequency of Violations suffered										
Country	Journalists/Media Workers	Media Organisations	Protesters	Other Individuals	Total						
Nigeria	1		2	1	4						
Guinea-Bissau	1		1		2						
Sierra Leone	2				2						
Mali	1	1		2	4						
Niger	1	1			2						
Burkina Faso		1			1						
Guinea	4				4						
Senegal	3				3						
Togo		1			1						
Ghana	8				8						
Mauritania				1	1						
Cote d'Ivoire				3	3						
Total	21	4	3	7	35						

Redress for Violations/Impunity

The UN Plan of Action for the Safety of Journalists emphasises the importance of preventive measures. However, the response of authorities to FOE violations is equally critical in demonstrating their commitment to safeguarding journalists and upholding the right to free speech. Regrettably, violations against FOE often go unaddressed, with little to no redress in the form of reparations or accountability. For example, during the quarter under review, only two out of the 35 FOE violations cited received some form of redress.

In Senegal, on November 25, 2024, journalist and political analyst Adama Gaye was granted provisional release after being charged with spreading false news in connection with a case surrounding the death of Mamadou Moustapha Ba, former Minister of Finance and Budget. The journalist was accused of having publicly stated, during a program broadcast on Sen TV that the former minister had been "killed". Ba's death remains unexplained, despite previous claims of natural causes. Authorities accuse Gaye of fuelling rumours that could disrupt public order, while the journalist, known for his controversial views, says he is being targeted to silence his freedom of expression. Gaye's release, while a positive development, has not alleviated general concerns about the shrinking civic space in Senegal.

Mali's media regulator, the Haute Authorité de l'Audiovisuel et de la Communication (HAC), reduced to a six-month suspension an initial indefinite ban on Joliba TV. The change in the HAC's decision occurred on December 17, 2024, following press freedom organisations' advocacy, negotiations and an apology from Malian media associations. The media regulator revoked the TV station's license on November 26, 2024, after the station aired comments deemed critical of Burkina Faso's government. The suspension followed a complaint from Burkina Faso's media regulator, the Conseil Supérieur de la Communication (CSC), which accused Joliba TV of discrediting its government by questioning claims of a foiled coup attempt.

Other Key FOE Developments

The freedom of expression landscape in West Africa was also shaped by a series of events that are worth mentioning. In a positive development, Mauritania's government

announced plans to regularise contract journalists, aiming to provide greater stability and recognition for media professionals. On October 30, 2024, Communication Minister, Houssein Ould Medou, stated that a commission had been established to address the issue in collaboration with relevant ministries and trade unions. This initiative is seen as a step toward improving working conditions for journalists in the country.

On December 13, 2024, the Institute of Information, Communication and Arts Sciences (ISICA) at the University of Lomé, in partnership with the Togolese Media Observatory (OTM), <u>organised</u> a webinar titled "Freedom of Expression and Professional Obligations of Journalists." The event was part of the project "Promoting Freedom of Expression and Media and Protecting Human Rights Defenders in Togo," financially supported by the European Union.

Discussions focused on balancing journalists' freedom of expression with their professional responsibilities, especially in the context of the increasing use of digital tools for information gathering and media monitoring. They also addressed challenges posed by new technologies, which, while facilitating access to information, require increased vigilance regarding source verification and the dissemination of reliable content.

In Burkina Faso, three journalists - Serge Oulon, Adama Bayala, and Kalifara Séré - who went missing in June 2024, have been confirmed to have been conscripted into the army. Their whereabouts had remained unknown until the Burkinabe government admitted this on October 24, 2024, at a session of the African Commission on Human and Peoples' Rights (ACHPR).

Séré disappeared after being questioned by the media regulator, the CSC, over critical comments he made on a TV show. Bayala vanished after leaving his office, and Oulon was abducted by individuals claiming to be from the National Intelligence Agency. While it is a relief that the journalists are alive, their forced conscription is unjustifiable, and they must be released. The fate of a fourth journalist, Alain Niozè Traoré, remains unknown since his abduction in July.

On October 25, 2024, the Gambia Press Union (GPU) expressed deep concern over defamation lawsuits filed by President Adama Barrow and Environment Minister Rohey John Manjang against two newspapers. Minister Manjang's lawsuit against The Alkamba Times and reporter Kebba Ansu Manneh seeks damages of D50 million (about USD694444) over a story alleging her involvement in illegal transactions of seized logs.

The GPU warned that such legal actions could undermine press freedom and lead to self-censorship among journalists. The union called on the officials to withdraw the suits and encouraged the use of the Media Council of The Gambia for dispute resolution.

On November 4, 2024, representatives from the Gambia Press Union (GPU) and allied media organizations met with President Adama Barrow to discuss pressing issues affecting press freedom in The Gambia. Key topics included the need for media law reforms, the implementation of the Access to Information Act, and support for the Media Academy for Journalism and Communication (MAJaC). During the meeting, President Barrow agreed to withdraw a defamation lawsuit he had filed against The Voice Newspaper and its Editor-in-Chief, Musa Sheriff. President Barrow's suit targets The Voice Newspaper following a report alleging he had chosen a successor as part of an exit plan. The media delegation also highlighted the importance of securing a plot of land for the GPU to enhance its operations and sustainability. The engagement highlighted a collaborative effort to strengthen democracy and uphold press freedom in the country.

In response to the rising trend of legal harassment against journalists and activists in West Africa, the MFWA has <u>established</u> the West Africa Network of Activists and Media Defence Lawyers (WANAMDEL). Launched on October 9, 2024 in Accra, the network comprises 14 experienced lawyers from 11 West African countries, including Senegal, Nigeria, and Ghana, who provide pro bono legal support to those under threat. The initiative aims to offer timely and effective legal assistance, ensuring the protection of press freedom and civic space across the region.

Alongside WANAMDEL, the MFWA organised a regional Forum on the Law and Freedom of Expression, bringing together legal experts, journalists, and activists to address challenges to press freedom and explore ways to combat judicial harassment and restrictive laws. Additionally, the MFWA conducted country-specific workshops, training 262 journalists on avoiding legal pitfalls and defamation suits. These efforts collectively aim at strengthening legal defence mechanisms, equipping journalists and activists with the tools to safeguard their work and upholding freedom of expression in West Africa.

Conclusion

Between October and December 2024, a total of 35 FOE violations were documented in eleven countries. The most common violations included arrests and detentions, physical attacks, and the suspension of media outlets. The impact of such violations on the physical safety and morale of victims is immeasurable and often leads to self-censorship. Despite the severity of these violations, impunity remains pervasive.

The culture of impunity emboldens perpetrators, leading to further attacks against journalists, media organisations, activists, and other dissenting voices. Such a cycle of repression fosters a climate of fear, which risks encouraging widespread self-censorship and undermining democratic values and norms in the region. The prominent role of state actors, particularly security forces and public officials, as the main perpetrators of these abuses further exacerbates the prevailing impunity.

In light of the findings outlined in this report, the Media Foundation for West Africa (MFWA) puts forward the following recommendations to foster a more enabling environment for freedom of expression in the region. These recommendations aim to address the challenges identified and promote greater accountability, protection, and respect for FOE rights across West Africa.

Recommendations

To Governments in West Africa

- Uphold constitutional and international commitments to press freedom and freedom of expression.
- Advocate for the safety and protection of activists, and journalists and media organisations.
- Ensure that both state and non-state actors respect and protect FOE rights.
- End the practice of forced conscription of journalists and ensure the safe return of those who have been abducted.
- Repeal or amend restrictive laws used to suppress activism and journalism, including defamation and cybersecurity laws weaponised against journalists.
- End arbitrary arrests, detentions, and attacks on activists and media professionals and hold perpetrators accountable.
- Guarantee that those responsible for violations of FOE rights are held accountable, and that victims receive adequate reparation.

- Ensure the independence of media regulatory bodies and prevent politically motivated sanctions against media outlets.
- Engage with media stakeholders, including press unions and civil society organizations, to resolve disputes and address concerns about press freedom

To ECOWAS

- Hold accountable perpetrators of freedom of expression violations (both state and non-state actors) through civil, administrative, or other sanctions to address impunity, in accordance with the Supplementary Act A/SP. 13/02/12 on Sanctions Against Member States that Fail to Honour Their Obligations to ECOWAS.
- Encourage Member States to uphold their commitments under Article 66 of the ECOWAS Revised Treaty, which requires them to "ensure respect for the rights of journalists."
- Impose and enforce sanctions on Member States that repeatedly violate statutory obligations to protect press freedom and freedom of expression.
- Collaborate with military authorities in Mali, Burkina Faso, Niger, and Guinea to ensure the respect of FOE rights and facilitate a return to constitutional governance, thereby preventing any further human rights violations, including infringements on the rights to expression, association, assembly, and access to information.

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

- Encourage all Member states, particularly Nigeria, Mali, Guinea-Bissau, Guinea and Burkina Faso, to take steps to end the serial violation of FOE rights in their respective countries.
- Increase diplomatic pressure on governments to uphold press freedom, FOE and human rights commitments.

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

- Urge the governments of West African countries, including Nigeria, Mali, Guinea-Bissau, Guinea and Burkina Faso where severe violations have been recurring to uphold, respect, and protect freedom of expression rights in line with their national and international obligations.
- Increase diplomatic pressure on governments to uphold press freedom, FOE and human rights commitments.

To the Police, Military and other Security Agencies:

- Cease all forms of violence and intimidation against activists, journalists and media professionals.
- Investigate and prosecute security officers responsible for attacks and unlawful arrests of activists and journalists.
- Provide specialised training for law enforcement officers on press freedom and human rights.

To Media Organisations and Journalists

- Uphold the highest standards of professionalism.
- Media managers must be committed to utilising all legal resources to ensure justice for media professionals whose rights are violated in the course of their work.



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