

Arusha Declaration World Press Freedom Day 2022

AFRICA MEDIA CONVENTION: JOURNALISM UNDER DIGITAL SIEGE

We, the participants at the Africa Media Convention - World Press Freedom Day, held in Arusha Tanzania, 1-3 May 2022 acknowledge the state of the media in Africa in reference to this year's theme and make recommendations to the media stakeholders as follows:

Appreciate the focus of WPF2022 theme on the complex and restrictive impact of digital siege on journalists and human rights defenders;

Acknowledge that journalists are often the soft targets of surveillance, as big data collection and the negative impact of artificial intelligence (AI) on the work of the media, which erodes the rights to freedom of expression and opinion, access to information, assembly and association and to political participation;

Recognise the urgent need for enhanced collaboration between the media in Africa, governments, internet intermediaries, private and public sectors, civil society, national and regional human right bodies and researchers to mitigate against the effects of the digital siege on journalism and the media, and

Resolve to collectively deliberate on and submit multistakeholder solutions to the challenges facing the media in Africa;

Recall the content of the Declaration of Principles on Freedom of Expression and Access to Information in Africa, 2019 that affirm the principles for anchoring the rights to freedom of expression and access to information in conformance with Article 9 of the African Charter, which guarantees individuals the right to receive information as well as the right to express and disseminate information;

Reaffirm support to Aspiration 3 of Agenda 2063: The Africa We Want, which envisions "an Africa of good governance, democracy, respect for human rights, justice and the rule of law";

Commit to the achievements of the Sustainable Development Goal (SDG) Target 16.10 which calls on States to "ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements";

Appreciate that all Member States of the United Nations have further recognised the importance of safety of journalists by including the issue as a global indicator to assess progress of SDG target 16.10 "Public access to information and fundamental freedoms in accordance with national legislation and international agreements";

Recognise that respect of fundamental freedoms, including the right to freedom of expression, including press freedom, is a necessary element to a safe, inclusive and conducive environment for electoral participation;

Reaffirm the central importance of freedom of expression, a free, independent, pluralistic and safe media, and respect for democratic principles, to promoting peace and reconciliation, including in societies suffering from conflict;

Note that although numbers have decreased in comparison with the previous five-year period, the risk of violence, and even murder, remain persistent threat.

However, the media stakeholders attending the African Media Convention in Arusha are deeply concerned that:

1. Governments in some African countries have initiated restrictive several measures, including the enactment of laws and policies aimed at controlling and regulating the use of ICT, enabling the surveillance and interception of communication, registering and licensing online content producers, and limiting the use of encryption with a negative impact on the practice of journalism and the safety of journalists in Africa.
2. Several African countries have enacted laws and adopted policies that adversely impact privacy, particularly those that facilitate surveillance and the collection of biometric data, as well as those that prohibit the use of encryption. Many of the laws contain retrogressive provisions that leave scope for intrusion, including enabling state surveillance with limited safeguards.
3. Criminalisation of free speech online notably through laws that purportedly aim to fight “fake news” and “false news”, requirements for digital media and independent content creators to be licenced and to pay annual fees, coupled with the intimidation, arrests and prosecution of journalists and online content creators, present key concerns.
4. In many African countries, the laws passed to address the phenomenon generally known as “false news” or “fake news” are broadly worded and to date have solely been used to clamp down on the legitimate expression and operations of political dissenters, journalists and independent content producers.
5. With the growth of online communities, many countries in Africa have reacted by enacting laws, policies and directives that require the registration and licensing of online content producers. The registration and licensing requirements stipulate fees for both registration and renewal of the licenses and provide punitive measures for non-compliance.
6. Across the continent, several journalists and online content creators have been arrested, detained and some prosecuted for their online activities. The authorities have largely relied on the retrogressive provisions within the enacted cyber laws and or penal codes.
7. In many Sub-Saharan African countries, persecution of journalists has ascended to digital platforms and online harassment has become a new way for governments to attack and censor journalists who are targeted using trolls

and fake accounts.

8. These attacks take on menacing forms when women journalists are specifically targeted as the online attacks take the form of gendered and sexualized attacks and often involves body shaming. While this threat is widespread and is hindering press freedom, it is rarely acknowledged.
9. Several African countries in a bid to regulate online communication have enacted laws and policies that require journalists to reveal their sources. Not only do these weaken whistleblower protection policies but the fact that law enforcement agencies can legally monitor and intercept private communication between journalists and sources with no oversight mechanisms contravenes constitutional guarantees. These supposedly legitimized but unjust actions has negatively hindered the work of journalists in cultivating strong sources has forced some sources to develop cold feet when dealing with journalists.
10. The impact of covid-19 on journalism and journalists in Africa has exacerbated the difficulties faced by the media. These includes challenges of media viability and sustainability, the loss of income for journalists from COVID-enforced layoffs and downsizing and the dwindling of resources for production of quality news and information-
11. What is of concern has been the lack of protective equipment and professional capacitation for the media, especially under-resourced media communities in Africa to safely and competently cover the impact of corona virus in Africa,

Recommendations to the Media in Africa

1. To coordinate with all the African media stakeholders and organise the Africa Media Convention as an annual event in commemoration of the WPFDD to be hosted in an African regional location on a rotational basis.
2. Develop a framework for an effective media coalition to enhance collaborative efforts among journalists, media, professional organizations and CSOs to enhance relationships and promote professionalism, media freedom, safety and security of journalists in Africa.
3. In coordination with all the African media stakeholders, to jointly carry out an annual independent press freedom and safety of journalists assessment based on indicators agreed on, with flexibility of additional focus on emerging issues.
4. The media in Africa should put in place a joint campaign strategy for the revision of repugnant laws in parts of Africa, including criminal defamation and advocate for more self-regulation or co-regulation.
5. To strengthen the African media networks and actively engage in global media programs with a view to exchanging good practices from the different actors.
6. Taking note that the UN Plan of Action on the Safety of Journalists and End to Impunity envisages and encourages the creation of national safety mechanisms following the “three Ps (Prevention, Protection, and Prosecution)”, to establish multistakeholder national and sub-regional coordination

mechanisms by creating strategic alliances with all the different for the safety and security of journalists.

7. Take specific and target for women journalists to safely enter the journalism professional, facilitate their rise up the structural ladder and ensure their meaningful and equitable representation at the annual Africa Media Convention and other media related workshops, conferences and conventions.
8. Partner with and support the strengthening of the digital platform for the safety of journalists in Africa.
9. Prioritise capacity building of journalists including mentorship to ensure those joining the profession possess the right skills that are key to the professionalization of journalism. Special attention to strengthening the capacity and use of community radio, embrace new media business modules, media innovation and new skills for content development.
10. In reporting the covid pandemic and other health related matters, media houses to address the difficulties journalists in Africa face in (a) accessing verified health information and (b) distinguishing misinformation from verifiable facts quickly to prevent further disseminating and legitimising false stories (c) Prioritise journalists safety as front line workers through protection equipment and understanding of the safety protocols in reporting pandemics.
11. Furthermore capacity building of Journalists in required in areas such as:- Innovative reporting techniques (such as the use of WhatsApp, YouTube, and newer entrants such as TikTok), health related data analysis skills, health information interpretation, source verification among others

Recommendation to the civil society

1. Advocate against laws and practices that hamper the ability of journalists to operate safely and freely including in the digital domain.
2. Monitor, report and hold states accountable for their violations of the rights of journalists and independent content creators.
3. Engage in capacity building activities for media and independent content creators.
4. Engage in strategic public interest litigation through collaborative efforts to challenge laws, measures and acts that violate media freedom and safety of journalists.
5. Regularly publish privacy policies and transparency reports and inform users about the collection, use, handling, sharing and retention of their data that may affect their right to privacy.
6. Coordinate with the media stakeholders and engage with legal practitioners to analyze laws and regulations that need judicial interpretation through public interest litigation. This allows for testing the application of the law and constitutional guarantees on the right to participation. The judicial interpretation should focus on specific provisions of the law to show how they affect the right to participation as provided under the Constitution.

Recommendations to the African Union and its Bodies and Recs

1. Popularize the existing mechanism by the African Commission for Human and People's Rights (the Commission) Special Rapporteur on Freedom of Expression and Access to Information in Africa for regularly gathering the reports on freedom of expression and freedom of the media violations
2. Popularize the mechanism by the African Court to allow individuals, therein the journalists, to file cases on violations of media freedoms.
3. Establish a mechanism for the African Media stakeholders to address the AU Security Council on matters related to journalists safety and violations of the freedoms as presented in national, regional and international legal instruments;
4. Strengthen the engagement between the African media networks and the AU bodies mandated to support and defend freedom of expression, press freedom, access to information and the safety of journalists.
5. Recommend a joint and holistic capacity media programme between the African Union, the African Media Stakeholders, UNESCO and other media development partners, within the framework of Agenda 2063 and 2030 (Media for Agenda 2063 and 2030)

Recommendations to the African Governments

1. Repeal, amend or review existing laws, policies and practices on surveillance, interception of communication and biometric data collection, and limitation on the use of encryption to ensure compliance with the established international minimum standards on human rights.
2. Establish legal actions to prevent and prosecute illegal surveillance of journalists, both by public and private parties, while there should be strengthened legal protection for journalists to keep their sources confidential.
3. Take decisive measures to check surveillance and monitoring of journalists' communications over their legitimate work; and amend national laws and practices on surveillance to ensure compliance with international human rights minimum standards.
4. Support the national, sub regional and continent-wide annual assessments by the African Media stakeholders on press freedom and safety of journalists in Africa for the improvement of policy and operational environment for press freedom.
5. Appoint a focal person within the three arms of the Government as the liaison between the Government and media stakeholders on matters related for safety of journalists

Recommendations to the Media Development Partners

1. Create an African media fund to finance and support media viability given the financial challenges facing most media organizations in the continent. This is necessary to protect the media from political and economic pressures and thus consolidate freedom of the media in Africa.
2. Strengthen the UN Plan of Action for the safety of journalists by ensuring the active engagement of the duty bears at all levels
3. Support long term programmes aimed at strengthening the capacity of African journalists as key partners in the achievement of Agenda 2063 and 2030

4. Support the extend the last-mile AU communication project to the whole of the African Union Communications

Recommendations to Technology Companies

1. Strengthen privacy standards in regard to threats to the right to privacy by digital technologies and practices such as data retention, artificial intelligence, spyware, and arbitrary surveillance.
2. Take strong steps to prevent and eliminate online attacks against journalists, orchestrated campaigns of harassment and intimidation.
3. Intensified measures need to be taken to protect women journalists, who are especially violently targeted online and offline, such as by increasing responsiveness to their situation and developing tools to identify and fight online violence.
4. Strengthen knowledge and capabilities of media in Africa on the role of data-driven journalism and the transparency of digital platforms as catalysts for citizens' fundamental rights.
5. Social media platforms should increase transparency about any actions to stop the spread of disinformation and to promote trustworthy information instead.
6. Put in place measures and systems to enhance fact-checking and information verification and join efforts by government and other sectors to combat disinformation and hate speech
7. Provide digital security training for journalists and invest in boosting the digital resilience of their infrastructure and operations.
8. Big Tech in the media ecosystem who benefit commercially by distributing content from media organisations, to also share in paying for journalism noting that quality journalism is expensive to produce and those who profit from the value created in the news production process to share its cost.