

A COMMUNIQUE ISSUED AT THE END OF A ONE-DAY MEDIA EXECUTIVE STAKEHOLDER CONSULTATIVE FORUM; DEVELOPING A NATIONAL POLICY FOR SAFEGUARDING PRESS FREEDOM AND SAFETY OF JOURNALISTS

Centre for Journalism Innovation and Development

In partnership with the Canada Fund for Local Initiatives (CFLI)

The Colossus Hotel, Ikeja 4 Sheraton Link Rd,

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Preamble

The Constitution of the Federal Republic of Nigeria, 1999 in section 39(1) recognises the right to freedom of expression as an individual fundamental right. However, section 22 undoubtedly gives the press the responsibility of holding the government accountable to the people. Sadly, this provision neither empowers nor protects the media to discharge its duty without any form of encumbrance because it is not justiciable, and therefore cannot be legally enforced.

Over time this has raised the question of whether the freedom of the press should be distinct from the general freedom of speech or expression, while keeping in focus the nature and peculiarity of the work of journalists. Unfortunately, in Nigeria, the prevalent paradigm considers press freedom as deriving from the right to freedom of expression, meaning therefore that the media does not need any special protection. This belief or position, which is regarded as legal, might be the reason why the press continues to operate in a dangerous environment shorn of safety, and with fear of extra-judicial repercussions, devoid of accountability.

For the freedom of the press to be guaranteed, the legal environment needs to acknowledge that although freedom of expression is a universal individual right, there is yet the necessity of a special collective right for journalists.

It was in the light of the foregoing, that the Centre for Journalism Innovation and Development, in partnership with the Canada Fund for Local Initiatives, organised a one-day media executive stakeholder consultative forum, to reassess the press freedom situation in the country and work towards the development of a National Policy for Safeguarding Press Freedom and Safety of Journalists.


Goals

1. To develop a National Policy for Safeguarding Press Freedom and Safety of Journalists to serve as a tool for advocacy for press freedom focussed legislative and judicial advocacy.
2. To foster and strengthen CWPPF collaborative efforts of protecting press freedom by seeking a safe environment for journalists through multi-layered actions to address the multifaceted challenges that cannot be tackled individually.

3. To maximise the power of coalition through strengthened and effective collaboration.
4. To support research and investigations on issues related to the safety of journalists, and to proffer concrete solutions.
5. To build appropriate capacity especially trainings for local actors, including journalists, the security forces, and the judiciary and collaborate with the federal government in developing and enacting legal frameworks favourable to freedom of expression and freedom of information.
6. To raise awareness and sensitise the public, as well as key stakeholders importance of independent and professional journalism to democracy and development

In line with the above goals, the media stakeholders, from various media organisations and institutions across the country, gathered at the Lagos consultative forum held exhaustive discussions on the theme of press freedom and safety of journalists, and agreed to the following:

- I. **To reaffirm** our commitment to press freedom and the safety of journalists, by developing a national policy for safeguarding press freedom and ensuring the safety of journalists.
- II. **To recognise** the wide-ranging health challenges, including injuries, illnesses, and deaths resulting from physical attacks and psychological stress on journalists in the course of their work.
- III. **To demand that** ahead of the 2023 general elections, the issue of the safety of journalists should be considered an emergency that should be on the front burner of national discourse.
- IV. **To consider alarming** the increasing trend in Strategic Litigation against Public Participation Suits (SLAPPs) against the media, intended to weaken its independent operation and burden it till it abandons its duty of holding government accountable.
- V. **To express concern** about the reluctance of journalists and media organisations, to seek redress in court for human rights violations perpetrated against them and giving up, even when legal support is made available to them.
- VI. **To identify** press censorship via anti-press legislations, mob censorship, the cancel culture, and political threats, as some of the most challenging factors affecting the independence of the press today.

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- VII. **To note with trepidation that** during elections, most journalists are on the watch list of security operatives thus making them prone to harassment and intimidation.
 - VIII. **To raise concern that** the trend of attacks on journalists include: arrests, detention, denial of access to information, censorship, hostile regulations like the Cybercrime Act 2015, cyberbullying, the use of state security to threaten newsrooms, SLAPP suits, office raids, equipment seizure and damage, digital surveillance and economic challenges.
 - IX. **To highlight the fact that** of all attacks on the press between 2019- 2022, the cases of physical assault were the highest, and they were particularly traceable to the state and local governments during the 2019 general elections.
 - X. **To observe that** the impact and negative consequences of attacks on journalists and newsrooms include death, endangered families, self-censorship, ethical compromise, mental health issues, reduction in investigative/accountability reporting, suppression of human rights, poor development, and a weak/threatened democracy.
 - XI. **To recognise** that failure to act on the issue of the safety of journalists will result in preventable injuries, deaths, psychosocial threats and reversal of democratic and development gains made, with impacts on future generations.
 - XII. **To emphasise** that an effective response to the issue of press freedom and the safety of journalists requires action and coordination across local, state, and national levels.
 - XIII. **To express** appreciation to the Centre for Journalism Innovation and Development (CJID), with support from Canada Fund for Local Initiatives, for hosting this stakeholders' forum and demonstrating leadership in addressing issues that directly affect press freedom and the safety of journalists, and to all stakeholders for sharing their experiences to illustrate the impacts of and responses to the challenge of press freedom and the safety of journalists, ahead of the 2023 general elections.

Key Demands

The consultative forum urged Stakeholders to:

1. **Advocate** for a review/repeal of all repressive provisions in all relevant laws/policies, and to address the issue of press freedom as the core of our political, economic, and development agenda. Some of these laws include The Cybercrime and Terrorism (Prevention and Prohibition) Act, Section 17 of The Legislative Houses (Powers and Privileges Act) 2017, Section 22 of the Constitution of the Federal Republic of Nigeria 1999, and the National Broadcasting Commission (NBC) Act.

2. **Collaborate to develop** a national policy for safeguarding press freedom and ensuring the safety of journalists.
3. **Keep** a journalists' violators register, which would be published at regular intervals. This would discourage many, especially public office holders, from violating the rights of journalists.
4. **Organise** capacity-building workshops for journalists on media laws and ensure the transfer of knowledge between generations through mentorship. Young journalists need to know that they are not celebrities. Too many times, they put their lives at risk by behaving like celebrities and social media influencers.
5. **Activate** the power of storytelling and documentaries to talk about the issues that affect the press.
6. **Look** into the academic/ educational sector to ensure that Mass Communication/Journalism departments are in tune with the times. Veterans who already have experience should dedicate some time to bringing up the next generation of journalists.
7. **Mitigate** the threats posed by big tech companies, by embracing innovation.
8. **Work** with the judiciary (NJC, JRI and NBA) and the legislature, on what law reviews that can guarantee press freedom should look like.
9. **Maximise** the opportunity of having a new crop of legislators and leaders on the political scene, seeing that new political leaders will emerge after the 2023 general elections.
10. **Facilitate** coordination on and ensure government accountability and transparency in the implementation of court orders. (In the case of Agba Jalingo, judgement has not been enforced, as the fine has not been paid to compensate him. A letter has been written to follow up and ensure the enforcement of the judgement).
11. **Continue to engage** in partnerships with other media organisations, to share experiences and strengthen cooperation for action.
12. **Take** actions to implement the recommendations in this communique and report to the forum on progress, as appropriate.

Urgent Actions

The consultative forum recommended that Stakeholders should take the following urgent actions

1. **Continue** to provide normative guidance and technical support to journalists ahead of the 2023 elections by:
 - a. Organising trainings on safety in reporting elections.
 - b. Equipping journalists with tools of self-defence, such as teaser guns, pepper sprays, etc.
 - c. Providing insurance coverage for journalists who are sent to cover elections.
 - d. **Ensure** quick responses to journalists in distress. This requires designing emergency plans to evacuate journalists from scenes of violence.
2. **Develop** a movement that captures the essence of collective orientation towards defence of press freedom, hence, every media organisation should launch NUJ chapters that contribute to the building of a vibrant union that acts in the interest of journalists.
3. **Support** journalists who demonstrate high ethical principles and values that guide journalism to hold positions in the Nigerian Union of Journalists.
4. **Work** towards setting up a Legal Defence Fund (LDF) to address SLAPP suits and to provide legal support for journalists who seek redress over cases of harassment or rights violations.
5. **Seek relevant legal opinion** ahead of publishing stories that are likely to instigate litigation.
6. **Create** a platform that links journalists and newsrooms to lawyers. (Innovation).
7. **Strengthen** collaboration between CSOs for amplification of investigative reports and for accountability advocacy while newsrooms and journalists continue to focus on journalism.
8. **Deploy** the power of collaboration through cross-publication of investigative reports.
9. **Embark on interface** with law enforcement agencies to talk about the safety of journalists during the 2023 general elections.

Adopted as the outcome statement of the media executive stakeholder consultative Forum; on Press freedom and Journalists' safety.

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