

ACHPR/Res. 468 (LXVII) 2020: Resolution on the Safety of Journalists and Media Practitioners in Africa

The African Commission on Human and Peoples' Rights (the African Commission), meeting at its 67th Ordinary Session held virtually, from 13 November to 03 December 2020;

Recalling its mandate of promotion and protection of human and peoples' rights in Africa, pursuant to Article 45 of the African Charter on Human and Peoples' Rights (the African Charter);

Underscoring that freedom of expression and access to information are fundamental human rights guaranteed by Article 9 of the African Charter, and other regional and international human rights treaties;

Reaffirming the commitment of the African Commission to promote and protect the right to freedom of expression and access to information, in addition to monitoring the implementation of the **Declaration of Principles on Freedom of Expression and Access to Information in Africa** (the Declaration) by the States Parties;

Underscoring Principle 19 of the Declaration which stipulates that the right to express oneself through the media should not be subjected to undue legal restrictions;

Further underscoring Principle 20 of the Declaration which calls on States Parties to guarantee the safety of journalists and other media practitioners and take effective legal and other measures to investigate, prosecute and punish perpetrators of attacks against journalists and other media practitioners, and ensure that victims have access to effective remedies;

Recalling Resolutions **ACHPR/Res.54(XXIX)01** on freedom of expression, **ACHPR/Res.169 (XLVIII)10** on repealing criminal defamation laws in Africa and **ACHPR/Res.185.(XLIX)2011** on the safety of journalists and media practitioners in Africa;

Considering the key role of the media and other means of communication in ensuring full respect for freedom of expression, in promoting the free flow of information and ideas, in assisting people to make informed decisions and in facilitating and strengthening democracy;

Underscoring that criminal defamation and insult laws constitute a serious interference with freedom of expression, which may prevent journalists and media practitioners to practice their profession without fear;

Deeply concerned by the deteriorating situation facing journalists and other media practitioners in Africa, in particular, attacks on them, especially physical attacks and violations of the right to life, kidnappings, threats and intimidation, arbitrary arrest and prolonged pre-trial detention, attacks on media houses resulting in the loss of equipment, among others;

Further concerned by the attacks on journalists and other media practitioners during demonstrations, protests or rallies, in violation of the right to freedom of assembly as stipulated in the Commission's **Guidelines on Freedom of Association and Assembly**;

Alarmed by the increasing reports of attacks against journalists and restrictions to their work, including the closing down of media houses and outlets, since the start of the coronavirus pandemic;

The African Commission calls on States Parties to:

1. Take all necessary measures to uphold their obligations under the African Charter and other international and regional instruments providing for the right to freedom of expression and access to information, and implement the principles in the Declaration;
2. Ensure the safety of journalists and other media professionals, and create a conducive environment for them to practice their profession;
3. Ensure that journalists and other media professionals are protected when covering demonstrations and mass rally and ensure that security officials are trained on this;
4. Repeal criminal defamation laws or insult laws which impede freedom of expression;
5. Review laws related to the guarantee of freedom of expression to ensure that they comply with regional and international standards on freedom of expression;
6. Ensure that the right to express oneself through the media shall not be subject to undue legal restrictions;

7. Refrain from closing down media houses, in accordance with Principle 9 of the Declaration on justifiable limitations to freedom of expression;
8. Ensure that journalists are allowed to access information and report freely and accurately on the Government's actions to counter the effects and the spread of the coronavirus;
9. Investigate, prosecute and punish perpetrators of attacks against journalists and other media practitioners, ensure that victims have access to effective remedies and take specific measures to ensure the safety of female journalists and media practitioners by addressing gender-specific safety concerns;

Done virtually, on 03 December 2020