

## **Ending Impunity and Promoting the Safety of Journalists and Media Workers**

**Paper presented by Hajiya Bilkisu mni at the World Freedom Day Celebration Organised by UNESCO, Abuja, May 3 2013.**

*Truth that brings Change has many Enemies—133 journalists were killed in 2012- IPI*

### **Introduction**

The safety of journalists and media workers has taken a front burner position in all discourse on press freedom and the working condition of reporters. Due to the increasingly dangerous developments on the media scene, it has become a preoccupation with journalism's professional bodies, media houses and global forum for journalists. An entry point for this discourse is the observation by the International Press Institute IPI quoted above.

The IPI is the global forum of Editors and Media executives. Concerned about the danger to journalists while covering hazardous assignments, it laid the foundation for the establishment of the Institute for the Safety of Journalists. The Institute provides relevant training to journalists in order to build their capacity for safety on routine assignments and survival in danger zones.

IPI has since 1997 also kept a "Death Watch" list that records annually, the number of journalists killed in the line of duty or as a consequence of their reporting. It monitors the performance of governments in promoting or subverting press freedom and sends protests wherever such infringements exists.

In my position as a former Board Member of the IPI and the Ombudswoman of the Media Trust, I have been highlighting our common concern as Nigerian journalists in my column on editorial arbitration in *Daily Trust*. I want to express my gratitude to organizers who are providing me with an opportunity to share the main events that are related to the safety of journalists, the impunity that is evident in Nigeria and in other parts of the world that have featured in my column in the past one year.

### **2012 : The Deadliest Year on Record for Journalists**

When the IPI released the casualty for 2012, the media world was shocked. The report showed that an unprecedented 133 journalists were killed last year. It was the highest ever recorded and it left the media devastated. The list included journalists who targeted and killed either because of their work or while on assignment trying to get the news to all. The report however showed that 'the vast majority of journalists included on this list lost their lives in targeted killings in which journalists are targeted to prevent distribution of information

that may compromise the propaganda efforts of the parties in conflict.’ ‘The report identified Syria, where 36 journalists and dozens more media activists have been killed as the deadliest country. Middle East thus became the most dangerous region. Other deaths in the region include three in Iraq, three in the Palestinian Territories and one in Bahrain. Africa comes second, with a total of 27 journalists losing their lives, including 16 in Somalia, five in Nigeria, four in Eritrea and one each in Tanzania and Angola. Media practitioners and concerned citizens called for increased efforts to promote the safety of journalists. They attributed the high death toll to impunity that so often accompanies the death of journalists and called for an end to impunity.

### **The Hazard Journalists Face In Nigeria**

When Dele Giwa was killed by a parcel bomb, more than two decades back, it sent shock waves throughout the country. It was the first time a journalist was killed in that manner. Several deaths have been recorded since then. Last year recorded several disturbing events that eroded the gains made in freedom of expression since the country returned to democratic governance.

---The death Zakariya Isa, of a reporter with the Nigeria Television Authority in October 2011. He was shot by unknown gun men in his house in Maiduguri.

---On January 19 2012 another reporter Nansok Sallah, a radio journalist was killed in Jos. His body was found in a stream under a bridge on the Zaramagada-Rayfield road, 200 metres from a military checkpoint in Jos. Plateau State where he worked for Highland FM. As nothing of value was taken from him, his colleagues feared that he was the victim of a targeted murder. Sallah was a staff of Highland FM for three years.

---As the nation mourned over two hundred people who died in the in the attack on Kano city January 20 2011, Journalists received the shocking news of the death of one of their members, Mr. Enenche Akogwu, a reporter with the Channels Television. Mr. Akogwu was reportedly shot fatally while performing his professional duties in Kano. His colleagues said Akogwu’s ‘death is especially shocking as he was not one of the direct victims of the bombings but was gunned down shortly afterward while trying to interview people at the Farm Centre area in Kano which was one of the scenes of the 20 bombs that exploded in the city that day.

Three reporters were killed in Edo state when a lorry hit the convoy they were travelling in with the state governor – who claimed that the collision was a failed attempt to assassinate him.

### **Media Reaction to the Killings**

Media Professional organisations condemned this unwarranted brutal killing of an innocent journalist and called on the government ‘to make good its promise to find and bring the killers to justice. They called on the government, the security agencies and the media houses to take pro-active measures to protect

our journalists especially in theatre of conflict. They also urged all journalists to make their protection and safety their topmost priority while performing their duties.’ (IPI 2012)

### **Different Forms of Violence Directed at the Media**

Those who are killed have paid the ultimate price but there are other ways of ‘dealing’ with journalists. Those who are not killed are detained, harassed and their offices are bombed. The cases cited below capture the disturbing erosion of press freedom:

In Lagos, six journalists working for *The Nation* newspaper were detained for two days in connection with their coverage and reproduction of a letter apparently sent from former Nigerian President Olusegun Obasanjo to current President Goodluck Jonathan in which Obasanjo asked Jonathan to replace certain officials at public institutions. Obasanjo in his response said that the letter was forged and police began investigation of the matter.

---The House of Representatives asked Police Inspector General Hafiz Ringim to write a letter of apology to *The Nation* newspaper for the way police handled the investigation, which the House said was not implemented in good faith.

----The harassment of the *Daily Times* Bureau Chief in Abuja. Michaela Moye, who was reportedly filming the demolition of “illegal” buildings when she was chased from the scene by members of the Abuja Environmental Protection Board (AEPB), the *Daily Times* said. A policeman reportedly said she could not take pictures because the press had not been invited to cover the demolition. “Walahi, if I get you I will beat you up and break both that camera and your teeth for talking to me like that,” one police man was quoted by the *Daily Times* as saying. Moye was rescued by passers-by, the paper reported.

### **Reactions from Media Professional Bodies**

These cases generated concern from the Africa Press Organisation and the International Press Institute IPI. The IPI Press Freedom Manager Anthony Mills said: “We are concerned about the reports that Michaela Moye was allegedly threatened by a policeman while she was on assignment. Journalists should be able to work free of any form of intimidation. We urge the Nigerian authorities to ensure that law enforcement officers are fully aware of journalists’ rights, and that these rights are respected.”

### **Detention of Leadership Media Staff**

April 2013: As media practitioners, they were performing their constitutionally assigned duty of surveillance of the environment, monitoring the process of

governance and holding the government accountable to the people. As journalists, they were promoting journalism's age long role in society, reporting the news, providing the facts, educating and informing the people. Those who are allergic to facts did not find it funny, so on Monday April 8 2013, they detained four reporters of the Abuja based *Leadership* newspapers without charge.

The Nigeria Police in Abuja said they were detained for investigation of stories published by the newspaper the previous week. The newspaper had published an exclusive story of a plan by the Presidency to sabotage opposition political parties that have merged as APC in order to challenge the ruling party, the Peoples Democratic Party PDP in the 2015 election. The story which was published on April 3 2013 was titled "Outrage Trail Presidential Directive on Tinubu, APC" and the full text of the presidential directive in bromide was also published on April 4, with the caption "Bromide of the Presidential Directive." The police stepped in to put an end to what must have embarrassed government.

### **The Detained Reporters**

The staff of *Leadership* newspapers who were detained were Mrs. Chinyere Fred-Adebulugbe, the Director of Human Capital; Mr. Chuks Ohuegbe, the Managing Editor; Mr. Tony Amokeodo, the Group News Editor; and Mr. Chibuzor Ukaibe, a Political Reporter. Their detention was the culmination of a series of acts of harassment and intimidation launched by the Police against the newspaper.

### **Media Reaction to the Development**

Journalists nationwide and media professional organisations condemned the detention of their colleagues. They underscored th

' Detaining journalists while investigating their alleged professional infractions is a throw back to the best forgotten dark days of dictatorial regimes. The courts and not detention centres are the proper place to take alleged offenders, warns against resort to arbitrariness in dealing with complaints against the press. A threat to the press is a threat to our democracy.'

Media Rights Agenda, a Lagos based media rights NGO called on the Federal Government to put 'a leash on its rampaging law enforcement agents as it has nothing to gain but everything to lose by projecting to the international community and its citizens an image of a lawless government which muzzles the media.'

MRA said the government was misdirecting its aggression to journalists 'it was ironic that a government which is quite weak in virtually every other respect where it needs to be strong and decisive has chosen to show strength in entirely the wrong area – in clamping down on the media.' The Journalists were released after two agonizing nights in detention and asked to report regularly to the Police.

## **Fraud Suspect Attacks Journalists**

Journalists have become everybody's whipping boy! When the police are not hounding and detaining journalists, suspected fraudsters take over in promoting the culture of violence directed at journalists. On April 11 2013 the trial of the eight suspects in 32.8 billion naira pension scam which has shocked Nigerians resumed in Abuja. As the suspects were being led into the court, one of them Veronica Onyegbula attacked a photo journalist who tried to take a photograph. In the ensuing scuffle, other journalists were harassed and mishandled by supporters of the suspect. With the enabling environment created for violation of press freedom,, even fraud suspects are bold enough to attack journalists who are doing their work. It is indeed a season of anomie when things fall apart and the centre cannot hold.

## **Bombing of Newspaper Houses**

On April 27, 2012 media broke the sad news of multiple bombings in Abuja and Kaduna in which nine people lost their lives. The first to be reported was the Abuja incident which occurred at about 11 a.m when a bomb exploded in the offices of *ThisDay* newspaper in Abuja. Mr. Segun Adeniyi, the Chairman of the paper's editorial board, said two security guards were among the five people killed while five media support workers also sustained injuries.

At about the same time, in Kaduna, a man jumped out of a car and threw a bomb at a building housing the offices of three newspapers, *ThisDay*, *The Sun*, and *The Moment*. Four people were killed, none of whom were believed to be affiliated with *ThisDay*. The bomber's car had been halted at the gate, news report said that an individual had been apprehended in connection with the attack,

News reports stated the newspaper had received a warning in January after reporting on the activities of Boko Haram. The threat was reported to Nigerian security agencies while the paper applied new security drills for staff and visitors, including locking the front entrance to the premises and only allowing movement through the back gate from where the attack occurred, reports said.

## **Reaction from Media Professional Organisations**

The Committee to Protect Journalists CPJ 'condemned the bombings of the offices of *ThisDay*, which represent an attack on the fundamental right of all

citizens to news and information,” said CPJ Africa Advocacy Coordinator Mohamed Keita. “Nigerian authorities must do everything in their power to protect news outlets from this new threat.” These journalists and media staff were deliberately targeted because of their profession either because of their reporting or simply because they were journalists.

### **Other Forms of Censorship:**

Nigeria has recently featured as a country that has recorded erosion of press freedom and some of these are captured in the discourse I intend to share with the audience today. The public has the right to know and public confidence is enhanced by access to information. When journalists are not hounded, they are denied information that will enable them perform their constitutionally assigned duty of informing the people and holding the government accountable.

### **Bayelsa TV cuts short a Live Programme**

The management of the Bayelsa State owned Gloryland Television cut off a live discussion programme midway because one of the invited guests, Mr. Godwin Ebbeli questioned Bayelsa State government’s disbursement of flood alleviation funds.

Ebbeli who was a guest at the radio station asked why the state government had not justifiably utilized the funds they received to alleviate the woes of people displaced by the recent flooding in the state, saying that monies that have been made available to the state had not reached the real victims of the flood. Following the statement, Mr. Tamarakuro Oweifie, the General Manager of the station, directed the programme’s anchor to abruptly stop the interview 25 minutes into the one-hour programme.

### **Lagos Government Bars Officials from talking to the Press**

On January 21, 2013, the Lagos state Government issued a circular barring its political office holders and civil servants, including the heads of the State ministries, departments and agencies, from granting interviews to journalists or speaking on its behalf. It warned of dire consequences if the officials violated the order. The circular issued by the Head of Service, Mr. Adesegun Ogunlewe, said the directive was from Governor Babatunde Fashola and was meant to sanitise the flow of information from the government to the people. It observed that “some public officials have formed the habit of granting informal interviews and in the process divulging official information on public policies which are still under consideration and are not yet approved for action by government.”

It directed that any public official who wanted to grant press interview must obtain permission from the Ministry of Information and Strategy, which would moderate it before it goes out to the press and the public. The circular said the Governor has “directed that no government functionary (public servants and public office holders) should grant press interviews or issue press releases without the concurrence of the Ministry of Information and Strategy.”

The circular added that government was aware that officers may be required to represent their political heads and read speeches at events. It warned that such officers must “limit themselves to the contents of the written speeches which must have been cleared appropriately prior to the event by their political heads.(1)

### **Censors Board Promotes Press Censorship**

The National Film and Video Censors Board, NFVCB is a national agency that vets, classifies, and approves films and videos meant for distribution and exhibition in the country.

Recently, the NFVCB banned a documentary on corruption in Nigeria. Those who have seen the 30 minute documentary titled Fueling Poverty, said it is harmless and it is desirable for Nigerians to watch it. The documentary chronicles the monumental corruption in the country and follows it with a call for an end to this cancer that is inhibiting development of the country. The NFVCB however believes that the documentary should be banned because its contents “are highly provocative and likely to incite or encourage public disorder and undermine national security.” It is clear that NFVCB is echoing its master’s voice, acting a script from one ‘Oga at the Top’ and stifling freedom of expression. Proof of this is a veiled attempt to intimidate the producers of the documentary which is included in the letter banning it. NFVCB made it clear that “all relevant national security agencies are on the alert. A copy of this letter has been sent to the Director-General, Department of State Services and the Inspector-General of Police for their information”. The missing part is to add that these security agencies will take further necessary action!

### **Promoting Safety and Addressing Impunity**

Two issues stand out clearly from the cases listed above: The urgent need to promote the safety of journalists and end impunity. Those who kill, harass or detain journalists are never brought to account for their deeds. The public is told that all cases are under investigation but nobody has been convicted for murder of journalists. This is the trend in several cases in many countries, a situation that has led to global advocacy for an end to impunity

## **On Ending Impunity**

Every year on November 23 media practitioners join, civil society organisations, human rights activists and concerned citizens to reflect on the broader hazard of journalism and the dangers of impunity around the world. The day is set aside to commemorate the International Day to End Impunity (IDEI). The day marks the anniversary of the Ampatuan Massacre in the Philippines and aims to highlight the fact that impunity remains one of the core problems in efforts to end attacks against journalists. The Ampatuan Massacre highlights the culture of impunity in the Philippines which is a major problem for journalists. Although journalists enjoy a good degree of freedom, the perpetrators of the murder of 32 journalists during the Nov. 23, 2009 Ampatuan Massacre have yet to be convicted. Focusing on the impunity that is becoming widespread, the IDEI event last year featured a livestream panel on the safety of journalists.

The panelists were global players in the human rights sector. They included Frank La Rue, the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Christof Heyns the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions; Roland Bless, Principal Adviser, Office of the Representative on Freedom of the Media, Organization for Security and Cooperation in Europe (OSCE); Guy Berger, Director, Division of Freedom of Expression and Media Development at UNESCO; Anita Zielina, Deputy Editor-in-Chief, DER STANDARD, Austria; Karl Bostic, former Chief, NBC News, Baghdad Office. The panel was moderated Anthony Mills IPI Deputy Director and former CNN correspondent. Anthony Mills summarised the IDEI event when he said "It is deeply disturbing that in spite of a clear increase in international efforts to stop attacks against journalists, this year's death toll is the highest on IPI record. The killing of a journalist is the ultimate, most callous, chilling form of censorship. Unless we are able to roll back the cynical tide of impunity, these killings will continue."

## **Blue Print for Safety of Journalists**

Experts and media stakeholders met in Vienna, Austria in November 2011 to discuss the issue of journalists' safety at a series of high-level consultations organised by the Austrian Foreign Ministry and the International Press Institute IPI. Impunity in crimes against journalists, serious shortcomings in the implementation of international treaties for the protection of journalists, and a widespread ignorance about specific obligations under such treaties were identified by participants of the meeting as some of the greatest challenges in ensuring journalists' safety around the world.

The meeting brought together international experts on journalists' safety from media and civil society organizations, as well as representatives of governments. The purpose of the meeting was to discuss concrete means of effectively ensuring the safety of journalists around the world, especially through the United Nations and other international organizations.

Participants pointed out that while journalists can contribute to their own safety and civil society organizations play an important role in framing the problem, the main responsibility to protect journalists and end impunity in crimes against journalist's remains with state institutions, which often fail to do so.

- Participants highlighted the important role of free media in helping to ensure full respect for human rights, fundamental freedoms, democracy and the rule of law.
- It was stressed that journalists play a special role in society and that the protection of this role is in the public interest. Participants noted that violence against journalists has to be understood as a particular kind of crime that aims at destroying the very pillars of democracy.
- Participants also referred to the growing threat posed by non-state actors, such as terrorist organizations and criminal enterprises.
- Participants were particularly concerned at the increase in targeted killings of journalists.
- Widespread and systematic impunity that perpetrators of crimes against journalists enjoy was considered to be one of the main obstacles to ensuring effective protection of journalists.
- Participants highlighted that despite condemnations of attacks against journalists, all in all there was a lack of awareness of the problem both at the level of states and civil society, as well as among the broader public.
- Participants noted, however, that journalists themselves, as well as media outlets and enterprises, should place this issue at the top of their own agenda.
- Participants underlined that the prevention of future attacks against journalists is closely linked to respect for the rule of law, an independent judiciary, and properly-trained, professional security forces sensitized to the rights and roles of the media.
- Participants agreed on the importance of investing in measures - at the international, regional and national level - to prevent attacks against journalists.
- In addition to identifying the need for more awareness-raising for the

protection of journalists by all relevant stakeholders, participants highlighted, inter alia, the following preventive measures to ensure a functioning protection environment:

- The development of training programs for security forces on the rights and the role of the media.
- The development of safety training for journalists as an element of any media development program.
- Measures of self-protection, including hostile environment training programs, professional standards of safe reporting, technical equipment that can help journalists in dangerous situations. In this context, participants stressed that while journalists have the professional responsibility to do everything in their power to prevent any danger they face as a consequence of their profession, this should not be used by states to disregard their fundamental duty to protect journalists.

### **Insurance for Journalists**

It is not enough for journalists to wring their hands in helplessness lamenting the hazardous nature of their work rather they were challenged to be proactive and do something. Last year, the issue of insurance for journalists was raised at the launching ceremony of the maiden edition of the Information Chapel's in-house magazine, *Polity Today*. The National Vice-President in charge of Zone H (FCT/Niger State), Gbenga Onayiga of the Federal Radio Corporation (FRCN) Headquarters News Directorate, who is also Chairman of the Journalists Insurance Committee, called on employers to insure journalists. He reminded the Information Chapel leadership of the need for all their members to subscribe to the Nigeria Union of Journalists NUJ insurance package. He identified affordability and prompt payment as two advantages of the insurance scheme which insured practitioners at the rock-bottom premium of N6, 750=00 only. He also said the insurance which attracts a payment of N1.5million is payable within one week of filing the claim in the event death or permanent disability. Mr Onayiga observed that given the hazardous nature of their job this "could happen to anyone at anytime." He therefore added that "no life can be over –insured," his counter to those who as civil servant journalists claim that they are already insured by government. The NUJ Insurance scheme account is managed by AIICO, a risk underwriting firm which has been in the business in Nigeria since 1964.

### **Responsibility for Media Safety and National Security Training**

We were discussing with a media colleague the need to provide security agents with the training on human rights, press freedom and journalism ethics. Their aggression if not checked would continue to subvert democratic principles. My colleague responded that media practitioners also require special training on how they can enhance their safety because of the hazards they confront as they

report news and views. He underscored the fact that the dangers faced by journalists also impacts on national security. I also shared with him the work of the Institute for the safety of Journalists whose establishment was initiated by the IPI. Beyond the international focus of that institute my colleague threw a challenge to all media stakeholders in Nigeria--Who should take the lead in organising this much needed security and safety training for the media in Nigeria—Journalism’s professional bodies or the media proprietors?

### **Training for Law Enforcement Agents**

If a policeman can swear and threaten journalists that “Walahi, if I get you I will beat you up and break both that camera and your teeth for talking to me like that,” the matter has assumed a serious dimension. Law enforcement agents will also need to be trained on how to ensure that in the words of Anthony Mills ‘law enforcement officers are fully aware of journalists’ rights, and that these rights are respected.’ It is also important that the Police Force lives up to its public relations slogan that ‘the police is your friend.’

### **Insurance for Journalists**

The National Vice-President in charge of Zone H (FCT/Niger State), Gbenga Onayiga of the Federal Radio Corporation (FRCN) Headquarters News Directorate, who is also Chairman of the Journalists Insurance Committee, called on employers to insure journalists. He reminded the Information Chapel leadership of the need for all their members to subscribe to the Nigeria Union of Journalists NUJ insurance package. How apt these admonitions are because proprietors, editors, reporters who cover the news and other media stakeholders are beginning the New Year in a pensive mood. Increasing rate of terrorist attacks and the high casualty is giving us sleepless nights. As citizens in a country where security is on the front burner of national discourse, the media has been doing their best to provide news and views to their vast audiences. This cannot be done if field reporters do not go out to cover events and report them. This legitimate work is becoming dangerous given the cases of hazardous encounters these reporters have to contend with. How many media workers are insured?

### **Journalism Ethics and Non Disclosure**

Journalism ethics fully supports journalists in refusing to disclose their sources of information. During the Second Republic, the issue of disclosure of sources of information came up and Prince Tony Momoh former Minister of Information and at that time a staff of defunct *Daily Times* newspaper was under pressure to disclose his source of information for a story carried in his newspaper. He

refused and went to court. The court judgment declared that journalists have a right not to disclose their sources of information. However during the military regime Leke Salau of the *Triumph* was detained for non disclosure of his source of information while two reporters of the Guardian Newspaper Tunde Thompson and Nduka Irabor were tried and jailed for providing information on military posting and refusal to disclose their sources. This issue has resurfaced several times since then.

It became the topic of discourse again with the detention of the *Leadership* newspaper journalists with journalist defending their right to non disclosure. The Executive Director of the IPI, Alison Bethel McKenzie said in a statement that ‘we remind the Nigerian authorities that journalists have the right to protect their sources even when the leaked information causes embarrassment to the authorities’

On her part the Deputy Executive Director of Media rights Agenda, Ms Jennifer Onyejekwe, said: “It is totally wrong for the Police to hold the journalists hostage as a strategy for extracting their source for the information that was published. Ms Onyejekwe argued that journalists depend on their sources in order to inform the public and that their ability to do so would be compromised if they are forced to reveal confidential sources. Besides, she said, the independence of journalists will be compromised if their sources and professional materials are made available to the police.

She noted that journalists have a duty to protect confidential sources as part of the framework for the protection of whistleblowers; defending the public’s right to know; and ensuring access to information, stressing that it is in any event, part of the professional standards and ethics of the journalism profession for journalists to protect their sources of information. To the police, the message from journalists is loud and clear, ‘Leave us alone. No amount of harassment will make us disclose our sources of information. Anything you do not want the public to know, then don’t do it.’

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