

COMMISSION ON PEOPLES' AND HUMAN RIGHTS

Banjul, 21 April to 7 May 2015

**STATEMENT UNDER ITEM 7, IN RESPONSE TO THE ACTIVITY REPORT OF THE
SPECIAL RAPPORTEUR ON FREEDOM OF EXPRESSION AND ACCESS TO
INFORMATION IN AFRICA**

**Madame Chair, Honourable Commissioners, States Parties, fellow
human rights defenders.**

This session ISHR prepared submissions to the Commission which map the threats and challenges facing human rights defenders in four African countries. The issues identified were emblematic of trends across the continent. We will take this opportunity to highlight those which respond to the mandate of the Special Rapporteur.

Firstly, we are witnessing an increasingly restrictive legislative framework for the promotion and protection of freedom of opinion and expression.

In **Ethiopia** and **Sierra Leone**, we are concerned over repressive laws that severely undermine civil society and independent media. We regret that the government of Ethiopia has once again refused to consider reviewing the Charities and Civil Societies, Access to Information and Anti-Terrorism Proclamations to bring them in line with international standards.

In 2009, the Special Rapporteur recommended that the government of Sierra Leone repeal or amend repressive laws, including the Public Order Act and acts criminalising defamation. We hope the Special Rapporteur will continue to press the Government for updates on progress to this end.

Secondly, we are concerned over the ongoing and persistent targeting of journalists and media personnel in a number of African States.

In 2012 the Commission condemned **Ethiopia's** arrest and prosecution of journalists. We regret that there has been no evidence indicating that the government has taken concrete steps to remove these restrictions, with journalists continually accused of terrorist activities.

Meanwhile, in **Nigeria**, journalists and human rights defenders face repression by both State and non-State actors. It appears that the interests of commercial third parties further repress freedom of speech, as indicated by the banning of the 2013 documentary 'Fuelling Poverty' under claims that it was a threat to national security because of its potential to encourage protests. This documentary details oil industry corruption, and is emblematic of the silencing – across the continent, and indeed the world – of what ought to be welcomed as contributions to the debate on business and human rights.

In **Uganda**, journalists suffer police violence, physical attacks, detention without trial, confiscation and destruction of equipment. Journalists are commonly charged with defamation under the Penal Code, as Uganda has failed to implement Commission recommendations to repeal the sections of the Code that criminalise defamation.

Finally, the adoption of access to information bills in a number of countries is a welcome step forwards, though they must be better implemented.

ISHR calls on the government of **Sierra Leone** to fully implement the Right to Access Information Bill as a step towards accountability for repressive practices; this will necessitate the repeal of legislation criminalising defamation and libel. In Nigeria, full implementation of the Freedom of Information Act must guarantee citizens the right to access public records.

We hope that the recommendations we make to these four countries today, can be replicated throughout Africa.

I thank you.