INTER-SESSION ACTIVITY REPORT

(May to October 2018)

Presented to the 63rd Ordinary Session of the African Commission on Human and Peoples’ Rights

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Commissioner Lawrence M. Mute
Vice-Chairperson of the African Commission on Human and Peoples’ Rights
And
Special Rapporteur on Freedom of Expression and Access to Information in Africa
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I. Introduction

1. This Report is prepared pursuant to Rules 23(3) and 72 of the Rules of Procedure of the African Commission on Human and Peoples’ Rights (‘Commission’ or ‘African Commission’), which requires each of the Commission’s subsidiary mechanisms to present a report on its work at each Ordinary Session, and each Commissioner to submit a report on activities undertaken during the inter-session.

2. I submit this Report to the 63rd Ordinary Session (Ordinary Session) of the African Commission in my capacities as the Vice-Chairperson of the Commission, the Special Rapporteur on Freedom of Expression and Access to Information in Africa (Special Rapporteur), Member of the Committee for the Prevention of Torture in Africa (CPTA), and Member of the Working Group on Older Persons and Persons with Disabilities.

3. This Report covers the inter-session between the 62nd and the 63rd Ordinary Sessions of the African Commission, during the period May to October 2018.

4. The Report is divided into this introduction; and my inter-sessional activities. The Report also includes an assessment of the situation on freedom of expression and access to information in Africa during the period January to October 2018.

II. Inter-sessional Activities

5. I undertook the following activities as the Vice-Chairperson of the Commission, and as Special Rapporteur:

   a. From 4 to 5 June 2018, I participated in the Joint Retreat of the Permanent Representatives Committee of the African Union and the African Commission, held in Nairobi, Kenya. The Retreat sought to resolve various concerns about the relationship between the Commission and the Policy Organs and Member States.

   b. From 25 June to 2 July 2018, in Nouakchott, Mauritania, I attended meetings of the policy organs of the African Union, including the 36th Ordinary Session of the Permanent Representatives’ Committee, the 33rd Ordinary Session of the Executive Council and the 31st Ordinary Session of the Assembly of Heads of State and Government, during which the Commission’s 44th Activity Report was
presented to and discussed by the policy organs before it was authorized for publication.

c. From 9 to 13 July 2018, as Special Rapporteur for Botswana, I participated as part of the delegation from the Commission which undertook a Promotion Mission to Botswana. During the Mission, the delegation held discussions with various State and non-state actors on the human rights situation in Botswana.

d. From 22 to 26 July 2018, in Kampala, Uganda, I participated in a judicial training organised by Equality Now on ‘The Role of Judicial Officers in Implementing the Maputo Protocol and Promoting Women’s Rights in Africa’. The objectives of the training, which comprised judges from Uganda, Tanzania, Kenya, South Sudan and Sierra Leone, included popularizing and increasing awareness on the African Human Rights System and legal instruments, particularly the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, and promoting the role of judges in implementing these instruments.

e. From 30 July to 8 August 2018, I attended the Commission’s 24th Extra-Ordinary Session, which was held in Banjul, The Gambia.


g. On 1 September 2018, I attended a validation meeting of the African Court’s Comparative Study on the Law and Practice of Reparations and Draft Reparations Guidelines in Arusha, Tanzania.

h. From 3 to 8 September 2018, I participated as part of the delegation from the Commission which undertook a Promotion Mission to South Africa. During the Mission, the delegation held discussions with various State and non-state actors involved in the promotion and protection of human and peoples’ rights in South Africa.

i. From 24 to 27 September 2018, in my capacity as the Special Rapporteur, I undertook an advocacy visit to Nigeria. The purpose of the visit was to build capacities and raise awareness on Article 9 of the African Charter which
establishes the right to freedom of expression and access to information. During
the visit, I interacted with State and non-state actors on Nigeria’s Freedom of
Information Act, 2011. I also engaged with relevant State and non-state
stakeholders to popularize the Guidelines on Access to Information and Elections
in Africa, and I delivered a public lecture at Abuja University. During my visit, I
was accompanied by a delegation consisting of experts in the field of access to
information and elections.

j. From 11 to 12 October 2018, in my capacity as the Special Rapporteur, in Mombasa,
Kenya, I convened a meeting of a technical drafting team constituted to work on
revision of the Declaration of the Principles on Freedom of Expression in Africa
(the Declaration). The backdrop to this initiative are the Commission’s Resolutions
ACHPR/Res. 362(LIX) 2016, ACHPR/Res. 350 (EXT.OS/XX) 2016 and
ACHPR/Res.222 (LI) 2012 which call on the Special Rapporteur to revise or
expand the Declaration to include freedom of expression and access to information
issues that may have been included in part, or omitted from the Declaration.

k. On 25 October, 2018, in Banjul, The Gambia, I made a statement at a side-event to
the Commission’s Ordinary Session, organised by the Network of African
National Human Rights Institutions, on application of Resolution 275\(^1\) of the
African Commission and the Ekuhruleni Declaration by National Human Rights
Institutions.

the margins of the Commission’s Ordinary Session, organised by Article 19, where
I spoke about the nexus between digital rights and freedom of expression.

m. On 26 October, 2018, in Banjul, The Gambia, I spoke at a side-event to the
Commission’s Ordinary Session, organised by the Centre for Reproductive Rights
on access to information and sexual and reproductive health and rights.

n. On 27 October, 2018, at the 63\(^{rd}\) Ordinary Session of the Commission, I chaired a
panel on the Regional Action Plan on Persons with Albinism in Africa.

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\(^1\) Resolution ACHPR/Res.275 (LV) 2014 Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity
6. During the intersession, I issued the following press releases and other documents in my capacities as Commissioner Rapporteur and Special Rapporteur:


b. On 17 May 2018, in my capacity as a Member of the African Commission, I participated in issuing a joint statement by human rights experts on the International Day against Homophobia, Transphobia and Biphobia, titled ‘Leave no LGBT person behind’.

c. On 29 May 2018, in my capacity as Special Rapporteur, I wrote an opinion piece in the Daily Nation calling on the government of Kenya to review the Computer Misuse and Cybercrimes Act, 2018. While I welcomed the law’s aim of filling the legal gap on crimes that target computer systems and enable their timely detection and investigation, I raised concerns about its criminalisation of publication of what it refers to as ‘false, misleading or fictitious data’, as well as false information calculated to cause, or results in, panic, chaos or violence or is likely to discredit a person’s reputation.

d. On 31 May 2018, in my capacity as Special Rapporteur, I issued a press release welcoming the ruling by Lesotho’s Constitutional Court that declared criminal defamation as unconstitutional. I called on the Government of Lesotho to support the passage of necessary consequent policy and legislative changes to ensure the

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2 http://www.achpr.org/press/2018/05/d400/
4 https://www.nation.co.ke/oped/opinion/440808-4584056-137eegd/index.html
full promotion and protection of the right to journalistic freedom of expression and freedom of expression generally.\(^5\)

e. On 23 June 2018, in my capacity as Special Rapporteur and the Commissioner Rapporteur on the human rights situation in Ghana, I transmitted to the President of Ghana, H.E. Nana Akufo-Addo, my review of the Right to Information Bill which was under debate by the Parliament of Ghana.

f. On 26 June 2018, as the Commissioner Rapporteur on the human rights situation in Ethiopia, I issued a press release on the human rights situation in Ethiopia, which condemned a grenade attack on civilians which occurred during a rally on Saturday 23 June 2018. I noted that the rally was being held amidst positive developments for the promotion and protection of human rights in Ethiopia, initiated by H.E. Prime Minister Abiy Ahmed Ali, including the release of political detainees, moves to liberalize the economy, in addition to initiatives to ensure the free exercise of human rights by Ethiopians, including freedom of expression.\(^6\)

g. On 12 July 2018, in my capacity as the Special Rapporteur, I issued a press release expressing concern on the growing trend of States in East Africa adopting stringent regulation measures on the Internet and Internet platforms. I noted that these regulations may negatively impact the ability of users to gain affordable access to the Internet, which goes against States’ commitment to protect the right of every individual to receive information, as well as the right to express and disseminate one’s opinion.\(^7\)

h. On 31 July 2018, in my capacity as the Special Rapporteur, I issued a press release welcoming the landmark decision by the Provincial Court of Luanda on 6 July 2018 which acquitted journalists Rafael Marques and Mariano Brás on insult and defamation charges against the former Attorney General. I noted that the judgement was an important stepping stone towards the repeal of criminal defamation laws in Angola.\(^8\)

i. On 20 August 2018, in my capacity as the Special Rapporteur, I issued a press release which expressed concern about the trend of attacks on journalists in Uganda. I noted that the attacks undermined independent journalism, freedom of expression and free flow of information, and further noted that the Government of Uganda had the obligation to take effective measures to prevent attacks on journalists, in addition to investigating them, punishing the perpetrators and ensuring that the victims have access to effective remedies, as provided in Principle XI of the Declaration of Principles on Freedom of Expression in Africa.\(^9\)

j. On 24 August 2018, in my capacity as the Special Rapporteur, I issued a press release expressing concern about the decree published by the Government of Mozambique in its Gazette Number 143, in Series 1 on 23 July 2018, which introduced high taxes and licensing fees for journalists and correspondents of foreign media houses, as well as television and radio stations. I urged the Government to reconsider the fees stipulated in the decree to ensure they do not bar the full exercise of Article 9 rights by the people of Mozambique.\(^10\)

**Requests for Promotion Missions**

7. As the Commissioner responsible for promotional activities in Zambia, Liberia, Ghana and Ethiopia, I sent Notes Verbales requesting for authorization to undertake promotion missions to those countries. To date, I have not received responses to these requests.

8. Additionally, I communicated to the Attorney-General of the Federation and Minister of Justice of Nigeria, requesting authorization for an advocacy visit to Nigeria. I would like to thank Nigeria for granting me authorization for the advocacy visit which I undertook from 23 to 28 September, 2018.

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III. Situation on Freedom of Expression and Access to Information in Africa

A. Introduction

9. This section of my report focuses on the situation of freedom of expression and access to information in Africa during the period January-October 2018. Its preparation is pursuant to my mandate of submitting reports at each ordinary session of the African Commission on Human and Peoples’ Rights (‘African Commission’ or ‘Commission’) on the exercise of the right to freedom of expression in Africa.

10. The report is premised on Article 9 of the African Charter on Human and Peoples’ Rights which guarantees every individual’s right to receive information and the right to express and disseminate opinions.


12. Freedom of expression is a critical enabler of other rights and as such it is an important component of a democratic society. Indeed, the Declaration reaffirms the fundamental importance of freedom of expression as a distinct human right, as a cornerstone of democracy and as a means of ensuring respect for all human rights and freedoms.

13. In the above regard, I commend all states which strive to ensure freedom of expression and I remain concerned when I see violations of this freedom.

14. Let me remind states that the Declaration requires that no one shall be subjected to arbitrary interference with his or her freedom of expression, and it affirms the three part test which may be used to restrict freedom of expression under which the restriction must be provided by law, serve a legitimate interest, and be necessary in a democratic society.
B. Criminalisation of defamation and insult

15. Resolution 169 of the African Commission calls on states to repeal criminal defamation laws or insult laws which impede freedom of speech and to refrain from imposing general restrictions that violate freedom of expression.

16. Criminal defamation laws have the effect of seriously interfering with freedom of expression. They present practical challenges for journalists and media practitioners to act as watchdogs of public and indeed private transparency and accountability.

17. I welcome the positive steps which a number of states have taken towards decriminalising defamation. In particular, I commend the following:

a) The Lesotho High Court, sitting as the Constitutional Court, which on 21 May 2018, declared criminal defamation unconstitutional. In this regard, I indeed commend Africa’s judiciaries in countries such as Kenya, Zimbabwe and Gambia which have declared criminal defamation unconstitutional.

b) The Luanda Court, which on 6 July 2018, acquitted investigative journalist Rafael Marques and Editor Mariano Bras, on insult and defamation charges against the former Attorney General. The court acknowledged the importance of a journalist’s duty to inform the public.

c) The decision of the High Court of Kenya, on 19 September 2018, lifting the ban on the film Rafiki, which had been imposed by the Kenya Film Classification Board on the ground that it promoted lesbianism.

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11 Resolution on Repealing Criminal Defamation Laws in Africa (ACHPR/Res.169 (XLVIII)10)
d) The decriminalisation of general defamation in Rwanda’s Revised Penal Code.\textsuperscript{15}

18. I should, however, state that while the Penal Code of Rwanda decriminalized general defamation, I am extremely concerned that the Code\textsuperscript{16} has introduced a number of provisions that restrict freedom of expression. Notably, Article 233 prohibits humiliation of national authorities and persons in charge of public service either verbally, through gestures, threats, writing and use of cartoons. Conviction attracts an imprisonment term of between 1 and 2 years and a fine of between five hundred thousand and one million Rwandan francs ($1,152). The Act also criminalizes defamation against the President under section 236 with a sentence of between 5 and 7 years and a fine of between 5 and 7 million Rwandan Francs. Public defamation of religious symbols is also introduced under Article 154.

19. I also note with concern that On 27 April 2018, Mauritania enacted a law that prescribes the mandatory death penalty for anyone convicted of blasphemous speech and acts deemed sacrilegious. I am concerned that this law will limit journalistic freedom.\textsuperscript{17}

C. Media Rights

20. The Declaration recognizes the key roles that the media plays in a democratic society to ensure 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.

21. The importance of the media cannot be understated. It is at the centre of the full realisation of the public’s right to receive and access information. Freedom of expression, press freedom and access to information can only be enjoyed when

\textsuperscript{17} Human Rights Watch ‘Mauritania: Mandatory Death Penalty for Blasphemy’ https://www.hrw.org/news/2018/05/04/mauritania-mandatory-death-penalty-blasphemy
journalists and other media practitioners are free from intimidation, pressure and coercion.\textsuperscript{18}

22. In the above regard:

23. I commend the government of Equatorial Guinea for the release of Ramón Nse Esono Ebalé, on 7 March 2018, a cartoonist detained arbitrarily for nearly six months on charges of forging money and money laundering. Reports indicated that he was arrested for cartoons criticizing President Teodoro Obiang Nguema Mbasogo.\textsuperscript{19}

24. I also commend the government of Ethiopia for the release of journalists Eskinder Nega and Wuonshet Taye, on 14 February 2018, after 7 years in prison, as part of the release of hundreds of political prisoners.\textsuperscript{20}

25. I further commend the government of Ethiopia for the government’s decision on 22 June 2018 to unblock 264 websites and blogs. In the move, the signals of Oromo Network TV Station and Ethiopian Satellite Television were also unblocked, recognizing that free flow of information is essential for engaged and responsible citizenry.\textsuperscript{21}

\textbf{D. Safety of journalists}

26. I remain concerned about the attacks and killings of journalists which continue to take place around the continent.

27. Even where these attacks and killings are not perpetrated by state agents, states have the positive obligation to take proactive measures to prevent the attacks, protect journalists and to investigate, prosecute and punish perpetrators.

28. In the above regard, I in particular note the following:

\textsuperscript{18} Resolution on the Safety of Journalists and Media Practitioners in Africa (ACHPR/Res.185 (XLIX)11)
\textsuperscript{20} All Africa News ‘Ethiopia frees top journalist Eskinder Nega after 7 years in jail,’ http://www.africanews.com/2018/02/14/ethiopia-frees-top-journalist-eskinder-nega-after-7-years-in-jail-activists/
\textsuperscript{21} ESAT ‘Ethiopia unblocks 264 Websites, including ESAT,’ https://ethsat.com/2018/06/ethiopia-unblocks-264-websites-including-esat/
29. In Somalia, Abdirizak Said Osman, a newscaster and reporter for Radio Voice of Peace, was stabbed to death in the Galkayo town of Mudug region on 18 September 2018. On 26 July, 2018, Abdirizak Kasimlimaa, a TV cameraman working for Somali Broadcasting Services (SBS), was shot dead by a policeman at a checkpoint in Mogadishu. The culprits of the killings have not been apprehended.

30. In Ghana, on 27 August 2018, Ghana News Agency (GNA) reporter, Jerry Azanduna, was attacked on the alleged orders of an opposition politician (Hassan Ayariga) who had confronted him about a report by GNA involving him.

31. In Uganda, a number of journalists have been attacked, arrested, detained and their equipment confiscated for covering politically-sensitive news. Illustratively, on 13 August 2018, NTV journalists Herbert Zziwa and Ronald Muwanga were arrested and detained at Arua police station and their equipment confiscated, allegedly for covering demonstrations by opposition parties ahead of the Arua by-election.

32. In Sudan, four journalists were arrested and held for more than three weeks without being formally charged. Amal Habani of the Al-Taghyir news website and Kamal Karrar of the daily Al-Midan were arrested on 18 January 2018 while covering a protest in Khartoum. Ahmed Jaddein of the daily Al-Jareeda was arrested on 31 January 2018 while covering a protest march in Bahri. Haji Abdelrahman El Moz of the daily Akhbar El Yown was arrested on 6 February 2018 without explanation.

33. In the Democratic Republic of the Congo (DRC), there have been at least 27 reported cases where security officers have detained, threatened or assaulted journalists covering protests calling for democratic elections.

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E. Media Shutdowns

34. Media shutdowns are an affront to press freedom and are usually designed to suppress political and media space.

35. I am concerned about various instances of media shutdowns on the continent.

36. In particular, my concerns relate to the following:

37. On 23 May 2018, the President of the High Authority for Audio-visual and Communication of Benin, suspended La Nouvelle Tribune, a privately owned daily, for violation of the Code of Information and Communication and the Code of Ethics of Beninese Press without notice or public hearing as required by law.28

38. On 22 August 2018, the High Authority for Communication of Gabon, issued a 12 month ban on the French public TV channel, France 2, and further shut down the Gabonese tri-weekly newspaper, Echos du Nord, for a month. The Authority alleged that France 2 had published a subversive documentary which was liable to disturb public order. Reports indicate that the documentary had criticised President Ali Bongo or his close allies.29

39. On 1 August 2018, Bamako Governor, Colonel Déberekoua Soara, suspended a privately owned radio station, Radio Renouveau FM, shortly before the announcement of the results of the first round of Mali’s presidential election.30

40. In January 2018, the government of Kenya shut down four privately owned television stations, KTN, Citizen, NTV and Inooro TV for defying a directive not to cover the live swearing in of opposition leader Raila Odinga who had disputed the election results of the 2017 general elections.31

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30 Committee to Protect Journalists ‘Malian radio station suspended for 11 days for alleged incitement to revolt’ https://cpj.org/2018/09/malian-radio-station-suspended-for-11-days-for-all.php
F. Internet shutdowns and overly stringent regulation of the internet

41. The internet is important in facilitating the exercise of various rights and indeed accelerating developmental goals. Online platforms have become popular fora for social and public discourses, giving voice to people, allowing them to access information and enhancing media diversity.

42. The African Commission, through Resolution 362, has urged State Parties to ‘respect and take legislative and other measures to guarantee, respect and protect citizen’s right to freedom of information and expression through access to internet services’. African citizens are also urged to ‘exercise their right to freedom of information and expression in the Internet responsibly’. Users of internet should not use it in a way that interferes with other people’s rights.

43. The African Commission, also in Resolution 362, affirms that the same rights that people have offline must also be protected online, and in particular freedom of expression which is applicable regardless of frontiers and through any media of one’s choice.

44. Internet shutdown is the disruption of Internet or electronic communications, rendering them inaccessible or effectively unusable, for a specific population or within a location, often to exert control over the flow of information. Internet shutdowns make it impossible for journalists to publish content and for the public to freely express themselves’ on online platforms and they impede the right to access information. Internet shutdowns also limit citizens’ engagements in public discourse.

45. The Joint Declaration on Freedom of Expression and Internet obligates states to promote universal internet access. Clause 6 (b) of the Declaration provides that ‘Cutting off access to the Internet, or parts of the Internet, for whole populations or segments of the public (shutting down the Internet) can never be justified, including

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33 https://www.accessnow.org/keepiton
on public order or national security grounds. The same applies to slow-downs imposed on the Internet or parts of the Internet.’

46. In the above regard, I am quite concerned about reports which indicate the following violations:
   
a) Mobile internet was unavailable in Addis Ababa, Ethiopia, from 17 to 19 September 2018.35 
   b) On 2 April 2018, the government of Chad shut down social media platforms such as Twitter, Facebook and WhatsApp without explanation.36 
   c) In Cameroon, there was a 230 day internet shutdown in the Anglophone regions between January 2017 and March 2018. 37 
   d) Internet access and Short Message Services were interrupted in the DRC on 20 January, 2018, ahead of a protest march organised by the Catholic Church.38 

47. I am also concerned about the increasing trend where states establish stringent regulations on the internet including the introduction of social media taxes – what is commonly known as over-the-top-services. 

48. In the above regard, I welcome and commend the government of Benin for cancelling the social media tax on 22 September 2018, which it had introduced via a decree passed in August 2018.39 

49. However, I am deeply concerned about States that have either introduced or are in the process of introducing social media taxes. In particular, I am concerned about the following:

36 IFEX 'Chadians unable to access social media platforms' https://www.ifex.org/chad/2018/04/10/block-social-media/
a) The Uganda Excise Duty (Amendment) Act 2018 requires users of over the top services to pay 200 Uganda Shillings (USD 0.05) in order to access social media platforms.40

b) On 12 August 2018, the government of Zambia introduced a 30 Ngwee (USD 0.03) a day tariff on internet phone calls. The government explained that the internet calls threaten the telecommunications industry.41

c) The introduction by the government of Kenya of 15 per cent excise duty on phone and internet data in the Finance Act, 2018.42

d) The adoption of the Electronic and Postal Communications (Online Content) Regulations 2018 in Tanzania which came into effect in March 2018. The regulations introduced licensing requirements for Tanzanians who operate online radio stations and bloggers who are required to pay up to 2,100,000 Tanzanian Shillings (around USD 930) for the licences as well as annual fees.43

e) A 23 July 2018 decree by the government of Mozambique which introduced prohibitively high fees for various types of media outlets and journalists, including for registration, licensing and license renewal.44

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40 Daily Nation ‘Ugandans feel the pinch as the social media tax takes effect’
Also see Press Release on the growing trend of stringent regulation of the internet in East African States

41 Lusaka Times ‘Zambia slaps a 30 Ngwee a day tariff on internet phone calls’

42Standard Digital Media ‘Kenyans take their frustrations to social media as Uhuru signs Finance 2018 Bill into law;’
Also see Paragraph 3 of the First Schedule to the Excise Duty Act, as revised.

43 Africa News ‘Tanzania cyber law introduces $900 fees for bloggers, compulsory passwords’
Also see Press Release on the growing trend of stringent regulation of the internet in East African States

44 Committee to Protect Journalists ‘Mozambican government imposes crippling fees on independent media’
Also see Press Release by the Special Rapporteur on Freedom of Expression and Access to Information in Africa on the high fees imposed by a decree on journalists and media outlets in Mozambique
50. The right to information is a fundamental human right necessary for the enjoyment of other human rights. The right to seek and receive information is essential for transparent and accountable government.

51. The key objective of the Model Law is to facilitate the adoption of national legislation on the right to access information by State Parties to the African Charter, by providing detailed and practical guidance on the legislative obligations related to access to information, while leaving the specific form in which such laws would be adopted to individual State Parties.

52. I continue to encourage the enactment of more freedom of information laws in Africa. In particular, I commend Seychelles which promulgated the Access to Information Act 2018 this July.\(^{45}\) The act enables the public to access information held by public authorities performing a governmental function.

53. Seychelles joins 22 other African states that have enacted specific national access to information legislation. These are Angola; Burkina Faso; Cote d’Ivoire; Ethiopia; Guinea; Kenya; Liberia; Malawi; Morocco; Mozambique; Nigeria; Niger; Rwanda; South Africa; South Sudan; Sierra Leone; Sudan; Tanzania; Togo; Tunisia; Uganda; and Zimbabwe.

54. I recognise that while adoption of national access to information legislation is commendable, it should be supported by implementation. I note that States with various access to information statutes are at various levels of actual implementation.

55. Challenges remain both on the supply side of information as well as the demand side of information which should be mitigated both by institutional training and capacity-building as well as by public awareness-raising. Institutions must fulfil their obligations of proactive disclosure of information as well as their obligation to respond to on-demand requests for information. The public must be aware that they have a right to request for information, the process through which to access the information and the purposes for which to use the information.

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56. Again, I wish to offer states technical support to ensure full implementation of access to information legislation, and I thank Nigeria for giving me the privilege of visiting their country for this purpose.

57. I also wish to thank the Independent National Electoral Commission of Nigeria and the ECOWAS Network of Electoral Commissions for the substantive engagements I had with them on implementation of the Guidelines on Access to Information and Elections in Africa.

H. Recommendations

58. In view of all the foregoing, I urge State Parties to:

a) To repeal any laws that restrict freedom of expression and access to information.

b) To protect journalists and media practitioners and to investigate attacks on journalists in accordance with Resolution ACHPR/Res.185 (XLIX)11 on the Safety of Journalists and Media Practitioners in Africa.

c) To adopt access to information legislation in line with the standards elaborated in the Model Law on Access to Information in Africa, and put mechanisms in place to ensure their effective implementation.

d) To refrain from internet shutdowns and slow-downs.

e) To recognise that access to the internet is fundamental to exercise of the right to access information, and set up open data portals and e-government services and provide universal access by zero-rating government information on the internet.

f) Ratify and implement the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Persons with Disabilities in Africa that has specific provision on freedom of expression and access to information as well as the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled, which promotes the right to access to information for the blind, visually impaired and otherwise print-disabled individuals.