



Webinars on Promoting and Enabling an Environment for the Freedom of Expression of the Media: The Theory, the Practice and the Reality

CONCEPT NOTE

1 Context

In the last few years, many countries all around Africa have witnessed a rise in freedom of expression violations such as the enactment of retrogressive legislation; the (threat of) arrests and intimidation of journalists, the destruction and vandalism of media property, the adaptation of stringent licensing conditions and regulations that confer broad oversight powers and hamper internet access and even the banning of newspapers from publishing articles that are critical of the government and/or looking for answers. Our right to express ourselves freely, the essence of democratic rule, crumbles under these attacks, inevitably creating a society where there is no accountability, no room for change and no equality.

The media, as the “watchdog” of a democratic society, plays a fundamental role in safeguarding and ensuring freedom of expression as the pre-eminent platform for spreading information on public interest matters and for facilitating a public debate. Therefore, it is crucial that media organizations and journalists but also lawyers and human rights defenders, collaborating with and defending these institutions and figures, are aware of the rights and responsibilities and are educated and trained on the existing (legal) instruments that are there to protect this right and to ensure its implementation.

To promote and create an environment wherein the freedom of expression can be exercised truly and freely, the Pan African Lawyers Union (PALU) is organizing a series of webinars.

2 The webinars

The webinars will take place on **November 28th, 29th and 30th 2022, from 2 PM until 4 PM(EAT)**. The following topics will be covered:

2.1 Webinar 1: “The Practice”. Discussing strategies related to monitoring, documenting, and reporting on human rights issues, while protecting the safety and ensuring the legal assistance of the media.

This session will touch on the national legal and regulatory environment covering and protecting the general principles and the methodological standards for human rights reporting,



documenting, and monitoring. This crosspollination of information, will provide the media practitioners with concrete guidelines to collect, analyse and disseminate data within the legal framework and the legal practitioners to provide customized advice and protection services.

2.2 Webinar 2: “The Theory”. An analysis of the legal and policy frameworks on freedom of expression and presentation of existing forum and mechanisms.

This session will map out the legal structures and processes at the different regional mechanisms, with a focus on the East African Court of Justice, the African Court on Human and Peoples’ Rights and the ECOWAS Court of Justice, available for individuals and institutions, wronged by infringements and unable to find effective redress and reparations on national level. It will also elaborate on the role that the media plays or should play within the strategic litigation framework before these Courts, so they assist in ensuring the protection of freedom of expression and the implementation of these regional decisions on a national level. Panellists will come from the existing forums and mechanisms, to provide participants with better details as to how and when they should be seized and utilised.

2.3 Webinar 3: “The Reality”. Roundtable on “restriction of speech”: perspectives on how to approach and to deal with freedom of expression infringements.

The goal of this webinar is to have an interactive discussion between media organisations, journalists, lawyers, human rights defenders, and all other involved actors in the field that have experience with, and suffered from, freedom of expression violations. Panelists will share their challenges and solutions, and others can benefit from their experience, their (changed) approaches, and their best practices, including from a gender perspective.

3 The objectives of the series of webinars

- To discuss the methods of reporting, documenting, and monitoring human rights issues and to map out the related legal framework.
- To create an overview of the regional redress mechanisms in East-Africa, their processes, and their jurisprudence and to identify and clarify the role of media within the strategic litigation context.
- To share practitioners’ experiences and to exchange best practices.

4 The outcomes of the series of webinars

- An enhancement of the awareness and the understanding of the media methods and the related legal provisions so practitioners align their tactics and defence strategies.
- An enhancement of the awareness and the understanding of the available regional and national legal frameworks and redress mechanisms that will allow the practitioners to



effectively and strategically engage and utilise them when confronted with and when reporting on freedom of expression violations.

- A multidimensional network of legal and media practitioners and experts that will facilitate the spreading and sharing of first-hand information, contacts and knowledge of new jurisprudence, invasive violations and innovative and alternative approaches and tactics.