

# Donkor: A Case Study of the Safety of Journalists in Ghana

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## **Abstract**

*This paper argues that the safety of journalists in Ghana can no longer be taken for granted given the available evidence of physical attacks on journalists (Joint Statement NMC et al., 2016 and MFWA, 2016). The overarching objective of the study is to portray Donkor's case as typical of similar cases in Ghana and beyond and highlight the implications of attacks on journalists. In the past decade or so, physical attacks on journalist have been the most prevalent form of violation against journalists in Ghana. In this essay, a single case study of Donkor is examined together with relevant documents as the tip of an iceberg to demonstrate and paint a picture of the harrowing and degrading experience of physical and other forms of attacks against journalists in Ghana and its implications for safeguarding press freedom and the fundamental human rights of people. The incidence of attacks against journalists and how such perpetrators often go unpunished, though not a phenomenon peculiar only to Ghana, needs serious interrogation given the latitude of freedom of the media guaranteed in the 1992 fourth republican Constitution of Ghana. It is pertinent to ask: how far have stakeholders contributed to the promotion of journalists' safety as prescribed in UNESCO's Safety of Journalists Document? While chronicling some instances of actions, which tend to endanger the lives of journalists in the line of duty, I would conclude that a concerted effort is required to enable journalists, the public, civil society organisations, international organisations and state institutions to initiate strategic actions aimed at tackling the problem.*

**Keywords:** *press freedom, human rights, physical attacks, safety of journalists, perpetrators, Ghana*

## **I. Introduction**

In Ghana, despite the existence of a reasonable measure of press freedom as guaranteed by the fourth republican Constitution of 1992, there appears to be 'silence' over cases of attacks of journalists. The situation raises a number of questions: is it a demonstration of growing indifference by the state, Ghanaians and other stakeholders toward the safety of journalists? How knowledgeable and informed are Ghanaian journalists about the safety of journalists' issues? What measures are being instituted to address the risk factors of journalism practice? With such lingering unanswered questions, would one be right in describing the Ghanaian media as a vibrant and healthy one poised to strengthen the gains made so far in fostering a strong

democratic system of governance? The wider impact of attacks capable of creating coverage gaps and/or a culture of a demoralized journalistic work force and self-censorship within the media and society are obvious.

In terms of press freedom, Ghana is ranked the 52<sup>nd</sup> in the annual global media freedom report (Freedom House, 2015). However, within the last decade, the Media Foundation for West Africa (MFWA) (2014) documented 138 incidents of violation against journalists that occurred in Ghana, representing an average of 14 violations per year. Physical attacks on journalists have been the most prevalent form of violation in Ghana as captured by the MFWA in the last ten years with the worst perpetrators being the security agencies led by the military and the police (see Tables 1 & 2). Isolated attacks on journalists are still being perpetrated against journalists. Such attacks have some implications for the current advocacy on the need for the Parliament to pass the freedom of information bill. The fact that perpetrators of attacks against journalists are unpunished tends to give the impression that journalists are the bad guys who do not deserve public support and the right to seek for information to validate reports on issues such as corruption and abuse of public office.

The security agencies have committed over 38% of all the violations against journalists [53 out of 138] and next to the security agencies are the political party supporters [30 violations] followed by individuals, organized pressure groups, state officials and the courts do not impose crippling damages or fines against the perpetrators. Unfortunately, perpetrators of violations often go unpunished or, at best, they simply render apology to their victims. The lack of conscious and determined effort on the part of the state to punish crimes committed against journalists has the potential of fostering impunity and emboldening perpetrators and potential ones to commit further violations. Notably, the United Nations General Assembly

adopted Resolution A/RES/68/163 at its 68th session in 2013 which proclaimed 2 November as the International Day to End Impunity for Crimes against Journalists (IDEI). The resolution urged member states to implement definite measures countering the present culture of impunity. The date was chosen in commemoration of the assassination of two French journalists in Mali on November 2, 2013. This landmark resolution condemns all attacks and violence against journalists and media workers. It also urges member states to do their utmost to prevent violence against journalists and media workers, to ensure accountability, bring to justice perpetrators of crimes against journalists and media workers, and ensure that victims have access to appropriate remedies. It further calls upon states to promote a safe and enabling environment for journalists to perform their work independently and without undue interference.

In concrete terms, apart from celebrating November 2 as the International Day to End Impunity for Crimes against Journalists (IDEI) in Ghana, commitment by the law enforcement bodies to punish people who attack journalists is still to be made manifest. Therefore, it is not surprising that over 67% of all violations recorded by the MFWA (2014) (93 out of 138) in the last 10 years has been physical attacks on journalists. Mitigating or totally eliminating factors that cause practices detrimental to the safety of journalists requires a concerted effort by all stakeholders, who are truly interested in promoting and safeguarding the safety of journalists to initiate strategic actions towards addressing the problem. The paper is divided into three sections profiling the attacks and the intimidation of journalists, chronicling the intimidation and harassment of journalists, discussing the importance of the safety and work of journalists besides the introduction and conclusion.

## **II. Profiling the Incidents of Attacks and Intimidation of Journalists in Ghana**

The Media Foundation for West Africa (MFWA) (2014) has studied and recorded the most up-to-date detailed data on how Ghana is faring on journalists' safety issues. Ghana has witnessed several years of media repression, particularly under the various military regimes in the country's post-independence political history. Even under civilian governments, there have been many acts of violations and repression against the media including the application of various restrictive media laws such as the very famous criminal libel law, which was repealed in 2001. During the past few years, however, Ghana has always been named among countries with good press freedom records in the world.

However, the MFWA has emphasised that freedom of the press may not be synonymous with safety of journalists. This fact further underlies the relevance of the adoption of a resolution specifically focusing on the safety of journalists and the issue of impunity. Thus, while Ghana is recognised as having a press freedom environment, it does not necessarily mean journalists are safe in Ghana, especially if the country is assessed based on UNESCO's safety of journalists indicators.

As shown in Table 1 below, the fact that Ghana is among the countries with good press freedom environments does not mean there have not been violations against the media. Notably in the last 10 years, the MFWA has recorded a total of 138 incidents of violations against journalists and media workers representing an average of nearly 14 violations a year. It must be emphasised that some violations may not have been captured by the MFWA and thus the number of violations could possibly be more than the 138 recorded by the MFWA.

The numbers in Table 1 also reveal that physical attacks on journalists were the most prevalent form of violation in Ghana during the last 10 years. Over 67% of all the violations

recorded by the MFWA (93 out of 138) in the last 10 years has been physical attacks on journalists. The next prevalent form of violation is the detention of journalists with 16 incidents. Year-on-year, the worst year during the decade was 2008 with 24 violations. Even though 2008 was an election year, the 2012 figure of nine violations (also in an election year), compared with figures for other non-election years, does not suggest any relationship between elections and incidents of press freedom violations. Other bad years for journalists during the decade were 2009 (21 violations), 2006 (20 violations), 2010 (16 violations) and 2014 (14 violations so far).

On whether or not there has been an improvement in the state of journalists' safety in Ghana since the adoption of the UN Resolution, the evidence suggests no improvement at least as far as violations of media rights are concerned. Ten months into the first year of implementation of the resolution, more violations have been recorded than each of the preceding three years. Last year, only five violations were recorded while in 2012 and 2011, nine and 10 incidents of violations were recorded respectively compared with 14 recorded so far in 2014.

**Table 1**

*Incidents of Violations against Journalists (2002 – 2014)*

<b>Year</b>	<b>Killing</b>	<b>Physical Attack</b>	<b>Threat</b>	<b>Arrest</b>	<b>Detainment</b>	<b>Censorship</b>	<b>Sentence</b>	<b>Fine</b>	<b>Court Action</b>	<b>Total</b>
<b>2005</b>		4		1	1		1	2		9
<b>2006</b>		13	1	1					4	19
<b>2007</b>	1	8	1					1		11
<b>2008</b>		20	3		1					24
<b>2009</b>		15			3	2			1	21

<b>2010</b>		6	2	1	6				1	16
<b>2011</b>		5	1		3			1		10
<b>2012</b>		9								9
<b>2013</b>		4						1		5
<b>2014</b>		9		1	2			2		14
<b>Total</b>	1	93	8	4	16	2	1	7	6	138

Source: MFWA Monitoring Report, 2014

Table 2

*Perpetrators of Violations against Journalists*

<b>Perpetrator</b>	<b>Killing</b>	<b>Physical Attack</b>	<b>Threat</b>	<b>Arrest</b>	<b>Detainment</b>	<b>Censorship</b>	<b>Sentence</b>	<b>Fine</b>	<b>Court Action</b>	<b>Total</b>
<b>Security Agencies</b>		32	1	4	14				2	53
<b>Political Party Affiliates</b>		27	1		2					30
<b>State Officials</b>		5	1			1			3	10
<b>Individuals</b>	1	16	4						1	22
<b>Media</b>						1				1

<b>Organised Groups</b>		13	1							14
<b>Courts</b>										8
<b>Total</b>	1	93	8	4	16	2	1	7	6	138

**Source: MFWA Monitoring Report, 2014**

The implications of physical attacks on journalists – being the worst form of violence, that is over 67% of all the violations recorded by the MFWA (93 out of 138) in the last 10 years – are of grave concern since these attacks endanger journalists’ lives as well as serve as a disincentive to youngsters who may be desirous of becoming journalists in the future. In the face of such attacks, it is logical that the law enforcement bodies would have offered the needed assistance to address the issue. However, paradoxically in terms of the perpetrators of violations, security agencies (police and military) have been worse culprits accounting for over 38% of all the violations against journalists (53 out of 138). This has brought to the fore the impunity with which people attack journalists. The data of the MFWA confirms Amnesty International position that the statistics on violations against journalists is a stark reality of the dangers of being a journalist in contemporary time (Amnesty International, 2015). According to the International Federation of Journalists (IFJ) one hundred and twelve journalists were killed doing their work in 2015. Though recent constitutions, such as the 2010 constitution of Kenya, have introduced much more explicit protection of journalists (Kiptinness, 2012), proactively journalists across Africa need to carry on a continual effort to get the practical application of these legal defences (Birhanu Olana Dirbaba and O’Donnell, 2012).

Though safety is everybody's responsibility and we all have a duty to keep ourselves and others safe, it is advisable for media houses to have Journalism Safety Guides. They identify the

common hazards (What Can Go Wrong?) encountered by journalists and programme makers in the field, and they specify control measures to reduce the risk (BBC, 2013). In Ghana, most media organisations do not have Journalism Safety Guides. In the absence of properly developed Journalism Safety Guides by the Ghana Journalists Association, it behoves the management of various media organisations to develop them and integrate them into the Journalistic Policy Guide, Standards and Practices in the newsroom.

If the UNESCO definition of safety as “a broad category that extends from preventive, protective and pre-emptive measures, through to combating impunity and promoting a social culture, which cherishes freedom of expression and press freedom” (Pöyhtäri & Berger, 2015, p. 1) is anything to go by, Ghana is yet to ensure adequate safety of journalists in its growing democracy given the incidents of violations against journalists.

### **III. A Chronicle of Intimidation and Harassment of Journalists**

#### *A. The Case of Donkor*

Few professional journalists would gloss over stories which border on human rights violations. Donkor is a journalist committed to the welfare and the promotion of the development and dignity of people. Therefore, it is not surprising that he stood up to defend the right of a person who was inhumanly treated while on an entertainment assignment organized by students of Wa Polytechnic in the upper west region of Ghana. Almost from the very beginning of the Donkor case something was quite obvious. There was a serious problem with the manner the police treated a civilian suspected to have committed a crime in that it was both overdone and unfair. It was overdone as the suspect was inhumanly treated and unfair because it was utterly clear that from the very beginning the police threw to the dogs any attempt at ensuring that due process of justice was carried out on the case. Indeed, it is a clear manifestation of the impunity



which IFEX (The Global Network Defending and Promoting Free Expression) defines as intimidation, threats, attacks and murders that go unpunished, resulting in a climate of injustice and insecurity for those exercising their right to free expression.

The account presented here is a narrative by Donkor. There was an entertainment programme organized by the students of Wa Polytechnic in the Upper West Region of Ghana in October 2009. I went to the Adonis Cinema on an invitation to be a panel member that would assess competitors in a beauty pageant and ultimately award the winner. However, being a journalist, one is always looking out for other incidents that would happen such as this one. Our attention was drawn to some confusion that happened outside. I stepped out to find out what was happening. I saw a group of young men being chased by police officers. Suddenly, they caught one of them and started beating him mercilessly. Before long they dragged him in front of one of the banks and tied him to a pole. There was a crowd that surrounded the area who wanted to know what was happening. At first sight, if you got there, you would think that that was a hardened criminal they had been pursuing and finally got hold of him, perhaps upon a tip-off. It appeared a very interesting happening and every inquisitive journalist would try to find out.

I drew closer and saw how people were crowded around that young man tied to the pole in the presence of the police. Each time the police tried to drive people away, they would come back. It was so rowdy. I stood aside and took a very serious observation of the situation and decided to inquire, so I stepped forward beyond the crowd to one of the policemen who were close by. I wanted to find out what was happening. All he told me was that he was a criminal, ... a criminal. I asked what exactly he had done, and that if he were a criminal, I would like to know his crime, or else, I suggested, they would take him to the police station instead of exposing him to this kind of situation. He was patient to tell me he was among a group of young people who were

disturbing the event, and that some were even hurling stones into the main yard where the pageant activities were being set to start. In their attempt to round them up, they ran away, and they ran after them and caught him. I asked, “Is that the offence? -- That he was one of the boys suspected to be disturbing the event? Just that?”

As I was asking those questions, another police officer who could not have the patience to hear me question his colleague, who was patiently listening to me, came from behind and shove me off. He ordered that I should get away. He shouted that they did not owe me any explanation. He pointed out that the guy deserved to be arrested and treated that way. I asked, “But why? Could you be patient and let us know? You are a peace keeper, aren’t you? And you are supposed to be protecting lives and property, so if I needed to know this, you should let me know.” All that while, he was very rowdy. Others who were watching could not bear the sight and said, “You can’t push the young man.” They felt I was a known guy, and I didn’t deserve to be treated the way the policeman did, so attention now turned from the incident where the young man was arrested and tied to the pole to my encounter with the police.

As he pushed me away, I went back. I surrendered. From a distance, I managed to take a snapshot of the entire scene. I think the flash of my camera betrayed me somewhat. The police got alarmed and started asking, “Who took that snapshot?” Very quickly, I folded the camera and slipped it into the hands of a colleague reporter, Latif, who held the camera and stepped out across the road. I was following him so that we could go away. Having that picture was evidence enough, and we would follow up later with the details. However, the police would not let us go away with that, so they ran after us and got hold of me and asked, “Where is the camera? Who took that picture?” Then, the crowd came to intervene for me, saying, “This man is a journalist. He has the right to find out what is happening.” All that while, I did not want that scene, so it

was now confusion between the crowd and the police. I said, “Oh, I identified myself earlier to your colleague who was giving me responses to the questions I was asking, but you were not patient to have me enquire about all that happened. Now I took a snapshot and you still felt that I was not right.” He said, “This is a banking area. It is in front of a bank and you are not allowed to snap pictures there. It is a security protected area and without permission you cannot take pictures.” I said, “But you have got to tie up a suspected criminal at this same post. Are you manning the bank or you are pursuing criminals? This place is not the police station where you can amicably solve this. You have to take the young man to the police station.” Ooh, quickly he searched me and picked two of my mobile phones. I think he was an ICT literate, so he scrolled through and he did not find the pictures there. The other one was not a friendly applicable ICT phone, so in his anger he smashed the two phones to the ground and stepped on them and said, “But this is not the camera. You used a camera. Where is it? Just that?” Latif, my colleague, picked his motorbike and rode off.

Then, they suspected that this was a partner to me that was going away. Hence, they ran after him, but they could not get Latif, so quickly they arrested me, saying that in that case I would not go. I said, “But why, what is my offence? You must tell me now before you take hold of me.” “Eiih!” As if that was not enough, quickly he pulled off handcuffs and forced them into my hands. I said:

No, if I am arrested in this manner, I must know what I have done wrong. Mention it to me now and tell me why you are arresting me. Then I will willingly yield and you take me to the police station. However, I think the man who deserved to be taken to the police station first is the one that is tied to the electric pole.

They untied the guy, handcuffed me and handcuffed him too, and together they marched us in the full glare of the public from the Adonis Cinema Street (the busiest in Wa) to the police station, guided by three armed policemen.

Thus, the Beauty Pageant Programme was quickly stalled. Every one left the event, and they were now following up to the police station to see what was going to happen because the word has gone round that there was something happening. Those persons who did not know the details but saw me thought that we were even some criminals. We got to the police station, and that person who was suspected to be rowdy and disturbing was quickly thrown into the cells. I was asked to sit at the back of the counter. I stood there still with the handcuffs in my hands. People were coming there to enquire what had gone wrong. Some said that the police should handle this properly.

All along, I have been asking them to allow me to make my statement. I wanted to write a statement. "If there are any charges against me, I want to know so that I can answer or else I just write my statement." They would not let me. From around 11:00 pm through to about 3:00 am, I was still at the police station, and the crowd kept increasing. Finally, it was a young lawyer, a deputy state attorney at the State Attorney Department, who came and said that that could not be right. At least, I would have to be granted a bail or be given an opportunity to write my statement. If there were any charges, they should be properly documented, and that they should detain me properly or let me go and come back. They worked out things, and I was able to acquire what they called "personal recognizance bail" – that means I was known, and I could not have gone anywhere. The Deputy State Attorney said that the offense that was preferred against me was not commensurate with the act. There was a standstill until one of their senior officers came at about 4.30 A.M. People gave him the background of what happened, identified me, and

he felt that was a bad case for his police officers. It was difficult to find out who effected the arrest. However, Latif my colleague came there, and one of the police identified him, so they also picked up Latif who was holding my camera – the camera I had used to take the snapshot. One would have thought that Latif had downloaded the picture or at least stored it somewhere, but he still held the camera, but he did not. They forced the camera out of his hands. It was a struggle. One police officer named Baba Bawa took it out and deleted every evidence of the snapshots. You could not find any trace. He kept the camera until things were amicably settled that night; then, they decided to give back the camera, but we could not find the evidence.

The following day I was asked to report, and I did. I requested that I wanted to make a statement, make this case formal, and let it go through the necessary procedures, and whatever charges were given against me or any other person should be done even if the police were right to do what they did. For me, I thought I was simply trying to find information and to assist bring to the public's attention what was happening between the police and some people suspected to have done something wrong.

Policemen were adamant. Donkor's quest for truthful information demonstrates his passion for truthful public communication. White (2000) notes that all who deal with public communication know that 'news' is not about the ordinary events, but about new opportunities for the community or about events which disturb or pose threat to the well-being of the community. The following Tuesday, I went to the Ghana Journalists Association (GJA), Upper West Branch Office, and told the Chairman and Secretary what happened. They went to the police to officially enquire on my behalf and on behalf of all other journalists if what was reported to have been done by the police was true and what explanation they have to give for that action. There was a stalemate. The police would not yield. There were verbal exchanges, so we

petitioned the Upper West Regional Minister and the Regional Security Council and requested to have a platform to meet with the police to have some hearing on this. While awaiting their response, we indicated that we were going to write a press statement. We wrote the statement, asking for an explanation from the police and further appealing to them to be more professional and respect the right of journalists and ensure the safety of all citizens including the journalist. We asked them to respond or else the Upper West Branch of GJA was going to boycott all police activities and all their invitations. That would show we were going to stand aside and not recognize them as partners in any of our work.

Some days later the Regional Security Council (RESEC) met. Top on the agenda was this issue. They requested that a committee be formed to investigate and that they would have to come to the Regional Minister to meet with us on a friendly note and see how they could find a solution to it. On that day, I went there with a representation from the GJA, Upper West Branch. However, the supposed policemen who were on duty and effected the arrest and from whom the whole case arose were not around. We spoke and at the end of the day the Regional Security Council through its Chairman, the Regional Minister then, felt that the police for the sake of peace should see this incident as one of bad faith, and they should amicably come to terms with us and let us smoke the peace pipe.

The police were adamant still. It was later that the Regional Minister called for another meeting which we attended. They agreed to render an apology, and we wanted it in a written form, and we wanted also to record it. However, the police said they would render it, but we should not have any audio evidence of it. They did. The then Municipal Chief Executive of Wa, Mr. Yakubu Duogo, on behalf of the police, agreed to replace my damaged equipment. After that, there were not detailed facts to establish that the young man arrested was at fault. It was just

one very unfortunate young man that they arrested when they said that a group of young men were disturbing around the bank where the police were at post and where the Beauty Pageant was also taking place. The following day the boy arrested, who was known as Numulanaah, was released. The press went ahead and published the apology. The police responded and indicated that they have apologized.

It terms of the relationship between the police and GJA, it was strained that whole month till the end of the year. They called us to their end of year party. No journalist showed up there. They also invited us to an exhibition, and no journalist showed up there. There was also a commissioning of their first ever clinic, but journalists did not cover that event. They were also police games which the press decided not to cover. It was only the following year after a lot of interventions that relations became normal between the police and GJA. I remember after the apology, officers from the Special Unit of the Police Headquarters in Accra were assigned to come to Wa to independently investigate the matter. They came to my office at *Radio Progress* and asked me what exactly happened. They went to the Police, RESEC, the Upper West GJA Secretariat and carried out their investigations.

Till date, neither GJA nor I have heard any formal statements as an outcome of that investigation. Nationwide, there were a lot of public concerns on the case on phone-in programmes on various radio stations. It was a hot issue because there were already similar incidents of attacks on journalists. Thus, when this incident occurred in Wa and got that attention, it became a serious case. The GJA National Secretariat offered a lot of solidarity by largely commenting on it coming to my defense, adding their voice to the issue, and indicating the case as one example that needs to be redressed. There were many incidents where journalists

were being exposed in such dangerous manner and probably manhandled by the police and other civilians (personal communication, March 27, 2016).

*B. Scenes of Attacks, Harassments and Threats of Journalists Here and There*

The Manager of *Sungmaale FM Radio* station, Hassan, narrated a similar case of harassment in Wa in the Upper West of Ghana on January 23, 2014 (personal communication, March 29, 2016). It was about 10:00 A.M. when there was a newspaper review represented by the National Democratic Congress (NDC) and the New Patriotic Party (NPP). They were discussing why crime increased in the Wa Municipality. The NPP communicator in the Uppers West Region, Zion, said that he was surprised that the police despite knowing the hideouts of these criminals have consistently refused to go for them. Unknowingly too the then Station Officer at the Regional Police Station, Nyamekye, said that he spoke to somebody who understood the local language, Waale. According to Mr. Nyamekye, the person he spoke to said that Zion claimed that the police were already working with those criminals – i.e. that the police were the ones taking the lead and showing the criminals where to hide. Hence, he immediately came to the Radio Station with seven armed police officers. They whisked the host and the two other panelists to the Wa regional police station. The Programme was on-going when he battered into the studio and asked them to stop. Even listeners heard that. Abruptly, the programme came to an end. After leaving with the host and two panelists they returned few minutes after and picked the consul, the computers and equipment away.

At the police station, it was indicated to the host that they were under arrest. They did not know the crime they allegedly committed. They were detained at the Criminal Investigation Department Office for two and half hours. Their statements were taken. The GJA Upper West



Branch Chairman, Mr. Pobe, and I still had to speak to the Regional Commander of the Ghana Police Service before the journalist and the two panelists were released.

According to Mr. Nyamekye, they wanted to trace the recording of the programme. However, this assertion was not known to the Regional Police Commander of the Ghana Police Service. It was after the incident that the GJA Upper West Branch Chairman, Mr. Pobe, and I went to the Regional Police Commander. He was shocked that the Station Officer could have done that without his knowledge. The GJA immediately took a decision to blacklist the police in its operations. It was later that the police commander tried meeting the leadership of the GJA, which was not possible until the next day.

According to the Regional Police Commander, he was acting based on the instruction of the Inspector General of the police to go into the matter. Thus, we had to sit with Nyamekye who admitted that someone else told him what the panelists said. On the contrary, the panelists indicated they did not say that. The panelists' statement was merely questioning the reason that the police did not chase the criminals despite knowing their hideouts. Meanwhile, the translation came to him as though the police were the ones taking the lead in perpetuating those crimes. The Regional Police Commander conducted a press conference a day after the incident and apologized not just to the listeners of the radio station, but also to GJA and the radio station, and the case came to an end that way. The GJA warned that should the police do that again, they would be forced to blacklist them and not consider them in their operations.

In another case documented by the Media Foundation of West Africa (MFWA) (2015), Ghana's President, John Dramani Mahama, responded to a petition by the Media Foundation for West Africa (MFWA) and 155 Ghanaian journalists seeking disciplinary action against a senior Presidential staff member, Dogbe. In a letter addressed to the MFWA and copied to the National

Media Commission (NMC), the Secretary to the President, Kwesi Quartey, communicated President Mahama's receipt of the petition and acknowledgement of the concerns raised by the petitioners. "I acknowledge receipt of your letter dated 14th October, 2015 addressed to His Excellency the President on the above subject. His Excellency has taken note of the concerns raised in the letter. He wishes to assure the Media Foundation that due attention will be paid to the matter in the interest of protecting the reputation of the Presidency," the letter from the President's secretary stated. The petition was filed in October 2015 following Dogbe's attack of Yahayah Kwamoah, a journalist with the state-owned Ghana Broadcasting Corporation. In the process, the Presidential staff member seized and instantly destroyed a digital recorder of the journalist.

After the attack, the MFWA issued a statement calling on the President to sanction his staff member as a way of demonstrating his intolerance of impunity for crimes against journalists and as a way of protecting the reputation of the Presidency. Subsequently, the MFWA was joined by 155 journalists to petition the President on the matter. "It has been almost four months since Dodge committed the embarrassing act and one would have expected a swift action from the President to safeguard the reputation of his high office. I hope that the promise by the President to deal with the matter will not remain just a promise. I hope he will take action soon," Braimah stressed.

In February 2016, a joint statement by the National Media Commission, Ghana Journalists Association, Private Newspaper Publishers' Association and Ghana Independent Broadcasters Association on the spate of attacks on journalists delivered at a press conference, noted that in recent times there have been many physical attacks on journalists in the course of their work. Some of these attacks came from people who feel aggrieved by the content of some media. Some

were simply by people who did not want their concealed actions and inactions to be brought into the daylight of public scrutiny. Others came from people who were irritated by the freedom of expression and democracy itself. Irrespective of the source, type and nature, any attack on journalists must be viewed with serious concern. These attacks have gone on for several years (Joint Statement NMC et al., 2016).

Blatant disregard for the safety of journalists and people's right to freedom of expression and enjoyment of their fundamental human rights is not peculiar to Ghana alone. In a published report (2016) of Human Rights Network for Journalists-Uganda (HRNJ-Uganda) entitled "A Disconcerting Trend: Journalists Targeted for Covering Political Campaigns in Uganda," it is documented that although the presidential, parliamentary and district council elections were generally peaceful, there were several violations and unnecessary interference in the work of journalists and media houses including the destruction of journalistic tools, physical assault, and the intimidation and closure of a media house (RSF, 2015). HRNJ-Uganda recorded at least seventy cases, which also included three alleged shootings at reporters.

Between October 2015 and February 25, 2016, seventeen journalists were assaulted by contestants, their supporters, the Police, and the Uganda People's Defence Forces (UPDF). On February 1<sup>st</sup>, 2016, Margaret Kayondo, a correspondent of *Radio Simba* in Sembabule was assaulted by four UPDF officers while covering a scuffle between the National Resistance Movement (NRM) supporters and the police in the Lwemiyaga, Sembabule District. Her audio recorder and smartphone – which she was using to take pictures – were confiscated. They deleted all the recorded material from the recorder and the phone.

In summary, the report highlighted that the majority of the victim journalists and media houses were targeted while on duty reporting opposition-related activities. The police and the

NRM candidates, with their supporters, took a lion's share in violating the media and journalists rights and freedoms. The majority of these cases were reported to authorities like the police but were barely investigated. The human rights situation in Uganda, therefore, remains fragile. The state and its operatives continue to violate journalists' and peoples' rights with impunity.

An excerpt of a joint statement issued at the BBC's Safety of Journalists Symposium notes:

It is an affront to justice that in recent times fewer than one in ten of all killings of journalists have resulted in convictions for the perpetrators. Such a climate of impunity has a chilling effect on whole societies and impedes the work of both local and international news organisations. We welcome last December's decision in the UN General Assembly to declare November 2 the International Day to End Impunity for Crimes against Journalists. It was on November 2 last year that two French journalists, Ghislaine Dupont and Claude Verlon, were brutally murdered while on assignment in Mali by members of the armed group which had kidnapped them. The increase in such attacks and killings directed against members of the media who seek to report at first-hand about significant events undermines the public's right to know what happens and should be a cause of grave public concern. The increase underlines the urgency of establishing a safe and enabling environment for journalism, which is the declared and proper goal of the UN's Action Plan on the Safety of Journalists and the Issue of Impunity. (BBC, 2014)

Globally, in 2014 alone, the UNESCO Director-General condemned the killing of 87 journalists, media workers, and social media producers of public interest journalism. In 2012, the deadliest year for journalists, 123 cases were condemned. In all these reported incidences, journalists were lawfully carrying out their constitutionally mandated duties. However, in the line of duty, when attacked, perpetrators are hardly punished because the laws are not

implemented as expected. The implications of the casual manner of handling grave offences against journalists is gradually creating a negative perception that journalists do not matter at all, though the facts on the ground point to the contrary.

#### **IV. The Safety and Work of Journalists Is Important**

In every democratic society, the media are recognized as an important institution. Therefore, it is not for nothing that the media are considered as the fourth estate of the realm. In contemporary times, in view of the emergence of small-scale interest groups sharing de-commoditised news, Indonesia Journalist Jennie Xue (2007) calls it the ‘new estate’ complementary to the traditional ‘fourth estate.’ However, others have called it ‘citizens journalism’ (Allan & Thorsen, 2009) – a concept similar to what American Newspaper Historian David Nord (2001) terms ‘communities of journalism.’ UNESCO has recognized this emerging ‘communities of journalism’ by broadly defining the term ‘journalist’ to include community media workers, citizen journalists who may be using the new media as a means of reaching their audiences (Pöyhtäri & Berger, 2015, pp.1-2).

The former President of the United States of America (USA), Thomas Jefferson, though he had his own challenges with media, is quoted as saying, “Were it left to me to decide whether we should have a government without newspaper or newspapers without government, I should not hesitate to prefer the latter.” What Jefferson said may be as old as Methuselah, yet it is as resilient and fresh like the leaves of the baobab tree when juxtaposed against what Kabral Baly-Amihere, the former President of GJA, noted in *Fighting for Freedom* (The Autobiography of an African Journalist), “Ghana’s second independence will come on the wave of the printed word and I want to be part of the struggle to establish a viable alternative press for all time.”

Indeed, the service that journalists render in society should benefit and transform society. It means that whenever the lives of journalists are not safe, they would not be able to carry out their legitimate duties, and communities who rely on their services would be denied vital information and knowledge. Therefore, there seems to be a symbiotic relation between journalists and the community which journalists serve through communication. Whenever journalists' lives are endangered, they are incapacitated to educate, inform and entertain the community that depends on them for useful services. The Director of Newspapers of the Graphic Communication Group Ltd, Mr. Boadu Yaw Ayeboafoh, captured the importance of journalists beautifully when he observed:

My fundamental belief is underlined by what Chinua Achebe (1958) said about the individual who owns the cock in the community. When it crows in the morning, it becomes the property of all. In Achebe's words, "The cock that crows in the morning belongs to one household, but its voice is the property of the whole neighbourhood." So my belief is that, regardless of who owns the cock, it serves the good of the community in which it is found. This is the core belief that I have canvassed and shared with the people. Their interests [of the people] are the things that should inform [us journalists] on the things we write about. The primary interest of every journalist must be the public interest. (Diedong, 2016, p. 75)

However, what happens when the life of the cock is endangered? It seems that despite the important role of journalists, nobody seems to love the journalist. According to Ansah (1996), for a number of reasons, nobody seems to love the press, especially in the developing countries. Governments do not find journalists pliable enough except in the case of mindless unprofessional mercenaries and intellectual prostitutes. Businessmen find them critical of the abuses of business exploitative tendencies. Newspaper proprietors do not always love the pressmen because

editorial independence may fly in the face of the desire to maintain principles, and advertisers use all sorts of stratagems and blackmail to cow the press into submission under the threat of withholding advertisements which constitute a decisive source of income for press operations. Thus, it looks as if the journalist can never win, but that is no reason to give up. Journalists need every encouragement because freedom of the press exists for all of us wishing to live in a civilized environment. They only hold it in trust with us, and we should use it on behalf of citizens at large.

According to the Director of MFWA, Mr. Sulemana Braimah, press freedom is not simply about the number of and mere existence of radio stations, newspapers, blogs and television stations. The National Communications Authority (NCA) at the third quarter of 2011 provided a summarised list of licensed operators in Ghana as follows: a number of authorised TV operators, 28; a number of Free on air TV operators, 20; a number of pay-per-view TV Operators, 7; and stations authorized for research purposes, 1 (NCA, 2011). At the third quarter of 2012, the NCA recorded a total of 225 FM radio stations in operation in Ghana, and the number of media houses keeps increasing.

However, press freedom is about how free the media are. It is about how protected journalists and media workers are against real or possible attacks, censorship, harassment, threats, arrest and detentions, or even murder, while in their line of duty. Crimes against journalists, such as torture, extrajudicial killings, assault, enforced disappearances and arbitrary detention, and other restrictions such as censorship, threats, crippling court damages, intimidation and harassment have a toll, not just on affected journalists, but on the wellbeing of societies. When such crimes go unpunished, perpetrators and potential ones get emboldened to commit further violations; journalists are cowed and a culture of silence may ensue (MFWA, 2014).

The journalist is equally important as all people who take part in all events and, therefore, must be accorded the needed welfare and safeguards. It takes the journalist to initiate and follow through on everything needed for the citizenry from interviews to documentary requests, turning raw data and information into easily digestible knowledge for public consumption. One time, the Irish playwright, poet and author, Oscar Wilde, said, “By giving us the opinions of the uneducated, journalism keeps us in touch with the ignorance of the community.” This is more than true because without the journalist, mankind will be put in total darkness by way of dissemination of information. The journalist provides the fundamentals for effective public sphere which also promotes dynamic society and democracy. All sectors and hierarchies of governance and even the media need the journalist. The security, judiciary and indeed all sectors depend heavily on the journalist for the projection of their efforts (Twum, 2016). Therefore, society benefits when an enabling and safe environment is created for journalists to work.

## **V. Conclusion**

The chronicle of all forms of attacks against journalists in Ghana and beyond clearly demonstrates that the task of the African journalist in particular is rarely easy. Indeed, in many instances it is a perilous one. Given the gravity and frequency of occurrence of the impunity of attacks on journalists, it is a sign that though Ghana has a pluralistic media landscape, the health status of the media could be diagnosed as problematic. By definition, journalists are “actors in the public eye,” and their situation sends a signal to society at large. In Donkor’s case, not only does the incident pinpoint gross abuse of the fundamental human and civil right of citizens to freely move about and meaningfully interact with other persons, but more importantly it underscores the implications of unprofessional conduct of police officers.



How could Donkor have freely operated in search of information in the public interest when police officers forcedly controlled him? The wider impact of such unwarranted attacks has the tendency of creating coverage gaps and/or a culture of self-censorship within media and society. Manso (2016) says that Journalism is fast becoming an endangered profession which needs special attention. He noted that as much as there is a call on journalists to abide by the ethics of their profession, there is also the need for their rights and safety to be secured as they go about their duties. According to Manso, journalism is a very crucial tool in national development. Many of its young professionals are leaving to pursue other areas of communication, thereby leading the profession to the brink of extinction.

Journalists in Ghana are yet to enjoy working in reasonably safe environments, which are supported by an adequate legal framework that truly ensures freedom of speech, freedom of expression and access to information. A UN Human Rights Committee (UNHR) report (2016) requests Ghana to respond to or provide information on a total of 26 human rights concerns, which relate to Ghana's obligations under the International Covenant on Civil and Political Rights (ICCPR). Notable among the list of issues the Ghanaian government is expected to respond to are concerns about privacy breaches, the status of the Right to Information (RTI), legislation and matters relating to press freedom violations. The declaration of the Committee of Ministers on the protection of journalism and the safety of journalists and other media actors declared that "prompt and free access to information as the general rule and strong protection of journalists' sources are essential for the proper exercise of journalism, in particular in respect of investigative journalism" (UNESCO, 2105).

In reality, there will be no accurate and reliable information unless media staff can work safely. From the statistics on violations against journalists, it appears that the perpetrators cut

across the entire society, though the worst perpetrators are the security agencies and political party affiliates. Ansah (1996) rightly observes that as long as the journalist is performing dutifully, people will denounce him/her, yet journalists ought to work for the common good. Therefore, there is the need to facilitate the work of journalists.

The need for concerted efforts that engage the different sectors of society, while seeking proper coordination between various initiatives aimed at the protection of journalists, has been repeatedly articulated in roundtable discussions as a key element for the success of any long-term process (IP1, 2015). Tackling incidence of attacks, threats, intimidation and harassment requires a concerted and collaborative approach among five key stakeholders: UN agencies in Ghana, media actors, the government of Ghana, academia and civil society organisations. Stakeholders need to synergize their efforts in enhancing journalists' safety through initiatives such as creating mechanisms for specifically addressing violence against journalists, setting up safety fund and emergency response mechanisms to support embattled journalists, as well as mainstreaming journalists' safety training into academic and journalism training and professional development programmes in the various media organisations in Ghana. Sometimes, in exhibiting the spirit of bravado and camaraderie in the line of duty, some journalists demonstrating little knowledge and skills on journalists' safety put themselves in harm's way as exemplified by Latif. While recommending that security agencies should be trained by media experts and GJA on press freedom and the safety of journalists, journalists need to constantly exercise a lot of prudence and circumspection in the search of information for publication.

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