

AFRICAphonie produces a Project Report on Press Freedom and Access to Information in Cameroon

By Dr Ndode Nseme, Project Secretary

Introduction and Problematic

The British High Commission (BHC) in Yaounde-Cameroon, in partnership with Africaphonie – a Civil Society Organization in Cameroon, organized two distinct seminars in Yaounde and Buea to drill and exchange with professional journalists and communicators on core issues at stake in the 1990 Media Law in Cameroon, the troublesome phenomenon of Press Freedom in Cameroon, as well as the disturbing trends of Access to Information in Cameroon. The seminars come at a time when many media practitioners in Cameroon doubt their left from their right with regards to what is correct or wrong about the 1990 press freedom law, the safety and security of journalists, as well as the daunting challenges they face in the field in terms of accessing key information which they need to inform, educate, entertain, persuade, and advocate for the masses. The organizers found these problematic areas a matter of urgent concern, and thought it was time to rally forces to begin proposing ways forward for a revision of the 1990 press freedom law, greater press freedom in Cameroon, and greater access to information for all journalists in Cameroon.

FIRST SEMINAR

Date: Tuesday, February 15, 2022

Venue: Yaoundé Conference Centre, Cameroon

Organizers: *British High Commission, Yaounde-Cameroon and Africaphonie*

Registration and Preliminaries

The Yaounde Conference Centre was all set by 12noon of Monday, February 14, 2022, to welcome guests and participants on Tuesday, February 15, 2022. As early as 8am February 15 (day of the Conference), participants began registration at the booth (just at the entrance to the event hall). Here, they identified themselves, signed against their names on the register, and were offered a mask, pen, notebook, and their hands sanitized. In the hall, copies of the 1990 Press Freedom Law were well arranged for exploitation by Conference participants. In addition, copies of the proposed Freedom of Information Act were also enclosed in the file for exploitation by participants. The total number of participants that attended the Conference was seventy (70). Participants were drawn from prominent media houses in Yaounde. As soon as registration formalities were over, the Guests were ushered into the Conference Hall.

The Opening Ceremony

Guests were ushered into the Hall at 9:10am. The Master of Ceremonies (MC) welcomed the Guests and participants and read out the programme for the day. This was followed by the singing of the National Anthem of Cameroon. Thereafter, the MC read out the Curriculum Vitae of the Project Consultant, Professor Kingsley Ngange, citing him as a square peck in a square hole, given his rich experiences in Journalism and Mass Communication Training, Practice, Education (Research), and Management in Cameroon.

In his opening remarks and welcome speech, Professor Ngange thanked all stakeholders for the sustained interest in the subject of discussion for the day. He highlighted conditions leading up to the establishment of Law No. 90/052 of 19 December 1990; amongst them, the clamour by press men and women for greater press freedom in in French and English Cameroon. He spoke on the aim of the Conference (to continue conversations on amendment of certain provisions of Law No. 90/052 of 19 December 1990 on Freedom of Mass Communication in Cameroon, and of Law No. 96/04 of 4/1/1996 amending and supplementing certain provisions thereof, as well as advocate the implementation of Section 49(1) of Law 90/052 of 19 December 1990 which guarantees Access to Public Information and Records. The methodology consisted of presentations and interactive discussions.

Furthermore, the Project Consultant noted that the following four (04) questions constituted the expectations for the Conference:

1. What were the objectives of the 1990 Law and to what extent were they attained?
2. What were the substantial changes brought about by the Law and its 1996 amendment?
3. What were the major defects of the 1990 Law and its amendment in 1996?
4. How can participants help proceed with the implementation instrument on Access to Information?

Next in the series of speeches was the President of the National Communication Council (NCC) of Cameroon, Mr. Joseph Chebonkeng Kalabubse. The veteran journalist noted that it is a privilege for the NCC to be part of this Conference. He stressed that the world is fast changing because of advancements in Information and Communication Technology (Internet and social media), thereby requiring journalists to up their technological knowledge and skills to be able to match the current trends.

In this direction, Mr. Chebonkeng recalled that the 1990 Law was essentially on conventional media; signaling the need for revision of certain provisions of the law. He remarked that today, modern media, including ICTs, are the novelty, stressing that these new tools present particular challenges to journalists, especially as almost every citizen, with a smartphone in hand, claims to be a journalist. The NCC President advised participants at the Conference to read and act ahead of citizens with professionalism, so as to continue occupying top spot as masters in their trade. Mr. Chebonkeng also noted that today, people are eager to break stories without knowledge of the implications of such acts. He reiterated the need for conventional media to publish breaking stories online while maintaining the ethics of the profession.

Mr. Chebonkeng also regretted that misinformation and disinformation, mostly promoted by social media, have taken over the media landscape in Cameroon. He asked, "How do traditional media remain relevant in their context"? The answer, he said, lies in deliberations at the Conference; deliberations which should help conventional media to be able to assert themselves.

The next speech was given by the British High Commissioner to Cameroon, His Excellency Dr. Christian Dennys McClure. The High Commissioner appreciated all guests and participants for taking interest in the subject of discussion at the Conference. He highlighted that the issues on the menu (Media Law, Freedom of the Press, and Access to Information) are fundamental problems that challenge journalists around the world today.

His Excellency Dr. Christian Dennys McClure remarked that it is important to advance discussions that focus on a review of the status of journalists in relation to these subject matters. This, he said, is key because journalists are important in fronting every development

agenda. Without access to information and freedom to make information available to concerned stakeholders, development is impossible. The High Commissioner noted that this is the right moment to reinforce the capacity of journalists in the domains of Media Law, Freedom of the Press, and Access to Information. He encouraged openness in deliberations at the Conference.

After the speeches, there were group photographs and media interviews. Thereafter, breakfast was served (Coffee break).

Seminar Presentations:

Moderator: Mr. Kini Nsom, Senior Journalist, Cameroon

Thematic Session: Press Law and Press Freedom

Professor Kingsley Ngange made the first presentation under this thematic session. The presentation was titled, “*Exploring the Gaps in the 1990 Media Law and Proposing Reforms towards Greater Press Freedom*”. He began with the definition of basic concepts of press freedom (the right to report news or circulate opinion without censorship from the government); evolution of press freedom in Cameroon; press freedom and freedom of expression; information; access to information; How Easy or Difficult is “Access” in Access to Information; Major Determinants of Journalists’ “Access” to Information in Cameroon; Importance of Access to Information to Journalism and Press Freedom.

The core of this first presentation was on the 1990 Law on Freedom of Mass Communication in Cameroon. Specific attention was paid on Sections 13,14,15 and 16 which compel Publishers to submit copies of their newspapers to administrative authorities or face a financial penalty; and Sections 74 and 81 on criminal offences. For each of the sections, the presenter asked journalists to share their experiences, and propose what amendments should be done. The general feeling was that these sections are ‘obnoxious’, with considerable revision needed. In fact, one participant questioned, ‘why should somebody control the product you are taking to the market’?

Mr. Christophe Bobokiono made the second presentation on “*Le journaliste face à la loi 1990 et la liberté de la Presse*”. In this regard, the Senior Journalist harped on some on the contentious issues concerning journalism practice in Cameroon. Referring to the Law, Mr. Bobokiono stated that Section 46 is ambiguous on the definition of who a journalist is and does not give autonomy to professionals who have been duly trained.

Mr. Christophe Bobokiono equally cited Section 49(1) which states that “unless otherwise provided by the law and regulations, persons shall be free to have access to official documents; and Section 49(2) which states that “the documents concerned are all files, reports, studies, minutes, statistics, directives, instructions, circulars, memoranda, and all documents relating to acts of positive law”. The presenter indicated that these provisions are problematic in Cameroon, given that there is nothing that compels authorities and individuals to give information. He said some officials find cover in this, and even ask what the person seeking the information can do to them if they refuse to grant access to the information so solicited.

After the two presentations, participants had the opportunity to interact with the panelists. The discussions included overall areas where the application of the 1990 law is problematic, and how journalists go about handling the various challenges they encounter. Some of the revelations indicate that when journalists cannot have access to much needed information, they either remain patient, or put in some pressure. When efforts prove unproductive and frustrating, some journalists indicated that they give up and kill the story. We find this problematic to development and democracy.

Another issue that ensued from the interactive session is that Section 46 of the 1990 Law which provides an ambiguous definition as to who a journalist is could be deliberate, so that the sector remains disorganized as it is. Conference participants resolved that it is time charlatans are cleared from the journalism profession in Cameroon. Journalists were also advised to constitute themselves into powerful journalism associations and unions. By so doing, it was agreed that they will be able to advocate for their rights collectively.

Thematic Session: Access to Information

The first presentation under this thematic session (3rd presentation for the day) was given by Comfort Mussa, a freelance journalist. Her presentation centered on “*Leveraging on Social Media and Online Tools to Seek and Access Information*”. She stressed that the essence of the presentation is to harness the power of social networking to optimize the impact of journalists’ sources and stories. She urged participants to use online space to search sources, and that journalists should shun from the habit of ‘waiting’ for press releases before they swing to action.

One of the experiences Comfort Mussa shared was the aspect of trending stories about the stampede outside the Olembe football stadium on January 24, 2022, in which eight people were killed in a crowd crush at the South Entrance of the stadium. She noted that the story was mostly communicated online by foreign journalists, while some local journalists were still waiting for a press release from government. Comfort stated unequivocally that to remain

relevant, local journalists must leverage online tools and build a brand for Cameroonian stories. She also narrated an unfortunate incident where she booked appointment with a government office in Cameroon to enable her get information on a story they were working on. She said she was denied access. But as soon as the foreign journalist with whom she was working with on the article called the office, the foreign journalist was immediately granted access to the information.

The second presentation under the thematic session on Access to Information (4th presentation for the day) was given by Mr. Jesse Konang, a Civil Society media practitioner. His presentation centered on “*Mainstreaming Access to Information in Cameroon’s Freedom of Expression*”. Mr. Konang emphasized on the doctrine of access to information, press freedom, and the challenges journalists face in these domains. He stressed that access to information involves a degree of professionalism and integrity from the journalist. Mr. Konang added that the media landscape in Cameroon is challenging, further complicated with ICTs and social media.

Citizens’ ignorance of their right to information, rumor mongering, misinterpretation of government plans and policies, professional secrecy, inadequate citizen participation in sustainable development were also highlighted during the presentation as elements that can contribute to withholding of information. He stressed the need for Section 49 to be made more practical in that it is important for public institutions to grant access to the media. Participants were equally advised to be cautious when leveraging information from citizens. Journalists were cautioned to work under professional aptitude. Mr. Konang also advised journalists to have knowledge of the Penal Code of Cameroon, and cautioned them to always ensure that the documents they cite are those that are signed. Mr. Konang concluded that a freedom of information act in Cameroon is urgent.

At the end of the presentations by Comfort Mussa and Mr. Jesse Konang, another interactive session followed between the presenters and participants. Here, participants asked questions relating to the role of social media in enhancing journalism practice, as well as how greater freedom of the press and greater access to information could be guaranteed within the media landscape in Cameroon. The exchange was beneficial to all conference participants and conference organizers.

Conclusion:

Towards the end of the Conference, two journalists; one in English and one in French appreciated the British High Commission and Africaphonie for a successful organization of the Conference. They joined their voices to urge media practitioners to follow up with the way forward and recommendations of the Conference. The Project Consultant, Professor Kingsley Ngange equally thanked all stakeholders for making the Conference possible. He thanked

especially the Founder of Africaphonie, Mr. George Ngwane, for bringing to limelight an organization like Africaphonie that focuses on “*Thinking Our Own Solutions*”. Professor Ngange also appreciated different speakers for doing a great job. The Conference ended at 3:30pm. Lunch was served to participants, followed by the departure of all.

SECOND SEMINAR

Dates: Thursday, March 24, 2022

Venue: Mountain Hotel, Buea-Cameroon

Organizers: *British High Commission, Yaounde-Cameroon and Africaphonie*

Registration and Preliminaries

The Buea Mountain Hotel was all set by 4pm of Wednesday, March 23, 2022, to welcome guests and participants on Thursday, March 24, 2022. As early as 8am March 24 (day of the seminar), participants began registration at the booth. Here, they identified themselves, signed against their names on the register, and were offered a mask, pen, notebook, and their hands sanitized. In the hall, copies of the 1990 Press Freedom Law were well arranged for exploitation by seminar participants. In addition, copies of the proposed Freedom of Information Act were also enclosed in the file for exploitation by participants. Fifty (50) participants attended the Buea seminar. Participants were drawn from prominent media houses in the South West Region (Buea, Limbe, Tiko, Kumba). Lawyers also attended the seminar. Also, undergraduate (Bachelors) and postgraduate (Master's and Ph.D.) students from the Department of Journalism and Mass Communication, University of Buea were in attendance. As soon as registration formalities were over, the Guests were ushered into the Mountain Hotel restaurant for breakfast. From here, participants were ushered into the seminar hall for start of deliberations.

The Opening Ceremony

Guests were ushered into the Hall at 9:25am. The Master of Ceremonies (MC) welcomed the Guests and participants and read out the programme for the day. Participants were asked to introduce themselves and pronounce their expectations for the seminar. Core expectations include: the need for revision of some sections of Law No. 90/052 of 19 December 1990; quest for greater freedom of the press in Cameroon; and greater access to information for public and private press in Cameroon.

In his opening remarks and welcome speech, the Project Consultant, Professor Kingsley Ngange thanked all stakeholders for the sustained interest in the subject of discussion for the day. He highlighted conditions leading up to the establishment of Law No. 90/052 of 19 December 1990; amongst them, the clamour by press men and women for greater press freedom in French and English Cameroon. He spoke on the aim of the Conference (to continue conversations on amendment of certain provisions of Law No. 90/052 of 19 December 1990 on Freedom of Mass Communication in Cameroon, and of Law No. 96/04 of 4/1/1996

amending and supplementing certain provisions thereof, as well as advocate for the implementation of Section 49(1) of Law No. 90/052 of 19 December 1990 which guarantees Access to Public Information and Records. The methodology consisted of presentations and interactive discussions.

Furthermore, the Project Consultant noted that the following four (04) questions constituted the expectations for the Conference:

5. What were the objectives of the 1990 Law and to what extent were they attained?
6. What were the substantial changes brought about by the Law and its 1996 amendment?
7. What were the major defects of the 1990 Law and its amendment in 1996?
8. How can participants help proceed with the implementation instrument on Access to Information?

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Seminar Presentations:

Moderator: Mr. Chris Eno Oben, Senior Journalist, Cameroon

Thematic Session: Press Law and Press Freedom

Professor Kingsley Ngange made the first presentation under this thematic session. The presentation was titled, “*Exploring the Gaps in the 1990 Media Law and Proposing Reforms towards Greater Press Freedom*”. He began with the definition of basic concepts of press freedom (the right to report news or circulate opinion without censorship from the government); evolution of press freedom in Cameroon; press freedom and freedom of expression; information; access to information; How Easy or Difficult is “Access” in Access to Information; Major Determinants of Journalists’ “Access” to Information in Cameroon; Importance of Access to Information to Journalism and Press Freedom.

The core of this first presentation was on the 1990 Law on Freedom of Mass Communication in Cameroon. Specific attention was paid on Sections 13,14,15 and 16 which compel Publishers to submit copies of their newspapers to administrative authorities or face a financial penalty; and Sections 74 and 81 on criminal offences. The presentation triggered lengthy debates and discussions. For each of the sections, the presenter asked participants to share their experiences, and propose what amendments should be done. The general feeling was that these sections need considerable revision. For instance, deposition of newspaper copies to administrative authorities. Professor Ngange also emphasized on ‘*social responsibility*’ and ‘*organization of the media sector*’ as major panacea to greater press freedom and access to information in Cameroon.

Mr. Charly Ndi Chia made the second presentation, which was an “*Oral Testimony of Professional Experience on Press Law*”. In this regard, the Senior Journalist narrated his experiences in working with different press organs in Cameroon, as well as the challenges he encountered in his job. He narrated experiences of intimidation, repression, arrest, and torture and cautioned journalists to guard against these.

Mr. Charly Ndi Chia equally observed and regretted that the question of selective journalism (gatekeeping) in Cameroon has transformed the media sector into an *orchestra of deception*, where journalists decide on what to report or not to report, based on their interests and the interests of their sponsors (journalists instrumentalized). He said such trend complicates access to information and freedom of the press. Mr. Charly Ndi Chia also reminded participants that in the yesteryears, setting up a media house meant the owner had to submit a “Morality Report” to ascertain their fitness. The question of hate speech was also addressed as a major contributor to the confusion and disorganization in the media sector in Cameroon today. For greater productivity and progress of the media sector, journalists and communicators were advised to guard against hate speech in the media. Mr. Ndi Chia insisted on facts, and the need for journalists to defend their dignity and integrity.

Thematic Session: Access to Information

The first presentation under this thematic session (3rd presentation for the day) was given by Mr. Jesse Konang, a Civil Society media practitioner. His presentation centered on “*Mainstreaming Access to Information in Cameroon’s Freedom of Expression*”. Mr. Konang emphasized on the doctrine of access to information, press freedom, and the challenges journalists face in these domains. He stressed that access to information involves a degree of professionalism and integrity from the journalist. Mr. Konang added that the media landscape in Cameroon is challenging, further complicated with ICTs and social media.

Citizens’ ignorance of their right to information, inconsistent policies, poor documentation, preferential treatment, professional secrecy, were highlighted as contributors to information hoarding in Cameroon. The consequences include: misrepresentation of government policies; rumor mongering, inadequate citizen participation in sustainable development, and weak international relations. As a result of inaccessibility to information, journalists resort to unorthodox practices like document theft, eavesdropping, insider trading, undercover reporting, cyber criminality, etc. which are unhealthy for journalism practice.

Mr. Konang stressed the need for Section 49 to be made more practical in that it is important for public institutions to grant access to the media. Participants were equally advised to be cautious when leveraging information from citizens. Journalists were cautioned to work under professional aptitude. Mr. Konang also advised journalists to have knowledge of the Penal Code of Cameroon, and cautioned them to always ensure that the documents they cite are those that are signed. Mr. Konang concluded that a freedom of information act in Cameroon is urgent.

Mr. Frankline Sone Bayen made the second presentation under this thematic session (4th for the day), which was an “*Oral Testimony of Professional Experience on Access to Information*”. Mr. Bayen narrated his work experiences, as well as the challenges of accessing information. One of his major emphases was the fact that, journalists need to go down to the field, no matter the challenges, and see, feel, taste, touch, and smell the story. He said this confers credibility to the media. A question-and-answer session followed from his presentation.

Way Forward for the Two Seminars:

- For both seminars, participants agreed that it is time they started telling their story. They resolved to publish in their print, broadcast, and online media outlets, the outcomes of the Conference; principally on the **need to revise certain provisions of the 1990 Law on the Freedom of Mass Communication in Cameroon, and the Need to have a Freedom of Information Act in Cameroon.**
- Participants were given a draft Freedom of Information Act and were expected to make comments on the draft proposal and send to africaphonie2000@yahoo.co.ck within two weeks from the date of the seminar.
- Creation of two Twitter handles in English and French to reinforce and continue with this conversation: #pressfreedomcameroon and #libertédelapressecameroun.

Conclusion:

The Project Consultant, Professor Kingsley Ngange thanked all stakeholders for their active participation in the seminar deliberations. He thanked especially the Founder of Africaphonie, Mr. George Ngwane, for bringing to limelight an organization like Africaphonie that focuses on “*Thinking Our Own Solutions*”. On his part, Mr. George Ngwane thanked the Project Consultant, Panelists, and Participants for taking interest in the subject of the seminar. He remarked that the discussions will be taken seriously as a way to empower the media, so that they are free and have access to information which is crucial for sustainable development, sustainable democracy, peace, and good governance in Cameroon. The seminar ended at 2:30pm. Lunch was served to participants, followed by the departure of all.

Seminar Recommendations

For Yaounde and Buea, seminar participants made the following recommendations (*verbatim*), based on what they gathered from the seminar, in addition to their experiences in the domain of practice as professional journalists in the media landscape in Cameroon:

“The press law should be revised so as to give journalists the power they are due”

“There should be laws that enhance the gathering of information (Need for an Information Act)”

“The Access to information Act should be lobbied with some members of parliament”

“Creation of a strong syndicate, association, or union of Journalists (*just one*) so they work in synergy for access to information and protect journalism and journalists”

“Sourcing of information is crucial to enhance access to information”

“Journalists should be protected through a strong legal framework”

“Organize more seminars and create a forum to share important ideas”

“Laws criminalizing press offences should be scrapped”

“The NCC should be independent in order to promote press freedom and social development”

“Redefinition of journalist to include formal training”

“Journalists should be schooled regularly on ethics. They should be responsible”

“I appreciate the British High Commission and Africapronie for making this day possible. I recommend that journalists remain professional within today’s context of social media”

“Press men should get abreast with other laws and regulations that government has enacted to regulate the press”

“Update the 1990 media law and insert some sanctions related to online journalism in order to facilitate even the daily work of the National Communication Council”

“Section 13 of the law should be scrapped out completely. It delays growth in democracy”

“Agencies of communication be created for journalists to get information”

“Africapronie should organize the different media organizations to come together to jointly advocate. This is because it is difficult to do it solo”.

“Follow up and publish unethical online writers by creating a ‘social media news law’ to regulate and check dissemination”

“A standard law on creation of a media house”

“Government and other useful websites should be created / updated so journalists can be at the same level of information”

“Private media journalists should be given equal value and treatment as their counterparts in public press”