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YOUR VOICE  
OUR FREEDOM

EDITORIAL

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# Signing off for 2021

Greetings and welcome to the fifth and final edition of the iSPEAK newsletter for 2021.

With attention focused on The Gambia as it held it's first ever democratic election post the repressive Yahya Jammeh, iSpeak host Victor Mabutho had the opportunity to have an enlightening conversation with Saikou Jammeh – journalist and former secretary of the Gambia Press Union. They were able to unpack the first-ever presidential debate, what it means for issue-based elections and more importantly, the future of The Gambia.

As the world marks the 16 Days of Activism against Gender-based Violence (November 25 to December 10) iSPEAK investigates if increased awareness on understanding sexual harassment has resulted in a change of behaviour on the part of perpetrators? Sadly, journalist Victor Mabutho - in his discussion of the findings of the 2021 survey by **Women in News - Sexual Harassment of Women in African Media** - concludes that the culture of abuse continues unabated in Africa's media sector as one in every two women in the media experiences some form of sexual harassment.

On the cyber sphere iSPEAK contributors tackle a range of issues, ranging from the power dynamics evolving from our increasing dependency on social platforms as a means of communication; to the potential threats to hard-hitting journalism as the Namibian government seeks to expand its surveillance powers and reach and, after a closer look, the increasingly insidious nature of communications surveillance being employed by African governments.

And finally, let's spare a thought for those whom we've lost this year.

**#LetsTakeAMoment** to remember the 13 journalists who lost their lives during the course of their work in 2021.

Enjoy this and more in our December edition of iSPEAK.

Wishing you and yours a restful and safe holiday season, and time to reflect on all that you have achieved. See you bright and early in 2022!

Remember, the iSPEAK newsletter is free so please share the word far and wide with others who may have an interest in reading the analyses provided, and who may wish to participate in our monthly event. We are focused on providing the African context and narrative on freedom of expression issues, and look forward to providing challenging views on current debates that inform or change the way you think.

Make sure you don't miss out on our monthly edition by signing up on **WhatsApp** or joining the **mailing list**. Feel free to get in touch with us via email on [info@ispeak.africa](mailto:info@ispeak.africa).

**The iSPEAK team**

My Voice | Your Voice | Our Freedom

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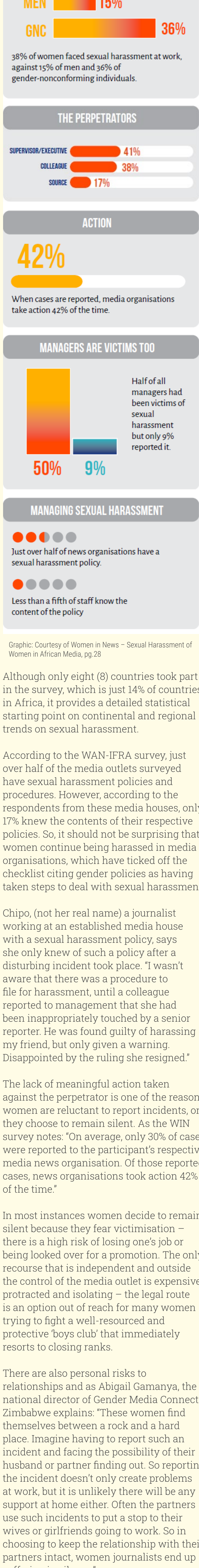
# Sexual harassment – the culture of abuse continues unabated

By Victor Mabutho

Sexual harassment is part of a media woman's lived experience, both in the newsroom and out in the field. That harassment comes in an array of forms and from multiple individuals – supervisors, subordinates, colleagues, peers and sources. This is exactly why gender and sexual harassment policies in the media were crafted - the intention is to make newsrooms safer for women. The advent of the internet and social media platforms may have facilitated women's voice and agency, but it has unfortunately also presented an additional avenue through which women journalists are harassed online.

Years of lobbying has brought about greater awareness on understanding sexual harassment, so Victor Mabutho asks the critical question: has there been a change of behaviour as a consequence?

In 2021, the first ever comprehensive survey on the extent of sexual harassment in Africa's media sector, released by **Women in News - Sexual Harassment of Women in African Media**, pointed to a disturbing reality that the culture of abuse continues unabated, as one in every two women in the media experiences some form of sexual harassment.



Graphic: Courtesy of Women in News – Sexual Harassment of Women in African Media, pg.28

Although only eight (8) countries took part in the survey, which is just 14% of countries in Africa, it provides a detailed statistical starting point on continental and regional trends on sexual harassment.

According to the WAN-IFRA survey, just over half of the media outlets surveyed have sexual harassment policies and procedures. However, according to the respondents from these media houses, only 17% knew the contents of their respective policies. So, it should not be surprising that women continue being harassed in media organisations, which have ticked off the checklist citing gender policies as having taken steps to deal with sexual harassment.

Chipo, (not her real name) a journalist working at an established media house with a sexual harassment policy, says she only knew of such a policy after a disturbing incident took place. "I wasn't aware that there was a procedure to file for harassment, until a colleague reported to management that she had been inappropriately touched by a senior reporter. He was found guilty of harassing my friend, but only given a warning. Disappointed by the ruling she resigned."

The lack of meaningful action taken against the perpetrator is one of the reasons women are reluctant to report incidents, or they choose to remain silent. As the WIN survey notes: "On average, only 30% of cases were reported to the participant's respective media news organisation. Of those reported cases, news organisations took action 42% of the time."

In most instances women decide to remain silent because they fear victimisation – there is a high risk of losing one's job or being looked over for a promotion. The only recourse that is independent and outside the control of the media outlet is expensive, protracted and isolating – the legal route is an option out of reach for many women trying to fight a well-resourced and protective 'boys club' that immediately resorts to closing ranks.

There are also personal risks to relationships and as Abigail Gamanya, the national director of Gender Media Connect, Zimbabwe explains: "These women find themselves between a rock and a hard place. Imagine having to report such an incident and facing the possibility of their husband or partner finding out. So reporting the incident doesn't only create problems at work, but it is unlikely there will be any support at home either. Often the partners use such incidents to put a stop to their wives or girlfriends going to work. So in choosing to keep the relationship with their partners intact, women journalists end up suffering in silence."

## Survivors share their experiences:

- The challenge with reporting harassment in the newsroom as a woman is that the entire chain of command are men, and there are no clear structures on how to go about making such a complaint
- I lost interest in the media industry because any time I did not show interest to my editor, it was always a rough day for me. My stay there was hell.
- When my only female colleague left for another media house last October, my editor told me to be assured of her position; I needed to warm his bed. I quit after being harassed for 'running to HR'. I felt so helpless and had no one to go to and ended up being demoted. I am still affected five years later.

"The most common responses of organisations when they took action was warning the perpetrator (41%), offering emotional support for the participant (12.7%), dismissing the case after review (12.5%), and providing training for staff about sexual harassment (9%)."

According to the report, harassment from sources amounts to 17%, posing another hurdle for women interviewing subjects who are critical in providing content and substance to a story being worked. Their demands in exchange for the information they have is a negotiation that not all women journalists are able to do or should have to. When recalling her own experience Chipo advises: "When it comes to dealing with sources, you have to balance between getting the story, while making it clear you are not interested in his advances."

It doesn't always work out well and "as a woman journalist you actually lose stories because you've said no to someone's sexual advances. But that doesn't happen to our male counterparts. It's difficult for a woman to cover political stories, because sources want favours in exchange for information," adds Chipo.

While the WIN survey is one of the most comprehensive surveys on sexual harassment in the media, it solely focused on media outlets.

What also needs to be evaluated is the equally worrying rise in attacks on women on online platforms as they are more insidious: people often feel it's acceptable to say things online that one would normally not say in person. Online attacks are out in the public domain and so they reach a larger audience, and with trends continuing there are audiences who will normalise these attacks. More distressing is that the perpetrator is able to hide behind the anonymity of online platforms.

A new global survey conducted by the International Center for Journalists (**ICFJ**) and the United Nations Educational, Scientific and Cultural Organization (**UNESCO**) points out: "Online violence targeting women journalists manifests itself in a variety of ways, but it has a number of common characteristics:

- **It is networked**  
Online violence is often organised, coordinated or orchestrated. It can include state-sponsored 'sock puppet networks,' acts of 'patriotic trolling,' and involve mobs who seed hate campaigns within one fringe network before pushing it into more mainstream networks and partisan media. But such abuse can also come from individuals united in a common cause - like misogyny.
- **It is usually misogynistic**  
Misogyny is one of the key features of online violence targeting women journalists, and it has been routinised.
- **It radiates**  
The perpetrators of online violence against women journalists often target their families, sources, colleagues and bystanders too.
- **It is intimate**  
In detail and delivery, the threats are personal. They arrive on mobile phone screens first thing in the morning and last thing at night, and they are often highly sexualised.

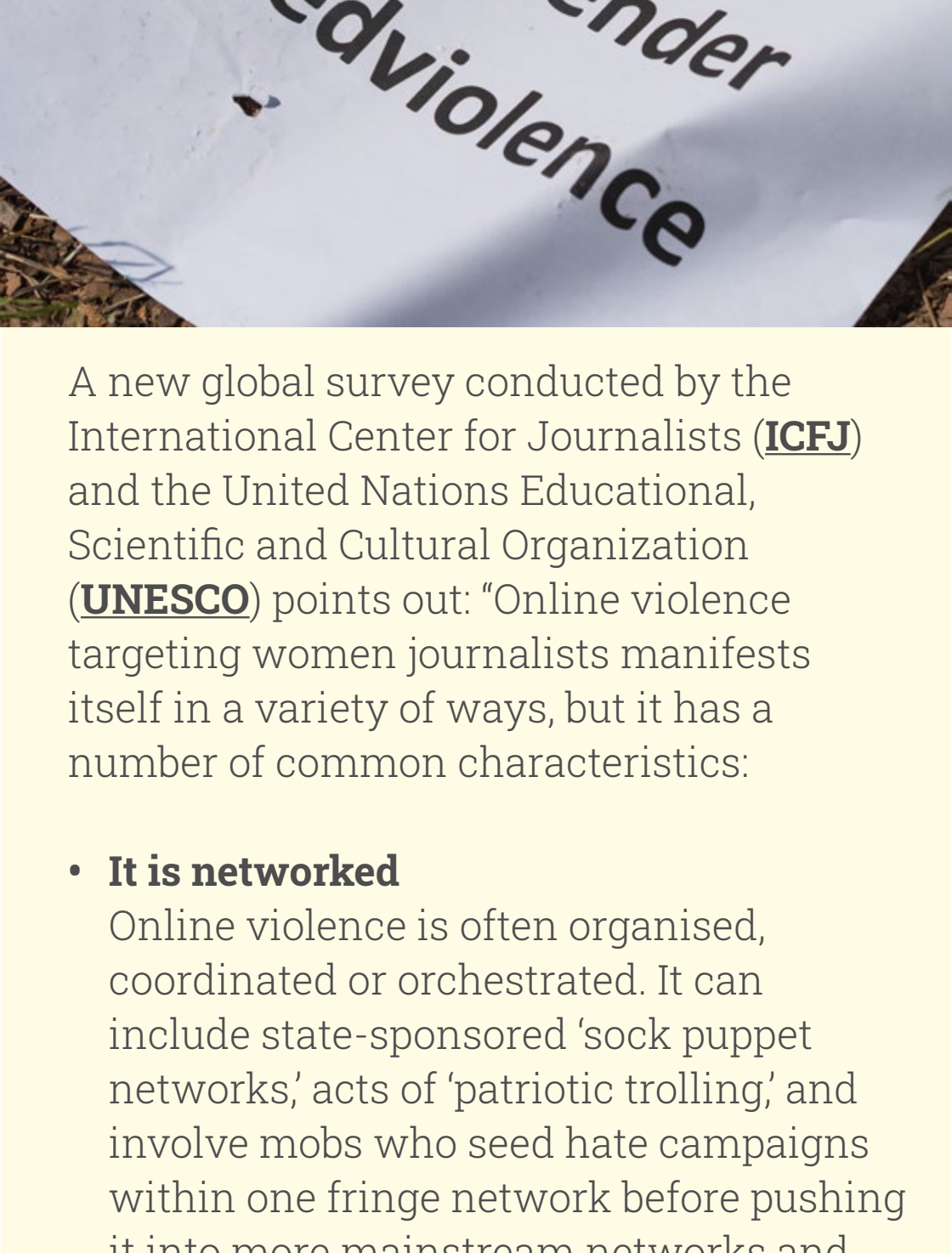
Giving her evaluation of cyber laws and policy on the continent, digital rights researcher Juliet Nanfuka says: "Right now we do not have any dedicated policy for the dynamics that women face in online spaces. What we have, are other policies that look at internet users as a whole, none that understand the unique online experiences women and young girls face, in particular, on online spaces."

Sharing her thoughts on the legal and policy frameworks, constitutional lawyer Jessie Fungayi Majome feels: "The patchwork of legislation and policies pertaining to sexual harassment is disjointed, as it is to be found in bits and pieces of law such as in the codes of conduct in the employment sectors, in codes of conduct which is worded rather vaguely, and not comprehensively. "Sometimes we find it in criminal law codification around just general harassment. In my view there is need for a legal framework that is very clear and very easy to use for survivors to get help immediately and bring perpetrators to book".

Nanfuka explains the role of platforms in fighting harassment. "Platforms have a role to play in how ready they are to address cyber harassment. We see a whole lot of abuse going under the radar because it's from the (African) continent and in local languages, so harassment is not picked up by the social media platforms not conversant with culture and context. In other cases we have the use of images and text, where the image may appear innocent but the text accompanying it portrays a different and more nuanced meaning."

"No one stakeholder, in the internet governance arena, has the power to address this issue alone. It has to be approached by all actors in the model collectively," she adds. Therefore, the remedies for combatting online violence require a multi-stakeholder approach, involving governments, social media platforms, media and civic groups.

**Victor Mabutho is a freelance journalist and social media consultant based in Harare, Zimbabwe. He has a keen interest in Africa and has researched and published on a broad spectrum of issues affecting the continent, including politics, freedom of expression, elections and tech. He can be found on Twitter at @Victor\_Mabutho**







***NEW EPISODE!***

with Saikou Jammeh

**A FIRST FOR ISSUE-BASED  
ELECTIONS IN THE  
GAMBIA**



# Caught At The Government and Platform Content Regulation Crossroad

By Juliet Nanfuka

**States and social media platforms are increasingly taking up the role of content gatekeeper. Where does this leave content creators?**

Through its safeguard measures, the Windhoek Declaration had visualised the future potential of Africa’s media landscape, as moving away from monopolies, and state control. The Declaration served as a beacon of hope for the establishment and maintenance of a media that was pluralistic, independent and free, with the almost prophetic **recognition** that multiparty democracies across Africa would “provide the climate in which an independent and pluralistic press could emerge”.

Both the media landscape and internet access in Africa would go on to grow in tandem, accompanied by shifts in how news is gathered and disseminated and bringing with it an influx of new online content creators, and increasing questions on how to adapt, remain relevant and authoritative in the face of new regulations and gatekeepers.

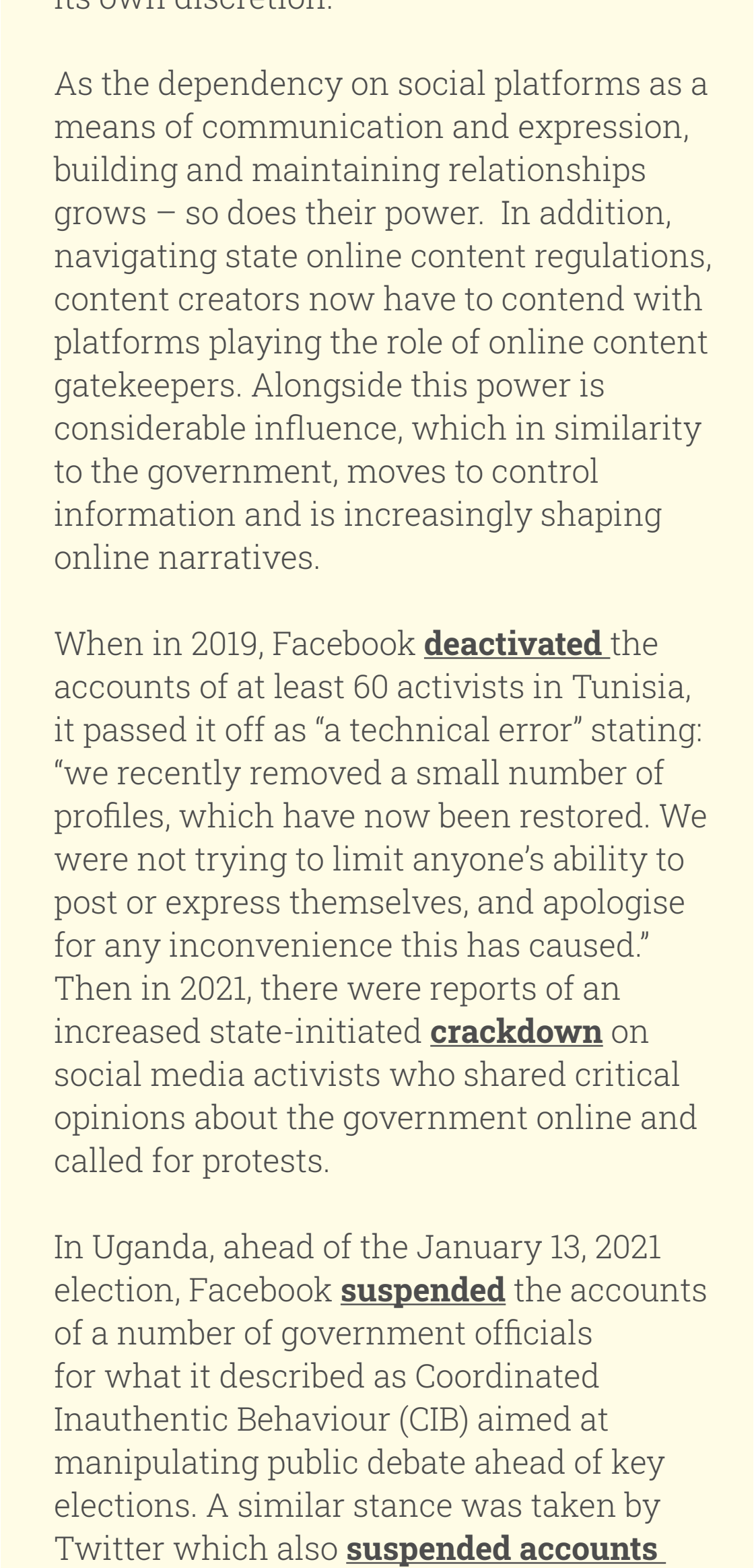
For many countries in Africa, the state often played the role of gatekeeper, such as during apartheid-era censorship in South Africa which also affected countries like **Namibia**. Or the regulation was advanced through the monopoly of state-run media houses by one-party state governments. As the media and technology landscape has dramatically evolved, so have the rules of the media – especially those pertaining to regulation.

Today, the media is caught in a content regulation power struggle between governments and social media intermediaries.

While circling the age-old problems of harmful and unlawful content, misinformation and disinformation, governments have exploited these concerns to their benefit through the introduction of regressive laws and regulations which have often gone against the spirit of press freedom, freedom of expression, access to information, and media independence.

In a move described by critics as a drive to **suppress and silence** independent news sources, Egypt introduced a law in 2018 that would regard social media accounts and blogs with more than 5,000 followers as media outlets. This description provides the authorities an avenue to control the content that both citizens and the media can distribute – ultimately a form of fuelling self-censorship and limiting freedom of expression and access to information.

In October 2020, the Lesotho government **proposed a regulation** that would require individuals with more than 100 followers on social media platforms to register with authorities and be treated as internet broadcasters. These moves bear semblance to the **Uganda** and **Tanzania** online content regulations which also serve to monitor and control content producers. Meanwhile, Nigeria’s ‘Protection from Internet



Falsehood and Manipulation Bill, 2019’ will **allow the government** to block internet access or specific social media platforms such as WhatsApp, Facebook and Twitter at its own discretion.

As the dependency on social platforms as a means of communication and expression, building and maintaining relationships grows – so does their power. In addition, navigating state online content regulations, content creators now have to contend with platforms playing the role of online content gatekeepers. Alongside this power is considerable influence, which in similarity to the government, moves to control information and is increasingly shaping online narratives.

When in 2019, Facebook **deactivated** the accounts of at least 60 activists in Tunisia, it passed it off as “a technical error” stating: “we recently removed a small number of profiles, which have now been restored. We were not trying to limit anyone’s ability to post or express themselves, and apologise for any inconvenience this has caused.” Then in 2021, there were reports of an increased state-initiated **crackdown** on social media activists who shared critical opinions about the government online and called for protests.

In Uganda, ahead of the January 13, 2021 election, Facebook **suspended** the accounts of a number of government officials for what it described as Coordinated Inauthentic Behaviour (CIB) aimed at manipulating public debate ahead of key elections. A similar stance was taken by Twitter which also **suspended accounts targeting the election**. The Ugandan government immediately responded by blocking social media access before shutting down the entire internet, echoing sentiments similar to those expressed by social media platforms.

Although states and platforms alike are tackling problematic content concerns, a “one size fits all” may serve to exclude rather than include members of the digital society.

In 2018, Facebook announced that it planned to **prioritise high-quality** news on the platform by allowing its users to rank news sources that they deemed as the most credible and trustworthy. The **countries** where the ranking works include Brazil, France, Germany, India, Italy, Spain, the US, and the UK.

As such, David Kaye, Special Rapporteur of Freedom of Information echoed the sentiments of many when he **asked**, “What will Mark Zuckerberg do when the needs of the community, in what it determines is trusted news, are different from what the government determines? Who will Facebook side with?” To date, no African countries have been included in the news ranking approach where their exposure to the whims of State online content regulation is particularly high especially during times of public protest and elections - which often coincide with increased levels of misinformation and disinformation from multiple fronts.

Unlike states who have made it blatantly obvious whose interests they serve in their content moderation stance, the **interests of platforms** remain a grey area despite their continued insistence of working against misinformation and fake news. With content as a business model, accompanied by increasingly shrewd algorithms, platforms are caught doing a balancing act between being content gatekeepers and maintaining profits – both of which appear to be **incompatible with digital rights**. However, platforms are driven by advertising revenues heavily reliant on content algorithms, thus the interests of big business likely surpass the interests of users.

As internet access on the continent continues to grow, African media is faced with challenges that were non-existent 30 years ago. Meanwhile, content increasingly curated by states or platforms also introduces a dynamic for the viability of the media as the concept of the content creator and information gatekeeper is changing.

Perhaps, now is the time to revisit some of the principles of the Windhoek Declaration given the new realities of governments, the media, and global platforms in Africa.

**Juliet has a background in journalism and has worked in the fields of communications strategy, publicity, branding and market research across East and Southern Africa.**

**Connect with her at @ChewingStones**



# Fearless journalism under threat

by *Fredrico Links*

## Namibia's emerging state surveillance regulatory environment could have the effect of stifling critical reporting and silencing society.

On a daily basis Namibian news audiences, especially of some daily newspapers, are presented with information emanating from anonymous sources or confidential informants.

Phrases such as 'according to sources' or 'a source who spoke under the condition of anonymity' regularly appear in politically charged or highly sensitive reporting of political or state governance affairs.

Corruption, governance malfeasance, waste and mismanagement in the state sector are almost always publicly surfaced through anonymous leaks of information or documents to journalists, or to some political activists.

However, new state surveillance enabling telecommunications regulations could have a chilling effect on such public interest leaks and reporting and thus the ability of the news media to continue to act as an effective watchdog over those in power.

This is because the new regulations – to operationalise Part 6 of **the Communications Act of 2009** – gravely threaten to end anonymity in telecommunications.

This aim was clearly articulated in **an official communique issued on 26 October 2021** by the Ministry of Information and Communication Technology (MICT) executive director, Mbeuta Ua-Ndjarakana, when he stated: "The benefits of SIM card registration is that it eradicates anonymity of communications, which aids in legal surveillance and interception. It also assists in finding criminals who utilise telecommunications to commit offences."

To be clear, Namibia is on the cusp of operationalising SIM card registration and data retention regulations – **that were gazetted on 15 March 2021** – that legalise mass surveillance, which will have a tremendous impact on Namibians' rights to privacy and freedom of expression, as well as the directly related right to freedom of association.

With this move the Namibian state will, in the near future, become the latest African state to tie people's online and communications activities to their offline identities in a way that would make identifying and tracking them easy.

And the potential impacts of these measures on Namibian news media and journalists are especially concerning.

## Threatening journalism

Because what the new SIM card registration and data retention regulations install is a framework that effectively negates any notions of communication and internet privacy and confidentiality.

The level of mass surveillance that the impending Communications Act regulations will enable is so broad, extensive and invasive that every single person, in possession of an active mobile device or internet connection, will literally be followed around everywhere they go both offline and online.

The nature of this highly invasive mass surveillance became clear in the wake of a Communications Regulatory Authority of Namibia (CRAN) stakeholder 'consultative' process in October 2021.

What emerged publicly from this process were **conditions to be imposed on telecommunications and internet service providers**, that detailed the concerning extensive amounts of cell phone and internet traffic data that service providers will be obligated to collect on every service user or consumer.

In practical terms the regulatory conditions mean that it will be near impossible for a journalist to maintain the secrecy of sources, or to set up confidential engagements or drops with sources. Similarly, the regulations could stoke the fear of surveillance among the general public, which could have the effect of silencing society for fear of being singled out for retaliation, thereby drying up journalistic sources of information of all kinds.



These are real concerns given the politicisation and factionalisation of law enforcement and intelligence agencies over the years, coupled with the almost complete lack of effective oversight over, and transparency and accountability of these state organs.

The near total undermining of communications and online privacy and anonymity is why the Namibian public interest law firm, the Legal Assistance Centre (LAC), labelled the emerging regulatory framework as "constitutionally faulty" in a **policy brief published in early October 2021**.

The LAC finds that the regulations are substantially weak in a number of critical ways that could enable surveillance overreach and abuse, such as a lack of "measures pertaining to the security of the data and protections for confidentiality and the prevention of unauthorised access".

And the LAC concludes that "it seems likely that Namibia's telecommunications data retention scheme might be found to be an unconstitutional infringement of the right to privacy overall, given the intrusion into the privacy of large segments of the population in a manner that has a questionable ability to serve the intended objectives".

## Debunking state narratives

The raising of these sorts of concerns has not deterred the Namibian state, as critiques of the constitutionality of Part 6 of the Communications Act have been around since before the law was enacted in 2009.

The Namibian state's approach of course reflects the very narrow, single-track approach so beloved of states seeking to expand their surveillance powers and reach – trumpeting that such invasive measures are in the interest of effective crime fighting and protection of national security, as stated by the MICT executive director.

However, the evidence for mandatory SIM card registration and extensive data retention regimes being effective crime fighting or national security tools seems slim, according to international digital rights non-governmental organisation Privacy International (PI).

**In this regard, PI states:** "SIM registration has not been effective in curbing crime, but instead has fuelled it: states which have adopted SIM card registration have seen the growth of identity-related crime, and have witnessed black markets quickly pop up to service those wishing to remain anonymous. Moreover, SIMs can be illicitly cloned, or criminals can use foreign SIMs on roaming mode, or internet and satellite telephones, to circumvent SIM registration requirements."

For its part, the Uganda-based Collaboration on International ICT Policy for East and Southern Africa (CIPESA) continues to report how African governments have been abusing similar regulations to clamp down on legitimate political expression, harass and arrest journalists, and spy on political opposition activists.

In its recently released **'State of Internet Freedom in Africa 2021'** report CIPESA states that SIM card registration and data retention regimes across the continent have "greatly undermined the ability of citizens to communicate anonymously, given the amount of personal data that is collected, retained and shared through these exercises, without adequate oversight and respect for individuals' privacy rights".

Against this backdrop, red flags should be furiously fluttering and alarm bells clanging for Namibian journalists and news media organisations around the emerging state surveillance regulatory environment.

***Frederico Links is a research associate with the Institute for Public Policy Research (IPPR) in Namibia since 2009 and a co-founder and current chairperson of ACTION Namibia which campaigns for greater ATI in Namibia.***



# Rethinking policy interventions surveillance in Africa

By Tomiwa Ilori

**Communications surveillance has become more insidious. African governments continue to invest in intrusive surveillance equipment that not only violates human rights, but also contributes to closing the civic space. This essay argues that in correcting policy on communications surveillance especially in Africa, stakeholders must turn to rights-respecting laws with directions from within the African context in this regard.**

The terrorist attack on the World Trade Centre on 11 September 2001, won't be forgotten in a hurry. It set off repercussions that were not immediately obvious even two decades after – the trade-off between human rights and public security. In particular, it renewed the conversations on policy setting for communications surveillance across the world.

More than a decade later, Edward Snowden – a former subcontractor of the Central Intelligence Agency (CIA) revealed that the National Security Agency (NSA), together with telecommunication companies, spies on US citizens and other countries' leaders and people through various intrusive surveillance technologies on grounds of national security.

Privacy International defines communications surveillance as the “monitoring, interception, collection, preservation and retention of information that has been communicated, relayed or generated over communications networks to a group of recipients by a third party.”

Today, more governments are emboldened in their deployment of indiscriminate communications surveillance, arguing that such are fine, in so far as they guarantee public safety.

In 2021, Citizen Lab released a report on 25 countries conducting cyber-espionage across the world. Seven of those are African countries which include Nigeria, Zimbabwe, Equatorial Guinea, Morocco, Botswana, Kenya and Zambia, and they feature prominently in the report as having ties with an Israeli telecoms company called Circles.

The report by Citizen Lab points to three alarming facts on communication surveillance:

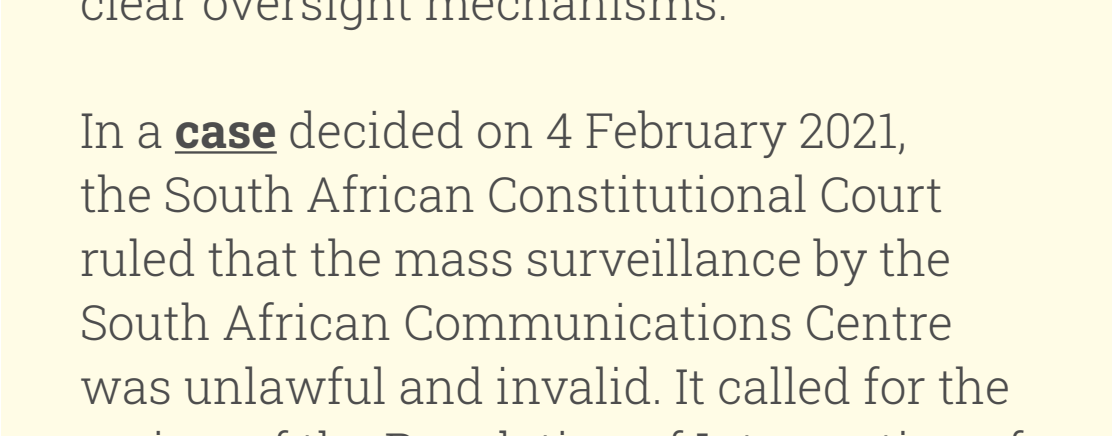
- spyware deployment is carried out by governments, especially those with troubling records of human rights abuses,
- intrusive technologies have become more insidious; and
- telecommunications companies are complicit in indiscriminate deployment of communications surveillance.

These confirm that governments, together with telecommunication companies do not engage in surveillance only to ensure public safety, but also use these new technologies to track government opposition, journalists and human rights defenders. What this does is throw up the policy gaps on communications surveillance in most systems, including those in African countries.

So knowing this, what can those who are not part of that government decision do?

**First we have to understand** that the primary standard of international human rights law, is **explicit** on how surveillance technologies can be deployed.

The major principles under international law as they have been discussed by experts include legality, legitimate aim, necessity, judicial oversight and due process, among others



While these principles seek to protect the right to privacy, they also acknowledge the need for surveillance in public interest but with the necessary checks and balances in place.

In many African countries, these principles are not complied with. This is because where there are laws on communications surveillance they are mostly inadequate.

African countries which carry out surveillance do not usually have the requisite law in place and where they do, these are either inadequate or abused or both.

This has posed serious challenges with respect to the right to privacy and the increasing need to conduct legally permissible surveillance.

In Nigeria, not only is the legal regime on interception governed by a **secondary law**, but the manner in which they are carried out are opaque and unaccountable. Likewise, in Uganda, both the Regulation of Interception of Communications (RICA) and the Anti-Terrorism Act which touch on communications surveillance, do not have clear oversight mechanisms.

In a **case** decided on 4 February 2021, the South African Constitutional Court ruled that the mass surveillance by the South African Communications Centre was unlawful and invalid. It called for the review of the Regulation of Interception of Communications (RICA) to be brought in line with the country's constitution.

Despite the Constitutional Court judgment, and its possibility for positive reforms in the surveillance sector in South Africa, one journalist had her house broken into and laptops stolen, another was said to be under surveillance after investigating corruption allegations within the Crime Intelligence (CI) division of the South African Police

Beyond terror attacks, the COVID-19 pandemic has renewed **tensions** between the right to privacy and public health in many countries. While there is the need to protect against the pandemic there is also the need to protect the right to privacy. It is obvious that the right to privacy should not be sacrificed on the altar of the right to public health and vice versa.

The question is how communications surveillance, given its insidious nature, can be regulated. Combining the political power of states with the economic power of the communications surveillance sector already put at US\$12 billion, regulation seems far-fetched. With this powerful dynamic, human rights are being sacrificed to accommodate the whims of powerful actors. But there is hope, the type however, that requires more work.

The African Commission on Human and Peoples' Rights (the African Commission) recently revised the **Declaration of Principles on Freedom of Expression and Access to Information in Africa**, which provides specifically against indiscriminate use of communication surveillance. Principle 41 provides for policy solutions which require member states not to engage in indiscriminate communications surveillance except provided for by law and in compliance with international human rights law principles.

Individuals and organisations who work in the social justice sector are not left without the power to push back. This, among others, can serve as a basis for asking the difficult questions from governments and demanding answers.

One of the major principles of ensuring rights-respecting communications surveillance practice is legality. Most African countries do not have specific laws on communications surveillance. Where these exist, they are secondary laws that do not allow for enough direct public participation through a primary law enacted by parliaments. There is a need for laws which must be in compliance with international human rights law and the provisions of the Declaration.

Civil society actors should continue working hard to open up the surveillance sector. One way to do this is to approach the courts for judicial review, as in the case of South Africa

Communications surveillance is not mutually exclusive of human rights protection. The strong narrative woven by governments that in protecting public safety, surveillance needs to be conducted without oversight is a recipe for disaster. These policies can be designed in such a way that they respect privacy and protect human rights by paying attention to suggestions described above.

In resolving the major tension that often arises in the use of communications surveillance, major stakeholders like governments, private sector and civil society must work together to design effective policy solutions to communications.

This will assist in no small measure in placing intrusive technologies under the purview of rights-respecting laws while deploying these technologies to more lawful uses.

**Tomiwa Ilori is a doctoral researcher at the Centre for Human Rights, University of Pretoria. He also works as a researcher at the Expression, Information and Digital Rights Unit at the Centre. He can be found on Twitter at @tomiwa\_ilor.**





**NEW EPISODE!**

By Matheus Abrahamia

**#LETSTAKEAMOMENT**  
REMEMBER JOURNALISTS  
KILLED IN 2021

**WATCH THE VIDEO**

