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Freedom of the Press 2015 - Nigeria

2015 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

53

Legal Environment

(0 = best, 30 = worst)

14

Political Environment

(0 = best, 40 = worst)

23

Economic Environment

(0 = best, 30 = worst)

16

The government stepped up its interference with Nigeria's vibrant and active media sector in 2014 as reporters examined the military's performance against the Boko Haram militant group and political corruption scandals ahead of the 2015 national elections. Security forces seized and destroyed the pressrooms of several newspapers in a coordinated operation in June, and local cases of harassment, obstruction, and intimidation of the media were reported in a number of states.

Legal Environment

The 1999 constitution guarantees freedom of expression and of the press, and in recent years, federal courts have attempted to expand legal protections for journalists and provide fair rulings on cases involving the media. For example, a high court ruled in 2012 that police had violated the fundamental human rights of Desmond Utomwen, a correspondent for *The News* magazine and the daily *PM News*, when they assaulted and detained him as he attempted to cover a peaceful protest outside a private bank in Abuja in 2009. The court awarded Utomwen 100 million naira (\$636,000), the largest legal settlement in any Nigerian case involving a journalist.

Sharia (Islamic law) courts, which operate in 12 northern states, demonstrate antagonism toward free expression, and Sharia statutes impose severe penalties for alleged press offenses. Other criminal and civil laws applicable to the entire country also punish various press and speech offenses, including sedition, criminal defamation, and publication of false news. Several journalists have been charged with criminal defamation in recent years, though in most cases the charges were eventually withdrawn.

One of the more serious cases involved *Leadership* newspaper editor Tony Amokeodo and political correspondent Chibuzor Ukuibe, who were charged in 2013 over the publication of a memo allegedly written by President Goodluck Jonathan on plans to increase fuel prices and disrupt the merger of opposition political parties. The two journalists and the paper's parent company faced 11 criminal counts, including forgery, conspiracy to commit a felony, and incitement of public disaffection against the president. If convicted, the journalists could be sentenced to life in prison. The case was pending at the end of 2014. Another 2013 case that was still unresolved in 2014 centered on Tukur Mamu, publisher of the Kaduna-based *Desert Herald*, who was charged with disseminating defamatory stories about the administration of the Federal Capital Territory (FCT) and its minister, Bala Mohammed. Mamu had long been a target of harassment and was preparing to publish a book about corruption within the FCT administration at the time of his arrest.

In April 2014, security officials arrested Onimisi Isiaka Yusuf for posting photos of a jailbreak in Abuja to his Twitter account. He was held for at least 12 days before being released. In May, police in Nasarawa State arrested Hir Joseph of the *Daily Trust* and charged him with "injurious falsehood" under the penal code for an article on the "Bring Back Our Girls" campaign, which urged the authorities to recover a group of girls abducted by Boko Haram. The charges were withdrawn in June.

A 2011 antiterrorism law was amended in 2013 to increase penalties for terrorism-related offenses, but critics said certain provisions were so broadly worded that they could be interpreted to include some legitimate journalistic practices. Section 5(2)(c), for example, prohibits "receipt or provision of information or moral assistance, including invitation to adhere to a terrorist or terrorist group."

The 2011 Freedom of Information Act guarantees citizens' right to public information and has put pressure on government agencies to release records in response to petitions by media and activist groups. Some state governors have balked at complying with the law, arguing that the federal legislation is not applicable to the states.

Public agencies responsible for media licensing and regulation are run by government appointees whose decisions are not independent, according to the Committee to Protect Journalists (CPJ). The National Broadcasting Commission (NBC), the agency responsible for processing applications for broadcast licenses and upholding the broadcast code, has come under particular scrutiny for processes and decisions that critics view as opaque and politically biased. In 2014, the government backed away from long-standing plans to merge the NBC with the Nigerian Communications Commission, which is responsible for telecommunications regulation.

The Nigerian Press Council (NPC) was created by a military government in 1992 to regulate a wide range of media policies, including registration and journalistic practice. A 1999 amendment to the decree introduced provisions that prescribed fines and possible jail sentences for noncompliant journalists. With the return to civilian rule in 1999, local media advocacy groups and newspaper owners challenged the constitutionality of the repressive decree, and in 2010 a federal high court duly nullified key sections of the Nigerian Press Council Act as unconstitutional, stripping the NPC of most of its powers.

Political Environment

Nigeria has one of the most vibrant and varied media landscapes in Africa, and the print sector in particular is generally outspoken in its criticism of unpopular government policies. However, the media sometimes face politicized interference from public officials and regulators over their criticism of the government or coverage of sensitive issues, such as high-level corruption and national security. In May 2014, the NBC issued a directive requiring all broadcasters to submit written notice 48 hours before live transmissions of any political program. The commission claimed that the directive was meant to preserve national unity ahead of the 2015 elections by stemming “inciting, provocative, and highly divisive comments.” In June, the NBC suspended the broadcast of a popular radio show on Splash FM after a promotional clip referred to a federal lawmaker as a criminal.

Critical news websites also face occasional interference and restrictions on access. In January 2014, the website of the *Premium Times*, an online newspaper based in Abuja, suffered a denial-of-service attack. Users attempting to access the site received a “website blocked” message, and two days later the site crashed for nine hours. In 2013, the *Premium Times* presence on Facebook had been disrupted after users allegedly reported it for “abusive” links. The news outlet’s editors suspected that government authorities had instigated the complaints in retaliation for its critical reporting on corruption and security issues.

No journalists were killed in connection with their work in 2014, according to CPJ. However, Nigeria remains a dangerous place to practice journalism. In January, Callistus Ewelike, a journalist with the News Agency of Nigeria and President Jonathan’s personal media photographer, was injured in a shooting in front of his home in Abuja. In May, armed men attacked a broadcast crew in Ekiti State, destroying equipment and vehicles. The crew was reporting on political developments ahead of a June state election. Nigeria ranked 12th on CPJ’s annual Global Impunity Index, which assesses countries based on the number of unsolved journalist murders per capita over the preceding decade.

Nigerian authorities regularly harass, intimidate, and attack journalists in the field. In January, security officials attacked a journalist covering a high-profile church appointment for *Leadership*. For several days in June, soldiers impounded newspaper delivery vehicles, searched employees, blocked printing and distribution centers, and seized copies of at least 10 newspapers. A military spokesman described the measures as a “routine security action” to search for alleged contraband, but they were widely interpreted as reprisals for coverage of the military’s faltering efforts against Boko Haram. In August, soldiers stormed the headquarters of the *Daily Trust* and detained two of the newspaper’s managers in response to a story on troops demanding better weapons. The military ordered that the story be retracted and the army be contacted regarding any article involving national security.

As a result of these threats, as well as a reluctance to displease media owners and sponsors, some journalists practice self-censorship and refrain from covering sensitive political, social, ethnic, or religious issues.

Economic Environment

There are more than 100 national and local news publications, the most influential of which are privately owned. However, a number of state and local governments own print and broadcast media, as do individuals directly involved in politics. There are 15 major privately owned daily newspapers, one government-owned daily with national reach, and a number of other state-owned dailies that tend to be poorly produced and require large advertising subsidies. Private newspaper distribution was seriously disrupted by the military’s June 2014 crackdown on delivery vehicles and printing sites, which was coordinated across multiple states and regions.

While radio remains the main source of information for Nigerians, television penetration has grown substantially in recent years with the proliferation of satellite dishes—even in rural areas. Private television stations must ensure that 60 percent of their programming is produced locally, while private radio outlets must ensure that 80 percent of content is produced locally. Licensing fees and taxes for broadcast media remain high, and many outlets experience financial difficulties, limiting their viability. The only two nationwide broadcast networks are state-owned: the Federal Radio Corporation of Nigeria and the Nigerian Television Authority (NTA). However, in 2010 the NBC awarded the first private radio and television network license to Silverbird Communications, which had outbid two other private competitors for the licenses. A 2004 NBC ban on the live rebroadcast of foreign programs, including news, on domestic stations remains in force. However, international broadcasters such as the British Broadcasting Corporation (BBC) and Voice of America remain key sources of news in the country.

The internet has become an important news medium for Nigerians in recent years, as traditional outlets are increasingly burdened by high operating costs or subject to editorial interference. Nigeria has a high internet penetration rate and the greatest number of internet users in Africa. About 43 percent of the population accessed the medium in 2014. Social-media platforms in particular have proven influential as an alternative source of information and opinion.

Bribery and corruption remain problems in the media industry, particularly in the form of “brown envelopes,” or small cash gifts that sources give journalists. A 2009 survey of 184 media professionals in Lagos found that 61 percent of them habitually received brown envelopes while on reporting assignments. However, 74 percent of the respondents disagreed that the gifts led to biased coverage, perhaps because the practice is so common.

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