

Title	Attacks on the Press in 2008 - Kenya
Publisher	Committee to Protect Journalists
Country	Kenya
Publication Date	10 February 2009
Cite as	Committee to Protect Journalists, <i>Attacks on the Press in 2008 - Kenya</i> , 10 February 2009, available at: http://www.unhcr.org/refworld/docid/4992c494c.html [accessed 3 September 2012]
Disclaimer	This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

Attacks on the Press in 2008 - Kenya

Bracketed by profound attacks on the press, a tumultuous 2008 threatened the country's standing as a regional leader in free expression. A repressive media bill sailed through parliament in December and was signed into law by President Mwai Kibaki as 2009 began. Enacted over the protests of local and international media groups, the measure provides the government with sweeping censorship powers. The information minister and a newly established communication commission were given broad authority to regulate broadcast content and scheduling. The law retains provisions allowing the internal security minister to raid media houses and confiscate equipment in the name of national security.

Twelve months earlier, after disputed results of the December 2007 presidential election sparked nationwide rioting, the government imposed a monthlong ban on live news broadcasts. Incumbent Kibaki was declared the winner over opposition candidate Raila Odinga on December 29, 2007, despite widespread evidence that the vote had been rigged, according to news reports and independent election observers. The results reawakened longstanding grievances between ethnic Kikuyus, the politically dominant group that includes Kibaki, and ethnic Luos, a group that includes Odinga. Within a week after the vote, 600 Kenyans had died and 250,000 had been displaced, according to U.N. estimates.

Amid the deep ethnic and political divisions, the press faced a torrent of threats that led to self-censorship. At the same time, newspapers were accused of favoring one side or the other in their coverage, and community radio stations were criticized for stoking tensions through the use of ethnically loaded language. The crisis passed as the rival candidates formed a coalition government in March, with Kibaki as president and Odinga as prime minister. But the turbulent post-election period that startled the world and shook the nation raised grave questions about the future of a Kenyan press once considered among the freest on the continent.

Information Ministry officials announced the ban on live coverage the day after the results were announced, saying news reports and commentary might incite further violence. David Makali, director of the Media Institute, a Nairobi-based press advocacy group, called the ban "an extreme measure by a panicked government." News media generally observed the ban, winning praise from the government and European Union election observers. Independent TV stations KTN, NTV, and Citizen TV broadcast the message "Save our country" on a screen ticker. A group of 40 Kenyan female journalists launched a "white ribbon" campaign to encourage peace and ethnic harmony, one of the leaders, Nancy Mburu, told CPJ. The country's leading dailies, *The Nation* and *The Standard*, took a similar tack, running identical front-page editorials headlined "Save our beloved country."

Yet critics said some journalists were unnecessarily complacent in covering the crisis, averting their eyes to both the incidence and causes of violence. Kwendo Opanga, editorial director of the Standard Group, owner of *The Standard*, said journalists did not properly investigate vote-rigging allegations. "So much was at stake – not seeking the truth was impermissible," Opanga said. Under government pressure, he said, the media played down some stories and didn't report others at all.

Analysts also complained about political favoritism in election coverage. In interviews with CPJ, journalists at *The Nation* said the paper tended to support the ruling party, while staffers at *The Standard* said coverage there tended to back Odinga's Orange Democratic Movement. Hannington Gaya, chairman of Kenya's 20-member Media Owners Association, told Reuters that some members applied the live broadcast ban "selectively," stopping coverage of one party while continuing to cover the other.

Journalists worked in a climate fraught with fear. In numerous interviews, prominent reporters and editors told CPJ that they received death threats through text message and e-mail throughout January and into February. Most threats were believed to have come from Kikuyu militants and state security agents, Makali said in an interview for CPJ's magazine, *Dangerous Assignments*.

Three journalists were seriously injured in the period around the election. In January, photographers Hezron Njorge of *The Nation* and Robert Gicheru of *The Standard* were shot while covering riots in the Kibera slums of Nairobi, *The Nation* reported. Both were hospitalized but recovered. Clifford Derrick, a reporter and cameraman working for the Kenya Television Network, was brutally assaulted while trying to cover alleged vote-rigging in Nairobi. Ruling party militants were believed to be behind the attack, which led to Derrick's hospitalization for severe kidney injuries, according to local journalists and Kenyan human rights organizations. The attack, which occurred on December 26, 2007, was not widely publicized for several weeks.

Government and civil society groups criticized Kenya's numerous community radio stations for promoting violence during the post-election crisis. According to a media survey sponsored by the United Nations Development Program, several vernacular radio stations used veiled and idiomatic language to provoke ethnic divisions. The director of the Kenyan Human Rights Commission, L. Muthoni Wanyeki, said some outlets were "definitely complicit" in heightening the violent atmosphere.

Still, *Nation* correspondent Peter Oriare told the BBC, the implicit messages from local radio stations paled in comparison to the flood of private cell phone and e-mail threats that encouraged ethnic hatred and violence. Mitch Odero of the Media High Council of Kenya, an independent media regulating body, noted that politicians who doubled as radio station owners bore plenty of responsibility for raising tensions. "In Kenya, you are talking of a situation where certain politicians own FM stations, particularly vernacular ones," he said.

On February 4, as violence was subsiding, Information Minister Samuel Poghisio visited major media houses to announce that the live-broadcast ban would be lifted. Poghisio and other government officials used the crisis as a pretense to suggest the imposition of press controls. The government announced that it would establish a task force to review media coverage of the post-election period, while Poghisio threatened to close five local radio stations on charges of inciting violence. In both cases, the government did not follow through on the announced plans.

In his *Dangerous Assignments* interview, Makali offered a mixed review of the news media's work. "Kenyan journalism underwent a baptism by fire. There is general recognition that the media fell short of glory and played into the ethnic divisions that characterized the campaign." Still, he noted, "given the intensity of the contest and the post-election crisis, the media held their ground to do a fairly professional job. The overall integrity of the media remains intact."

While the election crisis dominated the press landscape, the mysterious murder of a New Zealand-born photographer raised numerous questions. Trent Keegan was found dead in a ditch near the parliament building in Nairobi in May. Police said he had been the victim of a robbery gone awry, but colleagues and family members were skeptical because cash

had been left in his wallet while a laptop and cell phone were stolen. Police arrested two men; one was acquitted at trial and the other continued to face charges in late year. Keegan had been working on a story about a land dispute between a safari company and the local Maasai community in northern Tanzania.

Copyright notice: © Committee to Protect Journalists. All rights reserved. Articles may be reproduced only with permission from CPJ.
