

# The Windhoek Declaration, 2011

May 20, 2011

Windhoek, Namibia

*We the participants of the Windhoek+20 Conference on **Media in Africa 20 Years On: Our Past Present and Future**, commemorating the 20<sup>th</sup> Anniversary of the Windhoek Declaration on Promoting an Independent and Pluralistic African Press, in Windhoek, Namibia, from 5 to 6 May 2011:*

**Recalling** the Universal Declaration of Human Rights;

**Underscoring** the principles set forth in the 1991 Declaration of Windhoek that identify free, pluralistic and independent media as a cornerstone of democratic societies in Africa;

**Recalling** General Assembly resolution 59(I) of 14 December 1946 stating that freedom of information is a fundamental human right, and General Assembly resolution 45/76 A of 11 December 1990 on information in service of humanity;

**Recalling** resolution 25C/104 of the General Conference of UNESCO of 1989 in which the main focus is the promotion of “the free flow of ideas by word and image at international as well as national levels”;

**Recalling** the African Charter on Broadcasting on the promotion of a three-tier system of broadcasting, adopted at the *Windhoek+10* seminar in 2001;

**Recalling** the Declaration of Principles on Freedom of Expression of the African Commission of Human and Peoples’ Rights of 2002;

**Recalling** the 2007 Declaration of Table Mountain on the repeal of insult and defamation laws across Africa;

**Honouring** the journalists and media personnel who contribute to media freedom through their work, often bravely risking their lives in the process;

**Condemning** the intimidation, attack, arrest and murder of journalists, media personnel and bloggers when they seek, receive and impart information and ideas;

**Expressing** also our sincere appreciation to the Media Institute of Southern Africa (MISA), UNESCO Windhoek Cluster Office, the World Association of Newspapers and News Publishers, and the Government of the Republic of Namibia who contributed to the success of the Windhoek +20 Conference;

**Advising that** the Namibian Government should withdraw its ban against the advertising and purchasing of *The Namibian* newspaper, on the basis that the continuation of this ban is a stain on the government’s commendable press freedom record;

## **Note that:**

- Many advances have been made in the African media landscape since the adoption of the 1991 Windhoek Declaration on Promoting an Independent and Pluralistic African Press. However, many obstacles related to contextual standards (political, social and legal), capital (financial), capacity of personnel and knowledge (research) continue to inhibit the fostering of a truly diverse and independent African press.

- Since 1991, 102 journalists, editors or publishers were killed in the line of duty;
- The transformation of state broadcasters into public service broadcasters is happening at a slow pace if at all;
- Community broadcasting, as a platform for participatory democracy and empowerment, is insufficiently supported by governments, donor and development partners;
- The rich and diverse voices and stories of African peoples, especially marginalized and stigmatized groups, are not equally reflected in news media;
- Media freedom, freedom of expression and access to information should be elevated on the development agenda;
- Research initiatives in media in Africa should reflect the socio-political, economic and cultural diversity of the communities it is intended to serve;

**And therefore call on member states of the African Union to:**

- Reaffirm and implement their commitment under Article 19 of the Universal Declaration of Human Rights;
- Reaffirm and implement their commitment to the principles of media freedom, freedom of expression, and access to information as articulated in the 1991 Windhoek Declaration on the Promotion of an Independent and Pluralistic African Press, the 2001 African Charter on Broadcasting and the 2002 Declaration of Principles on Freedom of Expression of the African Commission on Human and Peoples' Rights.
- Ensure an environment in which media are diverse, pluralistic and editorially independent of political and economic interference;
- Use the potential of the internet and digital media while fully respecting civil liberties, including the rights of freedom of expression and privacy;
- Promote the advancement of technology and communication tools; and affordable access to the internet and other forms of digital information;
- Refrain from imposing illegitimate and abusive limits on free expression, and take into account that to be legitimate, any restrictions on freedom of expression must be strictly proportional; narrowly defined - necessary in a democratic society; provided that they would not be contrary to Article 19 of the Universal Declaration of Human Rights. They should be implemented by an instance independent of political, commercial or other external influences; enforced non-arbitrarily and non-discriminatorily; and complemented by guarantees against abuse that include access to independent courts, and provide for an independent and transparent appeal mechanism;
- Commit to transform state broadcasters into public service broadcasters as articulated in the African Charter on Broadcasting and the Declaration on Principles on Freedom of Expression;
- Adopt self-regulation as the preferred form of media regulation;
- Ensure a legal environment in which free speech is encouraged, and penalized neither by unjust defamation laws, nor excessive monetary penalties.

- Enact and enforce freedom of information laws; provide adequate resources for access to information held by governments; and guarantee transparency of governmental activities;
- Take prompt and effective action to assure the safety of journalists, bloggers, and all those who express themselves on digital media platforms, from intimidation, threats, physical attacks, and attempts against their lives;
- Refrain from licensing as a requirement for the professional practice of journalism;

**Call on African Journalists, Media Houses, Professional Associations and the Industry at large to:**

1. Recognize that professional journalistic values and practices must be applied when information is distributed via social networks and other emerging forms of media;
2. Bearing in mind that news media is a public service, encourage high standards of journalism and ethical behaviour by media practitioners and new media users;
3. Promote access to information for marginalized groups through a diverse range of communication tools, specifically digital communication tools, including mobile phones;
4. Promote the sharing of best practices in respect of freedom of expression and the protection of privacy;
5. Promote and support investigative journalism through professional training; and raise awareness on the role of new media platforms for journalism;
6. Promote the plurality of voices in news coverage and across all media formats, especially those of women and the youth;
7. Provide journalists with fair living wages so as to ensure that the integrity of their work is not compromised;
8. Respect the principles of freedom of association and other universal rights; improve the safety and working conditions of journalists and other media personnel; and provide adequate professional and safety training opportunities;
9. Promote and strengthen forms of independent and voluntary self-regulation that enhance and support high-quality ethical journalism and build public trust;
10. Resist pressure from states and other actors to block, deny or limit access to the internet and new media.