

DJIBOUTI

A. PROJECT IDENTIFICATION		
1.	PROJECT TITLE	ENHANCING THE DJIBOUTIAN MEDIA POLICY AND REGULATORY FRAMEWORK
2.	NUMBER	IPDC/57 DJI/01
3.	MEDIA DEVELOPMENT INDICATORS' CATEGORY	Category 1: A system of regulation conducive to freedom of expression, pluralism and diversity of the media
4.	IPDC PRIORITY AREA	Promotion of freedom of expression and media pluralism
5.	SCOPE	National
6.	TYPE OF ASSISTANCE REQUESTED	Institutional capacity building
7.	TOTAL COST OF PROJECT	US\$ 35 590
8.	AMOUNT REQUESTED FROM IPDC	US\$ 27 310
9.	BENEFICIARY BODY	ARTICLE 19 Kenya & Eastern Africa P.O. BOX 2653 00100 Nairobi Tel: +254 20 3862230/2 Fax: +254 20 3862231 Email: henry@article19.org
10.	IMPLEMENTING OFFICE	UNESCO Regional Office in Nairobi
11.	PROJECT LOCATION	Djibouti
12.	PROJECT PREPARED BY	Henry Maina, Director (Article 19) & Jaco Du Toit Adviser For Communication & Information (E-mail j.dutoit@unesco.org)
DECISION OF THE BUREAU:		

B. PRESENTATION

1. PROJECT JUSTIFICATION:

While a critical institution in any participatory democracy, the media in Djibouti can be adjudged weak, polarized, and lacking in pluralism and diversity. Professionalism of media practitioners is equally low and this has been made worse by the fact that there are no fully fledged training institutions in the field of mass communication and journalism. The only tailored training was organized under the aegis of UNESCO and the Ministry of Higher Education in the beginning of 2011 at the University of Djibouti. Most journalistic products lack depth to adequately serve public interest. The government and media law hinder pluralistic and diverse media development.

The media in Djibouti comprises state-owned and state-run print and electronic media outlets. Through the Radio Television of Djibouti (RTD), the Ministry of Culture and Communication runs 2 national FM stations and 2 national AM stations. It also runs the sole national TV station, as well as overseeing media licensing (including accreditation of foreign journalists) and holding a near monopoly of the airwaves. The sole news service, *Agence Djiboutienne d'information*, and the two main newspapers, French-language *La Nation* and Arabic-Language *Al Qarn*, also belong to the government. *La Nation* was inherited from the French Government at independence in 1977 and continues to be tightly controlled. All the state owned media outlets, editors and management enjoy little if any editorial independence. The only other national print newspaper is *La Republique*, owned and affiliated to the opposition. The other opposition newspaper, *Le Renouveau*, was closed in 2007 after losing a defamation case.

Internet freedom is less restricted, although the Ministry of Culture and Communication oversees the sole internet service provider. People living in Djibouti freely use Voice over Internet Protocol services like Skype. There are no restrictions on foreign news organizations, apart from the stipulation that a formal request be submitted to the relevant ministry. Thus the BBC, Radio France International and Voice of America radio stations are available on an FM waveband and have their offices and relays in Djibouti. Similarly, a number of foreign newspapers and magazines are sold freely.

Although the Djiboutian government includes in its constitution under Article 15 clear guarantees to freedom of expression and media freedom and has also ratified a number of relevant regional and international human rights instruments, it maintains a number of laws that are incoherent to these acceptable international human rights standards which severely restrict media freedom. Key among such laws is provisions on publication of false news and criminal defamation in the Criminal Code, Article 14, 17 and 47 of the Organization Act No 2 of 15 September 1992 on Freedom of the Press and of Communication. These include Article 14, which states that participants in the financial management of any press body must be citizens of Djibouti; Article 17, which states that the director and the vice-director of any media outlet must be residents of Djibouti; and Article 47, which, inter alia, states that any director of an audiovisual outlet must be at least 40 years old.

The Djiboutian human rights record was reviewed under the aegis of Human Rights Council's first cycle of Universal Periodic Review on 2 February 2009. While the state delegation highlighted some of the challenges facing the media sector, it rejected most of the recommendations on the need to repeal and review some of the unduly restrictive media laws. Djibouti will be up for review again during the 16th session of the Human Rights Council in 2013. The overall purpose of the project is therefore to advocate for the enactment of progressive media laws in Djibouti through assessment of the critical media laws and engagement in the Universal Periodic Review (UPR) process, training of media actors and policy makers and sharing comprehensive country media law analysis reports.

3. DESCRIPTION OF THE TARGET GROUP:

The primary beneficiaries are media practitioners and press freedom advocates in Djibouti. The media practitioners shall include 20 journalists working for both the state owned and opposition affiliated to print, electronic and online media.

3. DEVELOPMENT OBJECTIVE:

To contribute to the review and development of progressive media policy and legal framework that protects and promotes Freedom of Expression and Information based on international best practice standards and developed in participation with civil society in Djibouti.¹

4. IMMEDIATE OBJECTIVE:

As a contribution to UNESCO's priority in promoting freedom of expression, media diversity and pluralism twenty journalists (10 men and 10 women) and representatives of two civil society organizations will acquire skills and knowledge on how to lobby and advocate for review,² repeal and development of progressive media laws and policies in line with acceptable international human rights standards and practices.

5. PROJECT OUTPUTS:

- A detailed country report on Freedom of Expression assessing critical media laws and their strengths and weaknesses published based on the UNESCO Media Development Indicators (MDIs);
- A training guide on the role of the media in the Universal Periodic Review process, and how to develop and submit stakeholder reports produced;
- Twenty (15 men and 5 women) key policymakers, journalists and civil society representatives inducted on the UPR process and able to produce an objective national and stakeholders reports after a national conference;
- Twenty (10 men and 10 women) journalists and civil society representatives trained on media laws;
- Two Universal Periodic Review reports produced and submitted in time;
- Two half year reports on the state of media freedom produced and shared with the UN and African Commission on Human and Peoples Rights (ACHPR) Special Rapporteur on Freedom of Expression.

6. ACTIVITIES:

- Undertake a detailed study and assessment of the media policy and regulatory framework of Djibouti using the UNESCO Media Development Indicators and publish a report in English and French within a year. Key laws to be analyzed are the Constitution; the 1992 Law on Freedom of communication (Organization Act No 2,) the Criminal Code especially provisions on defamation, insult and blasphemy;
- Print and launch the report;
- Conduct a 3-day basic training on media law for 20 (10 men and 10 women) journalists and civil society representatives working with diverse media houses in Djibouti. The training objective is to inculcate knowledge of laws inform and guide journalism and media practice in Djibouti. The training will have six modules namely: 1) International and regional Human Rights guiding freedom of expression; 2) International, regional and national human rights protection mechanisms; 3) Constitutional principles of freedom of expression and national media laws; 4) Legal and legitimate limitations of freedom of expression-national security, public order, international relations, judicial/criminal proceedings, privacy, reputation of others(defamation), and other social values

¹ The three organizations are: (1) Association of Djibouti Journalists, (2) Association for Respect of Human Rights in Djibouti and (3) East Africa Journalists Association

² 1) Association of Djibouti Journalists, (2) Association for Respect of Human Rights in Djibouti

(obscenity, blasphemy, insult, etc.); 5) Right to Information and procedures of access; and 6) Exceptions to Right to information.

- Engagement with the ACHPR and UN Special Rapporteur on freedom of expression and access to information among other special procedures mandate holders through targeted delivery of updated and verifiable information on issues of violations of freedom of expression in general and media freedom in particular and where possible invitation for them to attend the conferences;
- Conduct a 3-days of training on UPR for 5 (3 women and 2 men) public officials and 15 (8 men and 7 women) media and Civil Society Organizations (CSOs) representatives. The training objective is to explain to public officials, media and CSOs representatives how to fully engage in the UPR follow-up process and introduce tools they could use to initiate follow up mechanisms and actions. The training will have five modules namely: 1) Introduction to UPR process and modalities of review; 2) Follow-up of the review; 3) State and the follow-up e.g. national plans of action including UPR recommendations, steering committee to monitor implementation and prepare periodic reports; ratification of treaties, review of laws and policies not in line with human rights standards; 4) Civil society, media and follow-up- make the UPR recommendations and pledges public; plan for implementation, engage in dialogue with state on implementation, monitor implementation, and reporting on implementation if the NGOs have ECOSOC status during Human Rights Council sessions; and 5) Tools for the follow-up-database, statistics etc.
- Conduct advocacy on review and repeal of the media laws and policies by holding meetings with key policymakers in Djibouti and attending UN Human Rights Council and ACHPR sessions to submit reports.

7. PROJECT INPUTS:

- **Activity 1:** One legal researcher capable of researching and analyzing Djibouti media laws and policy framework, one legal reviewer and editor, one translator;
- **Activity 2:** Hiring services of one designer to format the draft report developed in activity 1 and printing 300 copies of the report;
- **Activity 3:** Two trainers capable of training journalists in international freedom of expressions standards and media law;
- **Activity 4:** One consultant to develop 2 half-yearly reports on the state of freedom of expression in Djibouti;
- **Activity 5:** Two trainers capable of training on the Universal Periodic Review and helping different groups to prepare reports for submission to the Human Rights Council;
- **Activity 3& 5:** Hiring of overhead projector and a laptop for the two training sessions; Hiring of tripod stand and buying of stationery –writing pads, pens, felt pens, flip-charts, training cards; Funds for air travel, meals and accommodation for participants, trainers and project team during training and UPR national conference;
- **Activity 6:** Funds for 2 advocacy meetings with legislators and other policy actors at national level, and international.

8. WORK PLAN:

ACTIVITIES / MONTH	1	2	3	4	5	6	7	8	9	10	11	12
Project initiation												
Country Report Developed and reviewed												
Country report printed, translated & launch												
Conduct a 3-day training on media law for 20 journalists and media trainers												

Develop a UPR training guide	■	■	■	■	■	■	■	■	■	■	■	■
Training on UPR for 5 public officials and 15 journalists	■	■	■	■	■	■	■	■	■	■	■	■
Advocacy meetings to HRC council and national level	■	■	■	■	■	■	■	■	■	■	■	■
Provide first-hand information to special procedures mandate holders of the UN & AU on the state of freedom of expression	■	■	■	■	■	■	■	■	■	■	■	■
Conduct continuous monitoring & a mid-term and an end-term evaluation of the project	■	■	■	■	■	■	■	■	■	■	■	■

9. INSTITUTIONAL FRAMEWORK:

ARTICLE 19 Kenya & Eastern Africa is an independent civil society organization duly registered under Kenya’s Non-Governmental Organizations Coordination Act in 2007. It has an independent board comprising professionals from Eastern Africa which meets at least four times every year and offers policy oversight. The secretariat is led by a Director and has seven other members of staff (4 women and 3 men). It is an affiliate of ARTICLE 19 (www.article19.org), an international human rights organization established in 1987 and registered in UK as a company limited by guarantee (company No 209722) and a charity (No 327421).

ARTICLE 19’s mission is to challenge censorship, promote and protect freedom of expression and safeguard free flow of information and ideas in order to strengthen global justice and empower people to make autonomous choices. ARTICLE 19 monitors, researches, publishes and advocates for and on behalf of freedom of expression wherever it is threatened. With over 88 partners in more than 40 countries across the world, Article 19 works to strengthen national capacity to protect and promote freedom of expression globally.

The association of Djibouti Journalists is the only journalists’ association in Djibouti. It was founded in early 2008. It is a membership organization bringing together largely editors, reporters, camera operators and freelance journalists attached to state media. Efforts are being made to open up its membership to include media workers from privately-owned media houses. AJD is an associate member of the International Federation of Journalists (IFJ) and East African Journalists Association in organizing safety training for 20 of its members.

10. SUSTAINABILITY:

ARTICLE 19 Kenya and Eastern Africa’s strategy is to develop long term partnerships with media practitioners and their organization(s) as critical players in developing eternal vigilance to champion media rights and replicating lessons and skills acquired during the project. The trained journalists under the aegis of AJD will be required to transfer knowledge and skills to their colleagues. Civil society organizations will include the lobbying for policy and regulatory framework review into their action plan and make use of the trained journalists as resource persons. Given that review of media laws and policies is one of the most effective proactive drivers to entrenchment of media freedom on the one hand and consolidation of democracy, good governance and transparency on the other, this initial work will open the media space and entrench openness and consolidate democracy and peace in Djibouti. The joining of hands and sharing capacities and information among media practitioners and civil society organizations will ensure that the work of monitoring implementation, reviewing and repealing retrogressive media laws and policies positively changes the Djiboutian media landscape. Media practitioners will also be prepared and supported to seek resources for future media development work.

11. FRAMEWORK OF MONITORING:

ARTICLE 19 will, together with the UNESCO Nairobi office, undertake continuous monitoring. Article 19 proposes to actively work with Association of Djibouti Journalists (AJD) as a partner. First, among the 20 journalists to be trained will be at least 3 current office bearers in AJD. ARTICLE 19 will also directly work with AJD to seek long term funding and support its direct engagement with the 2nd cycle Universal Periodic Review process under the Human Rights Council. They will also work to build AJD's capacity to engage with other treaty bodies. Since inception, AJD has not engaged with any of the UN or African Union processes on protection of freedom of expression. Through this project, it is intended to enhance AJD's knowledge, exposure and capacity in a sustainable manner to enable it to strongly engage both the state and other inter-governmental bodies. AJD will also be tasked to carry out the mid and end term evaluation in close collaboration with the UNESCO Nairobi Office.

12. EVALUATIONS CARRIED OUT:

ARTICLE 19 Eastern Africa has engaged with media actors in Djibouti for the last two years where it carried out feasibility studies for new projects. The feasibility studies revealed the media was weak and professionalism of the practitioners low. Most practitioners knew little about ethics and media law. Similar assessment on how the media and civil society organizations engaged with the UPR process revealed that there was no engagement because of a dearth of knowledge of the process.

ARTICLE 19's programmes have been evaluated by Sida a number of times. The latest report found ARTICLE 19's programmes to be distinct and extremely relevant in the Eastern Africa region, recommending the establishment of a regional office in Nairobi. The evaluations also found the organization's capacity to implement programmes on matters of freedom of expression, press freedom and access to information as innovative and pace-setting. A similar finding was recently made of the Sida-UPR project implemented in Rwanda, Tanzania and Uganda.

13. FRAMEWORK OF BENEFICIARY AGENCY'S REPORTING:

ARTICLE 19 undertakes to prepare and submit quarterly progress narrative and financial reports. Similarly, the organization commits to prepare and submit a comprehensive report outlining the extent to which the immediate objectives of the project have been met. These reports will be prepared by Paul Kimumwe, Senior Programme Officer.

C. ADDITIONAL INFORMATION

This multiple partners' project seeks to bring together a number of local organizations working of promotion of freedom of expression and protection of human rights defenders in general and journalists in particular, to harness their interventions for better delivery of results. These institutions are the Association of Djibouti Journalists and Association for the Respect of Human Rights in Djibouti. ARTICLE 19 Eastern Africa has earned valuable experience in implementing a UPR project in Kenya, Rwanda, Tanzania and Uganda where sets of retrogressive laws are now under scrutiny and review.

D. BUDGET

BREAKDOWN OF IPDC CONTRIBUTION

(in US dollars)

	No.	Unit cost	Total
Development of a detailed country report on all media laws			
Research, development and review of report (legal researcher)	12 days	250	3 000
Translations of country report from English to French	5 days	140	700
Country report printing (100 copies)	100	10	1000
Media law training			
Venue, lunch & refreshments for 3 days for 20 pax	3 days	630	1 890
2 trainers accommodation & meals	2x3days	100	600
2 flights from Nairobi-Djibouti	2	400	800
20 participants accommodation & meals	20x3 days	100	6 000
2 international trainers fees- 3 days training –Trainer 1-module 1&2; trainer 2-module 3,4&5	2 trainers x3 days	250	1 500
Training materials, stationery & hire of LCDs for 3 days	3 days	170	510
UPR National conference			
Drafting of UPR Training Guide and conduct the training	2 x 3 days	250	1 500
20 pax training –accommodation & meals	20x3days	100	6 000
2 trainers (accommodation & meals in Djibouti)	2x3 days	100	600
2 flights from Nairobi-Djibouti	2	400	800
Training materials, stationery & hire LCD		520	520
Venue, lunch and refreshments for 3 days for 20 pax	3 days	630	1 890
Total IPDC			US\$ 27 310

BREAKDOWN OF THE BENEFICIARY AGENCY'S CONTRIBUTION

(in US dollars)

	No.	Unit cost	Total
Personnel and administrative costs (lump sum)			4 530
Printing of 200 copies of country reports	200	10	2 000
Payment of researcher for 2 days @US\$ 250	2 days	250	500
Payment to reviewer of country report 5 days	5 days	250	1250
Total			US\$ 8 280