



# STAYING SAFE

A PROTECTION GUIDE FOR JOURNALISTS IN KENYA

A publication of the Kenya Media Working Group



# STAYING SAFE



**Hivos**  
people unlimited



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# USEFUL CONTACTS

When journalists' security is compromised, their survival instinct kicks in and, inevitably, their attention turns to the question: "Whom should I call?" The following contacts are provided as essential focal points that can easily be reached for advice and, where possible, urgent assistance.

1. African Media Initiative, [info@africanmediainitiative.org](mailto:info@africanmediainitiative.org)
2. Article 19, [kenya@article19.org](mailto:kenya@article19.org)
3. Association of Media Women in Kenya, [info@amwik.org](mailto:info@amwik.org)
4. Committee to Protect Journalists, [info@cpj.org](mailto:info@cpj.org), +254 789 758 633
5. East African Journalists Defence Network, +254 727 862 330
6. International News Safety Institute, [info@newsafety.org](mailto:info@newsafety.org)
7. Kenya Media Programme, [kmp@hivos.or.ke](mailto:kmp@hivos.or.ke)
8. Media Council of Kenya, [info@mediacouncil.or.ke](mailto:info@mediacouncil.or.ke)
9. National Coalition for Human Rights Defenders, [info@hrdcoalition.org](mailto:info@hrdcoalition.org)
10. Protection International, [pi@protectioninternational.org](mailto:pi@protectioninternational.org)
11. Kenya Union of Journalists, [info@kujkenya.org](mailto:info@kujkenya.org)
12. Kenya Parliamentary Journalists Association -- [info@kpjake.org](mailto:info@kpjake.org) (254-2) 2221291
13. Community Radio Association of Kenya -- +254 722 901 422 / +254 732 542 146;  
Email: [info@crak.co.ke](mailto:info@crak.co.ke)
14. Twaweza Communications, [info@twawezacommunications.org](mailto:info@twawezacommunications.org)



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# FOREWORD

The idea of producing a safety guide for journalists had not quite taken root when we came together as a media working group. Our primary interest then was to explore the media landscape to find out the status of journalists' safety and protection when discharging their duties. It was the astonishing results of the subsequent National Baseline Survey on Journalists' Safety and Protection that motivated and guided our foray into the complex but essential realm of safety and protection guides.

With funding from the Kenya Media Programme, which is a programme of the Dutch humanist organisation, Hivos, our first step was to consolidate the findings of the baseline survey and its recommendations. We then delved into a sampling of international safety guides for journalists and tried to discern their common denominators. Finally, a working draft in hand, we sat with various media representatives drawn from a broad spectrum of the industry - field correspondents, newsroom journalists, editors, and media executives/owners, journalists and editors associations - to review the draft. The feedback helped improve the draft, which we finally presented to a select representative group of the industry for input and validation.

The content in the following pages is the result of that exhaustive but decidedly rewarding process and while we would like to think we have covered all possible

angles, we are aware that some areas may require deeper focus. This manual is being offered as a living document, to be adjusted and updated to respond to the inevitable changes in our society.

The project is divided into two parts. The first is a national Protocol, which sets the framework for the safety guide. Alongside the Protocol is what we consider a critical corollary, a 10-point Charter for Media Owners and Managers, which commits them to a number of obligations intended to make the journalists' environment safer than it is currently. It is hoped that as many of them as care for the safety of their human capital will sign the charter and thereby give this whole project some practical meaning. The second, and larger part, is taken up by a discussion of practical and tested guidelines that journalists can and should adopt to secure their safety.

For this seminal and groundbreaking project, we are grateful to the Kenya Media Programme and Hivos, without whose support and encouragement we would not have been able to undertake let alone accomplish the task. We are also grateful for the encouragement we received from the media owners/executives, editors and journalists with whom we interacted to test our hypothesis and validate our many assumptions. We hope the manual will serve its intended purpose and that it will form a valuable addition to the curricula of journalism training schools.





# THE PROJECT TEAM

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Part I:  
A PROTOCOL FOR  
THE SAFETY AND  
PROTECTION OF  
JOURNALISTS IN  
KENYA

## Preamble

We, the media stakeholders in Kenya,

**Appreciating** that Chapter 4 (Bill of Rights) of the Constitution of Kenya and Articles 33, 34 and 35 guarantee freedom of expression, media freedom and access to information respectively;

**Acknowledging** that the Universal Declaration of Human Rights constitutes the foundation of respect for and protection of all persons;

**Appreciating further** the existence of other international, national and regional instruments, in particular the African Charter for Human and People's rights, relating to the protection and safety of journalists;

**Noting** concerns raised by journalists about their security as evidenced by the findings of the April 2013 National Baseline Survey on the Safety and Protection of Kenyan journalists;

**Alarmed** by the inadequate investment in the safety and protection of journalists by both media and non-media actors as evidenced by the findings of the said Baseline Survey, and cognizant of similar findings by the 2013 global survey undertaken by the International News Safety Institute (INSI) and International Women's Media Foundation (IWMF);

**Aware** that ordinary day-to-day reporting puts journalists at risk particularly at the hands of State and non-State actors, law-enforcement agents and corruption cartels, and alive to the level of impunity enjoyed by perpetrators of attacks against journalists;

**Acknowledging** that the United Nations Plan of Action for the Safety of Journalists is a ringing affirmation of the critical role of journalists both as society's watchdogs and as purveyors of information and news, and cognizant of the fact that the United Nations has deemed it appropriate to proclaim November 2 as the International Day to End Impunity for Crimes against Journalists;

**Firmly convinced** that any practice that hinders or endangers the free acts of journalism and work of journalists undermines the promotion of a democratic culture in society and its general welfare, and determined to ensure that the safety and protection of journalists is promoted, realised and entrenched in the country's culture to enable them to fully discharge their mandate as society's watchdogs;

**Convinced further** that the safety of journalists is therefore an important human rights issue in itself and one that is also central to the realisation of freedom of expression more broadly;

**Encouraged** by the heightened international focus on and advocacy for journalists' safety and protection and the rising clamour for enactment of policies and institutionalisation of mechanisms to guarantee their protection and safety;

**Underlining** the absolute need for media houses and journalists to uphold the principles of professional journalism in their activities;

*Have agreed on the following:*

## Section I: Definitions

### ***A journalist***

Is a person employed to regularly engage in gathering, processing and disseminating news and information to serve the public interest. (See endnote for details)

### ***A Correspondent***

A correspondent is a person who is engaged by a media house to gather news and information on its behalf under a mutually agreed compensation arrangement.

### ***Freelance***

A freelance journalist is a free content gathering agent not beholden to any media house.

### ***Citizen journalist***

This Protocol borrows from New York University journalism professor Jay Rosen's definition of citizen journalism: "When the people formerly known as the audience employ the press tools they have in their possession to inform one another, that's citizen journalism [source: Jay Rosen, <http://pressthink.org>]

Thus a citizen journalist is any member of the public who, of his/her free will gathers information and shares it with others for public consumption.

### ***Human rights defender***

For purposes of this Protocol we have adopted the UN Declaration on Human Rights Defenders' perspective, which refers

to "individuals, groups and associations ... contributing to ... the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals". In accordance with this broad categorization, human rights defenders can be any person or group of persons working to promote human rights .As such defenders can be ordinary citizens, government officials, civil servants, journalists or members of the private sector.

### ***Safety***

Safety in this Protocol is defined as freedom from risk or harm as a result of unintentional acts such as accidents, natural phenomena and illness' (Protection International. [www.protectiononline.org](http://www.protectiononline.org))

### ***Security***

Security refers to the freedom from risk or harm resulting from violence or other intentional acts.

### ***Protection***

Protection refers to "measures taken to influence other actors to enhance security such as deterrence, evacuation, hiding or any other support that will minimize the consequences of risk". (Protection International. [www.protectiononline.org](http://www.protectiononline.org))

### ***Risk***

There is no widely accepted definition of risk. However, in this report "risk" refers to "possible events, however uncertain, that result to harm". (Protection International. [www.protectiononline.org](http://www.protectiononline.org))

## Section II: Scope of the Protocol

### **Article 1: General provisions**

- 1.1 This Protocol provides a set of rules, guidelines and best practices for use by media stakeholders at the national and county levels. It seeks to provide a framework through which the safety and protection of journalists is incorporated in the day-to-day operations of the sector.
- 1.2 The Protocol is informed by, among other documents, the Constitution of Kenya, specifically Articles 33, 34 and 35, along with Chapter 4 of the Bill of Rights, all of which guarantee freedom of expression and the public's right to access information. Additionally, it draws valuable insights from the 2013 National Baseline Survey on the Safety and Protection of Kenyan journalists. It is also developed within the context of the UN Declaration of Human Rights, the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, and the African Charter on Human and People's Rights.
- 1.3 In keeping with international standards, the state of Kenya is under obligation to ensure the safety and protection of journalists as a signatory to a number of conventions and agreements.
- 1.4 These instruments have enforceable mechanisms as evidenced by the case of the Burkinabe journalist, Norbert Zongo, in which the African Court on Human and People's Rights in Arusha, Tanzania, recently delivered a land-mark ruling on the issue of impunity and governments' obligations to ensure journalist's safety.
- 1.5 The case of Zongo, who was killed in 1998, arose after local mechanisms did not work which is, disturbingly, the experience of most journalists in Kenya. Since January 2009, the murder case of *Weekly Citizen* journalist Francis Nyaruri is yet to be resolved despite considerable evidence suggesting foul play at the police level.
- 1.6 It is notable that female journalists face an additional set of challenges in their reporting, including sexual harassment, intimidation and rape. Indeed, as confirmed by the findings of a 2013 global survey undertaken by the International News Safety Institute, and the International Women's Media Foundation, "women journalists are often at risk in their own work places as well, targeted by their colleagues, and because they are let down by the very people they should be able to trust, the violence and harassment they face goes widely unreported and therefore unpunished".
- 1.7 An April 2013 national survey of journalists commissioned by the Kenya Media Programme found that 91 of the respondents indicated they had faced a security threat during the course of their work with half of those experiencing multiple threats. Unfortunately, despite the prevalence of threats, 48 of the respondents opted not to report the threat. They said they had been discouraged because no action had been taken in the past despite reporting the incidents. Another 29 did not know whom to report to and 23 felt their employer was the source of the threat.
- 1.8 Moreover, under the devolved system of government the media landscape is gradually being reconfigured

and localised. This development presents new challenges and threats towards the press, especially at the county level. According to Media Council of Kenya statistics, journalists are at greater risk in more rural, county-level settings than in the major urban centres. In addition, the institutional support towards those based at the county level (including correspondents and freelancers) is considerably less than that provided to full-time staff members.

- 1.9 There is a need, therefore, for structural considerations to mitigate the challenges mentioned above. Hence the development and implementation of this Protocol.
- 1.10 The overall objective of the Protocol is to ensure that journalists operate in a safe and secure environment and are able to carry out their duties openly, upholding their constitutional right to free expression. This can be realised by undertaking a number of actions such as the following:
  - i. Establishing a mechanism for continuous monitoring of the environment;
  - ii. Identifying and assessing risks;
  - iii. Adopting clear measures with roles and responsibilities to mitigate risks;
  - iv. Enacting policies to enhance journalists' safety;
  - v. Taking appropriate action to protect journalists in danger, and
  - vi. Taking immediate action to tackle the issue of impunity by thoroughly investigating and prosecuting attacks on journalists.
- 1.11 It is envisaged that this Protocol once implemented will have an important impact on freedom of expression and of the media by minimising current barriers to journalists' activities. It will likely also increase the autonomy of media practitioners and minimise incidents of interference in their work. When media practitioners are free and secure, they are able to gather, research, report and disseminate critical information in the public interest without fear of intimidation, threats and harm. They will, therefore, be able to discharge their responsibilities effectively because they feel safe to do so.
- 1.12 This Protocol will also enhance professionalism and accountability in the sector. Media have an obligation to society, which may be viewed from two dimensions: Ethical and performance. Ethically, media are expected to behave professionally by being honest in seeking truth and reporting it; minimising harm by treating sources and subjects with respect and showing good taste; acting independently by freeing themselves from obligations other than the public's right to know; and being accountable to their consumers.
- 1.13 In terms of performance, media are expected to generate and disseminate content that is in the public interest. By their nature, media have the power, privilege and potential to do harm. Recognising this, society demands that journalists be able to answer to the public, clients and professional colleagues about the decisions they make and the content they carry. Secure media advance professionalism and accountability because journalists are able to seek

reliable and credible information, provide balanced reporting and enhance public trust in the sector. Insecure journalists cannot serve the public optimally.

1. 14 Furthermore, this Protocol will contribute to improving the quality and diversity of media content. Implicit in the contract with the public is the understanding that media play a watchdog role over government and people in positions of power. This requires that journalists investigate events in society, package their reports and disseminate them in a manner that the public is able to make decisions about its leaders and other members of society. But investigative reporting cannot be undertaken in an atmosphere of fear and insecurity.
1. 15 Finally, this Protocol speaks to the issue of the media's key role in promoting greater freedom and democracy in society. Secure media are active in undertaking research, reporting on the excesses of national and local leaders, reporting human rights violations, exposing corrupt practices and profiling leaders committed to democratic practices and accountable governance. Thus, secure media are at the core of creating an informed citizenry and advancing humanising ideals. An informed society can then make decisions about its future by participating in free and fair elections and working with journalists to address the political, economic, social, cultural and environmental challenges that they face.
1. 16 This Protocol is an advocacy and lobbying tool designed to influence policies relating to journalists' safety

and protection at both the county and national levels. It will be instrumental in enacting journalist-friendly legislation and proper allocation of resources as well as institutionalise training in, among other critical areas, risk assessment, mitigation, and security preparation for the media.

1. 17 Stakeholders can adapt the Protocol to suit their specific circumstances in the enhancement of the safety, protection and security of journalists.

### Section III: Objectives of the Protocol

#### ***Article 2: This Protocol is framed along the following specific objectives:***

- 2.1 To provide a guideline for the development of a training manual for the safety and protection of journalists.
- 2.2 To function as a guideline to sensitise State and non-State actors on the rights and roles of journalists at the county and national levels.
- 2.3 To provide guidelines designed to influence public policy for the safety and protection of journalists.
- 2.4 To provide a guideline to enhance coordination among local and international bodies engaged in the safety and protection of journalists.

## Section IV: Target Audience, Roles and Responsibilities

This Protocol identifies the following actors as key stakeholders and places specific obligations on each in furtherance of its objectives. In particular, and as recommended by the UN Plan of Action for the Safety of Journalists and the Issue of Impunity, State authorities have an obligation to “promote a safe and enabling environment for journalists to perform their work independently and without undue interference, including:

- i) Establishing legislative measures;
- ii) Awareness-raising in the judiciary and among law enforcement officers and military personnel, as well as among journalists and in civil society, regarding regional and international human rights, and humanitarian law obligations and commitments relating to the safety of journalists;
- iii) The monitoring and reporting of attacks against journalists;
- iv) Publicly condemning attacks; and
- v) Dedicating the resources necessary to investigate and prosecute such attacks in order to end the impunity enjoyed by perpetrators.

### **Article 3: State actors comprising:**

- 3.1 The Executive: Responsible for ensuring the general safety, protection and security of the citizenry.
- 3.2 National Police Service: Obligated to have a better understanding and appreciation of the media's critical social role. The Service should incorporate a course in its training curriculum on the role of journalists

and ensure media violations are investigated and punished.

- 3.3 The Judiciary: Awareness raising in their rulings relating to media on the important role of journalists.
- 3.4 The Legislature: Have a responsibility to enact facilitative and enabling laws that promote a safe, healthy and vibrant media sector.
- 3.5 Constitutional Commissions: Have a responsibility to monitor and ensure effective implementation of the Constitution.

### **Article 4: Non-state actors comprising:**

- 4.1 Civil Society Organisations and academia: Have a responsibility to promote awareness of the media's social role and offer training in journalists' safety, protection and security to complement the efforts of media organisations. In addition, they are a critical player in the promotion and defence of civil rights, including those of journalists.

### **Article 5: Media actors comprising:**

- 5.1 **Journalists:** Their primary duty is to gather information. They have a responsibility to think of their safety, protection and security first.
- 5.2 **Media owners and managers:** As investors, owners and managers of news enterprises, they have a particular obligation to ensure the establishment of appropriate policies and mechanisms that guarantee the safety, protection and security of their workers. This includes provision of appropriate and adequate training



and resources particularly when covering conflict situations. It also includes taking prompt action when journalists' safety is threatened. (See Appendix 1: 10-point Charter for media owners and managers)

- 5.3 **Editors:** As newsroom managers and the individuals responsible for journalists' assignments, they have a particular responsibility to ensure they do not unnecessarily expose them to harm. They are obliged to brief them sufficiently and take any necessary measures to mitigate the risks. They are also obliged to take up and vigorously pursue any reported cases of threats to journalists' safety.
- 5.4 **Media training institutions:** Their primary duty is to nurture talent and it behoves them to incorporate a course on journalists' safety, security and protection in their curricula.
- 5.5 **Media regulatory bodies:** Their primary duty is to ensure the promotion and maintenance of high professional standards in the industry. They are called upon also to include an element of journalists' safety, protection and security in their purview and to monitor media violations.

## Section V: Framework for the safety and protection of journalists in Kenya

**Article 6:** The following basic framework highlights the critical elements of an ideal or desirable safety and protection manual for journalists, which has been developed alongside this protocol. It is informed by the findings of the 2013 National Baseline

Survey on the Safety and Protection of Journalists in Kenya as well as international and regional conventions relating to the same issue. The key references in this regard are:

- 6.1 Personal safety and security
- 6.2 Pre-assignment risk assessment or scenario mapping (See Appendix II)
- 6.3 Documenting and reporting incidents (See Appendix III)
- 6.4 Risk awareness and protective measures during assignment (See Appendix IV, A toolkit for risk assessment and safety measures)
- 6.5 Basic knowledge of First Aid
- 6.6 Training on how to cover dangerous assignments such as armed conflict, organised crime and corruption, demonstrations, situations of internal disturbances and tensions such as riots, isolated and sporadic acts of violence and other acts of a similar nature; natural disasters; disease outbreaks; political rallies; football matches; conflict or hostile situations.
- 6.7 Training on and awareness of how to protect oneself from tear gas.
- 6.8 Awareness of how to cope with or avoid the following situations: Arrest, detention, kidnapping and carjacking; sexual harassment and how to deal with intrusive subjects.
- 6.9 How to secure a safe haven
- 6.10 How to deal with law enforcers
- 6.11 The importance of a contacts list
- 6.12 Awareness of peculiarities of local areas/assignment location.

6.13 Other topics: Ethics and security; you and your home, keeping your family safe; dealing with death threats and intimidation.

6.14 Post-assignment: Coping with sustained risks (on-going risks); coping with trauma and stress.

## Section VI: Final Provisions

### ***Article 7: Dissemination***

This Protocol shall be disseminated as widely as possible.

### ***Article 8: Signature***

The Protocol shall be open for signatures by media actors and other key stakeholders.

### ***Article 9: Ratification***

The Protocol shall be ratified as soon as possible and deposited with the Media Council of Council.

### ***Article 10: Custodian***

The Media Council of Kenya shall be the custodian of the Protocol.

### ***Article 11: Entry into force***

This Protocol shall enter into force immediately it is ratified.

### ***Article 12: Monitoring and implementation***

The Media Council of Kenya shall monitor the implementation and application of this Protocol in close liaison with the Strategy Centre for Media Safety and such other body as shall be agreed upon

by stakeholders. A special tool shall be developed for this purpose.

### ***Article 13: Amendments***

The Protocol is designed as a living document and shall be reviewed regularly to adapt it to changing circumstances. Any proposed amendments shall be communicated to the custodian who shall, thereafter, coordinate the amendment process through involvement of the Strategy Centre for Media Safety and other key stakeholders.

## Endnote

Just who is a journalist? Not so long ago, one could get away with the definition of a journalist as someone employed by a media house to gather, process and disseminate information for public consumption. Today, thanks to the Internet and its dramatic revolution of information flow, the notion of a journalist as simply an individual trained and employed to generate, process or purvey information is no longer tenable. If anything, society is increasingly tending towards a more inclusive definition, which focuses more on the function of journalism than on the people who actually perform that function.

An instructive example of this is the UN Human Rights Committee, which defines journalism as, "a function shared by a wide range of actors, including professional fulltime reporters and analyst, as well as bloggers and others who engage in forms of self-publication in print, on the Internet or elsewhere". [General Comment No. 34 on Article 19 of the International Convention on Civil and Political Rights].

At the other end of the spectrum, though, is the definition that guides the Media Council

of Kenya. With an unmistakable overtone of tradition, it recognises a journalist as *“any person who holds a diploma or degree in mass communication from a recognised institution of higher learning and is recognised as such by the Media Council of Kenya; or any other person who was practising as a journalist immediately before the commencement of the Kenya Media Act 2013, of who holds such other qualification as are recognised but eh Council; earns a living from the practice of journalism, or any person who habitually engages in the practice of journalist and is recognised as such by the Council”*.

The dilemma then is to reconcile these two propositions. Significantly, the Council's definition leaves plenty of room to accommodate a whole slew of actors.

For purposes of this Protocol, which is about the safety and protection of journalists, it seems critical to emphasise that the primary target audience in the huge body newsroom staff, whether salaried or on commission basis, who expect a duty of care from their employer, manager, contractor or supervisor in terms of their safety and protection.

In other words, unlike bloggers and other individuals who engage in forms of self-publication in the many available media platforms, this category comprises media actors who serve as agents of a principal, who is, in turn, obliged to ensure their safety.

We think that the other key element to consider is the public interest function of journalism. This is singularly critical as it helps distinguish between self-serving acts of journalism and “professional journalism”. Essentially, it is the difference between journalism grounded on ethics and that genre of discourse generated by “citizen journalists”.

For purposes of this Protocol, we are persuaded that any definition must attempt to marry the past with the present while at the same time avoiding the temptation to dilute the function of craft by presenting it as a free-for-all exercise with no rules of engagement or a lofty social purpose.

In that regard, the definition of a journalist as *“someone employed to regularly engage in gathering, processing and disseminating news and information to serve the public interest”*, seems appropriately worded. It is one offered by media lawyer and University of Dayton assistant professor Jonathan Peters, and Edson C. Tandoc Jr. of the Missouri School of Journalism in a study prompted by the Shield Law debate in the United States. Note how it deliberately avoids any reference to qualifications, academic or otherwise.

## Appendix 1

### ***10-point charter for media owners, managers and editors to ensure journalists' safety***

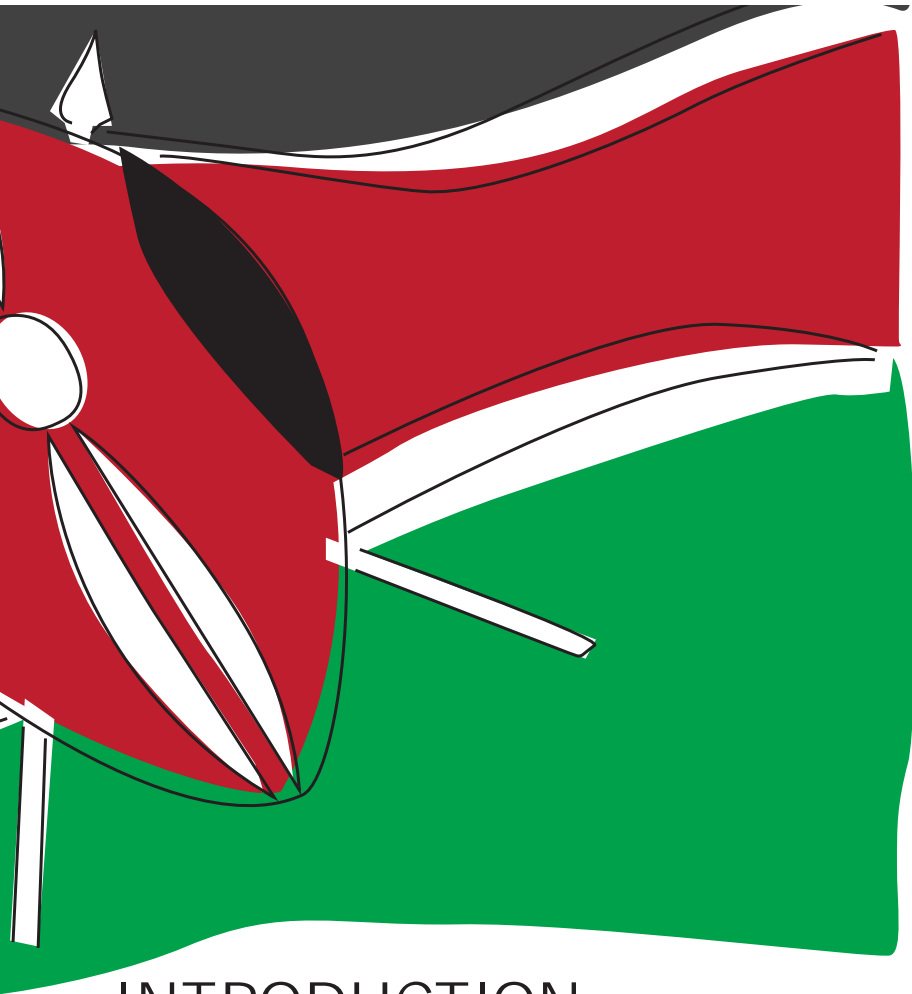
The State, media enterprises, owners, employers, managers and editors bear the greatest responsibility to ensure effective protection for free speech and the safety - and security -- of journalists. Thus they are duty bound to establish a safe and enabling environment for journalism, which is the declared and proper goal of the UN's Action Plan on the Safety of Journalists and the Issue of Impunity." In this regard, they should establish security units in their newsrooms to implement, monitor and ensure compliance in respect of these requirements.

1. Assess and understand the element of risk and ensure the journalist is fully aware, issue him/her with incident reporting guidelines and allow him/her the choice of refusal.
2. Journalists on dangerous or risky assignments should be given a hostile environment training course, which teaches First Aid, basic rules to follow and psychosocial support.
3. Offer regular assignment-specific safety advice and training.
4. Insure journalists, including regular correspondents, against bodily harm, loss of life, property and equipment.
5. Provide legal protection and litigation support to fight impunity.
6. Provide relevant and adequate resources such as transport, protective gear and finances to journalists on dangerous or risky assignments.
7. Offer continuous well-being, including debriefing and counselling, particularly post-coverage of distressful assignments.
8. Have a comprehensive security management strategy, including an elaborate intervention and protection strategy for journalists such as an evacuation or relocation plan and a dedicated in-house security manager.
9. Establish a joint fund to cater for the safety of freelancers and correspondents on commissioned assignments. The fund would be supported through an annual levy on all media houses and/or Media Council of Kenya revenues generated from financial penalties imposed on "errant" media houses and journalists.
10. Establish specific protection measures to address gender and cultural-sensitive issues such as sexual harassment.



Part II:  
A MANUAL FOR  
THE SAFETY AND  
PROTECTION OF  
JOURNALISTS IN  
KENYA

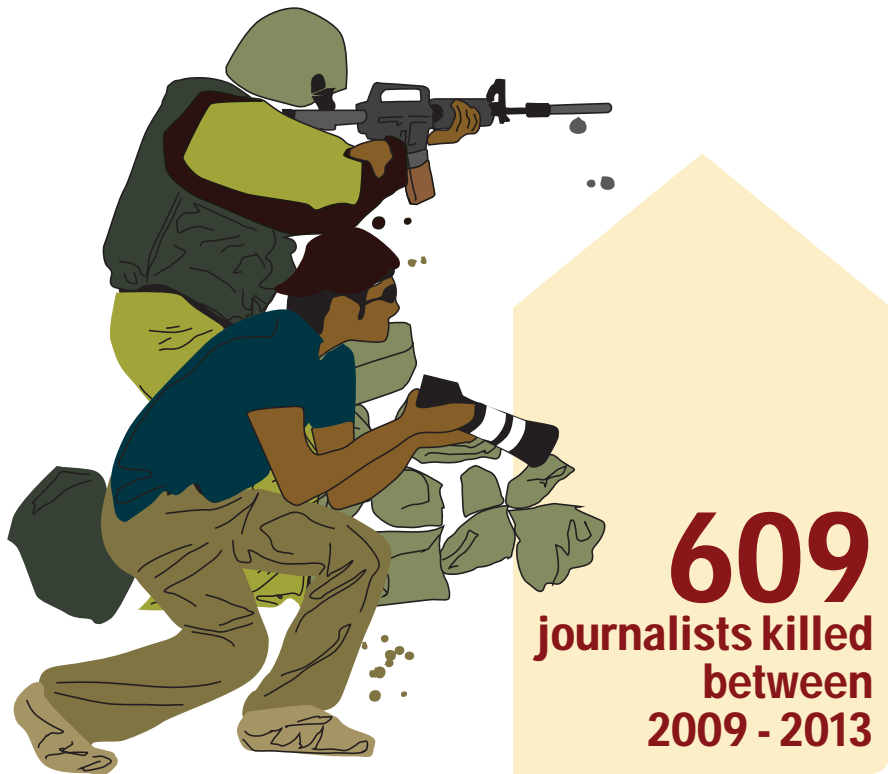




# INTRODUCTION

The Constitution of Kenya, which was promulgated in August 2010, guarantees, among other things, freedom of expression, media and access to information in Chapter 4 on the Bill of Rights, specifically Articles 33, 34 and 35. At Article 33, the Constitution underlines the freedom to seek, receive or

impart information or ideas; the freedom of artistic creativity; academic freedom and the freedom of scientific research. Freedom of the media is protected by Article 34, which guarantees the freedom and independence of electronic, print and all other types of media.



The State is barred from exercising control over, or interfering with any person engaged in broadcasting, the production or circulation of any publication or the dissemination of information by any medium. An independent body to set media standards and regulate and monitor those standards is anticipated in Article 34 (5). Such a body should be independent of control by government, political or commercial interests.

At Article 35, the Constitution guarantees every citizen the right to access information held by the State as well as information held by another person and required for the exercise or protection of any right or fundamental freedom. These freedoms

have fundamental implications for the media sector.

The Constitution further provides for a devolved system of Government, which, if well implemented, will entrench public participation in governance, holding leaders accountable and increase the space for media pluralism with community-based journalists taking a leading role in the expanded information arena.

Nevertheless, despite the legal framework, Kenya's freedom of expression and of the media is still greatly under threat. Journalists continue to face threats to their safety and security. There are numerous cases of assault, arrest and intimidation, which are an affront to freedom of expression.



Further, attacks against bloggers, politically motivated surveillance of online content and restrictive laws regulating speech online are emerging as threats to Internet freedom in Kenya.

In a baseline study conducted in December 2012 by the Kenya Media Working Group, more than 70 per cent of the respondents said they were dissatisfied with the level of safety and security measures in place within their media houses. More illuminating was the finding that more than half of the respondents felt that media institutions care more about the safety and protection of their equipment and buildings than the safety and protection of employees.

Further, the journalists felt that media houses lacked the resolve and will to investigate atrocities committed against their staff. It is futile, they said, to expect authorities to investigate attacks on journalists especially when the perpetrators are public officers. Moreover, media associations and the Kenya Union of Journalists lacked the necessary capacity to protect journalists, according to the findings of the survey.

Admittedly, though, by world standards, Kenya is still a fairly safe environment for journalists to work in. Unlike its neighbour, Somalia, for example, it has never featured in the lists of the most dangerous countries for journalists, which are regularly compiled by non-governmental media organisations like the Committee to Protect Journalists, Article 19, Reporters Without Borders, Freedom House, the International Federation of Journalists, the International Press Institute and the Press Emblem Campaign (PEC)<sup>1</sup>.

Out of the PEC's listed<sup>2</sup> 609 deaths of journalists in a five-year period, which translate to one journalist killed every three days simply for stepping out of his/her house to do a public interest duty, four cases were in Kenya – Trent Keegan<sup>3</sup>, a New Zealand photographer for Irish and New Zealand papers (May 28, 2008); Francis Nyaruri, a Weekly Citizen reporter (Jan 29, 2009), Bernard Wesonga of The Star, Mombasa, March 21, 2013, and Rulhila Adalia-Sood of Kiss TV, East FM, on September 21, 2013, during the terrorist attack at Westgate Mall. It is worth noting here that, according to CPJ, sometimes the motives of the killings are either unknown or unconfirmed.

## Kenya would be considered a safe environment for journalists

1. A Geneva-based independent NGO founded in June 2004 by journalists from several countries to strengthen legal systems and the safety of Journalists in conflict zones. It publishes, with monthly updates, a list of journalists killed in the line of duty. It focuses on work-related deaths among journalists, correspondents, freelancers, cameramen, sound technicians, technicians, photographers, producers, administrators, cyber-reporters and omits other media workers such as drivers, guards, security staff and translators. Ref: <http://www.pressemblem.ch/5037.html>

2. The Philippines tops the list with 67 deaths, followed by Pakistan (59), Syria (56), Mexico (55), Somalia (43), Iraq, 40, Honduras, 29, Brazil (28), India (20) and Russia (19) -- Ref: <http://www.pressemblem.ch/5037.html>

3. Mr Keegan was found beaten to death in drainage ditch in Nairobi on May 28, 2008. It was speculated that his death was linked to a land scandal he was investigating in Tanzania. See Kiwi's death mystery in Kenya at <http://www.stuff.co.nz/national/5652366/Kiwis-death-in-Kenya-still-a-mystery>

However, it would be wrong to use killings as the sole measure of how unsafe or insecure an environment is for journalists. In its *Media Development Indicators (MDI): A framework for assessing media development*<sup>4</sup>, UNESCO highlights the following as critical determinants:

- Threats, harassment or surveillance of journalists and associated media workers.
- Physical attacks or unlawful detention as a result of pursuing their legitimate activities.
- Forceful closure of media houses as a result of pursuing their legitimate activities, or closure threats.
- Evidence of a climate of impunity.
- Lack of policies in media organisations for protecting the health and safety of their staff and freelancers.
- Absence of measures of social protection covering all staff, including temporary and freelance employees.
- Routine self-censorship by journalists because of fear of punishment, harassment or attack.
- Lack of legal protection and respect for confidentiality of sources.

One could add to this the tendency by the political class to demonise, vilify and denounce media houses and individual journalists for holding them to account for their excesses, and denial of advertising support for news outlets deemed to be too critical of government. By enacting two contentious media laws in 2013 – the Kenya Information and Communications (Amendments) Act and the Media Council Act – parliament inevitably facilitated State control of the media by giving the government oversight authority over media houses, and creating fear among journalists and media houses who risk punitive fines because of their reporting on contentious issues, such as corruption and accountability.

It is when judged against some of these indicators that Kenya's image pales. A climate of self-censorship both at the individual and corporate level, thrives in such an environment, forcing them to slow down on critical investigative stories for fear of their lives as well as to avoid losing advertising support, particularly from government departments. This has the net effect of compromising editorial independence, undermining public interest journalism, limiting the free flow of information, and impeding the ability of the citizens to make informed critical decisions when it matters most.

4. A unique diagnostic tool for assessing national media landscapes and identifying media development gaps. One relatively short section of these indicators dealt with questions of journalists' safety (paragraphs 3:13 and 3:14). [www.unesco.org/images/0016/001631/163102e.pdf](http://www.unesco.org/images/0016/001631/163102e.pdf)



# ABOUT THIS MANUAL

The purpose of this manual is to provide journalists and media houses with additional knowledge (tips) and some tools that may be useful for improving their safety, protection and security. They are essential guidelines for general safety and security and it is hoped that by applying them, journalists in Kenya can contribute towards a safer working environment. Ultimately, safety is everybody's responsibility and we all have a duty to keep others and ourselves safe.

The manual signals a new direction in the way the practice of journalism is managed or handled. It draws substantially from similar guides in operation around the world as well as from the experience of the local media fraternity. It is informed by the unfortunate fact that threats or attacks on journalists are not peculiar to any one region of the world and that the primary differences between one location and another are the severity and frequency or incidence of those threats and attacks. Hence, guides of this nature tend to share similarities in structure, content, tone and thrust.

This manual attempts to provide a local context in an attempt to address what might pass off as circumstances uniquely peculiar to Kenya. Although great care has been taken to make it comprehensive, it is likely that the manual has not covered all the potential risks or hazards. In that case, there is an opportunity for further research to enrich the document.

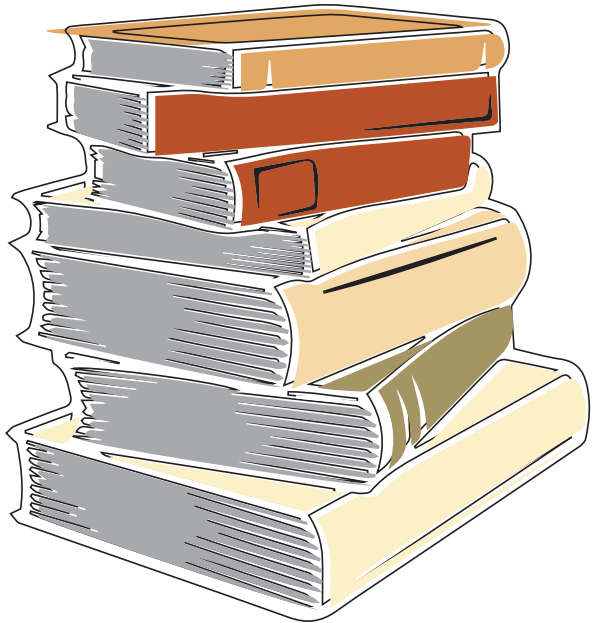
Complementary to this manual is a *Protocol for the safety and protection of journalists in Kenya*, which defines the roles and obligations of the key stakeholders in the media industry. A critical component of the Protocol is a *10-point Charter for Media Owners and Managers*, which is intended to serve as an exhortation to them to invest more in their journalist's safety.

# WHAT EVERY JOURNALIST NEEDS TO KNOW

## Legal Environment

In addition to their professional training, Kenyan journalists need to understand the legal framework in which they operate. This means investing substantial time and energy to familiarise yourselves with the laws, policies and conventions relating to freedom of information and expression, journalists' safety and protection as well as professional and ethical reporting. These give journalists full protection under both local and international laws and oblige state and employers to invest in their safety. The following are some of the recommended documents that you should familiarise yourself with:

- (a) The Kenya Constitution (2010): [www.kenyalaw.org/Downloads/TheConstitutionKenya.pdf](http://www.kenyalaw.org/Downloads/TheConstitutionKenya.pdf)
- (b) Universal Declaration of Human Rights (UDHR): [www.un.org/en/documents/udhr/](http://www.un.org/en/documents/udhr/)
- (c) UN Declaration of Human Rights Defenders: [www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Declaration.aspx](http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Declaration.aspx)
- (d) African Charter on Human and Peoples Rights: [www.achpr.org/instruments/achpr/](http://www.achpr.org/instruments/achpr/), and the various protocols
- (e) East Africa Community protocols: [www.eac.int/legal/index.php?option=com\\_docman&Itemid=47](http://www.eac.int/legal/index.php?option=com_docman&Itemid=47)
- (f) UN Plan of Action on the Safety of Journalists and the Issue of Impunity: [www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/official\\_documents/UN\\_plan\\_on\\_Safety\\_Journalists\\_EN.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/official_documents/UN_plan_on_Safety_Journalists_EN.pdf)
- (g) Fact Sheet No 27: Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: [www.ohchr.org/EN/ISSUES/FREEDOMOPINION/Pages/OpinionIndex.aspx](http://www.ohchr.org/EN/ISSUES/FREEDOMOPINION/Pages/OpinionIndex.aspx)





**journalists  
need to understand the  
legal  
framework  
in which they operate**

- (h) Journalists' Safety Indicators: National Level - Based on the UNESCO's Media Development Indicators: [www.unesco.org/](http://www.unesco.org/)
- (i) Global Compact Network Kenya: [www.globalcompact.or.ke/](http://www.globalcompact.or.ke/)
- (j) Leadership Guiding Principles for African Media Owners and Managers, a publication of the African Media Initiative: [www.africanmediainitiative.org](http://www.africanmediainitiative.org)

While working in the Counties, journalists should be aware of any County specific laws touching on freedom of expression so that they do not go beyond what is legally allowed.

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## **JOURNALISTS AND THEIR OWN SAFETY**

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Risk is a personal choice. Decisions are made out of a sense of duty, call of ego, or sometimes a mix of both. Remember, injured journalists or dead ones become part of the story, part of the problem, and can no longer do their jobs. Many loved ones suffer in cases of death. Eventually the story is forgotten even if the journalist is not. Journalists must gauge their security first before attempting a risky story. Use your common sense and stay alive in order to change lives for the better.



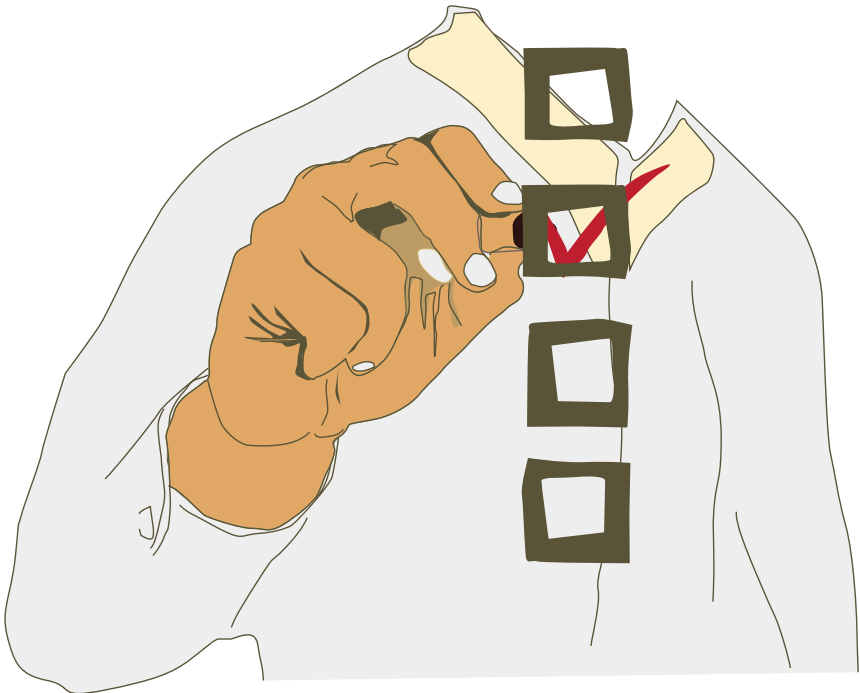
# BASIC PREPAREDNESS: PRE-ASSIGNMENT SAFETY AND SECURITY

*“By failing to prepare, you are preparing to fail.”*

Benjamin Franklin, one of the founding fathers of the United States.

## Risk assessment checklist

As a field operative, you and your media house ought to evolve a culture of risk assessment before undertaking any assignment. Let experience be your guide; news events can be extremely unpredictable. Do not take anything for granted. A routine assignment can quickly morph into a life-threatening encounter. At the planning stage, you should be able to raise with the assigning editor any concerns and perceptions of risk that you may have.



Basically, the planning process should factor in the following, particularly if you are going to a conflict area or undertaking an assignment, like investigating organised crime, which has inherent risks:

- i) A list of contacts in case of an emergency, i.e. colleagues, family members, local associates, police, civil society groups, Red Cross, etc.
- ii) A communication plan or strategy to ensure the office knows your exact location at any one time. This information should be kept safe by all parties, as this could be a potential risk to the journalists.
- iii) Identification of all potential known hazards in the area of reporting. In other words, you need to research the location you're being sent to, the geographical terrain, prevailing weather, local customs, local perceptions of your media house, communication infrastructure, availability of basic facilities such as water, food, shelter, healthcare and security.
- iv) Have an outline of a contingency plan that addresses perceived risks. Additionally, if working in a team, ensure that everyone is involved in formulating the contingency plan, understand it and assign roles and responsibilities beforehand. This information must be kept safe at all times.
- v) Assess where to stay and where to seek refuge, if necessary. This could be a church, mosques police, school or Governor's compound.
- vi) Have a detailed transport plan complete with planned stops for replenishment and vehicle servicing.
- vii) Learn from an old hack. If you are new to the profession, a beat, or a particular type of assignment, seek out experienced colleagues for advice and potential mentoring. Certain beats are high risk such as crime, conflict and investigative reporting into issues concerning security, governance and corruption. If you are covering a beat, you should invest time in understanding the security implications of your topic: Identifying the major actors and learning their motivation (stakeholder analysis); know your limitations in terms of reporting safely.
- viii) Try to be as self-sufficient as you possibly can.
- ix) The measures you take shall contribute to a safer working environment.
- x) The risk assessment should take three things into consideration. What are potential threats to me? Then categorise from the list above what are your capacities- strengths in helping you carry out your work safely? For example, civil society organisations that may help you, or inherent knowledge of the local language and customs that can help navigate any situation. Finally, what are my vulnerabilities -- weaknesses? Non-native speakers of the main language, therefore, require an interpreter. Be aware, though, that although this is recommended, it can compromise any sensitive information you may have as well as your whereabouts. Doing this quick assessment helps you adjust your plans accordingly to minimise your security risk.

*For a more detailed discussion, see Appendices I&III*

The arid and semi-arid northern most and north-eastern counties of Kenya present a particular challenge due to a history of violent conflict over control of scarce resources. Therefore, any journalistic adventure into Baragoi, for instance, would necessarily require meticulous planning and preparation not least because of years of neglect by the Government that have starved the area of any meaningful infrastructure or basic facilities. Across the border, Somalia is dangerous territory and a number of journalists have paid with their lives while on assignment there. Other territories that would require meticulous planning are the Democratic Republic of Congo, Central African Republic, and the Boko Haram-controlled areas of Nigeria.

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## Essential items

Every safety manual you come across will have a fairly detailed list of items considered necessary for journalists' safety and protection, depending on the location and security situation. It is critical to be familiar with these but allow the journalist and the assigning editor to determine the contents of the survival kit. A standard kit would contain the following:

- i) A First Aid kit containing pain-killers, bandages, gloves, wet wipes, an antiseptic liquid like "Dettol" or "Savlon". The kit should also include pressure bandages, blood clotting element and tampons to assist with bullet wounds.
- ii) Water and water purification tablets.
- iii) Torch with spare batteries
- iv) Bottled water
- v) Press card or letter of accreditation either from your media house or the Media Council of Kenya.
- vi) Toilet kit (toothbrush, toothpaste, comb)

- vii) Mobile phone with spare batteries and sim card/solar-powered mobile phone.

*In extreme situations the list would include personal protective equipment, such as masks, goggles, headgear and bulletproof vests.*

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**A handy bag with essentials such as a blood donor card in your wallet or, if you are in a conflict area, a laminated card hanging around your neck with your blood type and any allergies clearly marked; cash well hidden, copies of national identity card and extra passport-size photos, laminated copies of contact information for newsroom staff and any risk assessment plan or disaster plan.**

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# RESPONDING TO RISK

News organisations should recognise their responsibilities to support all their journalists, whether they are staff members, correspondents or freelancers on commissioned assignments. Editors need to be frank about the specific support their organisation is willing to provide. Matters left unresolved before a journalist begins a story can lead to stressful complications later.

Be aware that circumstances change. No security assessment or protocol is exhaustive, but, most importantly, it must be relevant to your current circumstances. Keep yourself informed of what goes on around you and what could affect your security; re-assess your security situation at regular intervals.

If there are any threats (the possibility that someone will harm you physically or harm your moral integrity or property through purposeful and often violent actions)<sup>5</sup>. It is important to note the following.

1. Establish the facts of the threat
2. Establish the pattern over time, if there is one or if it is a one off
3. Establish the objective of making the threat
4. Establish the source of the threat
5. Draw a reasoned and reasonable conclusion about the feasibility of the threat.

It is important to note that not all threats will be related to your work. The objective component will help distinguish this. Once you distinguish this, it is important to record them, analyse them and react to them.



5. Adapted from Van Brabant (2000) and REDR.

# HOW TO COVER OR CONTEND WITH DEATH THREATS AND INTIMIDATION

In most reported cases threats are sent via anonymous phone calls and text messages repeatedly to intimidate the journalist into silence. Some journalists have also received condolence cards announcing the death of the journalist or relative. Take these threats seriously. Thirty-five percent of journalists murdered in the last two decades were threatened beforehand, according to CPJ research. Newsrooms should provide audio recorders (or, in some cases, phones with recording capabilities) for journalists facing sustained threats. Acquiring an audio recording of the threat will assist journalists in filing police reports and investigation. Informing the caller that the threat is being recorded can also be a useful deterrent.

It is paramount to report threats to trusted colleagues, your editor, the Media Council of Kenya and the police. Be sure they know details of the threat, including its nature and how and when it was delivered. Ensure the threats are publicised through your news outlets, blog, tweet, Facebook and other media. And remember to report threats to local and international press freedom groups such as the Committee to Protect Journalists. CPJ will publicise a threat or keep it confidential at your discretion.

Journalists under threat can also consider a temporary or permanent change in beat. Editors should consult closely with a journalist facing threats and expedite a change in assignment if requested for safety reasons. Some threatened journalists have found that time away from a sensitive beat allowed a hostile situation to lessen in intensity.



## Surveillance and Counter Surveillance

**Surveillance** is carried out for the following reasons

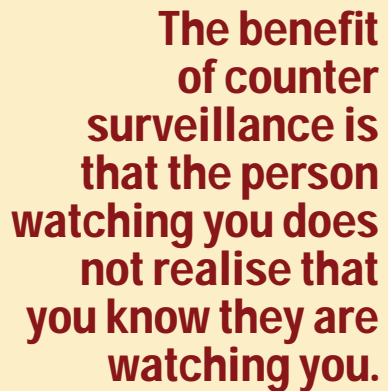
- To establish what activities are carried out, when and with/by whom.
- To use this information later to attack individuals or organisations.
- To gather the information necessary to carry out an attack.
- To gather information for legal action or other harassment (without direct violence).
- To intimidate you, your supporters or other people who work with you.

Remember that the reason for surveillance may change depending on what information is gained or if the political situation changes. It is also important to realise that surveillance in itself does not constitute an attack and may or may not lead to one.

**Counter-surveillance** can help you establish whether you are being watched. It is important to be aware of your surroundings especially around the places that you frequent like home and the office. Be on the lookout for unusual people or vehicles that are consistently in the vicinity. Some of the people who are carrying out the surveillance could be people who are in the area for legitimate reasons like boda boda operators. However, the frequency and interest in your activities is a clear sign that you are being watched. The reasons for people to do surveillance varies from monetary incentives, people being pressurised to do so, they could sympathise with the potential attackers or a mixture of both. In most cases they will not want you to

know they are watching you. They will use different people, different vehicles, boda bodas, etc.

A smart way to know if you are being watched is to watch the people you think are watching you without them knowing. You can ask a trusted third party who is not known to many to help you by arranging when you will leave home, the office and see who follows you or what they do. This is known as counter surveillance. The benefit of counter surveillance is that the person watching you does not realise that you know they are watching you. One should not confront someone watching them as this may lead to violence. This advice is more for those in an urban-semi urban setting. However, in rural areas, people are wariar of strangers.



**The benefit of counter surveillance is that the person watching you does not realise that you know they are watching you.**

Additionally, if you are working on a big story, you should also be more aware of your surroundings and shifts in behaviour of those around you. If the newspaper vendor begins to ask the watchmen in the area about you, this should be noted.

The reason for the surveillance can help determine your next course of action. If you are being watched, it is important not to out anyone else in harm's way. You should also make prior arrangements, contingencies after your risk assessment. You can implement them here. For example if it is information on the whereabouts of a source, you can have a third party meet with the source and relay the information or set up a code so that when you call the source with the code, they do not show up at the meeting. Changing one's routine can also help.

It is important to note that surveillance can be done by anyone -- men, or women. One should also remember the key points above in responding to risk and come up with a good strategy.

## Demonstrations and other disturbances

Journalists covering protests and other violent civil disturbances face risks from all sides, often at the same time. About 100 journalists died worldwide while covering street protests and other civil disturbances from 1992 through 2011, according to CPJ research.

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### Tips:

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- Be conscious of your location at all times. Make sure you are not between protestors and riot police.
- Map out exit routes in advance.
- Stay on the side of protestors. Rocks and other missiles are usually thrown by individuals in the center of a crowd as a means to avoid detection by blending back into the crowd.
- Wear appropriate clothing, natural fibers are better protection against firearms.
- Ensure you have your media credentials.

## Accident, fire, and rescue scenes

The first responsibility of anyone among the early or “first responders” – including police, ambulance workers, and firefighters, as well as journalists – is to protect one’s self by surveying the scene and being aware of potential hazards.

Respect perimeters set by authorities. Often befriending a police officer or providing authorities coverage of the event will assist in acquiring a better vantage point for reporting/photography. Crossing police lines or disobeying police orders could lead to arrest. Journalists covering emergency or rescue scenes should also prominently display their press credentials at all times.

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## What to carry - dealing with tear gas and other irritants

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- A lemon can ease skin burns.
- A wet towel can protect your face from tear gas.
- Swimming goggles to protect eyes from tear gas.

Remain calm if you are arrested. If you choose to object to the arresting officer, you may worsen your situation. If you do speak up, make every effort to maintain a professional demeanor as you explain that you are a journalist covering news. However, record/document the sequence of events, details of the arresting officers and charges, if any.

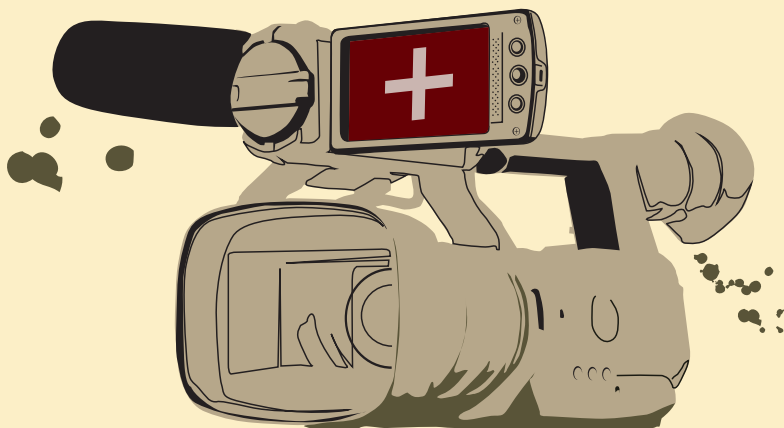


## Organised crime and corruption

Crime and corruption are extremely dangerous beats. The lines between political and criminal groups, commonly known as militia, are blurred in many situations, raising the risk for reporters. This is particularly acute in areas such as central Kenya, Nairobi, Nyanza and the coast strip where criminal gangs like Mungiki, Sungusungu, Bhagdad Boys and terrorist groups like Taliban and al-Shabaab operate with impunity, reducing any security support a journalist can rely on.



# BASIC PREPAREDNESS



How to approach crime stories, including coverage of organized crime, depends almost entirely on local factors. Covering the activities of the Sungusungu in Kisii, for instance, is very different from how you cover al-Shabaab activities or the cattle-rustling conflict in places like Baragoi. Reporters should familiarise themselves with high-crime areas, entry and exit routes, and safe, accessible places to meet sources.

At least one editor should always be aware of a crime reporter's work, sources, and progress. Freelancers should keep a trusted colleague apprised. Where possible, it might be helpful to also alert your office security manager.

When you approach a potentially hostile subject, you should be accompanied or observed by a colleague. To reduce the possibility of being singled out for reprisal, you should communicate to all crime sources, especially hostile subjects, that you are not working alone and that a news organisation or colleague is

closely monitoring your activities. Find and cultivate, if possible, a senior law enforcement officer to whom you or others could turn in case of emergency.

## Planning an investigation

It is important to undertake a security assessment prior to an assignment. When covering dangerous groups such as Mungiki, criminal or terrorist suspects, the assessment should be accompanied by a contingency plan in case the journalist or his or her sources become endangered. The assessment should identify the most dangerous actors and most sensitive issues in the investigation and assess the risks that may arise. Clear rules as to how and when you will communicate safely with editors and other colleagues should be established. Interview sources you trust the most first and gradually work towards the more hostile sources. Limit information that discloses your investigations to a minimum.

## Approaching hostile subjects

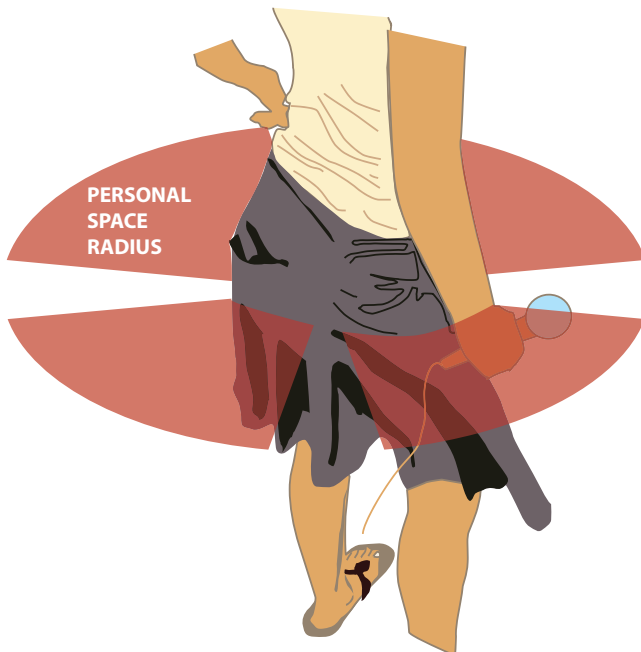
Whether and how to approach suspected criminal actors depends on several factors. It is imperative to know the characteristics of local law enforcement actors and whether there are individuals you can rely on in case trouble arises in your investigations. In any criminal investigation, keep in mind that the greatest risk may not be reporting on criminal groups themselves, but on the web of official corruption that protects them.

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### Tips:

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- Develop a credible cover story to hide your investigations.
- The period shortly before a story runs is often the most dangerous. Journalists must be mindful of whom they speak to and keep a low profile.
- If planning to interview a hostile subject, newsrooms and colleagues must be alerted.
- Have a colleague or someone else watching over you.





## Accessing information

The Constitution of Kenya recognises the right to access information. A database of public information, which was launched in 2011, is also available. Nonetheless, obtaining official documents through official means is often difficult, although it is a critical aspect of investigative reporting. In addition to providing the substantive benefits of citing official documents, the practice can lessen one's reliance on comments from hostile sources, etc.

Should journalists resort to own sources to access government data, they must take precautions to avoid revealing the identity of a source who provides sensitive documents. Conducting several interviews as a cover can assist in protecting a source. The use of documentation may also shift risk onto the journalist. (See communication and information section in this guide on page 19).

## Collaborative effort

Journalists are finding alternative ways to publish dangerous stories. Pseudonyms or sourcing "staff reporter" are routine measures to protect reporters.

News organisations can also work together on dangerous topics, sharing information and publishing a story simultaneously without individual bylines. The approach has proved effective in defusing the risk against any individual journalist while enabling reporters to cover hazardous topics. In Burundi, media houses use a system called "synergie" whereupon all media outlets publish/air sensitive information simultaneously to evade targeting one media source. In Kenya, the same practice is called, spreading or sharing the risk. Collaborating across borders is another way to mitigate risks.

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In an effort to minimise the threat of State sanctions during the single-party rule of the Kenya African National Union (KANU) in the 1980s and 90s, editors regularly collaborated on sensitive stories. It was a conspiracy, really, which amounted to one editor ceding his right to a scoop by agreeing to share the risk, as it were, with a rival media. In more extreme circumstances, a sensitive story would, by prior arrangement, be "broken" by an overseas newspaper. The corresponding "conspirator" in Nairobi would then quickly pick it up ahead of everyone else and wait for another opportunity to beat the system. That way, the editor in Nairobi could always argue that he was merely republishing a story that had already appeared somewhere else.

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## Crime and terrorist scenes

Violent crime and terrorism scenes may be fairly complicated to cover. Self-protection is again the first rule. During a security standoff like the September 21, 2013 terrorist attack at the Westgate shopping mall in Nairobi, be careful not to expose yourself to risk from further disturbances. One question to ask is whether perpetrators may still be at large in the area. In the case of a terrorist attack or other action designed to attract public attention, consider the chance of follow-up attacks.

Clearly display your credentials at crime scenes whenever possible. Avoid confrontations with authorities; at such times, having relationships with senior law enforcement officials is useful.

Witnesses and other survivors of violent events may be agitated or traumatised. This means respecting survivors' wishes about whether they want to be interviewed or have their emotions recorded; demonstrating such respect, in fact, may well lead survivors to allow journalists greater access. Police and rescue authorities may also be traumatised. Understand that this may not be the best or only time to ask questions of either survivors or authorities.

## Transportation and equipment

Press vehicles should be equipped with emergency gear, including a First Aid kit, road flares and blankets. Managers should research where to obtain emergency rentals of vehicles, communication equipment and essential gear, and include the information along with contact details in the disaster plan. Managers should also know how to get reserve fuel during an emergency. Field staff should include safe and secure transport in their plans.

In armed conflict situations vehicles are potential targets. If you are in a vehicle that is being fired at directly, you can try to evaluate the situation, but making an accurate assessment will be very difficult. In general, it is useful to assume that the vehicle is or will be a target, and that the correct thing to do, therefore, is to get out and seek cover immediately. A vehicle is a clear target. It is vulnerable and exposes you to injuries from flying glass or exploding fuel tanks, in addition to direct fire. If the fire is not too close, try to continue travelling in the vehicle until you can take cover somewhere close at hand.

**A vehicle is a clear target. It is vulnerable and exposes you to injuries from flying glass or exploding fuel tanks, in addition to direct fire.**

## Arrest, detention

If you are arrested or detained, remember to remain calm and act professionally. Do not get into an argument about your rights. If you are able to have a reasonable discussion that is one thing but if it becomes apparent that the officer is not interested in your point of view it is usually best to move on.

If you are told that you are not free to leave or under arrest it is strongly advised that you immediately do what you are told, but communicate your situation to colleagues or other authorities to intervene. Police officers or other government authorities deem anything less than full compliance as resisting arrest and will then escalate the force they believe is necessary to effectuate that arrest.

It is important that you identify yourself as a journalist as often as possible so there is no question who you are or what your purpose was in being there. It is crucial to remember that anything you say may be used against you and possibly lead to additional charges.

At the first appropriate moment, request that a commanding officer e.g. Provincial Police Officer (PPO), Officer Commanding Police Division (OCPD), District Criminal Investigations Officer (DCIO), or Officer Commanding Police Station (OCS) be notified that a journalist is being

detained or has been arrested. If possible, also inform your editor about the arrest. Call a lawyer if possible. If in a foreign country ask to get in touch with your embassy.

If the arrest takes place in a non-gazetted holding area, insist on being transferred to a recognised facility and be officially booked. Such non-gazetted areas would include a police patrol base, police post and Administration Police or Chief's Camp.

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**Police may ask to see your images, recordings, or files. Be aware that you do not have to consent to such a request. They may try to intimidate, coerce, or threaten you into doing so, but consent must be voluntary. Even when police do seize a camera or other device they cannot view its contents without a proper warrant.**

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There have been instances where police have ordered journalists to delete files or have exercised self-help by deleting those files themselves. Any illegal act or violence meted out on the journalist should be recorded and a formal complaint made to the relevant authorities.

## Kidnapping and carjacking

### *Captive situations*

The best antidote is precaution. Travel in teams in dangerous areas, making sure trusted colleagues know your plans and that contact information is shared. A length of time should be determined before your silence should be considered an emergency.

If you are taken captive, develop a relationship with your captors and identify their leader; these steps could reduce the chance that guards will do you harm. Cooperate with guards, but do not attempt to appease them. As best as you can, explain your role as a journalist and that your job includes telling all sides of a story.

### Police threats

Kenyan police have a poor track record in protecting journalists / following up on cases of threats against the press. Even worse, many are compromised by influential actors and are hired to target and intimidate the press –even when a journalists' work appears to compliment

police activities. In May this year, Star reporter Lydia Ngoolo reported suspicious activity at a house in Mwingi Town, Central Province, believing suspected terrorists use the house as a transit station for their operations. Instead of collaborating with Lydia, police reportedly started to threaten her and question her investigations into the suspected terrorist base. Often journalists feel helpless when threatened by local law officials, not realising there are institutional procedures one can take against the police.



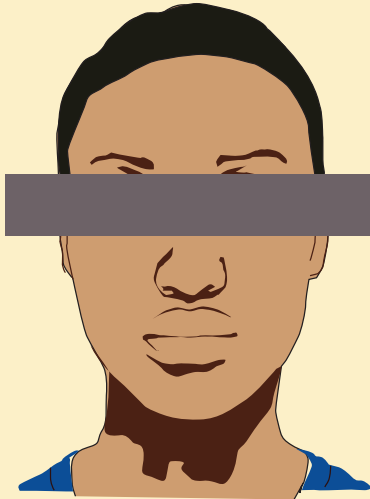
How to report police misconduct:

1. File a complaint with the local police department
2. If you feel filing a complaint with the local police department may be a futile effort or may even endanger you further, there are higher bodies you can report to:
  - Another local police station where you feel more comfortable, report to the Internal Affairs Unit
  - Independent Policing Oversight Authority (IPOA) - Wherever you file a complaint, the IPOA will monitor it.
  - Ethics and Anti-Corruption Commission
  - Commission on Administrative Justice (Ombudsman)
  - National Gender and Equality Commission

Remember, it is an offence by Kenyan law if a police officer does not record your complaint.

What information should I provide to file a complaint?

1. Your name and contact details
2. What happened, include date, time and place
3. Name and rank of member of police
4. Names of the people involved or people that might help with the investigation



5. Details of any documents or information that might help with the investigation
6. What you would like the body to do about your complaint.

The organisation will have a complaint form as well.

### ***Can I remain anonymous?***

You can make an anonymous complaint. With the IPOA, you can tell them who you are but ask them to keep your identity confidential. Request access to witness protection services if you are concerned over your safety vis-à-vis the agency you complain to.

File a complaint to:

### **A Local Police Station**

You can make a complaint at any police station with any police officer; it is not mandatory to file a complaint with the police station where the offending officer is located. The police will record the complaint and report it to the IPOA and the Internal Affairs Unit of the Police Service. Make sure to request the complaint will be reported to these offices after the filing the complaint, this will inform the police office that you are serious and can follow up if the local officer does not follow up on complaint. If a serious violation, the IPOA will investigate it. Otherwise the Internal Affairs Unit will investigate and then, if necessary, make a recommendation for action to be taken against the police officer.

If it is disciplinary action, this can include:

- A reprimand
- Suspension
- Ordering that money be paid back
- Stoppage of salary increases
- Demotion
- Termination of employment

The IPOA will monitor whether the Internal Affairs Unit is investigating matters in a fair and effective manner. The IPOA can also take over investigations if necessary.

### **National Police Service Commission**

You can also make a complaint to the National Police Service Commission



however they generally do not investigate complaints in the beginning and may refer it to the IPOA. The Commission oversees police employment, training and holds the disciplinary hearings.

#### Independent Policing Oversight Authority

The IPOA is ostensibly completely separate from the police service. The IPOA:

- Investigates complaints of police misconduct, including injury caused in police custody or as a result of police action and recommends appropriate action.
- Monitors and reviews the police and patterns of police misconduct.
- Every six months, publishes outcomes and findings from investigations. This is public information.

After a complaint is lodged, the IPOA starts investigations and has the authority to compel people to attend interviews or hearings if they do not obey a summons. After investigations the IPOA can recommend the following:

- The Director of Public Prosecution charges the officer with a criminal offence and prosecutes him / her at Court.
- The police implement particular disciplinary action against the officer.
- Payment of compensation.
- Change in police procedures, policies and standing orders, so that the police respond to situations in a better way in the future.

The Inspector-General has to implement recommendation by the IPOA by law. The IPOA can also apply to the Court to enforce a recommendation it has made.

#### Other Commissions

Although other commissions have limited powers to investigate the police unlike the IPOA, filing complaints with them may assist in pushing for a genuine police investigation. For corruption matters, you can lodge a complaint directly with the Ethics and Anti-Corruption Commission. On cases of sexual harassment, you can lodge complaints with the National Gender and Equality Commission.

#### Ethics and Anti-Corruption Commission

Integrity Centre, Millimani Road Junction, Nairobi

(Or)

Apollo Court, Moi Avenue, Mombasa

Email: [report@integrity.go.ke](mailto:report@integrity.go.ke)

Telephone: 020-271-468 (Nairobi) / 041-231-9081 (Mombasa)

**IPOA**  
publishes  
outcomes and  
findings from  
investigations  
into police  
misconduct



# ARMED CONFLICT

Security training is highly recommended for anyone covering a dangerous assignment such as conflict areas. A number of organisations, including the Media Council of Kenya, Protection International and IREX provide security training for journalists in Kenya. Journalists should understand the nature of the conflict, actors and weapons to aid logistics. They should also be familiar with other organisations that offer services and assistance to journalists in distress such as the following:

- On women journalists covering war zones: [http://www.ifj.org/fileadmin/images/Gender/Gender\\_documents/Safety\\_Guidelines\\_for\\_Women\\_working\\_in\\_War\\_Zones\\_EN.pdf](http://www.ifj.org/fileadmin/images/Gender/Gender_documents/Safety_Guidelines_for_Women_working_in_War_Zones_EN.pdf)
- See the 8 principles of journalists working in war zones and dangerous areas (pp. 90-93): [http://www.rsf.org/IMG/pdf/guide\\_gb.pdf](http://www.rsf.org/IMG/pdf/guide_gb.pdf)
- Reporting for change: a handbook for local journalists in crisis areas - [http://iw3.iwpr.net/sites/default/files/iwpr\\_training\\_manual\\_english.pdf](http://iw3.iwpr.net/sites/default/files/iwpr_training_manual_english.pdf)
- Institute for War and Peace Reporting - <http://iwpr.net/build-journalism/modules-and-exercises-journalism-training>
- Making news personal: covering human rights, education, health and other social issues - [http://www.icfj.org/sites/default/files/Social\\_Issues.pdf](http://www.icfj.org/sites/default/files/Social_Issues.pdf)
- Journalism, media and the challenge of human rights reporting -[http://www.ichrp.org/files/reports/14/106\\_report\\_en.pdf](http://www.ichrp.org/files/reports/14/106_report_en.pdf)

- On the road to peace: Reporting Conflict and Ethnic Diversity - <http://asiapacific.ifj.org/assets/docs/056/247/4446738-52feef7.pdf>

## Embedded or unilateral

Choosing whether to cover a conflict embedded with an armed force or remain independent is a crucial decision. Thoroughly research the politics, history, and behaviour of all armed groups active in an area. The choice of embedding with one side of the conflict or remaining independent is a crucial one. In Somalia, for instance, journalists are encouraged to join the Kenya Defence Forces to ensure security in a highly volatile environment where kidnappings and killings of foreign reporters occur often.

Traveling with military forces provides you with exclusive access to frontline stories, but it can come at the expense of gaining other perspectives, including observing the impact of combat on civilians. Journalists traveling independently of armed forces may have a wider perspective. Fatalities are more common among journalists reporting unilaterally, but the risk of embedding with military forces should not be underestimated.

If you are embedded with a military force, be mindful not to stand out in a way that would suggest you are an officer or adviser. Snipers are trained to target the silhouettes of suspected officers within opposing military units. Journalists are sometimes required to wear the same uniforms as the



combatants with whom they embed. Doing so does not compromise your professional obligations, but you should still wear or carry press credentials that would identify you.

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**Uniformed journalists should expect to be treated as enemy combatants by opposing forces; that includes situations in which you are separated from your military unit.**

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Journalists working alone should also be aware of how their appearance

and demeanour may look from afar. Photojournalists holding cameras or carrying gear have been mistaken for combatants. If you are working alone, choose clothing that does not resemble military gear and does not stand out from afar.

In covering armed conflict, be aware of the impact of real-time reports. What may be a compelling, fresh report to an audience far from the conflict zone may be perceived in the field as passing information to the enemy. This is also true of coverage of politically polarised areas. A mob could easily turn on you if they detect "hostility" in your coverage.

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*Vital lessons from an embed*

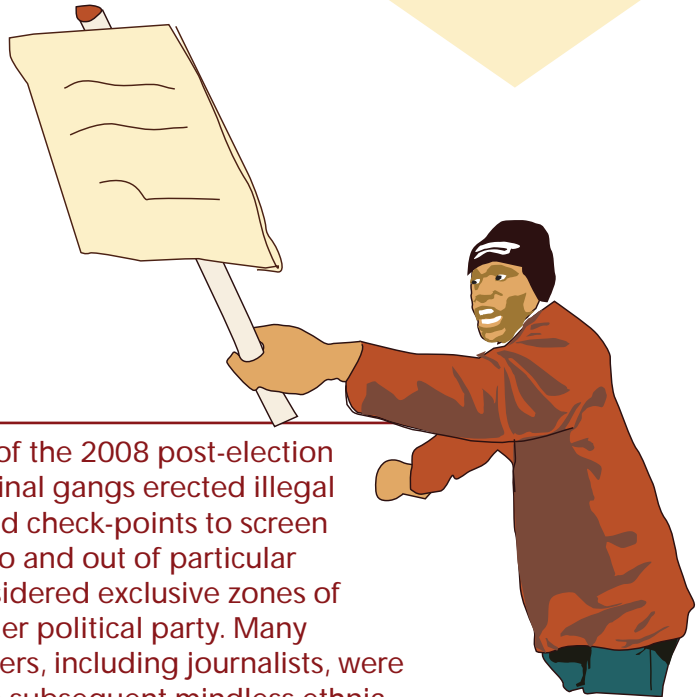
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*John Ngirachu, a journalist with the Nation Media Group, was one of the early embeds with the Kenya Defence Forces their during the Somalia campaign and now considers himself a veteran of "war" coverage. His experience is a study in the yawning gaps in the management of journalists' safety. This is how he got involved. "I was called in by my editors and told, 'we want to send you to Somalia as an embed with KDF to cover the Linda Kenya campaign.'" Apparently, a number of his colleagues had been approached but refused due to concerns about their own safety. Ngirachu, though equally apprehensive, was overcome by a sense of adventurism and curiosity, and quickly accepted the assignment. The following day, a safety manual in hand, which he only had time to glance at, he found himself at the Defence headquarters in Nairobi where, for the next five days, military officers briefed him and colleagues from other media houses on rules of procedure for embeds. The key message was simply this: "Don't be adventurous and you'll be safe." Once in Somalia the harsh reality of the assignment smashed into their inexperienced personas like a tonne of bricks; sleeping in 4ft wide by 6ft wide dugouts; anxiety, minimal sleep, deafening sound of gunfire and explosions, basic camp facilities and inadequate protective gear. "When I think about it," he says, "I can't help feeling that my editors were more interested in getting the story out than in preparing me adequately to ensure my safety."*

## Checkpoints

Interacting with armed groups at checkpoints is dangerous and unpredictable. Before traveling on local roads, consult with colleagues, military officials, and trusted local sources to determine possible checkpoint locations and their operators. Learn in advance all checkpoint procedures, such as the warning signals used by military forces and the protocol expected of approaching vehicles.

**Interacting  
with armed  
groups at  
checkpoints  
is dangerous  
and  
unpredictable**



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At the height of the 2008 post-election violence, criminal gangs erected illegal roadblocks and check-points to screen movement into and out of particular locations considered exclusive zones of one or the other political party. Many unwary travellers, including journalists, were trapped in the subsequent mindless ethnic purges at these check-points.

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*Vital lessons*

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*On one occasion his camp came under attack and their military guardians instructed them to lie low until the enemy was repulsed.*

*What did he learn?*

- *Media house must have a war coverage policy that provides for training, both physical and emotional.*
- *Journalists must be given the right to opt out of such assignments should they feel inadequate to it.*
- *Management must provide life insurance cover for journalists in such situations.*
- *There should be no compromise on protective gear and journalists must be given the right to suggest the nature of that gear.*
- *Post-assignment counselling is key. One of his colleagues was so traumatised by the experience he quit journalism altogether on returning home.*
- *De-briefing essential to help inform additional training.*
- *Absolute need to prepare the journalist's family. One embed was recalled at the insistence of his mother when she saw him on television reporting for Somalia while all along she believed he was on assignment in Mombasa*
- *Incentives. Some of the embeds were given a daily cash allowance to motivate them.*

# SPECIFIC MEASURES FOR WOMEN JOURNALISTS

Women journalists can be at risk not only because of their work, but also because of their gender. As a result, threats and attacks can take on a gender-specific nature. In some instances women run a greater risk in the work they perform, so their security and protection acquire a specific dimension. The security focal persons should include women and measures in place need to be gender specific.

## Sexual harassment

Sexual harassment or threat has been reported by journalists during assignments. In a 2011 report, CPJ interviewed more than four-dozen journalists who said that they had been victimised on past assignments. Most reported victims were women, although some were men.



The goings-on in Cairo's Tahir Square, where women journalists covering crowd activities become easy and immediate targets of harassment and attack, is instructional.

Tips:

- Dress appropriately
- Wear clothes in accordance to local custom (headscarves for women in Muslim countries, for example)
- Female journalists can wear wedding rings / bands regardless of marital status.
- Deodorant sprays can deter aggressor.
- Work in groups with trusted colleagues.

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**While taking a ride on a boda boda, avoid holding onto the rider for support and firmly warn him if he becomes too familiar. Place your bag in the space between both of you till the ride is over. Avoid riding a boda boda when wearing a short skirt.**

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Female journalists should be aware that gestures of familiarity, such as hugging or smiling, even with colleagues, can be misinterpreted and raise the risk of unwanted attention. Don't mingle in a predominantly male crowd, experts say; stay close to the edges and have an escape path in mind. The International News Safety Institute suggests journalists have a

**Female  
journalists  
are advised  
to dress  
appropriately**

cover story prepared ("I'm waiting for my colleague to arrive," for example) if they are getting unwanted attention.

If a journalist perceives imminent sexual assault, she or he should do or say something to change the dynamic, experts recommend. Screaming or yelling for help if people are within earshot is one option. Shouting out something unexpected such as, "Is that a police car?" could be another. Dropping, breaking, or throwing something that might startle the assailant could be a third.

Additional resource for armed conflict

[http://www.ifj.org/fileadmin/images/Gender/Gender\\_documents/Safety\\_Guidelines\\_for\\_Women\\_working\\_in\\_War\\_Zones\\_EN.pdf](http://www.ifj.org/fileadmin/images/Gender/Gender_documents/Safety_Guidelines_for_Women_working_in_War_Zones_EN.pdf)



# COMMUNICATION AND INFORMATION SECURITY

How and what you communicate, whether orally, in writing or digitally can compromise your safety and security. Furthermore, local perceptions of, or biases against the media house you represent may work against your safety depending on the story you may be communicating to your newsroom.

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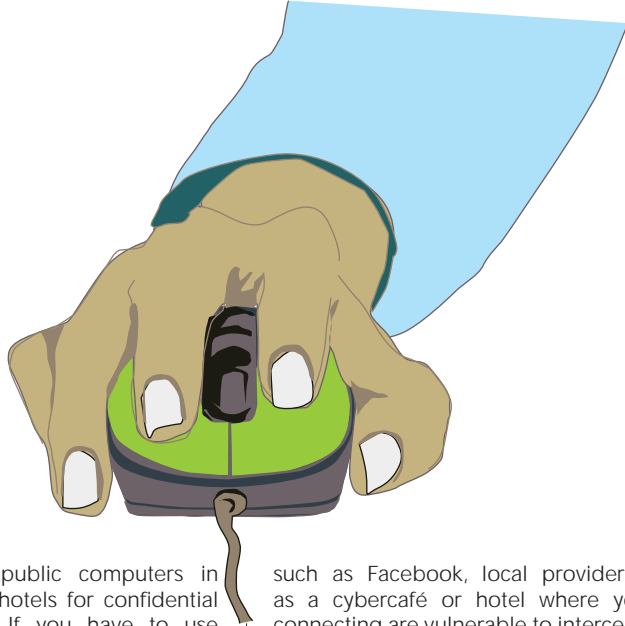
A popular story shared with journalists at safety training sessions run by the Media Council of Kenya dramatises the kind of reporting that can invite trouble. A reporter excitedly calls his news editor at the end of a tense political rally and loudly gives him a blow-by-blow account of the event. Unwittingly, he sails too close to the wind when, in the full hearing of a swelling crowd, he narrates how the local member of parliament was shouted down and hounded out of the rally. What he does not realise is that crowd milling around him is largely sympathetic to the MP. The reporter quickly learns the folly of his excitement when the crowd sets on him with blows and kicks.

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Digital security means protecting your lines of communication, including your sources from potential aggressors. Governments and other actors throughout the world, including in East Africa, increasingly use cyber and mobile interception tools. Phone-tapping, hacking emails and SMS text messages is becoming more and more commonplace amid a wider range of actors. If you're carrying a mobile phone or connecting a laptop to the Internet, making a call or checking your email can leak your position and, thus, allow someone to track your movements.

#### Tips:

- Consider keeping your confidential information in an external drive and several backups.
- Encrypt information stored on devices and in motion (e.g. emails).
- Make sure your computer is switched off when you leave your work area. Even in a newsroom, be alert to people peering over your shoulder when you sign in or read your messages.



- Do not use public computers in cybercafés or hotels for confidential conversations. If you have to use them, please download CCleaner on a flash stick ready to use. Visit [https://securityinbox.org/en/ccleaner\\_main](https://securityinbox.org/en/ccleaner_main)
- Always configure your laptop or phone so that a PIN or password is needed to unlock it. Passwords should be strong. Using numbers symbols, a mix of capital and small letters can help.
- Use pre-arranged coded language for sensitive mobile communication.

## The Internet

Much like telephone companies, unless the data is protected technically or with enforced legal restrictions, your Internet provider can record and monitor your communications. Internet destinations

such as Facebook, local providers such as a cybercafé or hotel where you are connecting are vulnerable to interception.

Here are some basic precautionary tools:

### ***Use protected email***

Hosted Webmail services can provide limited protection. Services such as Google's Gmail or Riseup.net use "transport layer security," or TLS/SSL. That means that while the companies running the services can read your email (Google does it to send targeted advertising), other intermediaries transporting the data to and from these companies cannot.

To ensure that the service you use protects your communications from other intermediaries, check the Web address at the top of your browser: If it starts with "https://" – as opposed to "http://" – your communications are at least partially encrypted, and therefore better able to evade surveillance.

Services such as Twitter, Facebook, and Microsoft's Hotmail now provide this as a free but optional security feature. You may have to search their online documentation to learn how to enable it.

### **Instant messaging**

Google E-mail also provides Off-the-Record Instant Messaging (OTR), which encrypts conversation between two users. Both users must have this feature switched on for communication. Instant messaging on Facebook, Yahoo, among others, is not safe.

Skype is another programme useful for relatively secure audio calls. Skype encrypts its communications but keeps its methods secret, so it is difficult to know the level of protection and whether it will be effective into the future.

Crypt-o-Cat is an online encryption instant messaging programme. Although not fool-proof, it does provide a level of security and is easy to use. An agreed password between communicating parties must be used.

Tor is free open-source software that can help you protect your research and sources online. It is easily downloadable and protects its users' traffic by encrypting and shuffling the data through several volunteer-run servers before it finally exits onto the wider Internet. Note, however, that it can be slow and may be blocked or difficult to access in some countries.

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**Jitsi Secure Audio, Video and Instant Text Messaging, is a cross-platform, free and open-source program which supports Instant Messaging (IM), voice and video chat over the Internet. It supports many of the most popular and widely used IM and telephony protocols, among them SIP. It offers additional independent encryption for text chats through the OTR (Off-the-Record) protocol, and voice and video (ZRTP, SRTP) sessions.**

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### ***Tools for securing files***

Local file encryption software such as Windows' BitLocker, Mac's FileVault, or the independent TrueCrypt project will allow you to set password protections on specific files, your entire account, or even the whole drive. Data encrypted in this way is unreadable even by someone with complete control over your laptop. The same software can be used with USB flash drives. Be sure to pick a strong password.

Smartphones are a challenge to protect because of their complexity. You may wish to investigate dedicated local encryption programmes. The activism group MobileActive has useful guides for protecting mobile devices.

**Smartphones are a challenge to protect**



### ***Getting rid of sensitive files***

If you fear authorities may confiscate your laptop and you need to permanently delete sensitive files, simply clicking delete or dragging to the trash will not suffice. Either use your computer's "secure delete" feature, if it has one, or download in advance third-party software such as the free Windows program Eraser.

### ***Choosing a strong password***

Strong password protection is by far the best general security you can give your data. Strong password should have at least 20 characters or more. Keepass that can help generate strong passwords and store multiple passwords safely (for each and every application the journalist uses).

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Choosing strong, multiple passwords are important for all of your online work. Password protection is also important for protecting your hardware. Make sure to place password protection on your laptop. During a workshop with Kisumu-based editors and journalists on safety and security issues, participants discussed the problem of the "enemy within" syndrome. Many journalists at the workshop expressed fear that their own colleagues are working at the behest of political or commercial paymasters and are actually spying on their activities. Other Kenyan journalists across the country have attested to the same in separate interviews. While it is impossible to hide all of your activities and information, ensuring your laptop is password protected is an important first step for your personal security. Please see the "Security in the Workplace" section, page 22.

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# BASIC ELEMENTS

## Press credentials

Obtain press credentials before reporting as you may need to prove your status upon demand. Freelancers should obtain accreditation from the Media Council of Kenya and, if necessary, a letter from the assigning news outlet that states their affiliation. It is, after all, a requirement for journalists operating in Kenya to register with the Media Council of Kenya. Journalists working in foreign countries or media companies inside Kenya are advised to apply for accreditation from the Foreign Correspondents' Association of East Africa ([www.fcaea.org](http://www.fcaea.org)), their office can be located at Chester House, Koinange Street, first floor.

## Ethics and security

The Media Council of Kenya has published a Code of Conduct ([www.mediacouncil.or.ke](http://www.mediacouncil.or.ke)), a set of guidelines to help journalists practise their profession honourably. This is important because reporters' work has the potential to reach and influence the opinions of an extensive audience, and to make or break the reputations and even destinies of those they cover. Inappropriate investigative methods, inaccurate or biased reporting, and unfair treatment of sources or interview subjects can discredit not only the journalist but also the news organization they represent.



Reckless reporting can put journalists and sources in danger and even jeopardise national security. It can also trigger attacks against the press by inviting crippling defamation suits or even violence as radical political groups or criminal organizations retaliate against journalists who publish unsubstantiated accusations or take sides.

## Security in the Workplace

Threats and challenges for Kenyan journalists often emerge at home. The stark reality is that many journalists, editors and directors are compromised by political or commercial paymasters who use their “inside sources” to control the news narrative. A baseline survey conducted by the Kenya Media Working Group in May 2012 revealed that 38% of journalists did not bother to report cases of threats against them. Nearly half of those who did not report incidents refrained since no action had been taken in the past, but a shocking 27% did not report threats since their employer was the source of the threat in the first place! Below is a list of common sense questions to ask yourself if you suspect one of your colleagues may be targeting you.

Basic checklist to determine personal security within the workplace

Is the assignment I am currently working on sensitive? Are there influential individuals involved in the story and could they potentially influence individuals in my newsroom? If the answer is yes, who are they likely to contact? If the answer is yes, ask yourself the following questions:

1. Is there a colleague or group of colleagues very interested in the assignment I am working on? Does this colleague or group of colleagues express considerable interest in a

subject that I am investigating? Does the colleague or group of colleagues repeatedly refer to an individual I am reporting on?

2. Is there a colleague who looks over my shoulder whenever I am reading texts on my phone or writing emails at my workstation? Does this individual seem to spend an inordinate amount of time around me when they should be working on their own assignments?
3. Is there a colleague who seems to be personal friends with an editor, director or media owner? Does this individual spend considerable time in discussion in their office? Do they share ethnicity and purposefully speak in their tribal tongue knowing full well other colleagues will not be able to understand them?

**Reckless reporting can put journalists and sources in danger and even jeopardise national security**

If the answer is yes to one of these questions, it is important to guard yourself and your work.

- Continue to be convivial with the suspected colleague or group of colleagues but make sure not to reveal any developments on the assignment and deflect conversation to other, less sensitive assignments you are currently working on.
- If you suspect dire consequences if you publish the story vis-à-vis the suspected colleague or group of colleagues, hold off on the assignment and focus on another story for a period of time.
- If it appears the story will never be published due to vested interests in the workroom, try and find other media outlets who would agree to its publication / broadcast that would allow you a anonymous by-line.

While being overly suspicious and paranoid over fellow staff is not healthy or conducive for journalists work, keeping the basic checklist mentioned above in mind may protect yourself and your career. Sharing information and collaborating with colleagues is essential - but keeping in mind whom you are sharing information with and whether there may be vested interests within the newsroom regarding this information is also important.

## Working with the foreign Press

Journalists often find themselves helping their foreign colleagues find their way around our country as they parachute in to cover a momentous story. Sometimes they are asked to work as interpreters for them. This may, at first sight, look like an innocuous undertaking. However, as with all assignments, you are advised to get a clear understanding of the risk inherent in the assignment. Make sure you understand in advance whom you are seeing and where you are going. Consider the perception of appearing in a hostile area with a reporter from a country that is seen as an adversary. Covering stories in Dadaab Refugee Camp or Somalia in the presence of western journalists, for instance, could endanger you based on perceptions by extremist Somali militants. Also consider your future assignments especially if you live in the country. Do not put yourself in a position where you could be harmed or your reputation compromised when the story breaks.

Understand that you can turn down an assignment, and understand what level of support the assigning journalist or news outlet can provide if you encounter trouble. Get a clear understanding of your role in an assignment. Are you being asked to interpret and provide logistics? Or are you also doing reporting? The latter has additional security implications that you should understand.

## Bloggers and citizen journalists

Independent bloggers, videographers, and citizen journalists or netizens as they are sometimes called, have emerged as important providers of information, especially in sensitive times such as the March 4, 2013 General Election and the terrorist attack on Westgate Mall in September 2013. Such independent operators taking up journalistic work in times of crisis should understand the acute dangers of working without institutional support and operating largely on one's own. Rigorous security planning, including the use of safe communication and the practice of making regular contact with colleagues and relatives, is vital. Bloggers are highly advised to join associations such as the Kenya Association of Bloggers (BAKE) - <http://bake.co.ke> to assist in institutional support and protection.



# YOU AND YOUR HOME: KEEPING YOUR FAMILY SAFE



## Your health matters

When on assignment away from your normal location for any significant length of time, consider the implications on your health and prepare adequately even if this means dictating your requirements to your editor.

**consider the  
implications  
on your health  
and prepare  
adequately**

In the early 90s, during the Commission of Inquiry into the death of Dr. Robert Ouko, who served as the Minister for Foreign Affairs and International Relations, the major news houses deployed their most senior journalists to cover the story. Unfortunately, these city bred hacks weren't quite prepared for the assignment. Safely perched in their air-conditioned offices in Nairobi, the editors did not quite appreciate the magnitude of the challenges of covering stories from the Lakeside town of Kisumu and initially refused to raise the journalists' allowances that would enable them to work more comfortably. The reality dawned on them when the journalists started calling in sick.

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## Family security

There may be no greater fear than believing your family members are at risk. Assessing the possible risk to your family can be guided in part by the past behaviour of hostile actors.

Precautions to take include

- Be aware of personal material you or family member post on Facebook, among other social media sites. Those who want to intimidate you are likely to research your online profile.
- Avoid sharing too much work-related material with family members. Assailants seeking to coerce information would not target family members, who are not informed about your investigative work, this logic goes.
- Make sure your children are monitored at all times.
- Switch assignments for a period of time, possibly moving locations temporarily.

## Post-assignment

- i) Debriefing
- ii) Documenting and reporting (See Appendix 11)
- iii) Coping with trauma and stress

### *Debriefing*

This is a vital element of any safety procedure as it enables the parties involved to adjust their security strategies based on lessons learnt. The debriefing should be comprehensive with great care taken to keep the journalist at ease. The objective is to get as clear as possible a picture of how the assignment was covered, attendant risks, if any, and how they were managed, any areas that may have been overlooked during the planning, and any stressful or distressing situations, among other details.

### ***Stress reactions***

Post-traumatic stress is a normal reaction to abnormal events. Stress can affect not only war correspondents, but also journalists covering any tragedy involving pain or loss of life.

Post-traumatic stress can manifest itself in many ways. The individual experiencing stress may be able to articulate no more than simply having the feeling that something

is just not right, or that something more should be done. For journalists whose job is to observe and report on events, not act on them, merely watching human tragedies unfold can extract an emotional toll. Journalists who interview trauma victims, in fact, may themselves be exposed to and experience what experts call vicarious or secondary trauma. Photo and video editors may be traumatised from handling one grisly image after another.



#### Signs of stress

- Heightened levels of anxiety, irritability, numbness, depression, sad, anger
- Sleeping / eating disorders
- Rapid heartbeat, sweating, panic attacks, headaches, nausea and chest pain
- Strained work relations.
- Switching jobs often with no professional reasoning
- Abnormally intense focus on one's work
- Alcoholism/Drug abuse



Post-traumatic stress disorder can last several months or longer. If left untreated, PTSD can also exacerbate a range of medical conditions like hypertension.

## Taking care of yourself

Recognising that you are traumatised may be the hardest step. Many journalists and soldiers have something in common in that the dominant culture of both groups has tended to resist recognizing the impact of trauma.

Journalists need to learn how to take care of themselves. Simply taking a break can be invaluable. So can finding the courage to tell an editor that you need a new beat. Even more important may be allowing yourself to grieve or otherwise experience your own emotions. Regular exercise helps to relieve stress, according to experts.

Articulating your emotions is another way to relieve stress. Journalists can only benefit from discussing their experiences with each other. The venue could be a place in the newsroom or a nearby coffee shop. Newsroom managers should help create opportunities and forums for such peer debriefing to take place.

Speaking to a counselor is another option for journalists experiencing emotional stress. Many therapists have experience in treating post-traumatic stress, and a recommendation from a friend is often a good place to start in finding a good counselor. Useful resources for those suffering trauma in Kenya include The Center for Victims of Torture -[www.cvt.org](http://www.cvt.org).

## Appendix I: Pre-Assignment Security Assessment

This template is provided for guidance only. Note that each journalist and news organization faces unique circumstances that will require modifications of this template

1. **ASSIGNMENT DESCRIPTION:** Identify dates of travel, itinerary, and names of staff members, freelancers, and others who are participating in the assignment.
2. **RISK ANALYSIS:** Identify potential security risks.
  - 2.1 **HOSTILE SUBJECTS:** Assess the chances that you, your team, or the local contacts interacting with you on the ground will be targeted for surveillance or attack.

Identify potentially hostile actors, including government authorities, organized crime, rebel groups, and irregular forces.

- 2.2 **LOCATION RISKS:** Identify risks associated with reporting in the location. Such risks could include outbreak of hostilities/escalation of conflict; abduction/kidnapping; interactions with hostile authorities (problems crossing borders/checkpoints, arrest, detention); physical or electronic surveillance, etc.
- 2.3 **SECURITY FOR LOCAL CONTACTS:** Identify risks that people working or interacting with you (local translators, drivers, sources, witnesses, etc.) may face.
- 2.4 **RESEARCH RISKS:** Specifically address the risks associated with conducting your work. For example: conducting interviews, taking photographs, filming, visiting news scenes, obtaining and carrying documents and photographs that may have evidentiary value).
- 2.5 **PROFILES:** Explain how your own profile, the profiles of other members of your team, and that of your news organization may increase or decrease the risk.
- 2.6. **PROPOSED MEASURES TO MINIMIZE RISK:** Describe measures that will be taken by you, your team, headquarters, and others to minimize the risks associated with carrying out the assignment.
- 2.7. **LODGING:** Identify all hotels, guesthouses, private homes, and other types of accommodation in all locations for the duration of the trip. Explain why the proposed lodging option is considered safe. Provide contact information for the lodging.
- 2.8. **TRANSPORTATION ARRANGEMENTS:** Describe transportation arrangements for the trip.
- 2.9. **COMMUNICATION:** Describe whether you or your team will use an international cell phone, local cell phones, satellite phones, land lines, and/or portable radios, and describe any problems associated with the use of each method of communication. Indicate whether the team will have regular Internet access.
- 3.0. **PROFILES:** Describe whether you or your team plans to operate with a high or low profile

in the country and the measures addressing the risks associated with each approach. Describe how you and your team will enter the country and present yourself at various situations (at the border, at checkpoints, during other interactions with authorities).

- 3.1. RESEARCH AND OTHER ACTIVITIES: Describe how you or your team plans to carry out its reporting in a manner safe for you and your subjects. If relevant, indicate whether specific measures are necessary to ensure anonymity of certain subjects and what method will be used to contact subjects to avoid undesirable exposure.
- 3.2. SECURITY OF INFORMATION: Specify measures to protect sensitive information while on assignment. Indicate whether you or your team will use electronic devices for information gathering and storage (voice recorders, cameras, computers, etc.) and measures to ensure the security of information in case the devices are confiscated or otherwise compromised.
- 3.3. CHECK-IN PROCEDURES: Specify check-in procedures for the assignment. Indicate who the contact person will be for check-ins; the regularity and times of contact; and the means of communication to make contact.
- 3.4. A Procedure for action in case you or your team does not check in

Specify:

- If an associate is responsible for receiving check-ins, at what point he or she should notify the supervisor;
  - If and when the news organization should attempt to reach emergency contacts on the ground;
  - What further action the news organization should or should not take (which may include notifying relatives, notifying other media, or contacting the embassy).
- 3.5. CONTACTS: Provide contact information (mobile and landline phone numbers, email addresses) for the following:
    - Staff traveling on the assignment
    - Staff conducting check-ins
    - Supervisors and other back-up contacts in headquarters
    - Non-staff participants (consultants, interpreters, drivers)

## 6. EMERGENCY CONTACTS

Contacts in-country: (a) indicate a designated in-country security contact (a trusted colleague, for example) who will be kept regularly informed of your plans, movements, and locations; (b) provide a list of additional contacts in the country who would be able to assist the news organization in case of a security incident, loss of contact with the team, or other emergency situation.

### ***Designing a response***

After analyzing the risks and threats by filling the security assessment, you must craft a response strategy for each risk. The following approaches can inform the way you would do this

- Acceptance of the risks because you feel able to live with them.
- Reduce the risk by working on threats and vulnerabilities.
- Share the risk with other journalists or organisations to reduce the potential threats.
- Avoid the risk by changing or stopping your activities or changing approach to reduce potential threats

One of the core elements in this design is the identification of a network of solidarity. Who are the people and organizations that journalists can contact or invoke in case of an emergency? Who can, if necessary, bring something to the security protocol? It is convenient to identify who can be used within the circle of colleagues, family and friends? Often, a mix and match approach must be adopted. If you feel you need support to do this, national and international organizations supporting journalists can often help.

## Appendix II: Incident reporting format

<p><b>Nature of incident:</b> Physical attack, hostile reception, intimidation, threatening calls or msgs, surveillance, seizure of equipment, damage to equipment, denial of access to news event, arrest, robbery, car-jacking, kidnapping/abduction, verbal abuse, improper body searching, sexual harassment, general harassment, etc. (Please specify):</p>
<p><b>Date &amp; Time of incident:</b></p>
<p><b>Location of incident: (as exact as possible):</b></p>
<p><b>Identity of persons involved and details of vehicle, if any:</b></p>
<p><b>Witnesses (name and contact):</b></p>
<p><b>Description of incident, ideally in chronological order:</b></p>
<p><b>Actions taken (what did you do immediately?):</b></p>
<p><b>What support is required: (Support for family, counselling, further Investigation, relocation, etc,- Please specify):</b></p>
<p><b>Full Name:</b></p>
<p><b>Name of assigning media organisation:</b></p>
<p><b>For official use only</b></p> <ol style="list-style-type: none"> <li>1. Initial recommendations:</li> <li>2. Does the incident point to a pattern?</li> <li>3. Indicate name of person assigned to follow up and the timelines.</li> </ol>

## Appendix III: A toolkit for risk assessment and safety measures

Protection International's New Protection Manual for Human Rights Defenders offers the following guidelines, which journalists can adopt for purposes of assessing likely risks ahead of any potentially dangerous assignment. The guidelines, which are produced below, are framed as questions and have been slightly tweaked for context. The latter part of the toolkit guides the editor(s) and journalist(s) through the key planning process.

- Is the socio-political environment safe for doing our reportorial work?
- Which are the key issues in the assignment area that might undermine our safety?
- Who are the key interested parties or actors in relation to these key issues?
- How might our work affect negatively or positively the interests of these key interested parties?
- How might we react if we became targeted by any of these actors and their supporters due to our work?
- How are our media house and journalism perceived in the assignment area?
- How have our journalists fared in this location during past assignments? Or, are there any precedents in the assignment area that might inform our safety strategy?

If you look carefully, you'll realise that these questions help you to assess not just the likely threats to your safety, but also, and more crucially, your vulnerabilities and capacities.

## PART ONE: Risk assessment

***County:***

***Country:***

***Assignment:***

***Assigning editor:***

***Date:***

1. Assignment details:
2. Itinerary and work plan:
3. Team members and next-of-kin contacts:
4. Background information:
5. State any security concerns in the assignment area:

## PART TWO: Safety measures

6. Team members roles and responsibilities:
7. Preventive measures in place:
  - Relations with government officials:
  - Travel plans:
  - Insurance:
  - Medical cover:
  - Essential kits such as First Aid:
  - Equipment for journalistic assignment:
  - Protective gear for personal safety:
  - Information security (back-up disks, etc):

8. Local contacts:
9. Logistics, accommodation and transport:
10. Emergency evacuation plan:
11. Contingency planning:
12. Confirm availability and location of essential facilities in assignment area such as hospitals, police stations, secure accommodation, vehicle maintenance or repair garages, fuel stations, etc.





# NOTES

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The purpose of this manual is to provide journalists and media houses with additional knowledge (tips) and some tools that may be useful for improving their safety, protection and security. They are essential guidelines for general safety and security and it is hoped that by applying them, journalists in Kenya can contribute towards a safer working environment.

Ultimately, safety is everybody's responsibility and we all have a duty to keep others and ourselves safe.

The manual signals a new direction in the way the practice of journalism is managed or handled. It draws substantially from similar guides in operation around the world as well as from the experience of the local media fraternity. It is informed by the unfortunate fact that threats or attacks on journalists are not peculiar to any one region of the world and that the primary differences between one location and another are the severity and frequency or incidence of those threats and attacks. Hence, guides of this nature tend to share similarities in structure, content, tone and thrust.

This manual attempts to provide a local context in an attempt to address what might pass off as circumstances uniquely peculiar to Kenya. Although great care has been taken to make it comprehensive, it is likely that the manual has not covered all the potential risks or hazards. In that case, there is an opportunity for further research to enrich the document.