



# **International Conference on the Great Lakes Region**

## **Protocol on Management of Information and Communication**

**December 2006**

## **PREAMBLE**

**We**, Heads of State and Government of the Member States of the International Conference on the Great Lakes Region;

**Referring** to the Dar-es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region adopted and signed in Dar-es-Salaam (United Republic of Tanzania) on 20 November 2004;

**Reaffirming** our Commitment, on behalf of our peoples and in accordance with the said declaration, to develop common policies and programmes in the areas of freedom of opinion and expression, the free exchange of ideas and information, and in the area of civic education;

**Reaffirming** our commitment to comply with the right of everyone to freedom of opinion and expression, and the right of every individual to express and disseminate his opinions within the law, in accordance with the Universal Declaration of Human Rights 1948 and the African Charter on Human and Peoples' Rights 1981;

**Aware** that freedom of opinion and expression carries with it special duties and responsibilities for respecting human dignity or the reputations of others, and for the protection of national security or of public order, or of public health or morals;

**Mindful** of the important role of freedom of the press, of the media and of the use of communication systems in promoting peace, democracy, stability, security, development and reconstruction in the Great Lakes Region;

**Recognizing** the importance of the role played by responsible media in promoting the resolution of conflicts and restoration of peace and democracy;

**Resolved** to combat, particularly through the media, all discriminatory ideologies, policies and practices, all acts of ethnicism and exclusion, develop civic education policies and programs and promote policies of national unity based on multiculturalism, tolerance, and the culture of peace and of dialogue;

**Determined** to provide security for media professionals, safeguard freedom of media from being manipulated as an illegitimate means of inciting propaganda for hatred or hostility, war, violence, discrimination, genocide, ethnic cleansing, and crimes against humanity in the Great Lakes Region;

**Agree as follows:**

## Article 1

### Definitions

In this Protocol, unless the context otherwise requires, the term:

1. "**Council**" refers to the Regional Information and Communication Council established under Article 4;
2. "**Freedom of expression**" refers to freedom to hold opinions and to express or disseminate such opinions or thoughts, including freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice, subject to the limitations specified in Article 3 (4);
3. "**Media**" include Print Media and Electronic Media( Internet, radio, television), cinema enterprises, or other equipment used in the production and dissemination of information, or any other means tending to facilitate the communication and circulation of ideas and opinions ;
4. "**Media freedom and independence**" refers to the normal exercise of the profession, independent from governmental, political or economic control or control of materials and infrastructure essential for the production and dissemination of newspapers, magazines and periodicals;
5. "**Pluralistic media**" refers to the end of monopolies of any kind and the existence of a great number of newspapers, magazines and periodicals reflecting a wide range of opinion within the community ;
6. "**Solemn Declaration**" refers to the Solemn Declaration on Gender Equality instituting men-women parity in Africa adopted, by the Heads of State and of Government of the African Union on the 8th July 2004 ;
7. "**Millennium Declaration**" refers to the Declaration on the Millennium Development Goals;
8. "**Windhoek Declaration**" refers to the Declaration on Promoting an Independent and Pluralistic African Press 1991;

9. **“The 1325 Resolution”** refers to the resolution on the participation of women in peace and security operations, adopted by the United Nations Security Council on the 31st October 2000.

## **Article 2**

### **Objectives**

The objectives of this Protocol are to:

1. Promote freedom of opinion and expression and the free exchange of ideas in the Great Lakes Region;
2. Promote freedom of the media to receive and to impart information and ideas in the Great Lakes Region;
3. Promote pluralistic media and the new information and communications technologies, and expand access to information in the Great lakes Region;
4. Foster the emergence of independent and responsible media in the Great Lakes Region, namely by promoting media regulation and self-regulation bodies;
5. Promote professionalism in the media, namely through the establishment of adequate financial assistance mechanisms and strategies for strengthening Press professionals capacities;
6. Promote, through the media, civic education in the Great lakes Region;
7. Promote the use and dissemination of Kiswahili as working language;
8. Promote cooperation among and between media professionals in the region;
9. Establish a regional Information and Communication Council for the Great Lakes Region;

## **Article 3**

### **Principles**

1. Member States undertake to respect the right to freedom of expression and opinion, subject to the limitations laid down in Article 3(6).
2. Member States shall promote freedom of media and their role in projecting the objectives and activities of the International Conference on the Great Lakes Region.
3. Member States undertake to promote the emergence of a free and responsible press through financial support mechanisms and strategies for capacity building for media professionals.
4. Member States undertake to promote dialogue with media by promoting regulation and self-regulation bodies.
5. Member States acknowledge that since the exercise of freedom of opinion and expression carries with it special duties and responsibilities, they may subject it to such formalities, conditions, restrictions or penalties as may be prescribed by law, provided that such a law is aimed at:
  - a) Protecting national security, public safety, and territorial integrity;
  - b) Preventing disorder or crime;
  - c) Protecting health, morals and religious beliefs;
  - d) Protecting the reputation or rights of others;
  - e) Preventing the disclosure of information received in confidence;
  - f) Maintaining the authority and impartiality of the judiciary.
6. Member States shall prohibit and criminally punish acts of inciting propaganda for hatred, hostility or discrimination on grounds of ethnicity, for war, violence, genocide, ethnic cleansing and crimes against humanity, and this in collaboration with regulation and self-regulation authorities.

## **Article 4**

### **Establishment and Composition of the Council**

1. Member States undertake to establish an independent Regional Council of Information and Communication of the International Conference on the Great Lakes to promote and monitor press freedom, and to develop activities aimed at regulating and promoting media through professional and ethics training and the development of activities of interaction among the media in the Region.
2. The Council shall consist of representatives from Member States. Each State shall designate one representative, who shall be elected by the members of the Media Regulation Authority from among three candidates in the media fraternity known for their high moral standing, their professional expertise, and their knowledge of information and communications systems. The candidates must equitably be gender balanced and come from all categories of information and communication partners.
3. The Secretary of the Conference shall invite the States parties to present candidates for the position of Council Member, within at least ninety days prior to member elections.
4. Members of the Council are nominated for a non renewable period of five years. However, the first term of office expires after three years for four members to ensure continuous operations of the Council.
5. In the event of death, mental incapacity or resignation of a member of the Council, the Council Chairperson shall immediately inform the Conference Secretary, who shall declare the seat vacant from the date of death or the date the resignation takes effect.
6. A member shall only be suspended or removed from office if, by consensus of other members of the committee, he or she no longer fulfills the required conditions in this protocol and the rule of procedure. Such decision shall be taken by the Conference in its next session.
7. The Council shall adopt its own rule of procedure with respect to its working method, the frequency and schedule of its meetings, the election of its chairperson, the secretariat of the council, and the replacement of its members in the event of resignation, mental incapacity or death, referring the expiration of the term of the first four members after three years of service.

## **Article 5**

### **Functions of the Council**

The functions of the Council shall be to:

1. Develop common policies and programmes in the areas of Information and Communications as well as of civic education for the Great Lakes Region;
2. Promote use of new information and communications technologies in the Great Lakes Region;
3. Promote, through the use of the media, national and regional policies and strategies aimed at promoting values, principles and norms of democracy and good governance, consolidating the observance of human rights, strengthening the rule of law, building capacity in leadership, ensuring the transparency of electoral systems, and strengthening the efficiency of legal and security services ;
4. Promote the use of the media to combat all discriminatory ideologies, policies and practices and any acts of genocide, massacres, terrorism, racism, ethnicity, exclusion, as well as any other forms of violence or crime;
5. Promote the values of peace and policies of national unity, through the media, by the rehabilitation and the strengthening of social and cultural values based on multiculturalism, good neighbourliness, tolerance, social justice and the culture of dialogue;
6. Train and educate people through the media in order to ensure their participation in the economic and social development of the country;
7. Develop access to local information and communication by increasing the number of local or community radio, newspapers for communities with a low-level of literacy and the use of national and local languages;
8. Disseminate policies and mechanisms aimed at fostering an independent and pluralistic press as provided by the Windhoek Declaration;
9. Reconcile information and communication partners in the event of disputes;

10. Disseminate policies and mechanisms for promoting and mainstreaming gender equity at all levels and in all sectors, at the national and regional levels, in accordance with the Millennium Declaration 2000, the UN Security Council Resolution 1325 (2000), the Convention on the Elimination of all forms of Discrimination against Women 1979, the African Charter on Human and Peoples' Rights 1981, the Protocol on Women's Rights in Africa 2003, and the African Union's Declaration on Gender Equality in Africa 2004 ;
11. Mobilize international opinion, especially the UN and all its agencies, the AU and relevant Regional Economic Communities, International Financial Institutions, the Group of Friends of the Great Lakes Region and other Development Partners, to support the establishment of the Great Lakes Region as a "Specific Reconstruction and Development Area";
12. Inform and sensitize the people of the region on preventive strategies to curb the spread and reduce the impact of endemic diseases such as HIV/AIDS, Malaria and Tuberculosis, so as to create public awareness aimed at reducing the impact of the said diseases by disseminating information on access to medical intervention and to facilitate sharing of such information among the Member States;
13. Produce a yearly state of the Media in the region;
14. Ensure wide dissemination of the Pact.

## **Article 6**

### **Final Provisions**

1. This Protocol shall be an integral part of the Pact and shall not be subject to separate signature and ratification by the Member States.
2. For any Member State which has ratified the Pact in terms set out in Article 30 of the Pact, this Protocol shall automatically enter into force at the same time as the Pact in accordance with Article 33 of the Pact.
3. Nothing contained in this Protocol shall be construed to be contrary to the provisions of the Pact, the Constitutive Act of the African Union, and the Charter of the United Nations.