

Prospects and Challenges of the Right to Freedom of Speech and the Protection of Journalists in Cameroon

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ABSTRACT

The protection of journalists generally cannot be over belabored. Journalists are considered as the voice of the voiceless in every community wherein they are found and as a corollary, their protection is germane and of utmost importance. This article examines the prospects and challenges of the protection of journalists in Cameroon and the right to freedom of expression. It further gives recommendations geared at improving the protection of journalists in Cameroon, analyzes the types of journalists, examines the legal framework wherein the protection is guaranteed both at the international, regional and the national or domestic level. The study uses a qualitative research methodology, employing primary data sources, secondary data which came from textbooks, journal articles, reports, and newspapers. The study is underpinned by the triple-pronged theory. The findings unequivocally and blatantly reveals that there is a need therefore to strengthen international protection, a need to enhance national legislation, investigate and prosecute attacks, and to provide training and protective gear for journalists in Cameroon. To this effect, there is a clarion call therefore to ensure that serious punitive measures should be put in place to ensure that violators are punished accordingly.

Key Words: Prospects, Challenges, Freedom of Speech, Protection, Journalists, Cameroon

INTRODUCTION

The right to freedom of speech and the protection of journalists are fundamental human rights that are essential for the functioning of a democratic society.¹ In Cameroon, these rights are enshrined in the country's constitution, which guarantees freedom of expression and the press.² However, despite these constitutional guarantees, the reality on the ground is far from ideal. Journalists and media outlets in Cameroon face numerous challenges, including censorship, intimidation, and violence, which threaten the exercise of their profession.³ Moreover, the ongoing Anglophone crisis has led to a surge in media repression, with numerous journalists arrested, detained, and tortured for their reporting.⁴

As Cameroon continues to grapple with these challenges, it is essential therefore to examine the prospects and challenges of promoting and protecting the right to freedom of speech and the safety of journalists in the country. This requires a nuanced understanding of the complex historical, political, and socio-cultural factors that shape the media landscape in Cameroon.

The right to freedom of speech and the protection of journalists have undergone significant evolution over the centuries. The concept of freedom of expression dates back to ancient Greece and Rome, where philosophers such as Aristotle and Cicero advocated for the free exchange of ideas.⁵ In the

¹ United Nations, Universal Declaration of Human Rights, Article 19 (1948)

² Preamble of Law No. 96-6 of 18th January 1996 to Amend the Constitution of 2nd June, 1972

³ Amnesty International, "Cameroon: Journalists and Media Outlets Face Increasing Threats", 2022. Available online at: <https://www.amnesty.org> (Accessed on January 12th, 2025)

⁴ Committee to Protect Journalists, "Cameroon", 2020. Available online at: <https://cpj.org> (Accessed on January 12th, 2025)

⁵ Aristotle, *On Rhetoric: A Theory of Civic Discourse*, (Oxford: Oxford University Press, 350BCE), p.138

17th and 18th centuries, the Enlightenment thinkers such as John Locke and Voltaire further emphasized the importance of free speech in the development of democratic societies.⁶ The Universal Declaration of Human Rights (UDHR) adopted in 1948, enshrined freedom of expression as a fundamental human right, stating that “everyone has the right to freedom of opinion and expression.”⁷ Since then, numerous international and regional human rights instruments have reaffirmed the importance of protecting freedom of speech and the safety of journalists.

CONCEPTUAL CLARIFICATIONS

This section shall examine key major concepts accordingly.

The Right of Freedom of Speech

The right of freedom of speech is a fundamental human right that enables individuals to express their thoughts, opinions, and ideas without fear of censorship, reprisal, or persecution.⁸ This right is guaranteed under the first human rights foundational document,⁹ the Universal Declaration of Human Rights 1948 in article 19 which provides that:

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas, through any media and regardless of frontiers.”¹⁰

This right is essential for the functioning of democratic societies, as it allows for the free exchange of ideas, criticism of government policies, and the promotion of social justice.¹¹ Freedom of speech is a necessary condition of democratic government, for it enables the dissemination of information and the expression of opinions which are essential for the proper functioning of the democratic process.¹²

Protection

The act of guarding, defending, preserving, watching over, or shielding someone or something from harm, injury, damage, destruction, loss, or infringement.¹³ The 12th edition of the Black’s Law dictionary, 2024 defines protection as “the act of defending or shielding something from harm, injury, or danger; a person or a thing that provides safety or security; a legal or official safeguard or shield, such as protective order or a restraining order.”¹⁴ A writ by which a the king might, by a special prerogative, privilege a defendant from all personal and many real suits for one year at a time, and no longer, in respect of his being engaged in his service out of the realm.¹⁵ The act of shielding from injury or harm, securing or preserving against encroachment, infringement, restriction or violation and maintaining the status or integrity of especially through legal or constitutional guarantees.¹⁶ The steps taken to safeguard individuals, groups, or entities from harm, exploitation, or discrimination. It can also encompass the defense of rights and freedoms through appropriate laws and regulations.¹⁷ Protection, according to Fuller, involves the creation and enforcement of laws that aim to protect individuals and ensure justice in society.¹⁸

⁶ *Ibid.*

⁷ Article 19 of the Universal Declaration of Human Rights, 1948

⁸ Eric Barendt, *Freedom of Expression: A Critical and Comparative Analysis*, (Oxford: Oxford University Press, 2005), p.1

⁹ This right was later incorporated and ratified by states in numerous international conventions.

¹⁰ Article 9 of Universal Declaration of Human Rights 1948

¹¹ Frederick Schauer, “*The Importance of Freedom of Speech*”, University of Chicago Law Review, vol. 72 No. 2, 2005, p.282

¹² Eric Barendt, *Freedom of Expression: A Critical and Comparative Analysis*, (Oxford: Oxford University Press, 2005), p.12

¹³ Bryan A. Garner, Black’s Law Dictionary, 11th Edition, 2019, 1374

¹⁴ Bryan A. Garner, Black’s Law Dictionary, 12th Edition, 2024, p.1313.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ Lon Fuller, Lon Fuller and the Moral Value of the Rule of Law. Available online at: <https://faculty.illinois.edu...> (Accessed on June 11th, 2024)

Journalist

The term “journalist” refers to persons who are regularly or professionally engaged in the collection, processing and dissemination of information to the general public via any means of mass communication, including cameramen and photographers, technical supporting staff, drivers and interpreters, editors, translators, publishers, broadcasters, printers and distributors.¹⁹ More so, a “journalist” can be defined as “any correspondent, reporter, photographer, and their technical film, radio, and television assistants that are ordinarily engaged in any of these activities as their principal occupation”.²⁰ More so, a “journalist” can be defined as “any correspondent, reporter, photographer, and their technical film, radio, and television assistants that are ordinarily engaged in any of these activities as their principal occupation”.²¹

Types of Journalists

There exist a plethora of diverse journalists with different *modus operandi* but seemingly, with the same objective or goal. These different types of journalists shall be examined seriatim.

Traditional Journalists

Traditional journalists typically adhere to established ethical standards and practices including: objectivity, accuracy, fairness, transparency and accountability. Traditional journalists often work for established news organizations, such as newspapers, magazines, television, and radio stations.

News Journalist

A news journalist is a type of traditional journalist who researches, gathers, and presents information about current events, issues, and trends to public through various media platforms.²² They are characterized by objectivity and impartiality,²³ research and interviewing skills, writing and communication skills, and adherence to journalistic ethics.²⁴

Investigative Journalists

Investigative journalists conduct in-depth research and investigation to uncover the truth about a particular issue, event, or individual. They often work on complex and time-consuming stories that require careful planning, research, and analysis.²⁵

Feature Writer

Feature journalists write human-interest stories, profiles, and articles on various topics, including lifestyle, entertainment, and culture. They often focus on storytelling and use narrative techniques to

¹⁹ Article 2 of International Convention on the Safety and Independence of Journalists and other Media Professionals

²⁰ Article 2(a) of the Draft United Nations Convention on the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflict, 1st August 1975, UN Document A/10147, Annex I.

²¹ Article 2(a) of the Draft United Nations Convention on the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflict, 1st August 1975, UN Document A/10147, Annex I.

²² Merriam-Webster Dictionary, 11th Edition, p. 703

²³ Kovach Bill *et al*, *The Elements of Journalism: What News People Should Know and the Public should expect*, (New York: Three Rivers Press, 2014), p. 71

²⁴ *Ibid*.

²⁵ Ettema, J. S. *et al*, *Custodians of Conscience: Investigative Journalism and Public Virtue*, (Columbia: University Press, 1998), p. 12

engage readers.²⁶

Columnist

Columnists/ministers write opinion pieces or editorials that express their personal views on various topics. They often use their expertise, experience, and research to provide insightful commentary and analysis.²⁷

Specialty Journalists

Specialty journalists are a class of journalists who specialize in a specific area or beat, providing in-depth coverage and analysis of their chosen field.

Business Journalists

Business journalists cover news and trends in the business world, including finance, economics, and entrepreneurship. They provide analysis on companies, industries, and market trends. A business journalist reports news about businesses, their leaders, projects and activities.²⁸ They may also investigate business practices, ethics or leaders. They may as well spend time interviewing business leaders, entrepreneurs, regulators, directors and related persons.²⁹ These journalists also write stories or articles for publication in print; they may write scripts for live newscasts or recorded shows.³⁰

Entertainment Journalists

Entertainment journalists cover news and reviews of movies, television shows, music, and theater. They provide interviews with celebrities, behind-the-scenes stories, and analysis of the entertainment industry.³¹ Entertainment journalism relates to the current events of popular figures and trends. Entertainment journalists report on the entertainment business, including celebrities, movies, television, books, and events. Entertainment journalists may cover movie premiers and awards ceremonies as well as news about the entertainment industry. This type of journalism can take the form of different genres and is common in print, digital and broadcast media.

Fashion Journalists

Fashion journalists cover news and trends in the fashion industry, including designer collections, fashion weeks, and celebrity style. They provide analysis on fashion trends, designer profiles, and the business of fashion. Fashion journalists play a very crucial role in the fashion industry, providing news, trends, and insights to fashion enthusiasts and professionals alike.³²

DIGITAL JOURNALIST

The rise of digital media has transformed the journalism landscape, giving birth to a new breed of journalists known as digital journalists.³³ Digital journalists are responsible for creating and disseminating news and information through digital platforms, such as websites, social media, and

²⁶ Kerrigan, John, *The Art of Feature Writing: How To Research and Write Compelling Articles*, (London: Routledge Press, 2017), p.1

²⁷ Williams L. Rivers *et al*, *Ethics for Journalism*, (Prentice Hall: Englewood Cliffs, 1988), p.56

²⁸ Graphic Design Degree Hub, "What is a Business Journalist? Available online at: <https://www.graphicdesigndegreehub.com> (Accessed on January 20th, 2025)

²⁹ *Ibid*.

³⁰ *Ibid*.

³¹ Tri Fatmawati, *Entertainment Journalism*, (Indonesia: STKIP Muhammadiyah Bogor Press, 2023), p. 1

³² Okonkwo Uchechi, "Luxury Fashion Branding: Trends, Tactics, Techniques", *Journal of Fashion Management and Technology*, vol. 10, Issue no. 1, 2016: pp. 1-5, p. 2

³³ Deuze Mark, "What is Journalism?", *Journal of Journalism Studies*, vol. 6, Issue no. 1, 2005: pp. 147-155, p. 149.

mobile apps.³⁴ According to a study by the Pew Research Center, the number of digital journalists has increased significantly over the past decade, with many news organizations now employing dedicated digital teams.³⁵

Blogger

Bloggers are a type of digital journalist who create and disseminate online content through blogs, websites, and social media platforms.³⁶ They often specialize in specific topics or niches, such as fashion, politics, or technology, and build a community of readers who engage with their content.³⁷ According to a study by the Pew Research Center, bloggers are increasingly important in the digital journalism landscape, with many bloggers generating large audiences and influencing public discourse. However, bloggers often face challenges related to credibility, accuracy, and professionalism, as they may not adhere to traditional journalism standards. Despite these challenges, bloggers have become an essential part of the digital journalism ecosystem, offering diverse perspectives and voices that might not be represented in traditional media outlets.

Vloggers, also known as video bloggers, are a type of digital journalist who create and disseminate online video content through platforms such as YouTube, Vimeo, and TikTok.³⁸ They often specialize in specific topics or niches, such as beauty, gaming, or travel, and build a community of viewers who engage with their content.³⁹ Vloggers use various techniques, such as interviews, observations, and storytelling, to create engaging and informative content. They also often incorporate interactive elements, such as comments, live streaming, and social media integration, to foster audience engagement and participation. However, vloggers also face challenges related to credibility, accuracy, and professionalism, as they may not adhere to traditional journalism standards.⁴⁰

Despite these challenges, vloggers have become an essential part of the digital journalism ecosystem, offering diverse perspectives and voices that might not be represented in traditional media outlets.

Podcaster

Podcasters are a type of digital journalist who create and disseminate audio content through online platforms, such as Apple Podcasts, Spotify, and Google Podcasts.⁴¹ They often specialize in specific topics or niches, such as true crime, news, or educational content, and build a community of listeners who engage with their content.⁴²

Podcasters use various techniques, such as interviews, storytelling, and investigative reporting, to create engaging and informative content. They also often incorporate interactive elements, such as listener feedback and social media engagement, to foster audience participation and engagement.⁴³

However, podcasters also face challenges related to credibility, accuracy, and professionalism, as they

³⁴ Kevin Kawamoto, *Digital Journalism: Emerging Media and the Changing Horizons of Journalism*, (Lanham, Maryland: Rowman & Littlefield, 2003), p. 12

³⁵ *Ibid.*

³⁶ Lowrey, W., "Mapping the Journalism–Blogging Relationship", *Journal of Journalism*, vol. 7, Issue no. 3, 2006: pp. 477-500, p. 479

³⁷ *Ibid.*

³⁸ Burgess Jean *et al*, *YouTube: Online Video and Participatory Culture*, (Cambridge, UK: Polity Press, 2009), p. 23

³⁹ Jonathan Katz, "The YouTube Effect: How a Generation of Video Bloggers is Changing the Face of Journalism", *Journal of Broadcasting and Electronic Media*, vol. 57, Issue no. 1, 2013: pp.12-25, p. 13

⁴⁰ Singer Jane B, "Who are these Guys? The Online Challenge to Traditional Journalism", *Journal of Journalism*, vol. 4, Issue no. 1, 2003: pp.163-180, p. 165

⁴¹ Richard Berry, "Podcasting: Considering the Evolution of the Medium and its Audience", *Journal of Convergence*, vol. 24, Issue no. 1, 2018: pp. 12-25, p. 13

⁴² Llinares Dario *et al*, *Podcasting: New Aural Cultures and Digital Media*, (Switzerland: Palgrave Macmillan Press, 2018), p. 15

⁴³ Dan Gillmor, *We the Media: Grassroots Journalism by the People, for the People*, (California: O'Reilly Media Press, 2006), p. 25

may not adhere to traditional journalism standards. Despite these challenges, podcasters have become an essential part of the digital journalism ecosystem, offering diverse perspectives and voices that might not be represented in traditional media outlets.⁴⁴

Social Media Journalists

Social media journalists manage social media presence and create engaging content for online audiences. According to a study by the University of Oxford, social media journalists play a crucial role in shaping the online conversation around news events.⁴⁵

OTHER TYPES OF JOURNALISTS

There are other forms of journalists who fall more within other circles for example like, war correspondents, who are journalists that report in armed conflicts. Kwebe Augustine Nkwiyir in his article titled: “Armed Conflict and the Media: An Assessment of the Protection of War Correspondents (Journalists) in the Anglophone Cameroon Armed Conflict”,⁴⁶ meticulously unraveled another class of journalists who are more concerned or operate more during armed conflict. He did an insightful analysis of war correspondents, independent journalists and embedded journalists. Each of these classes of journalists shall be examined seriatim.

War Correspondents

A war correspondent is a journalist who reports on military conflicts and wars, often from the front lines.⁴⁷ War correspondents are journalists who cover military conflicts, providing firsthand accounts of battles, strategies, and human experiences.⁴⁸ War correspondents are journalists who report on wars and military conflicts, often taking great risks to provide eyewitness accounts of events.⁴⁹ More so, War correspondents are journalists who cover military conflicts, providing news and information to the public, while often facing danger and uncertainty.⁵⁰ They are specialized journalists who report on military conflicts, wars, and other crises, often from the frontlines or embedded with military units.⁵¹ War correspondents are representatives of the media who, in case of an international armed conflict, are accredited to and accompany the armed forces without being members thereof⁵² and should they fall into the power of the enemy, they benefit from prisoner of war status under Article 4(A)(4) of Geneva Convention III.⁵³ Journalists, whether employed by their media or free-lance, are normally not considered war correspondents. Article 79 of Additional Protocol I 1977 to the Geneva Conventions, defines war correspondents as, journalists who accompany the armed forces without being members of the armed forces.⁵⁴ This definition emphasizes that war correspondents are civilians who report on armed conflicts, but are not part of the military forces involved.

Types of War Correspondents

⁴⁴ *Ibid.*

⁴⁵ University of Oxford, The Reuters Institute Digital News Report 2018. Available online at: <https://sbs.ox.ac.uk> (Accessed on January 20th, 2025)

⁴⁶ Kwebe Augustine Nkwiyir, “Armed Conflicts and the Media: An Assessment of the Protection of War Correspondents (Journalists) in the Anglophone Cameroon Armed Conflicts”, *International Journal of Research and Innovation in Social Sciences*, vol. 9, Issue no. 1, 2025: pp. 1025-1052, p. 1032

⁴⁷ Philip Knightley, *The First Casualty: The War Correspondent as Hero and Myth-Maker from the Crimea to Kosovo*, (Baltimore: Johns Hopkins University Press, 2004), p.4

⁴⁸ Susan L. Carruthers, “The Military and the Media: A Study of War Correspondents”, *Journal of Military and Veteran’s Health*, vol. 19, 2011: pp. 5-11, p.5

⁴⁹ Howard Tumber, “War Correspondents: The Key to Understanding Modern Warfare”, *Journal of Journalism Studies*, vol. 16, 2015: pp. 641-655, p. 642

⁵⁰ Collen Murrell, *War and the Media: A Study of War Correspondents*, (New York: Peter Lang Publishing, 2010), p.2

⁵¹ Tim P. Vos *et al*, *War Correspondent*, Wiley Blackwell Press, 2018), p.1

⁵² Article 79 of Additional Protocol I 1977

⁵³ Article 4(A)(4) of Geneva Convention III Relative the Treatment of Prisoners of War 1949

⁵⁴ Article 79 of Additional Protocol I 1977

The term war correspondents and journalists are often used interchangeably but they have a slim or thin difference in terms of responsibility or role. The term “journalist” refers to persons who are regularly or professionally engaged in the collection, processing and dissemination of information to the general public via any means of mass communication, including cameramen and photographers, technical supporting staff, drivers and interpreters, editors, translators, publishers, broadcasters, printers and distributors.⁵⁵ More so, a “journalist” can be defined as “any correspondent, reporter, photographer, and their technical film, radio, and television assistants that are ordinarily engaged in any of these activities as their principal occupation”.⁵⁶ It is important and necessary to distinguish the types of journalists who operate in armed conflicts. This distinction is significant because, under international humanitarian law, the status of a person determines the standards of treatment and protection to which they are entitled. The types of occupational journalism, as recognized by IHL are:

- Independent journalists
- War correspondents
- ‘Embedded’ journalists⁵⁷

Independent Journalist

Independent journalists are those who work independently as freelancers, stringers or part of a media organization, and are not authorized to accompany the armed forces. The status of this type of journalist is that of a civilian, so they are not entitled to the status of Prisoners of War (POW) upon capture by the armed forces.⁵⁸

War Correspondents

War correspondents, on the other hand, are the special type of journalists who are accredited to the armed forces. This type of journalists obtains Prisoner of War (POW) status upon capture by belligerent forces. War correspondents are specialized journalists who are present, with the authorization and under the protection of the armed forces of a belligerent, on the theatre of operations and whose mission is to provide information on events relating to ongoing hostilities.⁵⁹ An individual who, for any period of time, report (or investigate for the purposes of reporting) from a conflict zone on issues relating to the conflict is called a war correspondent.⁶⁰ Therefore, this type of journalist is officially authorized by the government and accredited by the military. However, it doesn’t imply that war correspondents are combatants under international humanitarian law just because they are treated as Prisoners of War (POW) upon their capture.⁶¹ Historically, the sole status of war correspondent was defined by the Third Geneva Convention of 1949, Relative to the Treatment of Prisoners of War⁶² and reiterated in point 1977 Additional Protocol I to the Geneva Convention 1949.⁶³

Embedded Journalists

An embedded journalist is a journalist who stays with a unit of the armed forces during a war in order to report directly about the fighting.⁶⁴ The practice of “embedding” journalists with armed forces has been a

⁵⁵ Article 2 of International Convention on the Safety and Independence of Journalists and other Media Professionals

⁵⁶ Article 2(a) of the Draft United Nations Convention on the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflict, 1st August 1975, UN Document A/10147, Annex I.

⁵⁷ Pukar Dahal, “Protection of Journalists in Armed Conflict: An Insight from the Perspective of International Humanitarian Law”, *Journal of Social Science and Humanities Research*, Vol. 04, Issue No. 06, p. 23, 2021, 10.5281/zenodo.6860198

⁵⁸ *Ibid.*

⁵⁹ Salmon J.(dir), *Dictionnaire de Droit International Public*, 2001

⁶⁰ The International Criminal Tribunal for the Former Yugoslavia (ICTY) defined a war correspondent in the case of: *The Prosecutor v. Radoslav Brdjanin & Mmir Talic “Randal case”*, 2002.

⁶¹ *Ibid.*

⁶² Article 4 of the Third Geneva Convention, Relative to the Protection of Prisoners of War (POW) 1949

⁶³ Article 79 OF Additional Protocol I to the Geneva Conventions 1949

⁶⁴ Longman Dictionary of Contemporary English

source of some controversy in conflicts since the 1990- 1991 Gulf War.⁶⁵ In that conflict, around 14,000 journalists were placed in “press pools” by the U.S. Department of Defense, thus regulating their access to the battlefield.⁶⁶ Embedded journalism is the practice of placing journalists within and under the control of one side’s military during an armed conflict.⁶⁷ Embedded reporters and photographers are attached to a specific military unit and permitted to accompany troops into combat zones, embedded journalism was introduced by the U.S Department of Defense during the Iraq War (2003-11) as a strategic response to criticisms about the low level of access granted to reporters during the Persian Gulf War (1990-91) and the early years of the Afghanistan War (which began in 2001).⁶⁸

METHODOLOGY

The methodology employed in this research is qualitative. Qualitative research involves collecting and analyzing non-numerical data to understand concepts.⁶⁹ According to Khushal, Qualitative research methodology seeks to bring out the *raison d’être* behind certain human behaviours in society.⁷⁰ Qualitative research also refers to a scientific method of observation to assemble non-numerical data. This methodology is qualitative since it entails a systematic inquiry that includes a histo-legal research, which involves reliance on precedent and focuses on the past in order to answer the question under investigation.⁷¹ The qualitative research methodology brings out the nature of freedom of expression and what accounts for the effectiveness or ineffectiveness of the legal and institutional frameworks put in place.⁷² unstructured or semi-interviews with government officials, TV and Radio personnel of public and private domains, representatives of government corporations, law enforcement officers, members of the judiciary, FAKLA, civil society activists, human rights defenders. The semi structured interview technique was employed in this study whereby the researcher made use of an interview guide accompanied by additional questions for clarification. The guidelines were framed in the following themes: the nature of freedom of expression, the role of the media in enforcing freedom of speech, the legal and illegal limitation and regulation of the right to freedom of expression, the effectiveness of available regulations, stakes and challenges in neutralizing the existing tension between the government and the media, creating healthier environment through collaboration, tolerance and accommodation. The relevance of interviewing this group of people is that, they are directly connected to this subject matter, and their contribution will give firsthand information to buttress this work. Interviews with the identified groups above is done at random without discrimination as to sex, age, status, background, nationality. The above methodology was utilized because it created an interpersonal relationship between the researcher and the respondents plus as it was a face to face interaction. Equally, it made way for the researcher to get access to more detailed information serving as first-hand data in this study.

The principal reason for this choice of this research methodology is factually because it is most appropriate in legal research as it is doctrinal and flexible in nature unlike Quantitative research methodology that is rigidly numerical in nature. It enables the researcher explore and understand fundamental concepts without necessarily applying a hypothesis.⁷³ This involves the content analysis and interpretation of primary and secondary data. Primary data include case law, treaties, and statutes. To this end, it consults, inter alia, books, journals articles, and other relevant publications as secondary data. It assesses the international legal framework and the

⁶⁵ Ben Saul, “The International Protection of Journalists in Armed Conflict and other Violent Situations”, *Australian Journal of Human Rights*, Vol. 14, Issue No. 1, p. 107, 2008, DOI

⁶⁶ *Ibid.*

⁶⁷ Martin Loffelholz (2023, October 11). Embedded Journalism [online]. Available online at: <https://www.britanica.com>topic>.

⁶⁸ *Ibid.*

⁶⁹ Qualitative Research defined via www.scribbr.com last accessed 15/06/2024,

⁷⁰ V. Khushal. *Legal Research Methods*, 2009, p.12. Research methodology is away to systematically solve a research problem. It may be understood as the science of studying how research is done systematically. It involves the study various steps and methods to investigate a problem along with logic behind them.

⁷¹ C. Russo., “Legal research: An Emerging Paradigm for Inquiry”, *Perspectives in Education*, (2005), Vol. 23 (1), 42-56:51.

⁷² K. Vibhute *et al*, *Legal Research Methods*, (2009) p 34. See also, U. Flick, *Introducing Research Methodology: A beginner's Guide to Doing a Research Project*, London: SAGE, (2011), C. R Kothari, *Research Methodology: Methods and Techniques*, 2nd (eds), New Delhi: New Age International Publishers, (2011) at p. 111

⁷³ C. Russo, ‘Legal Research: An Emerging Paradigm for Inquiry, *Perspectives in Education*, 2005, Vol. 23 (1) pp. 42-56, 51

domestic legal authorities focusing on the rights to freedom of expression and information, and the vulnerability of journalists in Cameroon.

THEORETICAL FRAMEWORK

This study is premised on the triple-pronged theory, and human rights based theory. Although the theories mentioned are peculiar to the concepts of human rights, security, and peace, that are interrelated and affect all aspects of human life, academics and practitioners have usually addressed them in a rather fragmented manner to suit the particular concept.

The Triple-Pronged Theory

This theory originated from the obligation bestowed on States under the IHR instrument. To him, the obligation to respect, fulfill Human Rights principles are fundamental in determining the effective application and enforcement of the fundamental right to freedom of expression and to create an enabling environment for the exercise of same.⁷⁴ This theory emphasizes the fact that, States are the direct duty bearers in the protection of the rights of the citizens at all times. In this light, an important aspect of the right to freedom of expression is that it imposes both negative and positive obligations on the State. In its negative aspect, the right places an obligation on States not to interfere with the exercise of the right to seek, receive and impart information and ideas, except as permitted under international law⁷⁵. The positive obligation is essentially to create an environment which supports a free flow of information and ideas in society, and includes elements such as the obligation to put in place a legal framework for accessing public information and to create an environment in which a free and independent media can flourish. *Shue* further proposes that all basic rights (and perhaps all moral rights) have a set of *three* correlative duties: to avoid depriving; to protect from deprivation; and to aid the deprived⁷⁶. According to *Shue*, what is distinctive about basic rights is that "enjoyment of them is essential to the enjoyment of all other rights." The enjoyment of basic rights is a necessary condition for the enjoyment of other moral rights. While non-basic rights may be sacrificed for basic rights, the latter may not be sacrificed for non-basic rights, for that would be self-defeating. If basic rights are denied, then no other rights can be enjoyed. Thus, *Shue* claims that basic rights "are everyone's minimum reasonable demands upon the rest of humanity." This theory is in line with Article 19 of the UDHR 1948 to guarantee the right to freedom of expression and opinion through any media and regardless of frontier to every human person.⁷⁷

In relation to this study, we will see how free speech and access to information as human need is indispensable, for "its absence would leave available extremely effective means for others, including the government, to interfere with or prevent the actual exercise of any other rights that were supposedly protected." The argument for a basic right to subsistence parallels the argument for the basic right to physical security: No one can fully, if at all, enjoy any right that is supposedly protected by society if he or she lacks the essentials for a reasonably healthy and active life. Deficiencies in the means of subsistence can be just as fatal, incapacitating, or painful as violations of physical security. The resulting damage or death can at least as decisively prevent the enjoyment of any right as can the effects of security violations. The rights to free speech and information by all medium and obligation to protect is also enshrined in the 1996 Constitution of Cameroon⁷⁸ it stipulates that "The Government shall implement the policy of the Nation as defined by the President of the Republic". One will find that if the right is generally upheld and journalists and individuals encounter threats, then, it can be said the right is given with one hand and prevented with the other.

Social Change Theory

⁷⁴ Henry Shue 1986. <https://www.britannica.com/topic/Triple-Theory>. Last accessed 21/02/2024.

⁷⁵ International Media Support: Briefing Note Series, Freedom of Expression; Center for Law and Democracy, July 2014.

⁷⁶ *Ibid.*

⁷⁷ Article 19 (3) (b) of the Universal Declaration of Human Rights 1948

⁷⁸ Article 11 of the 1996 Constitution of Cameroon

Karl Marx is one of the proponents of social change theory. This theory is deeply interwoven with freedom of expression as it explains how the right to expression in every democratic society shapes social norms and power dynamics by challenging existing power structures, reinforcing the system while informing on strategies for enhancing social justice and equity. According to sociologists, social change means progress toward something better and societies should reach new and higher levels of civilization.⁷⁹ A variety of reasons have been offered throughout history to explain why social change occurs and why it is evident. It brings about a transformation of cultures, institutions, and functions. Most change is not prompt. In society, change is often very slow. There are a variety of parts and forces at work, many of which resist disruptions of the status quo⁸⁰. All societies go through these types of changes at one point. A three-fold theory depicting the systemic stages of every society, that is, The International Encyclopedia of the Social Science delineates change as a vital shifts that transpire in the social fabric, impacting the way individuals act and interact within a societal framework. These changes can extend to alterations in norms, value, and cultural symbols. Moreover, the essence of change indicates a transformation in the structure and function societal system, influencing institutions, interaction patterns, roles, and more.⁸¹ It is for the above reason that social change theory is further evolutionary, functionary, and revolutionary theory. Evolutionary theory according to Auguste Comte, the “father of sociology”, society always evolves into “higher levels.” Like organisms evolve from simple to more complex, so do societies. Societies that do not adapt fast enough will fall behind. This led many sociologists to conclude that Western societies must be “superior” because of their “advanced” state.⁸² The functionalist theory of social change teaches that society is like a human body. Each part is like an organ. Individual parts cannot survive on their own. Emile Durkheim, a major leader in the social sciences, believed that all parts of a society must be harmonious. If they are not unified, society is “no more than a pile of sand” that’s vulnerable to collapse. When one part suffers, all the other parts must adjust. The functionalist theory believes that society always works toward stabilization. When problems occur, they are temporary, but they do need attention from the other parts.⁸³ This means social change. The Revolutionary or conflict theory states that society is by nature unequal and competitive. Karl Marx propounded this theory. While he did believe in the evolutionary model to a point, Marx did not think each phase resulted in something better than before. More often than not, the rich and powerful control the rest of society by exploiting vulnerable groups.⁸⁴ This sows conflict, provoking people to action. Social change occurs as a result.

The social change theory generally is relevant to this work as the work seeks to analyze the nature and relevance of freedom of expression in Cameroon to promote social justice and equity. This theory informs freedom of expression by highlighting the role and barriers to expression such as censorship, analyzing its impact on social norms power structures while identifying strategies for effective freedom of expression in other to reap a desired change in Cameroon. Freedom of expression being not only a fundamental right but also a mirror of democracy emphasize every society to put in place laws while holding those in authority accountable in other to achieve stability and foster social progress. It is for this reason that the international community has put in place legal and institutional measures to ensure the conformity and implementation of this right.

DISCUSSION

This section addresses the effectiveness and the challenges of the protection of journalists in Cameroon and the right to freedom of expression. The aforementioned shall be examined seriatim.

Effectiveness Of the Protection of Journalists in Cameroon and The Right to Freedom Of Expression

⁷⁹ Theories of Social Change accessed via <https://utkaluniversity.ac.in/wp-content/uploads/2022/08/Theories-of-Social-Change.pdf> last seen 01/04/2024.

⁸⁰ Human Right Career document accessed via <https://www.humanrightscareers.com/issues/what-is-social-change/> lastly on 01/04/2024.

⁸¹ International Encyclopedia of the social science IESS 1972.

⁸² *Ibid.*

⁸³ Human Right Career document accessed via <https://www.humanrightscareers.com/issues/what-is-social-change/> Lastly accessed on 05/05/2024.

⁸⁴ *Ibid.*

The right to freedom of expression and access to information are fundamental human rights enshrined in international law, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Cameroon, as a signatory to these instruments, is obligated to protect and promote these rights. However, the country's record on freedom of expression and protection of journalists has been marred by challenges. This response examines the state of freedom of expression in Cameroon, the protection of journalists, and the country's compliance with international human rights standards.

Assessing the Effectiveness of Legal Framework

Cameroon's legal framework for protecting journalists is a notable achievement, with a comprehensive set of international, regional, and domestic laws in place. The country has ratified several key international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights.⁸⁵ Domestically, Cameroon's 1990 Press Freedom Law and 1996 Constitution guarantee press freedom and freedom of expression. For instance, Article 19 of the Universal Declaration of Human Rights and Article 9 of the African Charter on Human and Peoples' Rights safeguard freedom of expression and information.⁸⁶ Moreover, Cameroon has introduced recent legal reforms aimed at enhancing democratic governance, promoting transparency, and protecting citizens' rights. These reforms include the 2010 Cybercrime Law, which regulates online activities, and the Investment Promotion Law of 2022, which simplifies business registration processes. Despite these laws being well-framed and developed to ensure journalist protection, their effectiveness is undermined by various challenges. For example, the 2010 Cybercrime Law has been criticized for restricting online freedom of expression. Furthermore, the country has witnessed cases of hate speech and arrests of individuals for online expression.⁸⁷

Anti-Terrorism Legislation

The protection of journalists in Cameroon is a pressing concern, particularly in the context of the country's anti-terrorism efforts. Cameroon has been grappling with Boko Haram insurgency and separatist movements, leading to the enactment of anti-terrorism legislation. While the primary intention of this legislation is to combat terrorism, its impact on journalist protection is a crucial consideration. This discussion examines the effectiveness of anti-terrorism legislation in protecting journalists in Cameroon. Cameroon's anti-terrorism legislation, specifically Law No. 2014/028 of December 23, 2014, has had both positive and negative impacts on journalist protection. On the one hand, the law has enabled authorities to prosecute terrorists and separatists who target journalists, providing some level of protection.⁸⁸ For instance, the law criminalizes acts of terrorism, including those targeting journalists, and prescribes severe penalties for perpetrators. On the other hand, critics argue that the law's broad definitions of terrorism and its provisions for detention and prosecution have been used to target journalists and silence critical voices.⁸⁹ Journalists reporting on sensitive topics, such as the separatist conflict, have faced harassment, arrest, and prosecution under the anti-terrorism law.⁹⁰

To improve the effectiveness of anti-terrorism legislation in protecting journalists in Cameroon, the following recommendations are made: narrow definitions, journalist protection provisions, independent oversight, and training and awareness. The law's definitions of terrorism and related offenses should be narrowed to prevent abuse and ensure that only those genuinely involved in terrorist activities are

⁸⁵ Reflected in Article 9 of the African Charter on Human and Peoples' Rights 1981

⁸⁶ Article 19 of the Universal Declaration of Human Rights 1948

⁸⁷ Generis Global, Protections for Journalists and Whistleblowers in Cameroon: Legal Safeguards and Rights, 2024. Available online at: <https://generisonline.com>protections-for-journal...> (Accessed on 25th January, 2025)

⁸⁸ Human Rights Watch, "Cameroon's Anti-Terrorism Law: A Tool for Repression", 2015. Available online at: <https://www.hrw.org> (Accessed on January 27th, 2025)

⁸⁹ *Ibid.*

⁹⁰ Mbah E.N, "The Impact of the Anti-Terrorism Laws on Press Freedom in Cameroon", *Journal of African Media Studies*, vol. 10, 2018: pp. 53-68, p. 55

targeted. The law should include specific provisions protecting journalists from harassment, arrest, and prosecution while reporting on sensitive topics, also, an independent body should be established to oversee the implementation of the anti-terrorism law and ensure that it is not used to target journalists or silence critical voices, and law enforcement officials and judiciary personnel should receive training and awareness on the importance of journalist protection and the need to respect media freedom. By implementing these recommendations, Cameroon's anti-terrorism legislation can be improved to better protect journalists and promote media freedom.

Regulatory Bodies

The protection of journalists' rights and freedom of expression in Cameroon is not only dependent on the legal framework but also on the effectiveness of regulatory bodies. These bodies play a crucial role in ensuring that journalists operate in a safe and free environment, and that their rights are respected and protected. In Cameroon, regulatory bodies such as the National Communication Council (NCC) and the Cameroon Journalism Ethics Committee (CJEC) have been established to regulate the media industry and protect journalists' rights.⁹¹

Based on effectiveness of regulatory bodies, the National Communication Council (NCC) has been effective in protecting journalists' rights by: promoting media ethics, investigating complaints, and protecting journalists from harassment. The NCC has established a code of ethics for journalists, which promotes responsible and professional journalism, the NCC investigates complaints against journalists and media outlets, ensuring that they are held accountable for their actions, and lastly, the NCC has intervened in cases where journalists have been harassed or intimidated, ensuring that they can operate freely and safely.⁹² The Cameroon Journalism Ethics Committee (CJEC) has also been effective in promoting media ethics and protecting journalists' rights. The CJEC provides training and capacity-building programs for journalists, promoting responsible and professional journalism.⁹³

In conclusion, regulatory bodies in Cameroon have been effective in protecting journalists' rights and promoting media ethics. The National Communication Council (NCC) and the Cameroon Journalism Ethics Committee (CJEC) have played a crucial role in ensuring that journalists operate in a safe and free environment. However, more needs to be done to strengthen these regulatory bodies and ensure that they are independent and effective in their mandate.

In conclusion, while the regulatory bodies in Cameroon, such as the National Communication Council (NCC) and the Cameroon Journalism Ethics Committee (CJEC), have made efforts to promote media ethics and protect journalists' rights, there are still significant challenges that hinder their effectiveness. Critically, the regulatory bodies face issues of: Lack of independence, inadequate resources, limited scope, and enforcement challenges. The NCC and CJEC are often subject to government influence, which can compromise their ability to make impartial decisions, the regulatory bodies often lack the necessary funding, personnel, and infrastructure to effectively monitor and regulate the media industry, the regulatory bodies' mandates are often limited, restricting their ability to address emerging issues, such as online harassment and disinformation, and the regulatory bodies often face difficulties in enforcing their decisions, due to lack of cooperation from media outlets and individuals.⁹⁴

To address these challenges, the following measures should be taken:

➤ Ensure Independence

⁹¹ M'bayo Richard, "Media Ethics and Regulations in Africa: A Comparative Study", *Journal of Mass Media Ethics*, vol. 31, 2016: pp. 147-162, p. 149

⁹² *Ibid.*

⁹³ Kaburise Pascal, "The Role of Regulatory Bodies in Promoting Media Freedom in Africa", *Africa Studies Quarterly*, vol. 18, 2018: pp. 1-15, p. 3

⁹⁴ Kabruise Pascaline, "The Role of Regulatory Bodies in Promoting Media Freedom in Africa", *African Studies Quarterly*, vol. 18, 2018: pp. 1-15, p. 5

The regulatory bodies should be granted autonomy and independence from government influence, to enable them to make impartial decisions,

➤ **Increase Resources**

The regulatory bodies should be provided with adequate funding, personnel, and infrastructure to effectively monitor and regulate the media industry,⁹⁵

➤ **Broaden Scope**

The regulatory bodies' mandates should be expanded to address emerging issues, such as online harassment and disinformation.

➤ **Strengthen Enforcement**

The regulatory bodies should be granted the necessary powers to enforce their decisions, including the ability to impose sanctions and penalties,

➤ **Promote Transparency and Accountability**

The regulatory bodies should be transparent in their decision-making processes and be held accountable for their actions.

By addressing these challenges and taking these measures, the regulatory bodies in Cameroon can operate more effectively, promoting a free and independent media industry that supports democracy and human rights.

International Obligations

Cameroon, as a member of the international community, has committed itself to upholding various international obligations that guarantee the protection of journalists and the right to freedom of expression. These obligations, enshrined in various international treaties and conventions, provide a framework for ensuring that journalists can operate safely and independently, without fear of persecution or reprisal. This discussion examines Cameroon's international obligations regarding journalist protection and freedom of expression, and assesses the country's compliance with these obligations.

Cameroon is a party to several international treaties that guarantee freedom of expression and journalist protection, including the International Covenant on Civil and Political Rights (ICCPR) (United Nations, 1966)⁹⁶, the African Charter on Human and Peoples' Rights (ACHPR) (African Union, 1981)⁹⁷, and the Declaration of Principles on Freedom of Expression in Africa (African Commission on Human and Peoples' Rights, 2002).⁹⁸ Article 19 of the ICCPR guarantees the right to freedom of expression,⁹⁹ while Article 9 of the ACHPR protects the right to receive and impart information.¹⁰⁰ The Declaration of Principles on Freedom of Expression in Africa provides more specific guidelines on the protection of journalists and the media.

⁹⁵ *Ibid.*

⁹⁶ The International Covenant on Civil and Political Rights 1966 entered into force on March 23rd, 1976, in accordance with Article 49, for all provisions except those of Article 41, which came into force on March 28th, 1979. Freedom of expression is provided under Article 19 makes provision for the right to freedom of expression.

⁹⁷ The African Charter on Human and Peoples' Rights 1981 was adopted on June 27th, 1981, in Nairobi Kenya and it entered into force on October 21, 1986. It is also called "the Banjul Charter".

⁹⁸ The Declaration of Principles on Freedom of Expression in Africa (African Commission on Human Rights, 2002) was adopted by the African Commission on Human and Peoples' Rights in 2002. Article 2 makes provision for the right of freedom of expression.

⁹⁹ Article 19 of the International Covenant on Civil and Political Rights 1966

¹⁰⁰ Article 9 of the African Charter on Human and Peoples' Rights 1981

However, despite these international obligations, Cameroon's record on journalist protection and freedom of expression has been marred by reports of harassment, intimidation, and violence against journalists.¹⁰¹ Cameroon has consistently failed to uphold its international obligations to protect journalists and the right to freedom of expression. Despite being a signatory to various international treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights (ACHPR), as aforementioned above, Cameroon has repeatedly violated these rights. The issue of repression of journalists in Cameroon has been worthy of note over the years, for example: in 2014, journalist Denis Nkwebo was arrested and detained for several days after reporting on corruption in the government,¹⁰² in 2015, journalist Ahmed Abba was arrested and sentenced to 10 years imprisonment for reporting on Boko Haram,¹⁰³ and in 2019, journalist Samuel Wazizi died in detention after being arrested for reporting on the Anglophone crisis¹⁰⁴ and lots of other cases of violation against journalist, thus hampering the right to freedom of expression.

In conclusion, Cameroon's international obligations regarding journalist protection and freedom of expression are clear. However, the country's compliance with these obligations has been inconsistent. To improve the protection of journalists and promote freedom of expression, Cameroon must take concrete steps to implement its international obligations, including reforming its laws and policies, and ensuring that those responsible for violations are held accountable. Cameroon's failure to protect journalists and freedom of expression is a clear violation of its international obligations. The government must take concrete steps to reform its laws and policies, release detained journalists, and ensure that those responsible for violations are held accountable.

Challenges Of the Protection of Journalists in Cameroon and The Right to Freedom of Expression

A good number of challenges are have been identified which over the years and currently, have hindered the protection of journalists and the right to freedom of expression. Each of challenges shall be examined seriatim.

Physical Threats and Harassment

The protection of journalists and the right to freedom of expression are essential components of a democratic society. However, in Cameroon, journalists face numerous challenges, including physical threats and harassment, which undermine their safety and ability to report freely. This section examines the physical threats and harassment faced by journalists in Cameroon, highlighting the major challenges to journalist protection and the right to freedom of expression.

Physical threats against journalists in Cameroon are widespread and take various forms: assaults and beatings, arbitrary arrests and detention, and death threats. Journalists have been subjected to physical attacks while covering events or investigating stories, journalists have been arrested and detained without charge or trial, often as a means of intimidation, journalists have received death threats, either directly or indirectly, for their reporting.¹⁰⁵ Journalists have been subjected to psychological harassment, including threats against their families and loved ones, and journalists have faced economic harassment, including the withdrawal of advertising revenue and other forms of economic pressure.¹⁰⁶

Journalists in Cameroon are frequently subjected to physical threats, harassment, and even extrajudicial actions. Human Rights Watch reported cases of journalists and activists disappearing after arrest,

¹⁰¹ Human Rights Watch, Cameroon: Events of 2019. Available online at: <https://www.hrw.org/world-report/2020/country-chapters/cameroon>. (Accessed on January 27th, 2025)

¹⁰² Human Rights Watch, Cameroon: Journalists Detained for Reporting on Corruption, 2014. Available online at: <https://www.hrw.org/world-report/2014/country-chapters/cameroon>. (Accessed on January 27th, 2025)

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ Francis Nyamnjoh, "Censorship in Cameroon: A Study of the Media Landscape", *Journal of African Studies Review*, vol. 48, 2017: pp. 1-22, p. 5

¹⁰⁶ *Ibid.*

exemplifying the dangers faced by those who challenge governmental narratives. Such incidents contribute to a climate of fear, deterring journalists from pursuing critical stories.¹⁰⁷

The Impact of the Current Anglophone Crisis on the Protection of Journalists

The ongoing conflict in the Anglophone regions has exacerbated the challenges for journalists. Reporting on the crisis is fraught with risks, as both separatist groups and government forces have targeted journalists. The Anglophone crisis in Cameroon has significantly impacted the protection of journalists, exacerbating existing challenges and creating new ones. The crisis, which began in 2016, has led to violence, displacement, and human rights abuses, making it difficult for journalists to operate safely. Restrictions on movement and access to information, the Anglophone crisis has resulted in restrictions on movement and access to information, making it challenging for journalists to report on the conflict.¹⁰⁸ The government has imposed curfews, restricted travel, and shut down internet services, limiting journalists' ability to gather and disseminate information. Violence and intimidation, journalists covering the Anglophone crisis have faced violence and intimidation from both government forces and separatist groups. Many have been arrested, detained, and tortured, while others have been forced to flee their homes or go into hiding.¹⁰⁹ The Anglophone crisis has led to self-censorship and media silence, as journalists and media outlets fear reprisals for reporting on the conflict. This has resulted in a lack of accurate and unbiased information, exacerbating the crisis and undermining the public's right to information.¹¹⁰

Censorship and Self-Censorship

Censorship is the suppression, restriction, or control of speech, expression, or information that might be deemed objectionable, harmful, or politically sensitive by governments, institutions, or other entities in authority. It is a powerful tool often used to maintain control over the dissemination of information and to shape public discourse. In many parts of the world, censorship poses a significant threat to freedom of expression, which is a cornerstone of democracy and human rights. In Cameroon, censorship manifests in various forms, including the criminalization of certain types of speech, harassment of journalists, and the imposition of legal and administrative barriers to press freedom. "Safe censorship," a more covert form of suppression, involves subtle methods like internet monitoring, manipulation of digital platforms, or creating a climate of fear where self-censorship thrives. These practices not only undermine the protection of journalists but also stifle the right to freedom of expression, particularly when critical reporting or dissenting voices are met with intimidation, arbitrary arrests, or violence. This essay will explore how censorship and safe censorship serve as formidable challenges to the protection of journalists in Cameroon and their right to free expression, citing specific cases and examples to illustrate their pervasive effects.

Censorship refers to the suppression or prohibition of speech, writing, or other forms of communication that are deemed objectionable, sensitive, or threatening to the authorities, institutions, or power structures.¹¹¹ Censorship can be exercised by governments, institutions, or other entities, and can take various forms, including the banning of books, films, or other media, the suppression of dissenting voices, and the restriction of access to information.¹¹² Self-censorship refers to the voluntary suppression or modification of one's own speech, writing, or other forms of communication to avoid offending, criticizing, or challenging those in power, or to avoid social, economic, or political repercussions.¹¹³ Self-censorship can be motivated by fear, intimidation, or a desire to maintain social or professional status,

¹⁰⁷ *Ibid.*

¹⁰⁸ Committee to Protect Journalists, Cameroon: Journalist Arrested and Detained for Covering Anglophone Crisis, 2020. Available online at: <https://cpj.org> (Accessed on January 25th, 2025)

¹⁰⁹ *Ibid.*

¹¹⁰ Francis Nyamnjoh, "Censorship in Cameroon: A Study of the Media Landscape", *Journal of African Studies Review*, vol. 48, 2017: pp. 1-22, p. 5

¹¹¹ Barendt Eric, *Freedom of Speech*, (Oxford: Oxford University Press, 2005), p. 12

¹¹² *Ibid.*

¹¹³ Jansen Sue Curry, *Censorship and the Limits of the Media Freedom*, (New York: Peter Lang Publishing, 2018), p. 15

and can result in the omission, distortion, or manipulation of information.¹¹⁴

Some notable cases of censorship involves: the arrest and detention of Equinoxe TV journalist Martinez Zogo in 2023 for exposing corruption and power struggles within the elite; the closure of independent media outlets like The Post newspaper and the targeting of media houses for political reasons; and internet shutdowns during the Anglophone crisis (2017–2018) and their impact on journalistic reporting.¹¹⁵

Digital surveillance of journalists' emails, social media, and calls can have a chilling effect on investigative reporting. These have impacted investigative reporting in the following ways: fear of retaliation, that is, journalists may self-censor or avoid investigating sensitive topics if they believe their communications are being monitored. This fear can lead to a decrease in investigative reporting, as journalists may prioritize their personal safety over pursuing important stories;¹¹⁶ loss of confidential sources, that is, digital surveillance can compromise the confidentiality of sources, making it difficult for journalists to maintain relationships with whistleblowers or other sensitive sources.¹¹⁷ This can limit the ability of journalists to gather information and conduct investigations;¹¹⁸ and increased risk of harassment journalists may face harassment or intimidation from those who are being investigated or exposed. Digital surveillance can exacerbate this risk, as journalists' personal information and communications may be vulnerable to hacking or exploitation.¹¹⁹

Censorship as a survivor strategy is a phenomenon where journalists and media outlets self-censor to avoid repercussions, ensuring their survival in a restrictive environment. This strategy is often employed in contexts where reporting on sensitive topics can lead to harassment, intimidation, or even violence. In the case of Cameroon, journalists may avoid reporting on politically sensitive topics like: the Anglophone crisis corruption, that is, the ongoing conflict between the government and separatist groups in the Anglophone regions has led to a sensitive environment where reporting can be perceived as taking sides and on the other hand, exposing corruption can be risky, as those in power may retaliate against journalists who dare to speak truth to power.¹²⁰ Some reasons for self-censorship are: fear of retaliation, that is, journalists may fear harassment, arrest, or violence from government officials, separatist groups, or other powerful individuals, economic pressures, media outlets may face economic repercussions, such as losing advertising revenue or being shut down, if they report on sensitive topics, and lack of protection, as a corollary, journalists may feel that they lack adequate protection from authorities, making them more vulnerable to censorship and retaliation.¹²¹

The consequences of self-censorship amongst others include: limited information, the public may not have access to accurate and comprehensive information on important issues; undermining democracy, that is, self-censorship can undermine the role of the media as a watchdog, holding those in power accountable; and perpetuating impunity, by not reporting on sensitive topics, journalists may inadvertently perpetuate impunity, allowing those responsible for human rights abuses or corruption to go unpunished.¹²²

To mitigate these consequences, it's essential to: support independent media, protect journalists from attacks, and foster a culture of transparency. Encouraging and supporting independent media outlets that

¹¹⁴ *Ibid.*

¹¹⁵ Roya Ensafi *et al*, *Censored Planet: An Internet-wide, Longitudinal Censorship Observatory*, (London: Association for Computing Machinery, 2015), p.222

¹¹⁶ Pearce Katy, "The Impact of Surveillance on Journalism", *Digital Journalism Journal*, vol. 7, 2019: pp. 831-846, p. 832

¹¹⁷ Poulsen Kevin, "The Surveillance State and the Journalist-Source Relationship", *Journal of Journalism Studies*, vol. 15, 2014: pp. 451-465, p. 453

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

¹²⁰ Natalia Mazepa, "Self-Censorship in the Media", *Journal of Journalism Studies*, vol. 18, 2017: pp. 431-446, p. 437

¹²¹ *Ibid.*

¹²² *Ibid.*

are committed to reporting on sensitive topics, advocating for policies and mechanisms that protect journalists from harassment, intimidation, and violence lastly encouraging a culture of transparency and accountability, where those in power are held responsible for their actions are all good measures to mitigate these consequences.¹²³ By addressing these challenges, we can work towards creating an environment where journalists feel safe to report on sensitive topics, and the public has access to accurate and comprehensive information. Harassment and arbitrarily arrest are strategies for putting fear on journalists and thus, jeopardizing the right to freedom of expression for example, the killing of journalist Samuel Wazizi in military custody in 2020 after reporting on the Anglophone crisis is a palpable example in this regard.¹²⁴

4.2.2.1 The Effects of Violence and Censorship on the Right to Freedom of Expression Violence can have a profound impact on freedom of expression and the media landscape, leading to a chilling effect on journalists, media outlets, and the public at large. Physical violence and intimidation against journalists and media outlets can lead to self-censorship, as individuals and organizations may avoid reporting on sensitive topics or criticizing those in power to avoid retaliation.¹²⁵ For example, in Mexico, journalists have been subjected to violence, intimidation, and murder, leading to widespread self-censorship and a decline

in investigative reporting.¹²⁶

Some of the effects of violence and censorship on the right to freedom of expression include the following: psychological impact, that is, the psychological impact of violence on journalists and media outlets can also be significant, leading to anxiety, fear, and trauma for example, study of journalists in Colombia found that those who had experienced violence or intimidation reported higher levels of anxiety and depression than those who had not;¹²⁷ broader media landscape is one of the key effects of violence and censorship on the right to freedom of expression. As a corollary, the chilling effect of violence on freedom of expression can also have a broader impact on the media landscape, leading to: reduced diversity of viewpoints, that is, violence and intimidation can lead to a decline in diverse viewpoints and perspectives, as journalists and media outlets may avoid reporting on sensitive topics or criticizing those in power, violence and intimidation can also contribute to increased polarization, as journalists and media outlets may feel pressure to take sides or avoid reporting on certain topics, and violence and intimidation can lead to a decline in investigative journalism, as journalists and media outlets may avoid reporting on sensitive topics or criticizing those in power.¹²⁸

In the Cameroonian context, censorship contradicts the country's constitutional guarantees of free speech and freedom of expression. Cameroon's Constitution, specifically Article 24,

guarantees freedom of expression and communication.¹²⁹ However, despite these constitutional guarantees, Cameroon has a history of censorship and restrictions on freedom of expression, for examples, Cameroon has been ranked low in press freedom indexes, with journalists facing harassment, intimidation, and arrest for reporting on sensitive topics; the government shut down the internet in the Anglophone regions, restricting access to information and communication in 2017-2018; and the government has been known to censor online content, including social media platforms, to

¹²³ Aynne Kokas, "Censorship and Journalists Safety in Authoritarian Regimes", *International Journal of Communication*, vol. 12, 2018: pp.20-40, p. 25

¹²⁴ *Ibid.*

¹²⁵ Relly Jeannine *et al.*, "Silencing Mexico: A Study of the Effects of Violence on Journalists and the Media", *Journal of Journalism Studies*, vol. 15, 2014: pp. 452-466, p. 455

¹²⁶ *Ibid.*

¹²⁷ Orozco Maria, "The Psychological Impact of Violence on Journalists in Colombia", *Journal of Traumatic Stress*, vol. 30, 2017: pp.155-162, p. 158

¹²⁸ *Ibid.*

¹²⁹ Article 24 of Law No. 96-6 of 18th January 1996 to Amend the Constitution of 02nd June, 1972

suppress dissenting voices.¹³⁰

International humanitarian instruments, such as the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights, also apply to Cameroon. Article 19 of the UDHR and Article 9 of the African Charter emphasize the importance of protecting freedom of expression and information.¹³¹ The pervasive threat of legal action and physical harm has led to widespread self-censorship among journalists. A study found that censorship significantly impacts professional journalistic practices in Cameroon, compelling journalists to avoid reporting on sensitive issues to evade repercussions. This environment stifles investigative journalism and limits the media's role as a watchdog.¹³²

In summary, censorship in Cameroon contradicts both domestic and international guarantees of free speech and freedom of expression, undermining democratic participation, accountability, and human dignity

SUMMARY FINDINGS

The findings unequivocally and blatantly reveals that regardless of Cameroon's involvement in international conventions by ratification both international conventions and being part of a plethora of other regional arrangements to ensure the protection of journalists and the right to freedom of expression in Cameroon, much work is still required to be done. There is need therefore to strengthen international protection, a need to enhance national legislation, investigate and prosecute attacks, and to provide training and protective gear for journalists in Cameroon.

CONCLUSION

In conclusion, while Cameroon has made some progress in promoting freedom of expression, the country still faces significant challenges. The protection of journalists is inadequate, and the government's restrictive laws and practices undermine the right to freedom of expression. To promote development and protect human rights, Cameroon must strengthen its institutional framework, promote access to information, and ensure the safety and protection of journalists.

RECOMMENDATIONS

To guarantee the protection of journalists in Cameroon, a plethora of recommendations have been envisaged in this regard. These recommendations shall be examined seriatim.

Strengthen International Protections

Strengthening international protections for journalists in Cameroon is crucial to ensure their safety and security. This can be achieved through the development and implementation of robust international laws and norms that protect journalists from violence and intimidation. Mindful of the fact that the United Nations (UN) have taken steps to address the issue of journalist protection through the adoption of resolutions such as UN Security Council Resolution 1738 (2006)¹³³ and UN General Assembly Resolution 68/163 (2013), which condemn attacks on journalists and call for their protection.¹³⁴ Also, the international human rights law, including the International Covenant on Civil and Political Rights (ICCPR), provides protections for freedom of expression and the safety of journalists.¹³⁵ The ICCPR

¹³⁰ Francis Nyamnjoh, "Censorship in Cameroon: A Study of the Media Landscape", *Journal of African Studies Review*, vol. 48, 2017: pp. 1-22, p. 5

¹³¹ Article 19 and 9 of the Universal Declaration of Human Rights 1948

¹³² *Ibid.*

¹³³The UN Security Council Resolution 1738 (2006) condemns attacks against journalists and other media professionals in conflict zones and situations of armed conflict.

¹³⁴ *Ibid.*

¹³⁵ Article 19 of the International Covenant on Civil and Political Rights 1966

states that “everyone shall have the right to freedom of expression” and that “this right shall include freedom to seek, receive and impart information and ideas of all kinds.”¹³⁶

However, despite these international protections, journalists continue to face significant risks in armed conflicts. Therefore, it is essential to strengthen international protections by developing and implementing more effective mechanisms for investigating and prosecuting attacks on journalists, as well as providing support and protection to journalists operating in conflict zones.

Enhance National Legislation

Enhancing national legislation is also critical to protecting journalists in armed conflicts. National laws and regulations can provide an additional layer of protection for journalists, and can help to ensure that those who attack or intimidate journalists are held accountable. In Cameroon, for example, the government has enacted a plethora of laws which protect journalists but however, these laws are often inadequate or poorly enforced, leaving journalists vulnerable to attack. To enhance national legislation, governments should review and revise their laws to ensure that they provide robust protections for journalists, including protections from violence, intimidation, and harassment. Governments should also ensure that their laws are consistent with international human rights standards, and that they provide effective mechanisms for investigating and prosecuting attacks on journalists.

Investigate and Prosecute Attacks

Investigating and prosecuting attacks on journalists is essential to ensuring their safety and security. When attacks on journalists go unpunished, it creates a culture of impunity that can embolden perpetrators and put more journalists at risk. In Cameroon, for example, there have been numerous cases of attacks on journalists, including the killing of journalist Samuel Wazizi in 2019, Martinez Zogo, Jean Jacques Ola Bebe, and a host of others. However, in many cases, these attacks have gone unpunished, creating a culture of impunity that puts journalists at risk. To investigate and prosecute attacks on journalists, governments should establish independent and impartial investigative mechanisms that can investigate attacks on journalists and hold perpetrators accountable. Governments should also ensure that their judicial systems are equipped to handle cases involving attacks on journalists, and that they provide effective remedies for victims and their families.

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