



REPORTING ON HUMAN RIGHTS

**MANUAL FOR TRAINING
COMMUNITY MEDIA
PRACTITIONERS**





Journalists For Justice is a not-for-profit foundation registered in The Hague (Stiftung Journalists for Justice) and working to advance improved African journalistic capacity for social justice causes and accountability through training and effective online platforms and social media engagement.

Contact

Journalists For Justice

www.jfjustice.net | www.intahe.net | www.neveragain.co.ke | www.thevictimsbantaba.org

Twitter: @JFJustice | Facebook: JournalistsForJustice | Instagram: @journalistsforjustice

Email: info@jfjustice.net

Published by Journalists for Justice, Gitanga Road, Opposite Valley Arcade Shopping Centre,

P.O. Box P.O. Box 41079-00100, Nairobi, Kenya

email: info@jfjustice.net,

w: www.jfjustice.net | www.intahe.net | www.neveragain.co.ke | www.thevictimsbantaba.org

© 2022 The moral right of Journalists For Justice to be recognised as the creators of the material published has been asserted. Reproduction is permitted as long as the source is acknowledged, and a notification is sent to the copyright holder.

Design and Layout: Mashariki Sanaa

REPORTING ON HUMAN RIGHTS

**MANUAL FOR TRAINING
COMMUNITY MEDIA
PRACTITIONERS**



REPORTING ON HUMAN RIGHTS

ACKNOWLEDGEMENTS

The manual would not have been possible without the advice and contribution of David Aduda, whose peerless experience in education and journalism training enriched this publication. Special thanks are due to the various community media stations that played a critical role in the drafting, validating, and testing of this training manual.

We warmly acknowledge staff of the following community media stations for taking part in validation sessions: Kangema Ranet FM, Kenya Broadcasting Corporation, Journalists For Human Rights, Bus Radio, EK FM, Radio Domus, Soswa Ranet, Mwanedu FM, Nganyi Ranet, Radio Mikayi, Radio Ata Naayece, Mvita FM, Mwangaza TV, Rameny FM, Radio Amani, Gheto FM, Mtaani Radio, Pamoja FM, and Koch FM Radio. Their experience sharing and reviews made this publication much the richer.

Sincere gratitude goes to all staff at Journalists For Justice, but especially Ellen Wanjiru, who coordinated the project, as well as Kwamchetsi Makokha and Mary Wasike, who supported the publication process under the leadership of Rosemary Tollo. We would also like to thank all our colleagues within and outside JFJ who were involved in the production of the manual.

Particular thanks go to Uraia Trust, whose financial support made the development of this resource possible.



REPORTING ON HUMAN RIGHTS

TABLE OF CONTENTS

1. Course information	6
2. Topic 1: Understanding human rights	9
3. Topic 2: Enforcement of human rights	15
4. Topic 3: Human rights, media and journalism	19
5. Topic 4: Reporting human rights stories in the media	22
6. Topic 5: Interviewing techniques for human rights stories	30
7. Topic 6: Techniques for writing human rights stories	35
8. Annexes	46



REPORTING ON HUMAN RIGHTS

COURSE INFORMATION

Course Code:

JOURNALISTS FOR JUSTICE COURSE 001

Course Title:

Human Rights Reporting Course

Facilitator Contact (name, telephone, e-mail)

Name:

Cell Number:

Email:

Biographical Information

Brief profile of the facilitator



REPORTING ON HUMAN RIGHTS

Introduction

The media plays a critical role in shaping public discourse by providing accurate and timely information. It promotes social, political, and economic accountability, and empowers citizens to make informed decisions about their destiny. It plays a public watchdog function, which involves investigating, interpreting, and checking the performance of institutions of power.

At the core of governance is respect for human rights. The media plays a key role in reporting human rights issues, and, in particular, promotes their protection and flags their violation. The media raises public awareness on human rights issues and stimulates actions to ensure that rights are guaranteed and secured. Many incidents of torture, discrimination, misuse of power, corruption, and other human rights issues have come to light through media reports.

Human rights violations provide fodder for news content because they are obvious oddities, and shining a light on them summons duty bearers in government and outside it to be account. Thus, media reporting of human rights violations is part of accountability and stimulates actions for the enforcement of those rights.

Media and human rights are inextricably interlinked. The media have a vested interest in the promotion of human rights. Press and media freedoms are some of the most important human rights in a democracy. Upholding human rights serves the interests of media practitioners and their institutions because it creates a desirable environment for them to thrive. Conversely, free and independent media facilitate the enjoyment of other rights. This underlines why promoting effective reporting of human rights is critical.

However, human rights reporting is a specialised field that requires expert training. Yet few media training institutions offer a dedicated course in this area. This is the reason for developing a specialised curriculum for training journalists on human rights reporting. It primarily targets journalists working for community media, an integral component of the media ecosystem, but it can also be useful to all journalists across the various platforms.

Course Target

This course primarily targets community media. According to the United Nations Educational, Scientific and Cultural Organisation (UNESCO), community media are characterised by three principles. First, is independence: they are non-profit in nature and independent of government and commercial forces. Second, is governance: they are owned and/or managed by the community, which participates in the policy, programming, and operations. Last, is service: they focus on issues of local concern and represent the interests of all in the community. Community media provides an alternative to state and private media as they serve the interests of underserved and marginalised groups in society. Community media play a vital role in enhancing media access as they offer a voice to marginalised groups in society. Strengthening community media requires enhanced capacity of media practitioners.

Course Aims

The purpose of this course is to equip journalists with knowledge, skills and aptitude to report human rights effectively and enable them to reinforce efforts to end violations. It seeks to create a pool of competent journalists who can reframe issues through human rights lens. The course provides theoretical knowledge and practical examples of human rights issues and how they can be integrated into journalistic reporting. The course recognises that human rights are newsworthy because they deal with issues affecting people and therefore requiring media exposure. Using human rights frame in storytelling provides basis for debate on rights, their enforcement and mitigation against violations.



At the core of governance is respect for human rights. The media plays a key role in reporting human rights issues, and, in particular, promotes their protection and flags their violation.



REPORTING ON HUMAN RIGHTS

Learning Outcomes

By the end of this course, the participant should be able to:

1. Have the skills to identify, analyse, and interpret human rights issues;
2. Improve the quantity and quality of human rights stories published by community media;
3. Promote advocacy on human rights issues and stimulate legal and policy reforms; and
4. Challenge existing negative stereotypes about vulnerable and marginalised groups in society.
5. Promote community awareness through reporting and discussion of human rights and how they intersect with people's everyday life.

Course Outline and Schedule

Topic 1: Understanding human rights
 Topic 2: Enforcement of human rights
 Topic 3: Human rights, media, and journalism
 Topic 4: Reporting human rights issues in the media
 Topic 5: Interviewing techniques for human rights stories
 Topic 6: Techniques for writing human rights stories

Course Evaluation

This course will be evaluated through assignments, individual and group assignments and presentations and project work (radio productions, documentaries or long reads).

Mode of Delivery

Case studies, case teaching, group discussions, presentations and guest speakers, podcasts

Instructional Materials and Equipment

Radio recorders, smartboard, videos, case studies, computers and hard disks.

Core reading texts

1. IFC. 2003. *Human Rights Reporting: A Handbook for Journalists in South-Eastern Europe*. Oxford. UK.
2. Internews. 2012. *Speak Up, Speak Out: A Toolkit for Reporting on Human Rights Issues*. Internews. Washington. USA.
3. International Council on Human Rights Policy. 2002. *Journalism, Media and the Challenge of Human Rights Reporting*. International Council on Human Rights Policy Switzerland.
4. Media Council of Kenya. 2021. *Guidelines for Election Coverage 2022*. MCK. Nairobi. Kenya.
5. Media Council of Kenya. 2013. *Code of Conduct for the Practice of Journalism in Kenya*. MCK. Nairobi. Kenya.

This course will be evaluated through assignments, individual and group assignments and project work (radio productions, documentaries or long reads).



REPORTING ON HUMAN RIGHTS

COURSE OVERVIEW

Topic 1: Understanding Human Rights

Duration: 4 Hours

1.1 Introduction

The United Nations, through the Universal Declaration of Human Rights (UDHR) in 1948, recognised that human rights are central to the enjoyment and safeguarding of human life; achievement of human progress; protection of human dignity; and advancement of human security. Achievement of these rights requires awareness and corresponding determination to claim them when they are abridged. Communication is core to having citizens who are aware and capable of demanding and exercising their rights. The purpose of this topic is to introduce participants to the fundamentals of human rights, their origin, the obligations for their enforcement, and recourse in the event of their violation.

1.2 Learning Outcomes

By the end of this topic, the participants should be able to:

- Distinguish between needs, wants, and rights;
- Gain an understanding of human rights, their origin and application, freedoms, and limitations;
- Distinguish the different types of human rights;
- Explain the key elements of the International Bill of Rights;
- Explain when it may be necessary to limit and/or suspend human rights; and
- Monitor and analyse cases of human rights violations.

1.3 Learning Experiences

Activity 1.1. The terms “needs”, “wants”, and “rights” are sometimes used interchangeably, yet they refer to different concepts. Briefly explain each of these terms and show how they are interlinked.

Activity 1.2. Based on your reading, discuss the four characteristics of human rights.

Activity 1.3. Write a short essay, about 300 words, explaining the three generations of human rights.

Activity 1.4. Identify and explain the four principles of human rights.

1.4 Outline of Learning Content

- Understanding basic concepts
- What are human rights?
- Origins of human rights
- Principles of human rights
- Classification of human rights
- The three generations of human rights.



The United Nations, through the Universal Declaration of Human Rights (UDHR) in 1948, recognised that human rights are central to the enjoyment and safeguarding of human life; achievement of human progress; protection of human dignity; and advancement of human security.



REPORTING ON HUMAN RIGHTS

1.5 Learning Content



These rights are all interrelated, interdependent and indivisible.

United Nations

Understanding Basic Concepts: Wants and Needs

Needs

Needs are defined as those things that one cannot do without in order to live. Basic needs include food, shelter, and clothing. However, these have been expanded to include education, gainful employment, affordable medical care, and security.

Wants

Wants are those things that human being desire to have but which they can survive without, for example, a car or a mansion. Thus, wants are additional things that a human being desires in order to live in comfort.

Human Rights

According to the United Nations, human rights are inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty; freedom from slavery and torture; freedom of opinion and expression; the right to work and education; and many others. Everyone is entitled to these rights, without discrimination.

Amnesty International describes human rights as “basic rights and freedoms that all people are entitled to regardless of nationality, sex, national or ethnic origin, race, religion, language, or other status.”

Origins of Human Rights

Human rights are enshrined in treaties between states. Their origins can be traced to the Universal Declaration of Human Rights, which was proclaimed by the United Nations General Assembly on 10th, December 1948 in Paris, France, and which spells out the fundamental rights to be protected by all governments. (See Annex 2. Subsequently, the community of nations has continued to make covenants that explain and give life to the principles in the Universal Declaration of Human Rights).

The other treaties that deal with human rights are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. UHDR together with these two charters constitute the International Bill of Human Rights. Subsequently, countries have sought ways of giving these rights a local context, hence the ratification of the African Charter on Peoples Rights, the East African Treaty, and the Bill of Rights in their domestic constitutions.

Principles of Human Rights

Human rights are inalienable. Every person is entitled to human rights by virtue of being a human being. No one can voluntarily give them up. Neither can anyone take them away. The imperative is to safeguard and protect rights from any violation.

- 1. Human rights are universal.** Human rights apply to all human beings irrespective of race, gender, age, political ideology, religious beliefs, or any other consideration.
- 2. Human rights are indivisible.** All human rights are inherent to the dignity of every human being. All rights are equal; none is superior or subordinate to the other and, therefore, they all have to be upheld.
- 3. Human rights are interdependent.** All human rights support each other. The realisation of one human right depends on the enjoyment of another.



REPORTING ON HUMAN RIGHTS

Classification of Human Rights

Human rights are classified based on two perspectives. The first is human life – social, economic, cultural, political, and moral rights; and. The second is the method of securing those rights.

Classification of human rights based on the civil, political, social, economic, and moral perspectives

1. Civil and Political Rights

These rights are contained in the International Covenant on Civil and Political Rights, which came into force in 1976. They comprise such rights as freedom of movement; equality before the law; the right to a fair trial and presumption of innocence; freedom of thought, conscience, and religion; freedom of opinion and expression; peaceful assembly; freedom of association; participation in public affairs and elections; and protection of minority rights.

The covenant prohibits arbitrary deprivation of life; torture, cruel or degrading treatment or punishment; slavery and forced labour; arbitrary arrest or detention; arbitrary interference with privacy; war propaganda; discrimination; and advocacy of racial or religious hatred.

2. Economic, Social, and Cultural Rights

These rights are contained in the International Covenant on Economic, Social and Cultural Rights, which came into force in 1976. The covenant provides for the right to self-determination; economic, social, and cultural development; and use of natural resources. The covenant seeks to promote and protect some of the following rights:

- the right to work in just and favourable conditions;
- the right to social protection, an adequate standard of living, and to the highest attainable standards of physical and mental well-being;
- the right to education and the enjoyment of the benefits of cultural freedom and scientific progress;
- the right to education, including compulsory free basic education; and
- the right to take part in cultural life and to enjoy the benefits of scientific progress and applications.

Classification of rights based on methods of securing them

1. Natural Rights

These are rights that are considered to be inherent and integral to human nature by birth. They include intellectual rights, rights of the mind, and also rights of acting as an individual for personal comfort and happiness, provided the enjoyment of that right does not overstep into the natural rights of others.

2. Moral Rights

Moral rights are based on the principle of fair play and justice. They are aspirational ideals. They are anchored on normative values and ethics. They deal with what is right and what one ought to do to others.



Article 19 of the UHDR is particularly significant for the media. It articulates the right to free expression, which includes the right to hold opinions and to receive and impart information and ideas.

UHDR



REPORTING ON HUMAN RIGHTS

3. Fundamental Rights

These are considered basic rights, and examples include the right to life, which is the most important and upon which the enjoyment of other rights depends. These rights cannot be taken away by any authority. Neither can anyone voluntarily give them up. Fundamental rights must be protected at all times.

4. Legal Rights

These rights are spelt out in law and guaranteed by the state. Legal rights are uniform and apply to all citizens irrespective of gender, race, culture, creed, status, ideology, or religious belief.

5. Civil and Political Rights

These are rights that are guaranteed by the government or civil society. They provide the basis for the fulfilment of elementary conditions of social life, and without them, people cannot lead a civilised life. They include the right to freedom of speech and assembly; the right to move freely, own property, and practise a trade or profession; and the right to take part in governance.

6. Economic, Social, and Cultural Rights

These are rights citizens are entitled to, with their objective of eradicating social inequality and economic imbalances in society. The State is obliged to provide a conducive environment to allow citizens to enjoy these rights.

Three Generations of Human Rights

The Universal Declaration of Human Rights provides the basis for human rights. However, human rights have evolved over three generations. The **First Generation** of human rights emerged in the 18th century and is closely linked to the American Revolution, which took place between 1775 and 1783, as well as the French Revolution of 1789. First Generation Rights are concerned with liberty and participation of citizens in political life. These rights are contained in Articles 2-21 of the UDHR and include

- Freedom from all forms of discrimination;
- The right to life, liberty, and security;
- Freedom from slavery and forced labour;
- Freedom from torture, cruel, inhuman, or degrading treatment and punishment;
- Freedom from arrest without cause or judicial process, detention, or exile;
- The right to a fair and public trial;
- The right to privacy;
- Freedom of movement and residence;
- The right to seek asylum from prosecution;
- Freedom of conscience, religion, and thought;
- Freedom of opinion and expression;
- Freedom of peaceful assembly and association;
- The right to take part in government and to vote; and
- The right to own property and not to be deprived of it arbitrarily.

Second Generation rights evolved in the 19th Century and were inspired by the political and economic struggles of the nascent working class. The rights came out of political and economic demands, such as the right to participate in the exercise of political power, the right to universal franchise, and the right to fair labour practices.

The First Generation of human rights emerged in the 18th century and is closely linked to the American Revolution, which took place between 1775 and 1783, as well as the French Revolution of 1789.



REPORTING ON HUMAN RIGHTS

Second Generation rights include the right of access to education, healthcare, and housing, and to take part in cultural activities. Governments are expected to take affirmative action to deliver these rights. However, it is recognised that not all governments can afford to provide for the attainment of these rights at one go, hence the provision that they should demonstrate commitment towards their achievement. These rights are regarded as progressive, and , which governments should strive to achieve them, and demonstrate commitment to deliver them.

Second Generation rights are set out in Articles 22-27 of the UDHR and include:

- The right to social security;
- The right to work and protection against unemployment;
- The right to rest and leisure, including public holidays with pay;
- The right to an adequate standard of living;
- The right to education; and

The right to take part in cultural and scientific activities, and to the protection of one's scientific and artistic creations.

Third Generation rights are concerned with the fraternity of human beings and, therefore, are also called "solidarity" rights. They include the right of everyone to a sustainable, clean, and healthy environment; social development; and other collective or group, rather than individual, rights. They are set out in Articles 28 and 29 of the UDHR.

Positive Rights and Negative Rights

Rights can also be classified as positive or negative. Positive Rights place an obligation on the State or others to do certain things, while negative rights oblige the State or others to refrain from doing certain things.

Positive rights require the State to do something to ensure the citizens enjoy those rights. For example, Article 34 (5) of the Constitution states that:

Parliament shall enact legislation that provides for the establishment of a body, which shall –

- (a) be independent of control by government, political interests or commercial interests;*
- (b) reflect the interests of all sections of the society; and*
- (c) set media standards and regulate and monitor compliance with those standards.*

Negative rights are those that the state is prevented from denying citizens. They are always expressed in negative terms. For example, Article 30 of the Constitution prevents the State from placing citizens in slavery or servitude.

Slavery, servitude and forced labour

- (a) A person shall not be held in slavery or servitude*
- (b) A person shall not be required to perform forced labour.*

Human Rights and Corresponding Duties

Human rights come with corresponding duties and obligations. The United Nations Charter commits member states, which are duty bearers -- to **respect, protect,** and **fulfil** human rights.

Respect – State and other duty bearers cannot take away or impose any measure that abridges the rights guaranteed by the international charter.



Second Generation rights include the right of access to education, healthcare, and housing, and to take part in cultural activities. Governments are expected to take affirmative action to deliver these rights.



REPORTING ON HUMAN RIGHTS



Protect – Every state is obliged to put in place measures to ensure that human rights are realised, and that no one is denied his or her rights. This includes enacting legislation and polices that guarantee the realisation of human rights.

Protect – Every state is obliged to put in place measures to ensure that human rights are realised, and that no one is denied his or her rights. This includes enacting legislation and polices that guarantee the realisation of human rights.

Fulfil – Every state is required to adopt appropriate legislative, administrative, financial, and judicial measures to facilitate the enjoyment of human rights, including public sensitisation and mobilisation to create awareness and rally citizens to exercise their rights.

1.6 References

1. Johnsson, Urban. 2003. *Human Rights Approach to Development Programming*. Unicef. Kenya.
2. Internews. 2012. *Speak Up, Speak Out: A Toolkit for Reporting on Human Rights Issues*. Internews. US.
3. Maina, H.O and Igweta, R. 2003. *Introducing Human Rights in Secondary Schools. A Teachers Manual*. Nairobi. Legal Resources Foundation.
4. Republic of Kenya. 2010. *The Constitution of Kenya 2010*. Nairobi. Government Printer.
5. United Nations. 1948. *Universal Declaration of Human Rights*. UN. New York.



REPORTING ON HUMAN RIGHTS

Topic 2: Enforcement of Human Rights

Duration: 4 Hours

2.1 Introduction

This topic introduces participants to the instruments used in enforcing human rights. These include the International Bill of Rights, international human rights law, as well as treaties, conventions, and protocols on human rights. Institutions covered include the Office of the UN High Commissioner for Human Rights (OHCHR), the International Court of Justice (ICJ), and the International Criminal Court (ICC), and the African Court on Human and Peoples' Rights. In addition, the topic covers National Human Rights Institutions such as KNCHR, and non-governmental organisations involved in monitoring and enforcement of human rights.

2.2 Learning Outcomes

By the end of this topic, the participants should be able to

- (a) Explain the International Bill of Rights;
- (b) Gain understanding of the institutions and instruments for enforcing human rights;
- (c) Explain the mandates of the International Court of Justice and the International Criminal Court;
- (d) Explain the African Charter on Human and Peoples' Rights;
- (e) Explain the Bill of Rights in Kenya;
- (f) Demonstrate an understanding of the role of the Office of the UN High Commissioner for Human Rights; and
- (g) Explain the role of the Kenya National Commission on Human Rights.

2.3 Learning experiences

Activity 2.1. Based on what you have learnt in this topic, explain what is referred to as the International Bill of Human Rights.

Activity 2.2. With reference to Chapter 4 of the Kenya Constitution, briefly discuss some of the rights that citizens are entitled to.

Activity 2.3. Following the post-election violence in Kenya in 2007/08, six Kenyans were charged with crimes against humanity at the International Criminal Court. Using the Kenyan case, discuss the role of the ICC in tackling human rights issues.

2.4 Outline of Learning Content

- International Bill of Human Rights
- International human rights law
- Declarations, treaties, and conventions on human rights
- The African Charter on Human and Peoples' Rights
- Kenya's Bill of Rights
- The Office of the UN High Commissioner for Human Rights
- The International Court of Justice
- The International Criminal Court
- The African Court on Human and Peoples' Rights
- National human rights institutions
- The Kenya National Commission on Human Rights



REPORTING ON HUMAN RIGHTS

2.5 Learning Content

International Bill of Human Rights

The Universal Declaration of Human Rights together with its two other instruments – the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, constitutes what is called the International Bill of Human Rights.

International Human Rights Law

International human rights law spells out the obligations of governments to act in certain ways, or to refrain from certain acts, in order to promote and protect the human rights and fundamental freedoms of individuals or groups.

Declarations, Treaties and Conventions on Human Rights

Several international human rights treaties and other instruments have been adopted since 1945. They include

- ✓ The Convention on the Prevention and Punishment of the Crime of Genocide (1948);
- ✓ The International Convention on the Elimination of All Forms of Racial Discrimination (1965);
- ✓ The Convention on the Elimination of All Forms of Discrimination Against Women (1979);
- ✓ The Convention on the Rights of the Child (1989); and
- ✓ The Convention on the Rights of Persons with Disabilities (2006).

The African Charter on Human and Peoples' Rights

The African Charter on Human and Peoples' Right, or simply the African Charter, was adopted in 1981 by the member states of the Organisation of African Unity (OAU), the precursor to the African Union (AU). It came into force in 1986. The African Charter established the African Commission on Human and Peoples' Rights, which was inaugurated on November 2, 1987, to promote human and peoples' rights, and ensure their protection. The African Charter sets standards and establishes the groundwork for the promotion and protection of human rights in Africa. It obliges member states to respect human rights and disabuses them of the notion of employing excuses such as national emergency to revoke citizens' rights.

Kenya's Bill of Rights

Chapter 4 of the Constitution of Kenya, 2010, contains an elaborate Bill of Rights that provides for economic, social, and cultural rights. The objective of the Bill of Rights is to promote citizens' enjoyment of democracy. It, provides a framework for social, economic and cultural policies. Overall, the purpose of the Bill of Rights is to recognise and protect human rights and freedoms.

The Bill of Rights provides for the rights and freedoms of the media and access to information. Article 33 states that every person has the right to freedom of expression; Article 34 is on the freedom of the media; and Article 35 is about access to information. The rights and freedoms of the media are covered in detail in Topic 3.



The Charter came into force in 1986. The African Commission on Human and Peoples' Rights was established in 1987.

African Union



REPORTING ON HUMAN RIGHTS

The Office of the UN High Commissioner for Human Rights

The Office of the UN High Commissioner for Human Rights was created in 1993 by the United Nations General Assembly and charged with the responsibility of promoting and protecting all human rights. Its mandate includes:

- Promoting and protecting all human rights for all;
- Promoting and protecting the right to development;
- Providing technical assistance to states for human rights activities;
- Eliminating obstacles to the realisation of human rights and to prevent human rights violations;
- Engaging governments to secure respect for all human rights; and
- Enhancing international cooperation for the promotion and protection of all human rights.

The International Court of Justice

The International Court of Justice is established by a United Nations Charter to arbitrate on disputes between states. Based at The Hague in the Netherlands, the court handles cases such as border disputes between countries, but not suits from individuals or civil society organisations. However, by virtue of its mandate, the court also adjudicates human rights issues. It is composed of 15 judges elected by the United Nations General Assembly.

An example of a case handled by the International Court of Justice was the dispute between Kenya and Somalia over the delimitation of their common boundary in the Indian Ocean. The case was filed by Somalia in August 2014 and the court ruled on it on October 12, 2021.

The International Criminal Court

The International Criminal Court was established in 1998 through the Rome Statute and started to operate in 2002. Its role is to investigate and bring to justice individuals who commit the most serious crimes against humanity such as genocide and war crimes. Crimes against humanity include torture, rape, sexual slavery, enforced prostitution, enforced disappearances, apartheid, and forcible transfer of populations, as well as murder, extermination, enslavement, and imprisonment – committed on a wide scale or in a systematic manner against a civilian population.

The African Court on Human and Peoples' Rights

The African Court on Human and Peoples' Rights was established by African countries to ensure the protection of human and peoples' rights on the continent. It complements and reinforces the functions of the African Commission on Human and Peoples' Rights.

OAU member states adopted the protocol establishing the court in June 1998. The protocol came into force on January 25, 2004. Although 32 states have ratified the protocol, only eight of them have deposited the declaration recognising the competence of the court to receive cases directly from NGOs and individuals. It has its permanent seat in Arusha, Tanzania.

National Human Rights Institutions

These are independent and non-judicial institutions established by national laws to promote and protect human rights within countries. They are funded by national governments and are expected to operate independently without external influence. In 1993, the UN General Assembly adopted a resolution on the roles of national human rights institutions, which became popularly known as the Paris Principles.



Freedom and independence of electronic, print and all other types of media is guaranteed.

Article 34 (1)



REPORTING ON HUMAN RIGHTS

Kenya and the ICC

Kenya has a history with the ICC. In 2011, six Kenyans were indicted by the ICC over the post-2007 election violence in which some 1,113 people were killed and more than 600,000 others mainly in the Rift Valley were displaced from their homes. The six were Uhuru Kenyatta, William Ruto, Francis Muthaura, Henry Kosgey, Ali Hussein, and Joshua Sang. However, none of the cases went to full trial for lack of evidence.



The institutions have two main roles, namely, promoting and protecting human rights. The promotion role enjoins the institutions to create a national culture of human rights, putting emphasis on tolerance, equality, and mutual respect. The protection role commits the institutions to identify and investigate cases of human rights abuses and seek necessary remedies from the authorities, courts, or parliament.

On the basis of this mandate, the institutions are expected to be neutral fact-finders and not advocates for any party. They also receive complaints from individuals and take action as the situation may require.

The Kenya National Commission on Human Rights

The Kenya National Commission on Human Rights (KNCHR) is established through Article 59 of the Constitution and operationalised through the Kenya National Commission on Human Rights Act, 2011. It's a predecessor to an organisation bearing the same name, but which had been earlier established through an Act of Parliament in 2002 and became operational in 2003. Before that was the Standing Committee on Human Rights, established in 1996 through presidential decree.

The core mandate of KNCHR is to monitor the government's compliance with its obligations under international treaties and conventions on human rights. The commission monitors government institutions and conducts investigations on suspected cases of human rights abuses, and seeks redress where cases of violations are established.

2.6 References

1. African Union: <https://www.achpr.org/legalinstruments/detail?id=49>
2. Republic of Kenya. 2010. *Constitution of Kenya, 2010*. Nairobi. Government Printer.
3. Internews. 2012. *Speak Up, Speak Out: A Toolkit for Reporting on Human Rights Issues*. Internews. US.
4. ICC. 2011. *Rome Statute of the International Criminal Court*. <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>
5. OHCHR. 2010. *National Human Rights Institutions History, Principles, Roles and Responsibilities*. https://www.ohchr.org/Documents/Publications/PTS-4Rev1-NHRI_en.pdf
6. United Nations. <https://www.un.org/en/property-cards-by-og-global-category/287/6635+9445>



REPORTING ON HUMAN RIGHTS

Topic 3: Human Rights, Media, and Journalism

Duration: 4 Hours

3.1 Introduction

This topic seeks to provide the link between human rights, media, and journalism. The rights of the media and journalists are protected under the Universal Declaration of Human Rights. However, these rights and freedoms are violated across the world and in Kenya as well. Kenya's 2010 Constitution provides for freedom of expression and the rights of the media. Underpinning this is the fact that the rights of the media promote other rights. As an institution, the media plays an important role in promoting human rights as beneficiaries but also in the interests of the wider society. This topic discusses the nexus between journalism and human rights, and journalists and media practitioners have an obligation to promote rights.

3.2 Learning Outcomes

By the end of this topic, the participants should be able to

- Gain an understanding of the relationship between human rights and media practice;
- Explain the origins of the rights and freedoms of the media;
- Explain the constitutional provisions of freedom of expression, freedom of the media, and the right of access to information; and
- Explain how press freedoms promote other rights.

3.3 Learning Experiences

Activity 3.1. Based on what you have learnt in this topic, explain why freedom of expression is important for citizens in any country.

Activity 3.2. Based on what you have learnt in this topic, explain the legal basis for freedom of expression, freedom of the media, and the right of access to information in Kenya.

Activity 3.3. Kenya's Constitution provides for the right of access to information. Explain how a journalist can use this provision to seek crucial information from the government to inform debate on matters of public interest.

3.4 Outline of Learning Content

- Understanding the link between media and human rights
- Basis of rights and freedoms of expression and the media
- Legal basis for freedom of expression, freedom of the media, and the right of access to information in Kenya
- How journalists can use the law to pursue their rights



Kenya's 2010 Constitution provides for freedom of expression and the rights of the media. Underpinning this is the fact that the rights of the media promote other rights.



REPORTING ON HUMAN RIGHTS

3.5 Learning Content

Human Rights, Media, and Journalism

Article 19 of the Universal Declaration on Human Rights establishes the basis for the freedoms and rights of the media. The article states:

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.

The article provides the right to

- Hold opinions;
- Express and disseminate information or ideas;
- Access of the media; and
- Seek, impart, and receive information.

These provisions create the cornerstone for the practice of journalism and underpin the fundamental rights that journalists are entitled to. Journalists cannot work if people are not free, or when their own safety and wellbeing are under threat. Freedom of expression and the media are vital in democracies, not only for journalists but also for the citizens as well. They guarantee access to information and empower citizens to make decisions on matters that affect them.

The Constitution of Kenya, 2010

The Bill of Rights, contained in Chapter 4 of the Constitution, provides three sets of rights, namely, freedom of expression, rights of the media, and access to information.

Freedom of Expression

Article 33 of the Constitution provides for freedom of expression. It states:

(1) *Every person has the right to freedom of expression, which includes;*

- (a) *freedom to seek, receive or impart information or ideas;*
- (b) *freedom of artistic creativity; and*
- (c) *academic freedom and freedom of scientific research.*

(2) *The right to freedom of expression does not extend to*

- (a) *propaganda for war;*
- (b) *incitement to violence;*
- (c) *hate speech; or*
- (d) *advocacy of hatred that:*

- (i) *constitutes ethnic incitement, vilification of others or incitement to cause harm; or*
- (ii) *is based on any ground of discrimination specified or contemplated in Article 27 (4)*

(3) *In the exercise of the right to freedom of expression, every person shall respect the rights and reputation of others.*

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.



REPORTING ON HUMAN RIGHTS

Freedom of the Media

Article 34 of the Constitution anchors the freedom of the media, and states

- (1) *Freedom and independence of electronic, print and all other types of media is guaranteed, but does not extend to any expression specified in Article 33 (2).*
- (2) *The State shall not*
 - (a) *exercise control over or interfere with any person engaged in broadcasting, the production or circulation of any publication or the dissemination of information by any medium; or*
 - (b) *penalise any person for any opinion or view or the content of any broadcast, publication or dissemination.*
- (3) *Broadcasting and other electronic media have freedom of establishment, subject only to licensing procedures that*
 - (a) *are necessary to regulate the airwaves and other forms of signal distribution; and*
 - (b) *are independent of control by government, political interests or commercial interests.*
- (4) *All State-owned media shall*
 - (a) *be free to determine independently the editorial content of their broadcasts or other communications;*
 - (b) *be impartial; and*
 - (c) *afford fair opportunity for the presentation of divergent views and dissenting opinions.*
- (5) *Parliament shall enact legislation that provides for the establishment of a body, which shall*
 - (a) *be independent of control by government, political interests or commercial interests;*
 - (b) *reflect the interests of all sections of the society; and*
 - (c) *set media standards and regulate compliance with those standards.*

Access to information

Article 35: Access to information

- (1) *Every citizen has the right of access to*
 - a) *Information held by the State;*
 - b) *Information held by another person and required for the exercise or protection of any right or fundamental freedom.*
- (2) *Every person has the right to the correction or deletion of untrue or misleading information that affects the person.*
- (3) *The state shall publish and publicise any important information affecting the nation.*

3.4 References

1. Republic of Kenya. 2010. *Constitution of Kenya, 2010*. Nairobi. Government Printer.
2. United Nations. 1948. *Universal Declaration of Human Rights*. UN. New York.
3. IFJ. 2003. *Human Rights Reporting: A Handbook for Journalists in South-Eastern Europe*. IFJ. UK. Oxford.
4. Internews. 2012. *Speak Up, Speak Out: A Toolkit for Reporting on Human Rights Issues*. Washington.



Freedom and independence of electronic, print and all other types of media is guaranteed, but does not extend to any expression specified in Article 33 (2).



REPORTING ON HUMAN RIGHTS

Topic 4: Reporting Human Rights Stories in the Media

Duration: 6 Hours

4.1 Introduction

Human rights deal with issues that affect people in society; things they need to have and which should be guaranteed. Human rights are about equal treatment of people, justice and fairness, and respect for human dignity. Governments are under obligation to secure citizens' rights. However, human rights are regularly violated. Some violations include exposure to violence, captivity, insecurity, hunger, and poverty. The role of the media and journalists is to protect rights by spotlighting their abuse. Violation of human rights constitutes important news content. This topic covers elements of news and explains why human rights issues deserve news coverage. The topic provides guidelines on how journalists should cover issues and bring out human rights dimensions. It also explains sources of human rights stories and how to handle them and make them relevant to audiences.

4.2 Learning Outcomes

By the end of this topic, the participants should be able to

- Explain the elements of news;
- Gain understanding on why human rights issues make news;
- Identify sources of human rights stories;
- Identify human issues that make news; and
- Demonstrate ability to write human rights stories.

4.3 Learning Experiences

Activity 4.1. Based on what you have studied in this topic, explain why human rights issues provide good news content.

Activity 4.2. Read the story titled "Attempted murder charges against Babu Owino dropped, but..."

<https://nation.africa/kenya/news/dj-evolve-shooting-charges-against-babu-owino-dropped-3653300> and discuss it as a human rights issue .

Activity 4.3. Watch the video below and comment on/discuss its effectiveness in exposing human rights abuse by police. <https://www.youtube.com/watch?v=Kd9h8Av0Ywc>

4.4 Outline of learning content

- What is news?
- News values
- What makes human rights newsworthy?
- Human rights issues in Kenya
- Sources of human rights stories
- Writing human rights stories

The role of the media and journalists is to protect rights by spotlighting their abuse. Violation of human rights constitutes important news content. This topic covers elements of news and explains why human rights issues deserve news coverage.



REPORTING ON HUMAN RIGHTS

4.5 Learning Content

What Is News?

Literature about journalism hardly provides a clear definition of news. However, media practitioners understand what news is. News is defined by its characteristics, what is referred to as news values. News refers to something that is factual, interesting, and new.

A conventional description of news is derived from the work of William Randolph Hearst and Lord Northcliffe, who stated:

News is something that somebody somewhere doesn't want you to print/wants to suppress. All the rest is advertising.

News Values

In traditional news reporting, journalists are guided by a set of values that define what news is. The following elements that define what makes news.

- **Timeliness:** News is determined by its freshness. The more recently an event happened, the more newsworthy it will be.
- **Proximity:** Is the story relevant to the reader or consumer? Does the issue being reported about have an effect on the news consumer? Events close to home are naturally of more interest to news consumers than those of afar.
- **Impact:** The more people involved in or affected by an event or an issue, the greater its newsworthiness.
- **Oddity:** Odd occurrences/happenings will generally receive more coverage than usual ones.
- **Conflict:** Controversy and clashes between different groups or individuals has dramatic effects.
- **Human interest:** Human interest stories, those grounded in strong emotions – such as grief, fear, or triumph, have broader appeal.
- **Relevance:** News stories need to resonate with the values, interests, and expectations of the audience.
- **Prominence:** Stories that involve well-known people are of great general interest. News consumers are interested in what prominent people do or what is happening to them.

Principles of News

Related to news values are news principles, which are elements that guide journalists in reporting the news. Principles of news include:

- Truth
- Accuracy
- Independence
- Objectivity
- Impartiality
- Fairness
- Public accountability



Literature about journalism hardly provides a clear definition of news. However, media practitioners understand what news is. News is defined by its characteristics, what is referred to as news values. News refers to something that is factual, interesting, and new.



REPORTING ON HUMAN RIGHTS

Human rights issues make news because their violation has impact, constitutes oddity and is unexpected, creates conflict, and elicits emotion. Depending on who is involved and when they happen, human rights stories fit well within the frames of news values of prominence, timeliness, relevance, and proximity.

In addition, there are other important values that guide journalists, including exposing crime and corruption, demanding that governments deliver service to citizens, promoting open debate, and promoting the values of freedom.

What Makes Human Rights News?

Human rights issues are about people's daily lived experiences. They are about people's entitlements. Their violation creates fear, deprivation, frustration, and despair. Human rights issues make news because their violation has impact, constitutes oddity and is unexpected, creates conflict, and elicits emotion. Depending on who is involved and when they happen, human rights stories fit well within the frames of news values of prominence, timeliness, relevance, and proximity.

Thus, in reporting or discussing human rights issues, journalists should be guided by the news values and principles of journalism outlined above.

There are certain principles that should guide journalists to report human rights stories effectively. These principles are better expressed in the form of questions. Journalists should ask the following questions:

- ✓ Would people be interested to know about the issue being reported?
- ✓ Who are the people concerned?
- ✓ Who are the people who would be most affected by the story?
- ✓ How would they be affected?
- ✓ Who else would be affected?
- ✓ Is the issue a matter of public interest?
- ✓ How will it affect people's lives?
- ✓ How close is it to the audience?
- ✓ What is my [journalist's] own relationship with the issue?
- ✓ What are the experiences elsewhere?

How to Identify Human Rights Stories

Many issues that constitute human rights stories are commonplace, but often pass unnoticed or are not identified as such by journalists. Identifying human rights stories requires journalists to be sensitive and discerning about issues of inequality, unfair practices, and imbalances in society. Policies, laws, and programmes should be interrogated to establish how they affect people.

The following are some sources from which journalists can generate ideas for human rights stories.

1. **Ideas reported** in newspapers, radio, television, and online. Daily reports in the newspaper, on television, radio, or online can be turned into powerful human rights stories. A journalist going through stories published or broadcast through the various platforms can find ideas that can be pursued to yield appropriate human rights stories.
2. **Ideas from experience** -- Experiences we go through can reveal to us some stark realities of unfairness, injustice, or mistreatment, which should be exposed in the interest of the public. These experiences can be shared with the media so that they are made known to a larger group of people.
3. **Ideas from observation** -- Journalists are known to have a nose for news. Many issues happen around them that constitute human rights issues, and which they ought to be picked up and pursued as stories.



REPORTING ON HUMAN RIGHTS

4. **Ideas from interaction with others** – Journalists interact with a cross-section of society every day in the course of their work. These interactions provide a chance to learn about what is happening to different people in diverse locations. Out of these interactions emerge issues that could be developed into human rights stories.
5. **Conferences, workshops, and seminars** – Civil society organisations, government departments, the United Nations, and other international agencies regularly convene meetings to discuss human rights issues. Journalists can use such meetings to obtain information about unfolding trends on human rights and from which they can develop great stories. The focus of the journalists is to understand the issues being discussed at such meetings and look for local and practical cases that can form a story that interests their audiences. As a guide, journalists must guard against abstractions and put life into the ideas they come across in order to make the stories real.
6. **Press releases and statements** are an important source of news for journalists. Human rights organisations, activists, NGOs, and international development agencies sometimes send out press releases or statements highlighting human rights violations. Journalists need to take a keen interest in such statements and use them as a basis for pursuing human rights stories.
7. **Tips from sources** – Journalists depend on tips from sources for news in general. Journalists interested in writing about human rights issues need to develop a close working relationship with NGOs, human rights organisations, human rights activists, and police officers, among others, from whom they can periodically get tips on cases of human rights violations that ought to be reported about.
8. **Calendar:** The United Nations, on the recommendation of Member States and by resolution of its the General Assembly, designates specific days, weeks, years and decades as occasions to mark particular events or topics in order to promote awareness and action around them. These days can be anchors for great stories, such as the International Women's Day on March 8 and Human Rights Day on December 10.

Human Rights Issues that Make News

Human rights abuses are prevalent in society and require media reporting. They touch on every aspect of people's daily lives. Some of the issues that constitute human rights stories are:

- Police brutality
- Gender-based violence
- Child abuse
- Insecurity
- Courts
- Election fraud and violence
- Refugees and internally displaced persons (IDPs)
- People living with disabilities
- War and conflict
- Violation of fundamental rights such as access to food, education, health, water, and decent housing.



Ideas from interaction with others – Journalists interact with a cross-section of society every day in the course of their work. These interactions provide a chance to learn about what is happening to different people in diverse locations. Out of these interactions emerge issues that could be developed into human rights stories.



REPORTING ON HUMAN RIGHTS

Highlights of Some Human Rights Issues that Make News

1. Police brutality

The role of the police is to maintain law and order. The Constitution states that the National Police Service is charged with the following objectives:

- (a) Strive for the highest standards of professionalism and discipline among its members;
- (b) Prevent corruption, and promote and practise transparency and accountability;
- (c) Comply with constitutional standards of human rights and fundamental freedoms;
- (d) Train staff to the highest possible standards of competence and integrity, and to respect human rights and fundamental freedoms and dignity; and
- (e) Foster and promote relationships with the broader society.

However, in the course of the police executing their duty, which essentially entails the protection of human rights, they can violate the rights of some people. Cases of police brutality, for example, should be investigated carefully and details brought out without sensationalising them. Liaising with the local chapter of the Independent Policing and Oversight Authority, as well as the police Internal Affairs Unit can improve a story from a mere complaint to one that addresses a systemic issue. Journalists should ask some key questions: Was the case reported and booked in the official records? How many people were affected? Was there a public inquiry? Were the officers suspected of brutality punished? Are there independent reports/records of the brutality, such as from doctors? Are police officers also faced with situations where their rights are violated?

2. Courts

Courts provide a key source of news for journalists. They are one of the primary beats newsrooms assign to reporters. This is because courts provide interesting stories since they deal with crime, adjudicate over hot disputes (conflict) and therefore, attract audiences. More importantly, courts of justice are important sites for adjudicating the competition between rights claims. However, journalists need to be alert to the human rights issues that play out in courts. In reporting about courts, journalists should consider the following: How fair are the trials? How are power relations playing out in court? Is the accused represented by an advocate? If so, who is paying the advocate? How long does the case take? Are there frequent adjournments that prolong the court case? What rulings do the courts make? Do they serve to promote human rights or do they violate them?

3. Children Issues

The Universal Declaration of Human Rights and the Convention on the Rights of the Child (CRC) provide the basis for the protection of children's rights. In particular, the CRC, which came into force in 1990, states:

"States parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members."

At the national level, countries have specific laws that protect the rights of the child. In Kenya, the Constitution and the Children Act, 2001, provide safeguards for the protection of the child.

The *Code of Conduct for the Practice of Journalism in Kenya* has express provisions on how journalists should cover children, and great emphasis is placed on the protection of their rights because they are vulnerable.



Protection of Children

- (1) Children shall not be identified in cases concerning sexual offences, whether as victims, witnesses or defendants. Except in matters of public interest, for example, cases of child abuse or abandonment, journalists shall not normally interview or photograph children on subjects involving their personal welfare in the absence, or without the consent, of a parent or other adult who is responsible for the children.
- (2) Children shall not be approached or photographed while at school and other formal institutions without the permission of school authorities.
- (3) In adhering to this principle, a journalist shall always take into account specific cases of children in difficult circumstances.

Code of Conduct for the Practice of Journalism in Kenya



REPORTING ON HUMAN RIGHTS

4. Gender Issues

Gender is the social construction of men's and women's roles in a given culture or location. Gender roles are distinguished from sex roles, which are biologically determined.

Media transmits social and cultural values. Debate has persisted about media and gender reporting. The dominant concern is that men receive preferential treatment in the media compared to women. Most stories in the news are about men; they are often quoted as sources of information; and the language used gives them an elevated position. Moreover, men occupy most top editorial positions in media organisations and make decisions on what stories to publish or broadcast and the way in which they are presented. In most cases, female journalists are designated to handle features, dealing with "soft" issues and not "hard" news such as politics.

The human rights approaches to reporting recognise the need for equal treatment of men and women as news subjects and sources of information as well as consumers. Language, pictures, and graphics should be neutral and avoid perpetuating existing stereotypes in society.

A common issue that journalists should pay attention to is violence against women and girls, which is rampant in society. Violence against women and girls occurs in various forms, such as physical abuse or battery, rape, emotional and verbal abuse, psychological abuse, economic abuse, intimidation, or restricting sexuality through female genital mutilation. These are human rights issues that journalists should identify and report not only to ensure the perpetrators are apprehended and punished, but also to stir public debate and education on them.

Reporting on gender-based violence requires tact and sensitivity. According to UNESCO's publication: *Reporting on Violence Against Women and Girls: A Handbook for Journalists*, reporters should exercise care in reporting on gender violations. They should be careful about language to use, framing of stories, portrayal of victims, presentation of facts, analysis and use of statistics. The handbook presents 15 tips that journalists should observe while covering violence against women.

- Talk about it! Don't keep quiet when cases of gender violence are reported to you
- Treat gender-based violence as a violation of human rights and no longer as an isolated incident
- Explain the context – put events in perspectives and provide insights for understanding the phenomenon of gender violence against women and girls
- Be careful with vocabulary – choose words appropriately and avoid expressions that cause more injury to the victims
- Pay attention to headlines – avoid sensational headlines that send wrong signals to the audiences
- Analyse statistics and surveys with caution and put them in context
- Describe reality while avoiding sensationalism
- Limit the use of hidden cameras and other undercover methods
- Reject language that 'lectures' or could incite judgment
- Avoid secondary victimisation and portray survivors as resilient
- Think about the order of topics, links and context
- Practise service and solutions journalism
- Take enough time before, during and after reporting to heal
- Gain an understanding to help others understand
- Rebalance information to improve gender equality

Women seldom rise to decision-making positions;

In most places women journalists are in the minority;

Women journalists are most frequently assigned to cover "soft" news, or news that does not deal with "serious" topics while men cover "hard" news, the major events of the day, like politics, conflict, finance and crime.

Source: *Speak Up, Speak out: A Toolkit for Reporting on Human Rights*



REPORTING ON HUMAN RIGHTS

Professional journalists do not set out to reduce conflict. They seek to present accurate and impartial news. But it is often through good reporting that conflict is reduced.

Conflict-Sensitive Reporting - A Handbook by Ross Howard

Covering Elections: Rights and Responsibilities

- Duty to the Citizen
- Duty to the Candidate
- Duty to the Nation
- Values
- Responsibility of the Media Outlet
- Responsibility of State-Owned Media
- Responsibility of Community and Vernacular Media
- Responsibility of Journalists and Media Practitioners
- Responsibility of State Agencies
- Responsibility of Media Regulators
- Safety and Security
- Political Debates

Source: Media Council of Kenya, 2021

5. Reporting Conflict

Journalism thrives on conflict. However, conflicts present a veritable challenge to the profession. Obtaining reliable information requires great journalistic skills. Maintaining balance, objectivity, and neutrality is difficult because of the emotions that conflicts elicit.

Yet it is during conflicts that the public requires sober and accurate information on the issues in play. The role of journalists during conflict is primarily to report the issues objectively and, importantly, to help to reduce or minimise tensions.

The handbook, *Conflict-Sensitive Reporting* by Ross Howard, identifies the following as sources of conflict:

- Resources are scarce and not shared fairly, as in food, housing, jobs, or land;
- There is little or no communication between the two groups;
- The groups have incorrect ideas and beliefs about each other;
- Unresolved grievances exist from the past; and
- Power is unevenly distributed.

From the foregoing, it is notable that conflicts represent underlying injustices arising from human rights violations.

Reporting on conflicts requires journalists to dig deep to find out the real causes of the situation and explain them in a manner that does not stoke more fires. Issues should be contextualised rather than providing raw and bare facts that may create more animosities. Journalists should seek out views from all the parties, extend equal treatment to each, and frame the issues in a manner that leads towards resolution rather than exacerbate the conflict.

6. Reporting elections

Covering elections presents a major human rights challenge to journalists. This is because elections in Kenya are hotly contested. Since the advent of multiparty elections in Kenya in 1992, the country has held six elections and except for one in 2002, all of them have been marred by violence that undermined citizens' democratic rights.

Participation in an election and choosing one's preferred candidate is a human right. Article 38 of the Constitution states that every citizen has a right to make political choices and is entitled to free, fair and regular elections based on universal suffrage. The article further states that every adult citizen has the right:

- (a) to be registered as a voter;
- (b) to vote by secret ballot in any election or referendum; and
- (c) to be a candidate for public office, or office within a political party ...

When citizens are denied a chance to vote or when their votes are stolen, they are disenfranchised and their democratic right violated. When citizens are killed, battered and beaten by police when protesting against electoral malpractices, their rights are severely violated. Some of the prevalent cases of human rights abuses during the election season are vote buying, politically-instigated violence, gender violence, rigging of election outcomes, and police brutality against innocent citizens. An example of human rights violation during elections is presented in this article: <https://www.the-star.co.ke/news/2019-02-15-how-cops-killed-baby-pendo-in-kisumu/>.

Covering elections require that journalists monitor and interrogate the various processes starting from party registration, party nominations, voter registration, election campaigns, voting and vote tallying and results transmission. For effective election coverage, journalists are encouraged to make use of the guidelines provided by the Media Council of Kenya. See <https://mediacouncil.or.ke/sites/default/files/downloads/GUIDELINES%20FOR%20ELECTION%20COVERAGE.pdf>



REPORTING ON HUMAN RIGHTS

7. Reporting on Progressive Rights

Progressive rights are those that may not be fulfilled at one go but are implemented within a given period of time. These include economic, social, and cultural rights. Examples include access to quality healthcare and universal education.

Reporting on such rights requires understanding of the benchmarks and timelines that the government has put in place towards realising them. Chapter 4 of Kenya's Constitution provides for these under the Bill of Rights, and they are subsequently elaborated in various laws. Further, Kenya has underlined its commitment to fulfilling these rights through various declarations such as universal health coverage and free basic education.

In summary, journalists reporting on human rights should avoid the following:

- Propaganda
- Reductionism
- Prejudice and selectivity
- Sensationalism and negativity
- Intrusion into privacy
- Use of unverified statistics and data.

4.6 References

1. Hicks, W., et al. 1999. *Writing for Journalists*. London. Routledge.
2. Inter-Parliamentary Union and UNOHCHR. 2016. *Human Rights: Handbook for Parliamentarians*. Geneva. Switzerland.
3. Legal Resource Foundation. 2003. *Introducing Human Rights in Secondary Schools: A Teachers Manual*. Nairobi.
4. Media Council of Kenya. 2021. *Guidelines for Election Coverage 2022*. MCK. Nairobi. Kenya.
5. Republic of Kenya. 2010. *Kenya Constitution 2010*. Nairobi. Government Printer.
6. UNESCO. 2019. *Reporting on Violence Against Women and Girls: A Handbook for Journalists*. UNESCO. Paris. France.



Progressive rights are those that may not be fulfilled at one go but are implemented within a given period of time. These include economic, social, and cultural rights. Examples include access to quality healthcare and universal education.



REPORTING ON HUMAN RIGHTS

Topic 5: Interviewing Techniques for Human Rights Stories

Duration: 4 Hours

5.1 Introduction

Interviewing is an integral part of news reporting. Much of the information that journalists gather comes from interviewing news sources. However, interviewing is not a simple encounter between a journalist and a news source. It is an art that requires proper preparation and effective execution. If normal news reporting involves properly organised interviews, developing human rights stories has a higher threshold because of the sensitivities involved. This topic equips journalists with effective interviewing skills, starting with preparation, conducting the interviews, follow-ups, and eliciting appropriate responses to develop comprehensive and meaningful stories.

5.2 Learning Outcomes

By the end of this topic, the participants should be able to:

- Plan and prepare effectively for interviews;
- Distinguish between the different formats of interviews;
- Develop skills for conducting interviews;
- Demonstrate ability to handle reluctant and difficult interviewees; and
- Demonstrate ability to establish rapport with interviewees.

5.3 Learning Experiences

Activity 5.1. Based on what you have studied in this topic, explain the limitations of using close questions when conducting an interview for human rights stories.

Activity 5.2. You have been tipped about the case of a suspect who has died in police custody and you are asked to follow it up and write a story. Explain how you would go about conducting an interview for this story.

Activity 5.3. Discuss at least three methods of conducting interviews and explain the strengths and weaknesses of each of them.

5.4 Outline of Learning Content

- What is a journalistic interview?
- Different types of interviews
- Preparing for an interview
- Finding the hidden story
- Virtual interview
- Recording interview
- Summing up interview

5.5 Learning Content

The Interview

The purpose of an interview is to collect as much information as possible to explain an idea, phenomenon, or occurrence in the public domain that audiences are interested in. Media interviews are not about fault-finding or incriminating people, but getting to the bottom of an issue to provide accurate and comprehensive information to the public. Journalists conduct various forms of interviews for different kinds of stories such as hard news, features, and profiles.

Media interviews are not about fault-finding or incriminating people, but getting to the bottom of an issue to provide accurate and comprehensive information to the public. Journalists conduct various forms of interviews for different kinds of stories such as hard news, features, and profiles.



REPORTING ON HUMAN RIGHTS

Types of Interviews

The BBC distinguishes three basic types of interviews, namely, **hard exposure**, **informational**, and **emotional interview**. In a book titled: *Broadcast Journalism: Techniques of Radio and Television News*, Andrew Boyd, a distinguished radio and TV journalist, expands these to 12, as presented below.

- Hard news
- Informational
- Investigative
- Adversarial
- Interpretative
- Personal
- Emotional
- Entertainment
- Actuality
- Telephone or remote
- Vox pop and multiple
- Grabbed

1. The **hard exposure interview** investigates a subject. This is short, to the point, and serves to illustrate or illuminate a bulletin or news item. It deals with important facts, or comments as well as reactions to those facts.
2. The **informational interview** puts the audience in the picture. This can be about an event or phenomenon that has happened, is happening, or is about to happen. It serves to provide vital background and broaden the scope of a story. It goes beyond the main points and seeks an explanation about how and why something happened.
3. The **investigative interview** seeks to get behind the facts to unearth what actually caused events or something to happen, and by extension attempts to find out what can be done to avoid recurrence.
4. **Adversarial interviews** tend to question, disapprove, or undermine an argument and therefore tend towards a clash. Although important, they adversarial interviews should be used only when appropriate and should be handled carefully because they put off many potential news sources.
5. **Interpretative interviews** can take the form of a reaction or an explanation to a story. Whichever the case, interpretative interviews seek to put issues in context. They provide a good basis for analysis, explanation, and interpretation of an event.
6. **Personal interviews** attempt to establish unknown information about an individual, and tend to be penetrating and sometimes intrusive. It is best done with well-known personalities such as movie or sports stars, politicians, and top business people. The basic quest of such interviews is to establish what makes such personalities tick.
7. The **emotional interview** seeks to reveal an interviewee's state of mind. It is an attempt to lay bare the feelings of a news source to enable the audience to share his or her predicament.
8. **Entertainment interviews** examine the lighter side of life and serve to humanise news. They require a journalist to be observant and discerning to bring out what may ordinarily be ignored because it is not very serious.
9. In **actuality interview**, the voice of the interviewer is removed from the recording, leaving only that of the interviewee. It is used especially for documentaries or features. It involves preparing the interviewee well and allowing him or her to explain the issues based on the questions asked upfront. Multiple questions are asked to generate a steady flow of answers.



The investigative interview seeks to get behind the facts to unearth what actually caused events or something to happen, and by extension attempts to find out what can be done to avoid recurrence.



REPORTING ON HUMAN RIGHTS

10. **Telephone or remote interviews** are carried out through the phone or through other technology from a far-off location. In the era of virtual communication, this is increasingly becoming a common practice among journalists.

11. **Vox pop and multiple** is derived from the Latin word *vox populi*, which means voice of the people. This is used to get random views from the public, especially for breaking news.

12. **Grabbed interview** applies in cases where the news source is not willing to talk but is being pressurised to say something for the record. This elicits responses like “no comment”.

When planning to conduct an interview, a journalist must determine the type of approach that will generate the appropriate responses to enable him or her to produce a comprehensive story. Various situations demand different approaches and the onus is on the journalist to determine what is applicable in what context.

Preparing for an Interview

Successful interviews emerge from planning and preparation. They also depend on the ability of the interviewer to identify the right news source, create rapport, and engage in candid and respectful conversation with them.

In preparing for the interview, a journalist should:

- Prepare carefully, familiarising oneself with as much background as possible;
- Define the objective of the interview;
- Identify the right person to interview;
- Familiarise oneself with the environment or location of the interview;
- Develop the right questions and rank them in order of priority or importance with regard to responses required;
- Estimate the time required to carry out the interview; and
- Prepare all the items required for the interview such as recorders, notebooks or cameras and the location.

Interview Questions

Interviews take different forms depending on the subject and objective of the assignment. Interviews can take the following formats:

1. **Close-ended questions** – These require short answers, such as yes or no. Some of these may come with choices and the respondents are only required to pick the most suitable. For example, “Have you attended any lesson on human rights?” (Yes or No).
2. **Open-ended questions** – These allow the respondents to provide an answer about what he or she thinks about a subject. For example, “What is your view about the way the Kenya Government handles human rights issues?”
3. **Hypothetical questions** – These questions set up a situation or condition and ask the interviewee to respond to it. They are suppositions and take the form of “what if?”. For example: “What would you do if you found out that Central Park has been allocated to a powerful individual in government?”



REPORTING ON HUMAN RIGHTS

4. **Agree/disagree questions** – These questions ask respondents to express agreement or disagreement with a statement or action. For example: “All the people who encroached on Mau Forest should be evicted. Do you agree or disagree?”
5. **Probes** – These are questions that follow up on something that the interviewee has said. They can be neutral or provocative and challenging. The purpose of probing questions is to get the interviewee to give more information about what he or she has said.
6. **Personal questions** – These deal with the personal life of the interviewee. They should only be asked if they are relevant to the story, exceptions being, when the interview is for a profile feature.

Conducting the Interview

An interview is a conversation intended to generate information for writing a story. Conducting an interview requires proper planning, obtaining background information, creating rapport with the interviewee, asking the right questions, recording the interview accurately, acting professionally, and observing courtesy. During the interview, the journalist should keep the focus on the thrust of the interview and avoid digressions and irrelevancies.

Tips for conducting an interview

- Be punctual – arrive at the location early and ensure the interview is completed within the scheduled time.
- Set the tone of the interview early during the introduction and show courtesy and respect.
- Establish a relationship with the source to create the right environment to obtain the information required.
- Ask questions that are relevant to induce the source to talk.
- Ask probing questions where necessary to get deeper insights into issues or expand the scope of the conversation if there are indications of new dimensions you were not aware of.
- Listen and watch attentively. Make sure you understand what the source says and when in doubt, repeat the question.
- Takes notes, record the conversation accurately, and seek clarification when an issue is not clear.
- Use a recorder, but as a matter of courtesy, seek consent from the interviewee before doing switching it on.
- Take note of the surroundings – the environment, the gestures, and people around.
- Counter-check facts with other sources.
- Close the interview tactfully, wrapping up the issues and having a smooth ending.
- Always be courteous and professional.



REPORTING ON HUMAN RIGHTS

Reluctant Interviewees

Journalists sometimes encounter reluctant people who do not want to respond to interviews. There are several reasons for this. Some people do not like to appear in the media, others are defensive because of things they have done, or they may have had a bad experience with journalists before. They may have been misquoted or the information they provided was used out of context. A journalist, therefore, needs to think about several individuals to interview to avoid a let-down. More importantly, journalists need to school themselves on the right power posture to adopt with different interviewees.

Summary

Human rights stories require details and, therefore, a journalist has to prepare well before conducting an interview. As a specialty, a journalist has to conduct prior research to develop appropriate questions and engage meaningfully with the interviewee on human rights issues. Journalists should be sensitive and empathetic with their sources, but since they owe it to their audiences to provide accurate and comprehensive information, they must find proper approaches of conducting interviews and meet their professional responsibilities.

5.6 References

1. Boyd, Andrew. 2003. *Broadcast Journalism: Techniques of Radio and Television News*. Focal Press. Oxford. UK.
2. Harris, G., and Spark, D. 2001. *Practical Newspaper Reporting*. Focal Press. Oxford. UK.
3. Hicks, W., et al. 1999. *Writing for Journalists*. London. Routledge.
4. Shrivastava, K.M. 2003. *News Reporting and Editing*. Sterling Publishers Ltd. New Delhi.
5. Stovall, J.M., 2006. *Writing for the Mass Media*. Pearson Education, Inc. US



REPORTING ON HUMAN RIGHTS

Topic 6: Techniques for Producing Human Rights Stories

Duration: 6 Hours

6.1 Introduction

Human rights issues are complex, abstract, and may be difficult to write about. This topic provides journalists with the skills needed to competently write or broadcast stories on human rights issues. The topic presents techniques for news, including writing intros, developing the story, attributions, backgrounders, and use of figures. Also covered are skills such as brevity, simplicity, coherence, and completeness.

6.2. Learning Outcomes

By the end of this topic, the participants should be able to:

- a. Produce an engaging intro for a human rights story;
- b. Develop a human rights story backed with facts and figures;
- c. Provide backgrounders and context to human rights stories;
- d. Develop style, tone, and mood that appropriately communicates human rights stories; and Demonstrate the ability to use language effectively to generate stories on human rights.

6.3 Learning Experiences

There are three practice exercises provided at the end of the topic. Go through them and use them to practice what you have learnt in this topic. They are labelled: Activity 6.1; Activity 6.2 and Activity 6.3.

6.4 Outline of Learning Content

- Writing intros
- Developing body of the story
- Quotations and attributions
- Backgrounders and context
- Style, tone, and mood
- Tips on language use
- Ethical issues

6.5 Learning Content

Writing Intros

The strength of a story depends on the intro, also referred to as the lead, which serves to draw the interest of a listener or the reader into an article. An intro serves two purposes: engage the audience and summarise the story. A powerful intro demonstrates good judgment and decisiveness. It explains why a story is worth listening to or reading, and its significance to the audience. In conventional journalistic practice, a news story is developed in an inverted pyramid format. A story has to answer the Five Ws (what, who, when, where, and why) and H (how).



Human rights issues are complex, abstract, and may be difficult to write about. This topic provides journalists with the skills needed to competently write or broadcast stories on human rights issues.

Rudyard Kipling's Six Questions:

1. What happened?
2. Who did it?
3. When did it happen?
4. Where did it happen?
5. Why did it happen?
6. How did it happen?



REPORTING ON HUMAN RIGHTS

However, in the era of digital media, where traditional media no longer breaks news; and when the structure of news stories has changed shifting towards long features, data use, and infographics, journalists have to do a lot more to enrich their stories. They have to anticipate and answer a whole range of questions to make stories relevant and meaningful to the audience. The questions go beyond the Five Ws and H and include:

- If something happened, so what?
- How does it matter to me?
- Who did it benefit?
- How did it benefit the person(s)?
- Who lost?
- How did he/she/they lose?
- What are the implications of the loss?
- Are there remedies for the losers?
- If yes, what are they?
- What is the significance of the story?
- Why should I care about the story?

These questions are pertinent for human rights stories. They explain issues, provide context, and resolve the underlying questions. They create resonance, bring out the power equation, unearth underlying violations of people's entitlements and consequently, the inherent human rights issues that may go unnoticed. For a human rights story, the intro has to explain why the issue is important and deserves to be in air or online.

Types of Intros

There are different types of leads depending on the story. Journalists analyse situations, events, or press statements to determine what can best supply the intro. Writing the intro requires skill, practice, and observation.

Summary Lead

The most common type of intro is a **summary lead**, which takes the form of the inverted pyramid, where news is stacked in paragraphs in descending order of importance. This type of lead gives a summary of the key issues in a story and the subsequent paragraphs serve to explain, illustrate, and build up the main item. A summary lead takes two forms, namely, simple summary lead and complex summary lead.

- a. **Simple lead** focuses on a single incident. It is favoured by journalists because it conveys the message quickly and is easy to write and read. For example:

Negative perceptions of Covid-19 vaccines have undermined vaccine uptake in Kenya, a new survey released by the Kenya Medical Practitioners Pharmacists and Dentists Union (KMPDU) has revealed.
<https://www.capitalfm.co.ke/news/2021/12/kmpdu-study-attributes-slow-vaccine-update-to-negative-perceptions/>

- b. **Complex lead** contains more than one element in the intro. For example:

More than 500 people displaced by floods in Budalang'i risk contracting disease as the directorate of criminal investigations revealed that local government officials stole the money meant for building dykes on River Nzoia, which empties its waters into Lake Victoria.



REPORTING ON HUMAN RIGHTS

Special Leads

Special leads take a different format. They do not summarise a story or grab the reader at the first go, but they serve special purposes. Special leads can be categorised as:

Narrative – the most common lead for a feature or special report story and other non-news breaking articles. Narrative leads use different elements, such as anecdote, colour, or description, to lead audiences into a story. For example:

The race to give the world a Covid-19 vaccine has so far been tight, chaotic, painful, and scandalous, and there is nothing good to write home about because only five per cent of Africa is vaccinated.
<https://nation.africa/kenya/news/how-covid-jab-race-led-to-isolation-of-poor-nations-3659458>

Contrast – This compares or contrasts elements or subjects in a story. The contrast or comparison is used to create suspense and grab the attention of the audience. Most contrast leads are written in two or three paragraphs, with the first one setting the stage and the next ones conveying the real message. For example:

Millions of professionals had to suddenly embrace full-time remote working as the Covid-19 pandemic intensified.

While it decreased commute times and resulted in higher productivity for some employees, the hours of digital meetings made maintaining a work-life balance more challenging than ever before.

“Seeking the right balance between the job, household chores, childcare and, in some cases, financial uncertainty, were issues of major concern before the pandemic.

However, in the last year-and-a-half, mental health became the focus of most ‘employee wellbeing’ conversations,” says Jiten Vyas, Regional Group Chief Operating Officer at VFS Global. <https://www.pd.co.ke/news/its-a-new-era-in-balancing-mental-health-and-remote-work-107145/>

Staccato leads are made up of short bursts or phrases that give snippets of the subject being discussed. Staccato leads offer a teaser to the audience and entice it to paykeen attention to what is coming next. See the example below.

An event cancelled is better than a life cancelled. As the Omicron variant continues to spread, the WHO wants holiday gatherings to be postponed. <https://www.pd.co.ke/news/its-a-new-era-in-balancing-mental-health-and-remote-work-107145/>

In a **direct-address** lead, a writer communicates directly with the audience and the objective is to create a hello effect and signal that the message is important to the reader, listener, or viewer. It brings the audience into the story and urges it to follow. For example:

The burden of avoiding coronavirus infection depends on you, not the government, says the minister for Health.

Question leads begin a story by asking the audience a question to provoke them to think and also pay attention to the subject being discussed. However, the trick with question leads is to provide answers quickly before the audience lose their way. Tease the audience, but resolve the puzzle quickly. For example:

When is the last time you slept hungry? When is the last time you slept in the cold? These are the issues afflicting residents of Laikipia, whose houses were burnt in an orgy of violence.



REPORTING ON HUMAN RIGHTS

Quote lead – This allows the source to speak directly to the audience. But the quotation should be powerful, poignant, and memorable. See the example below based on the outcome of the mediation between President Mwai Kibaki and Opposition leader Raila Odinga following the violence that engulfed Kenya after the 2007 bungled elections.

“We have a deal,” declared Kofi Annan

Tips on Writing Intros

- There are no rules about the type of intro to use; it all depends on the message you want to convey.
- When writing an intro, a journalist should consider what has been written before about the subject and seek new angles.
- A journalist should be conscious about his feelings or views about a subject and strive to be objective.
- Put the audience at the centre of a story and get it to feel and relate with it.

Developing the Body of the Story

After writing the intro, the task of a writer is to develop the storyline to the end. The body contains all the vital information about the story. It should explain and illuminate the intro and lead the audience to the climax. The body has to be properly organised, contain all the facts and figures, as well as be coherent and complete.

Developing a News Story

Depending on the nature of the human rights story, the body will follow the pattern set by the intro. If it is a news story, then it follows the normal inverted pyramid format. For a news story, the body is organised as follows:

- Short and catchy lead
- Facts presented in descending order
- Backgrounder to give context
- Quotation presented early in the story
- Opinions are discouraged
- Does not end with conclusion.

Developing a Feature

If the human rights story takes the feature form, it is organised as a narrative that gives a chronology of events and builds up to the climax.

The story has a clear theme and purpose. The theme has to be something worthy of reading about, watching, or listening to. From the intro, the body, and the end, the narration, facts, and figures have to build around the theme.

Examples or illustrations may be included to explain the theme, but they should not take the audience to a different direction. The theme should be narrow and focused. Also, the story should focus on the audience; it has to be captivating and interesting from beginning to end.



REPORTING ON HUMAN RIGHTS

The body of the story should contain the following:

Backgrounders explain the context of the story. The backgrounder can be based on historical information or research material that add meaning to the situation under discussion. For example, when reporting children's rights, it would be useful to explain the laws that govern them and even how they came into existence. The objective of including a backgrounder is to enrich the story and help the audience to understand it better.

Threads are used to tie the story neatly together from the intro to the end. The thread is the element that creates unity in the story and may be a person, event, or a thing that highlights the theme.

Transitions hold paragraphs together and allow them to flow smoothly into each other. Transitions are the glue that connects new ideas or facts, and ensure coherence.

Quotations and Attributions

Quotations and **attributions** are used in a story to give authenticity to the source. Quotations are the actual words uttered by a news source. They give life to a story and embellish it. As a rule, quotations must be punchy, succinct, and catchy.

Types of quotations

Complete direct quotation – captures a full statement (sentence) by the speaker that graphically captures the message.

Partial quotation – picks only a portion of the statement that is expressive instead of using the entire sentence.

Indirect quotation – this involves paraphrasing the statement made by a speaker, especially when it is too long, and using it as it is risks boring the audience. Care should be taken to avoid misrepresenting the statement by the speaker.

Use of Figures or Numbers in a Human Rights Story

Figures are used to provide evidence, concretise, and deepen the understanding of the story. They create precision in a story. However, figures should be used sparingly. Too many figures in a story can be confusing and irritating. Use only the important figures or numbers that help to convey the message.

Points to note when using numbers

- Spell out numbers one to nine. Numbers above 10 should be written in figures.
- Don't begin a sentence with a figure; this is only allowed in headlines. Spell out the number at the beginning of a sentence.
- Round off big figures --- Ksh1,789,939 – just say about Ksh1.8 million.
- Include a comma for a number with more than five figures.
- Percentages should be spelt out --- 78 per cent not 78%.
- Avoid using decimals – round them off --- not 0.78 per cent.
- Do not accept other people's arithmetic; do the calculations yourself.
- Make sure the numbers add up.

Pitfalls to avoid in using quotations

- Inaccurate statements
- Rambling quotations
- Incomprehensible quotations
- Offensive language
- Observe taste and decency



REPORTING ON HUMAN RIGHTS

Vital Tips in Developing A Human Rights Story

- Choose the topic, well, guided by its newsworthiness, relevance, public interest, and one that is doable.
- Carry out thorough research and interview many experts to obtain adequate content and provide insights to the audience.
- Write an intro that invites the listener/reader.
- Write clear and concise sentences.
- Provide vital background.
- Use a thread --- connect the beginning, body, and the end.
- Use transitions – connect paragraphs with transitional words.
- Use dialogue where possible.
- Use voice --- write in a style that reveals personality.
- Have a smooth ending --- wrap up the subject nicely.

Ending A Human Rights Story

A news story and a feature story have different conclusions. A **news story**, as already discussed, is written in an inverted pyramid format. The most important fact comes at the beginning and the others follow in a descending order. A news story has no definite conclusion; it ends when the facts are exhausted. The final paragraphs, like the others before it, provide new information, only that they are not as important as the preceding ones.

A **feature story** ends in a smooth way. It trails off logically and, in some cases, ends with a climax. The conclusion of a feature story brings a logical end to the narrative. The feature ends where the lead started. It brings a complete cycle to the story, leaving the audience satisfied with the narration and the flow of events.

Use of Language in Writing the Human Rights Story

The objective of journalism is to produce content that reaches the masses. Writing for the mass media is about access and relevance. Core to this is language; use of words and expressions, sentence construction, style, punctuation, enunciation, rhymes and intonation, curiosity, and suspense, among others.

In writing for the media, journalists should use the following guidelines:

- Use simple and familiar words;
- Employ simple and direct sentences instead of complex or compound sentences;
- Use common expressions;
- Adopt the active rather than the passive voice; and
- Vary sentence construction in terms of length and style.

George Orwell's rules adapted from a famous essay, 'Politics and the English Language'

- **Never use a metaphor, simile or other figure of speech you are used to reading in print.**
- **Never use a long word where a short word will do.**
- **If it is possible to cut out a word, always cut it out.**
- **Never use the passive where you can use the active.**
- **Never use a foreign phrase, a scientific word or a jargon if you can think of an everyday English equivalent.**
- **Break any of these rules sooner than say anything outright barbaric.**



REPORTING ON HUMAN RIGHTS

Story structure

For many journalists, the structure of the stories is an accident, which is why so many crash before they reach their destination. A former editor of *The Wall Street Journal*, William Blundell, in *The Art and Craft of Feature Writing* provides a narrative triage with his “Law of Progressive Reader Involvement”:

Stage one: *Tease me, you devil.* The hook, an intriguing lead: “Give me a reason for going on with your story instead of doing something else.”

Stage two: *Tell me what you’re up to.* Okay, cut to the chase: What’s your story about? The nut graf or summary.

Stage three: *Oh, yeah?* Let’s see your evidence. I’ll stick with you—but you’d better make it interesting.

Stage four: *I’ll buy it, help me remember it.* Kicker conclusion.

Ethical issues

Like all stories, human rights stories must adhere to journalistic ethics. In Kenya, journalists are guided by the *Code of Conduct for the Practice of Journalism in Kenya* published by the Media Council of Kenya. Media organisations sometimes also have their own codes of conduct. It is critical that journalists internalise and practise the guidelines contained in the codes of conduct. The principles contained in the codes that journalists have to observe include:

- a. Accuracy
- b. Objectivity
- c. Right of reply
- d. Independence
- e. Professionalism
- f. Privacy/confidentiality
- g. Conflict of interest
- h. Deception
- i. Sensationalism
- j. Plagiarism.

Summary for Writing Human Rights Stories

- Readable
- Credible
- Captivating intro
- Involves the reader
- Meets the brief
- Accurate
- Beautifully crafted
- Has substance
- Contains an element of surprise.



REPORTING ON HUMAN RIGHTS

6.6 References

1. Blundell, William E. 1988, *The Art and Craft of Feature Writing*, Penguin Publishing Group
2. Harris, G., & Spark, D. 2001. *Practical Newspaper Reporting*. Focal Press. Oxford.
3. Hicks, W., et al. 1999. *Writing for Journalists*. London. Routledge.
4. Internews. 2012. *Speak Up, Speak Out: A Toolkit for Reporting on Human Rights Issues*. Internews. US.
5. Itule, Bruce, D. and Anderson, Douglas, A. 2003. *News Writing and Reporting*. Sixth Edition. New York. McGraw Hill.
6. Media Council of Kenya. 2013. Code of Conduct for the Practice of Journalism in Kenya. MCK. Nairobi. Kenya.
7. Stovall, J.G. 2006. *Writing for the Mass Media*.



REPORTING ON HUMAN RIGHTS

PRACTICE EXERCISES

Activity 6.1. You are an editor of a community media and a reporter has filed the story below. Review and rewrite the story based on the concepts learnt in this topic.

By KOROGA KOROGA

The excitement over cholera outbreak in Homa Bay County appears to have subsided, but the threat remains as cases continue to grow.

On Monday the first confirmed case in what would be the 12th of 14 villages was recorded. That reminded of warnings that the worst of the epidemic that broke out seven months ago is yet to come.

Overall cases recorded is now 14,521, and 244 deaths, and the fatality rate is at 1.7, above the WHO threshold for emergency declaration.

Health authorities fear tripling of cases in April as the country braces for the heaviest period of the rainy season. Health authorities predicts around 32,000 by end of the month.

“We are continuing to map out strategies in support of initiatives to eradicate the outbreak,” a statement from the recently formed anti-cholera presidential task force said on Monday.

Latest figures from across the border in Tanzania put the death toll for a similar outbreak at 104 and over 5,000 cases.

In Homa Bay the worst affected areas are the densely populated border villages, accounting for over 60 percent of cases.

Most people in these regions do not have access to toilets, and many share limited toilet facilities which in most cases are open or unprotected.

The declaration of a state of emergency by the presidency in August has had a substantial impact with international support pouring in. But the state of affairs has also raised a debate about the state of filthiness in the county.

In these slums the rains wash down waste, making it a perfect breeding ground for transmission victors. Lack of dumping site forces people to rivers and the sea, which are also used as toilets.

Civil society groups have been critical of the government’s handling of the epidemic, which has been blamed on poor hygiene.

“Cholera does not have respect for anybody; it can attack at anytime,” said Charles Mambu, Director of Health For All Coalition, a civil society organization that campaigns for quality health care delivery.

His organisation is among volunteer organisations emerging as part of a massive country-wide, door-to-door sensitization campaign.

The government has admitted the ill-equipped status of its health facilities helped worsen the epidemic.

Health and Sanitation CEC, Zainab Hawa, noted last week that cholera was not a health issue alone, but also a developmental one.

Cholera has to do with proper water management systems, handling of food and collection and disposal of garbage, she said. And she cited the relevant ministries as sharing equally responsibilities for the situation.



REPORTING ON HUMAN RIGHTS

Setting up one cholera treatment center costs about Kshs20 million and the county government says it has only Kshs 7 million to tackle the disease.

Activity 6.2. Read the press statement from the National Cohesion and Integration Commission and use it to develop a story on human rights issues in Marsabit County, noting that there are many underlying matters that require media coverage.

PRESS STATEMENT BY THE NATIONAL COHESION AND INTEGRATION COMMISSION



Britam Tower, 17th Floor, Hospital Road, Upper Hill, P.O. Box 7055-00100, Nairobi. Tel: 020-2585701/2 Cell: 0702-777000 . Email: info@cohesion.or.ke. Website: www.cohesion.or.ke

PRESS STATEMENT

21ST JULY 2021

SUCCESSFUL COMPLETION OF THE MARSABIT COUNTY PEACE TALKS

Following the directive by H. E. Hon Uhuru Kenyatta, C.G.H President and Commander-In-Chief of the Defence Forces of the Republic of Kenya when he met Marsabit leaders on the 15th of July 2021, ordering for lasting peace in Marsabit, the NCIC led the process of finding lasting solution to the conflict.

The process has had successful consultations with all political stake holders from Marsabit including the Governor, senators, women representative, Members of Parliament, the county speaker, leaders of majority and minority of Marsabit County Assembly and the inter religious council.

The two-day meeting took place at the Kenya School of Government and ample time was taken to cover all the challenges of peace and conflict in Marsabit. The leaders developed a practical road map and implementation plan for the interventions needed to achieve lasting peace of the region. Also, the leaders resolved firmly to have personal and collective responsibility in the implementation of the road map.

The resolutions of the meeting shall be forwarded to the National security advisory council for consideration.

REV. DR SAMUEL KOBIA, CBS
CHAIRMAN NATIONAL COHESION AND INTEGRATION COMMISSION.

Mission: To promote national unity, equity and the elimination of all forms of ethnic discrimination by facilitating equality of opportunities, peaceful resolution of conflicts and respect for diversity among Kenyan communities.

Rev. Dr. Samuel Kobia, C.B.S.(Chairperson)

Commissioners: Hon. Abdulaziz A. Farah, Hon. Eng. Philip O. Okundi, Hon. Dorcas L. Kedogo, Mr. Sam Kona, Dr. Danvas Makori, Ms. Wambui Nyutu, OGW.



REPORTING ON HUMAN RIGHTS

Activity 6.3. Use the information provided to produce a 200-word story on human rights issues in Mandera County

It is a race against time in Mandera County as both political and community leaders seek to employ all means possible to prove the disputed 2009 census results this weekend after 10 years.

The 2019 population count will be happening on this Saturday and Sunday.

Traditionally sparsely populated areas, which are also marginalised and lagging behind in development, are now allocated double the amount per resident compared with richer counties.

Mandera is one such county and has one of the highest allocations of county equitable share on the strength of highly contentious population figures drawn from the 2009 census.

The county's population was put at 1,025,756 in 2009.

On the ground, the 2017 general election results have returned to haunt the residents and the county leadership.

They are divided again along political parties with the majority Economic Freedom Party (EFP) supporters threatening to boycott the exercise.

Governor Ali Roba of Jubilee dismissed the council of elders decree barring him from seeking re-election and controversially won against the majority EFP. Mr Roba's win left the EFP fraternity dissatisfied despite controlling the local assembly.

EFP claims the Governor Ali Roba led Jubilee wing has solely been benefitting from the outcome of 2009 census.

Mr Issack Hassan Abbey, EFP National Chairman, admitted that their supporters on the ground were not interested in this weekend's event but said everything was being done to convince the masses.

"We are faced with challenges but we have resolved as EFP to forget the past and focus on the future because the current leadership that has blundered resources in Mandera will not be in office forever," he said.

In a party meeting held at Hotel Intercontinental, Nairobi on Friday, Mr Abbey said the top brass agreed to pitch camp in Mandera in the last week to convince the population to be counted.

"We shall be coming in Mandera to sensitise our supporters and residents at large on the importance of the census because we still need resources in future," he said.



REPORTING ON HUMAN RIGHTS

ANNEX 1

Core International Human Rights Treaties

The International Bill of Human Rights has been supplemented with a number of specific binding instruments, which include substantive human rights norms such as implementing provisions for complaints, reporting and inquiry procedures and other matters. Listed below are the instruments commonly referred to as “core human rights treaties”.

- International Covenant on Civil and Political Rights (ICCPR; adoption in 1966; entry into force in 1976);
- Optional Protocol to the ICCPR (OP-ICCPR; adoption in 1966; entry into force in 1976); Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty (adoption in 1989);
- International Covenant on Economic, Social and Cultural Rights (ICESCR; adoption in 1966; entry into force in 1976);
- Optional Protocol to the ICESCR (OP-ICESCR; adoption in 2008; entry into force in 2013);
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD; adoption in 1965; entry into force in 1969);
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW; adoption in 1979; entry into force in 1981);
- Optional Protocol to CEDAW (adoption in 1999; entry into force in 2000);
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT; adoption in 1984; entry into force in 1987);
- Optional Protocol to CAT (OPCAT; adoption in 2002; entry into force in 2006);
- Convention on the Rights of the Child (CRC; adoption in 1989; entry into force in 1990);
- Optional Protocols to CRC on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (adoption in 2000; entry into force in 2002);
- Optional Protocol to CRC on a communications procedure (adoption in 2011; entry into force in 2014);
- International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (known as the Migrant Workers Convention; ICRMW; adoption in 1990; entry into force in 2003);
- Convention on the Rights of Persons with Disabilities (CRPD; adoption in 2006; entry into force in 2008);
- Optional Protocol to CRPD (adoption in 2006; entry into force 2008);
- International Convention for the Protection of All Persons from Enforced Disappearance (CED; adoption in 2006; entry into force in 2010)



REPORTING ON HUMAN RIGHTS

ANNEX 2

Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realisation of this pledge,

Now, therefore,

The General Assembly,

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.



REPORTING ON HUMAN RIGHTS

Article 3

Everyone has the right to life, liberty and the security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission, which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each state.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.



REPORTING ON HUMAN RIGHTS

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

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.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international co-operation and in accordance with the organisation and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.



REPORTING ON HUMAN RIGHTS

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised.



REPORTING ON HUMAN RIGHTS

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any state, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.





REPORTING ON HUMAN RIGHTS

MANUAL FOR TRAINING
COMMUNITY MEDIA
PRACTITIONERS

