

SOUTH AFRICA ELECTIONS 2019: Training for Journalists

This presentation is designed to assist in the training of journalists for the elections. It should be used together with **South Africa Elections 2019: Handbook for Journalists** and the other election training resources, accessible here:
<http://sanef.org.za/elections-2019/>

Overview

Module I: Elections 2019: How the elections work

- Constitutional and legislative framework.
- Role and functions of the key electoral institutions.
- How the voting system of proportional representation works.
- Key milestones are during the election period.

Module II: The role of the media during elections

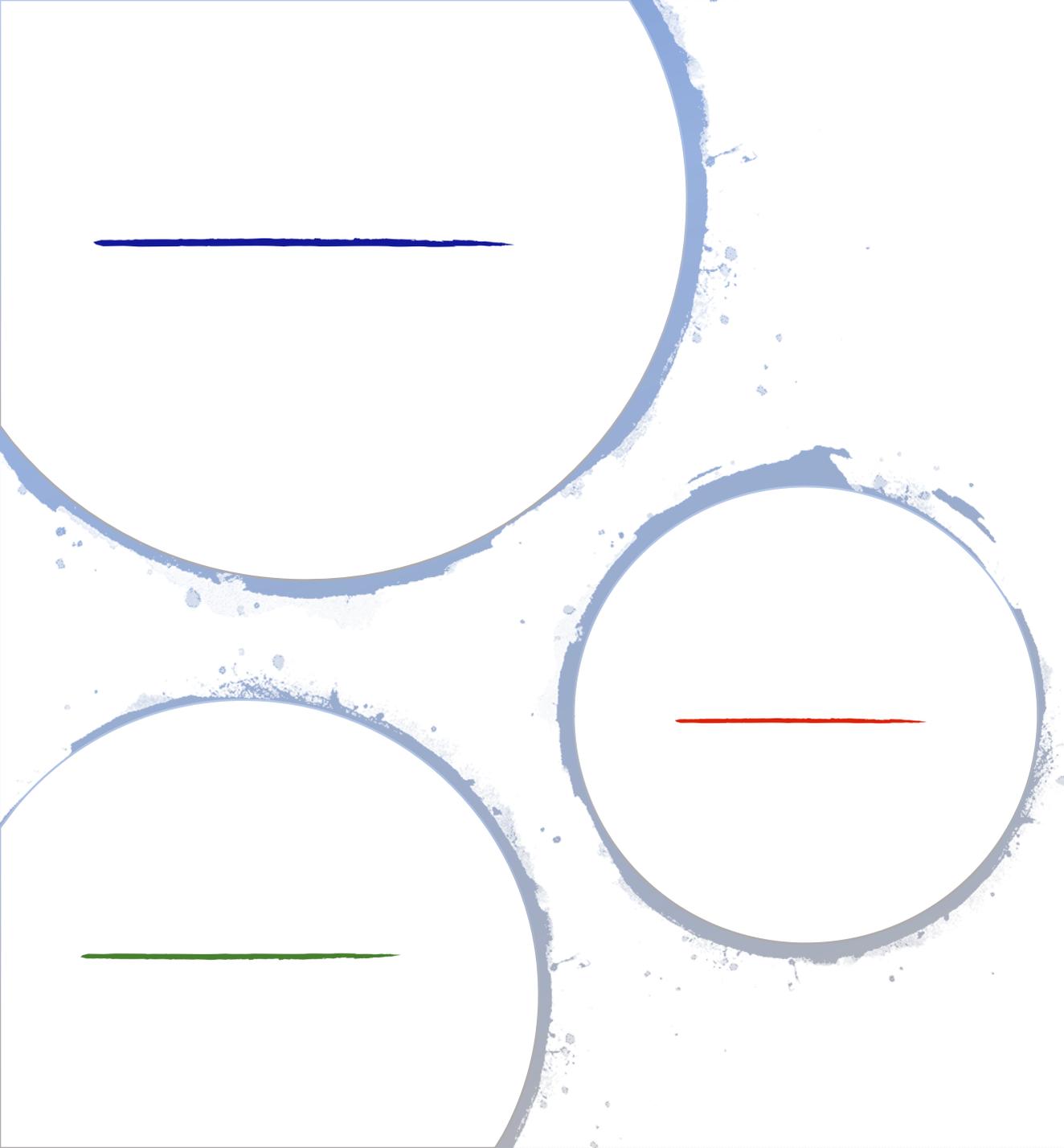
- International law framework on the role of the media.
- Regulatory framework relating to the print and online media.
- Regulatory framework relating to the broadcast media.
- Practical guidance and frequently asked questions.

Module III: Disinformation during elections

- Definition of 'disinformation' and other key terms.
- Measures to address disinformation.
- Standard of care required by the media.
- Role of the media countering disinformation.

Module IV: Safety of journalists on- and offline

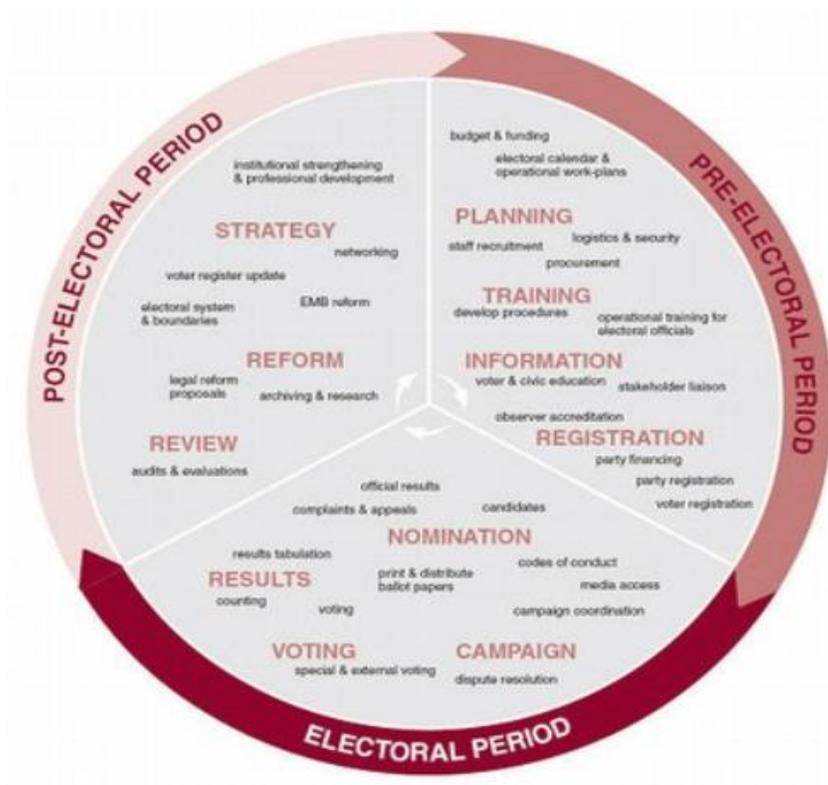
- Types of threats faced by journalists.
- Importance of the protection of sources
- Practical guidance for safety on- and offline.
- Assistance and recourse available to journalists.



MODULE I

ELECTIONS 2019: HOW ELECTIONS WORK

The electoral cycle



Source: ACE Electoral Knowledge Network, 'Electoral cycle', accessible here: <http://aceproject.org/electoral-advice/electoral-assistance/electoral-cycle>.

- The electoral cycle recognises elections as a **continuous process**, rather than isolated events.
- Divided into **three periods**:
 - Pre-electoral period.
 - Electoral period.
 - Post-electoral period.
- The electoral cycle has **no fixed starting or ending points**; one cycle may end when another begins.
- Emphasises the need to consider **longer-term and integrated strategies**, rather than short-term intermittent interventions.
- Serves to ensure the **sustainability of future election processes**; enduring results in the **independence and transparency** of electoral management bodies concerned; and the **democratic development** of the country.

Constitutional framework

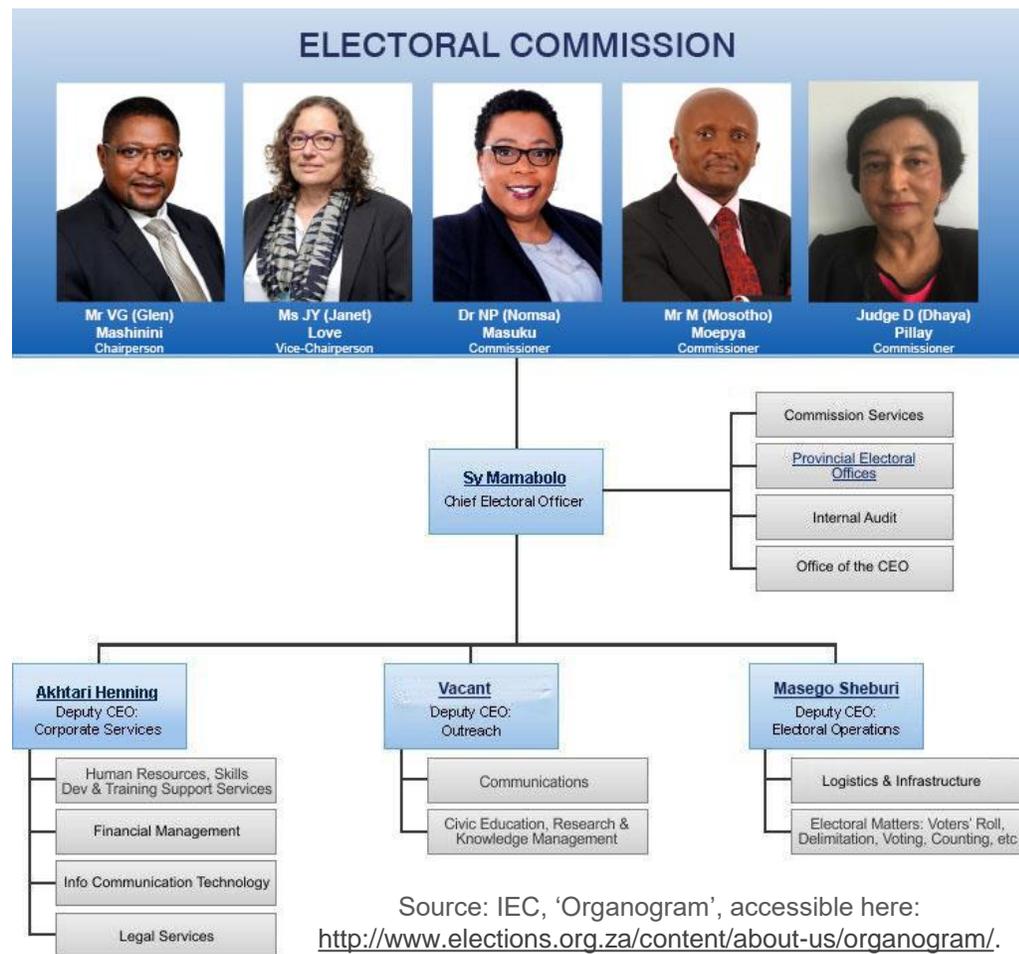
- **Preamble** to the Constitution: provides that government must be based on the “**will of the people**”.
- **Section 1** of the Constitution: sets out the values on which South Africa is founded, including **universal adult suffrage, a national common voters’ roll, regular elections, and a multi-party system of democratic government.**
- **Section 19** of the Constitution:
 - (1) Every citizen is free to make **political choices**, which includes the right--
 - (a) to form a **political party**;
 - (b) to **participate in the activities** of, or recruit members for, a political party; and
 - (c) to **campaign** for a political party or cause.
 - (2) Every citizen has the right to **free, fair and regular elections** for any legislative body established in terms of the Constitution.
 - (3) Every adult citizen has the right--
 - (a) to **vote in elections** for any legislative body established in terms of the Constitution, and to do so **in secret**; and
 - (b) to **stand for public office** and, if elected, to **hold office**.
- **Section 36** of the Constitution: sets out the requirements for a **justifiable limitation** of a right contained in the Bill of Rights – a right may only be limited in terms of a law of general application to the extent that it is reasonable and justifiable in an open and democratic society.

Legislative framework

Law	Description
Electoral Commission Act 51 of 1996	<ul style="list-style-type: none"> Expands on the establishment of the IEC: composition, administrative structure, power, duties and functions.
Electoral Act 73 of 1998	<ul style="list-style-type: none"> Referred to as the instruction manual for elections. Sets out various operational and administrative aspects relevant to elections, including the registration of voters and the voters' roll.
Electoral Code of Conduct (contained in Schedule 2 of the Electoral Act)	<ul style="list-style-type: none"> Must be subscribed to by every registered party and every candidate before being allowed to contest the elections or be placed on the list of candidates. Aimed at promoting conditions that are conducive to free and fair elections, with a climate of tolerance, free political campaigning and open public debate.

QUESTION FOR DISCUSSION: The Political Party Funding Act 6 of 2018 was signed into law in January 2019. What opportunities does this present for the media for election coverage? (Hint: Consider the information that is required to be disclosed.)

Electoral Commission



- The Constitution lists the IEC under **Chapter 9** of the Constitution as a **state institution supporting democracy**.
- Section 181(2) of the Constitution provides that these institutions are **independent**, subject only to the Constitution and the law.
- The IEC is constitutionally required to be **impartial** and exercise its powers and functions **without fear, favour or prejudice**.
- The IEC consists of **five members** elected by the President for a period of seven years.
- **Functions** of the IEC (set out in section 5(1) of the Electoral Commission Act): include to **manage the elections**; ensure that the **elections are free and fair**.

Provincial Electoral Officers



Eastern Cape

Kayakazi Magudumana



Free State

Jabulani Tshabalala



Gauteng

Vacant



KwaZulu-Natal

Mawethu Mosery



Limpopo

Nkaro Mateta



Mpumalanga

Steve Ngwenya



North West Province

Tumi Thiba



Northern Cape

Bonolo Modise



Western Cape

Courtney Sampson

- Provincial offices are responsible for activities in **each of the nine provinces.**
- Each provincial office has a **Provincial Electoral Officer (PEO)** and support staff.
- The provincial offices oversee the municipal electoral officers in their respective provinces and also **manage electoral projects, including elections.**
- The **contact details** for each of the provincial officers is accessible here: <http://www.elections.org.za/content/About-Us/Contact-Us/>.

Source: IEC, 'Provincial offices', accessible here:
<http://www.elections.org.za/content/About-Us/Provincial-Offices/>.

Role of the party liaison committees

- The IEC is **required by law** to establish party liaison committees at the national, provincial and municipal levels, to allow for **consultation and co-operation** between the IEC and the registered parties.
- **Each registered party** represented in the National Assembly, provincial legislature or municipal council can appoint up to two representatives to the relevant party liaison committee:
 - A party liaison committee at the **national sphere of government**, with not more than two representatives from every registered party represented in the national assembly.
 - A provincial liaison committee for **each of the nine provinces**, with not more than two representatives from every registered party represented in the legislature of the province concerned.
 - A municipal party liaison committee for a **single municipality or a group of municipalities**, with not more than two representatives from every registered party represented in the municipal council; and not more than two representatives represented in the party liaison committee for the province, but not represented in the municipal council; and not more than one representative of every independent councilor represented in a municipal council.
- Role of the party liaison committees is set out in the **Regulations on Party Liaison Committees, 1998**: “Party liaison committees will serve as **vehicles for consultation and co-operation** between the Commission and the registered parties concerned on **all electoral matters**, aimed at the delivery of free and fair elections.”
- **Examples** of issues discussed: voter registration activity; timetable for elections; ballot paper samples; security arrangements.
- The **IEC appoints a representative** for every party liaison committee, who is responsible for convening and chairing meetings.

Electoral Court

- The Electoral Court is established in terms of **section 18 of the Electoral Commission Act**.
- **Powers and functions** of the Electoral Court:
 - Hear appeals / reviews of decisions made by the IEC.
 - Hear and determine any matter that relates to the interpretation of any law referred to it by the IEC.
 - Investigate any allegation of misconduct, incapacity or incompetence of a member of the IEC and make a recommendation to the National Assembly accordingly.
- Matter must be conducted on an **urgent basis** and disposed of as **expeditiously** as possible.

CASE NOTE: Kham and Others v Electoral Commission and Another (CC, 2015):

“The jurisdiction to review any decision of the IEC relating to an electoral matter **affords the Electoral Court a power of judicial oversight over the activities of the IEC**. The Electoral Court **can examine any decision by the IEC and substitute it with its own**. The range of electoral matters may be great. Certainly all the issues arising in the present case relate to electoral matters. They concern who may vote and whether all those who voted were entitled to do so.”

Electoral offences

- **Sections 87-94** of the Electoral Act set out the prohibited conduct.
- Any person who contravenes one of these sections is **guilty of an offence**.
- It is an **electoral offence** to force anyone to do any of the following:
 - To register to vote or not to register to vote.
 - To vote or not to vote in an election.
 - To support or not to support a political party or candidate.
 - To vote or not to vote for a political party or candidate.
 - To attend or not to attend a political event or rally of a political party.
 - To interfere with the fairness or independence of the Commission or any officer of the Commission.
- Any person who contravenes one of these sections is **guilty of an offence**, and if convicted may be liable to a fine or imprisonment.
- For example, any person or registered party bound by the **Electoral Code of Conduct** who contravenes or fails to comply with a provision of that Code is **liable on conviction to a fine or imprisonment for up to ten years**.

National / provincial / municipal elections

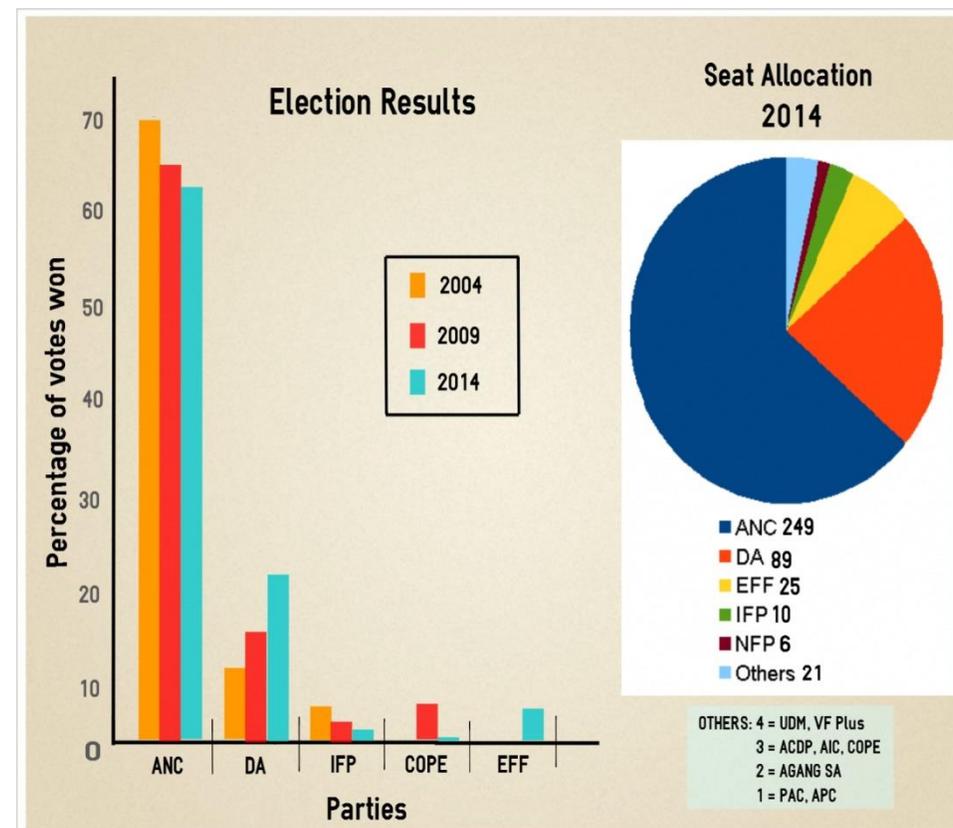
National and Provincial Elections	Municipal Elections
<ul style="list-style-type: none"> • Takes place every five years. 	<ul style="list-style-type: none"> • Takes place every five years.
<ul style="list-style-type: none"> • Voters vote for a political party, not individuals. The political party then gets a share of seats in Parliament in direct proportion to the number of votes it got in the election. Each party then decides on members to fill the seats it has won. This is called a proportional representation voting system. 	<ul style="list-style-type: none"> • A mixed or hybrid system, making use of both the ward system and the proportional representation system, is used for municipal elections.
<ul style="list-style-type: none"> • National government makes and carries out laws and policies for the whole country, comprising: (i) Parliament led by the Speaker; and (ii) national government led by the President and Ministers. • Provincial government makes and carries out laws and policies that affect the province only, comprising: (i) Legislature led by the Speaker; (ii) provincial government led by the Premier and Members of the Executive Council. 	<ul style="list-style-type: none"> • There are three types of Municipal Councils: <ul style="list-style-type: none"> • Category A: Metropolitan Councils. • Category B: Local Councils (LC). • Category C: District Councils (DC).

Source: IEC, 'Election types', accessible here: <http://www.elections.org.za/content/Elections/Election-types/>.

Voting system

- The Parliament of South Africa consists of **two houses** and a total of 490 seats:
 - **National Assembly represents 400 seats** – filled in two tiers: (i) 200 regional seats; and (ii) 200 national seats.
 - **National Council of Provinces represents 90 seats.**
- Follows a system of **proportional representation**.
- Voters elect the national and provincial legislatures simultaneously.
- While the members of the National Assembly are filled in accordance with the **votes cast by the electorate**, the members of the NCOP are **provincial delegates** nominated by each provincial legislature.

EXAMPLE: If Party X receives 60% of the votes, it will be allocated 60% of the 400 seats in the National Assembly, and the first 240 people on Party X's list will be allocated seats.



Source: People's Assembly, 'Infographic: Election results and allocation of seats in Parliament', (2014), accessible here: <https://www.pa.org.za/blog/infographic-election-results-and-allocation-seats->.

Key milestones in the election period

ELECTION MILESTONES		
	Milestone	Tentative dates
1	Proclamation of the election	26 February 2019
2	Provisional voters' roll becomes available for inspection	1 March 2019
3	Cut-off for objections to the voters' roll	8 March 2019
4	Submission of list of candidates	13 March 2019
5	Notifications to vote outside of the country	13 March 2019
6	Certification of voters' roll	18 March 2019
7	Closing of applications for special votes	18 April 2019
8	Publication of lists of candidates	23 April 2019
9	Voting at South Africa's foreign missions	27 April 2019
10	Special voting days	6-7 May 2019
11	Election day	8 May 2019

Voting and counting

Voting

- Voter must produce identity document; voter's name must appear in the voters' roll; and voter must not have voted in the election.
- Voter receives ballots for national and provincial elections, and casts vote for the desired party (or parties).
- Voter is expected to leave the voting station without delay.

Counting

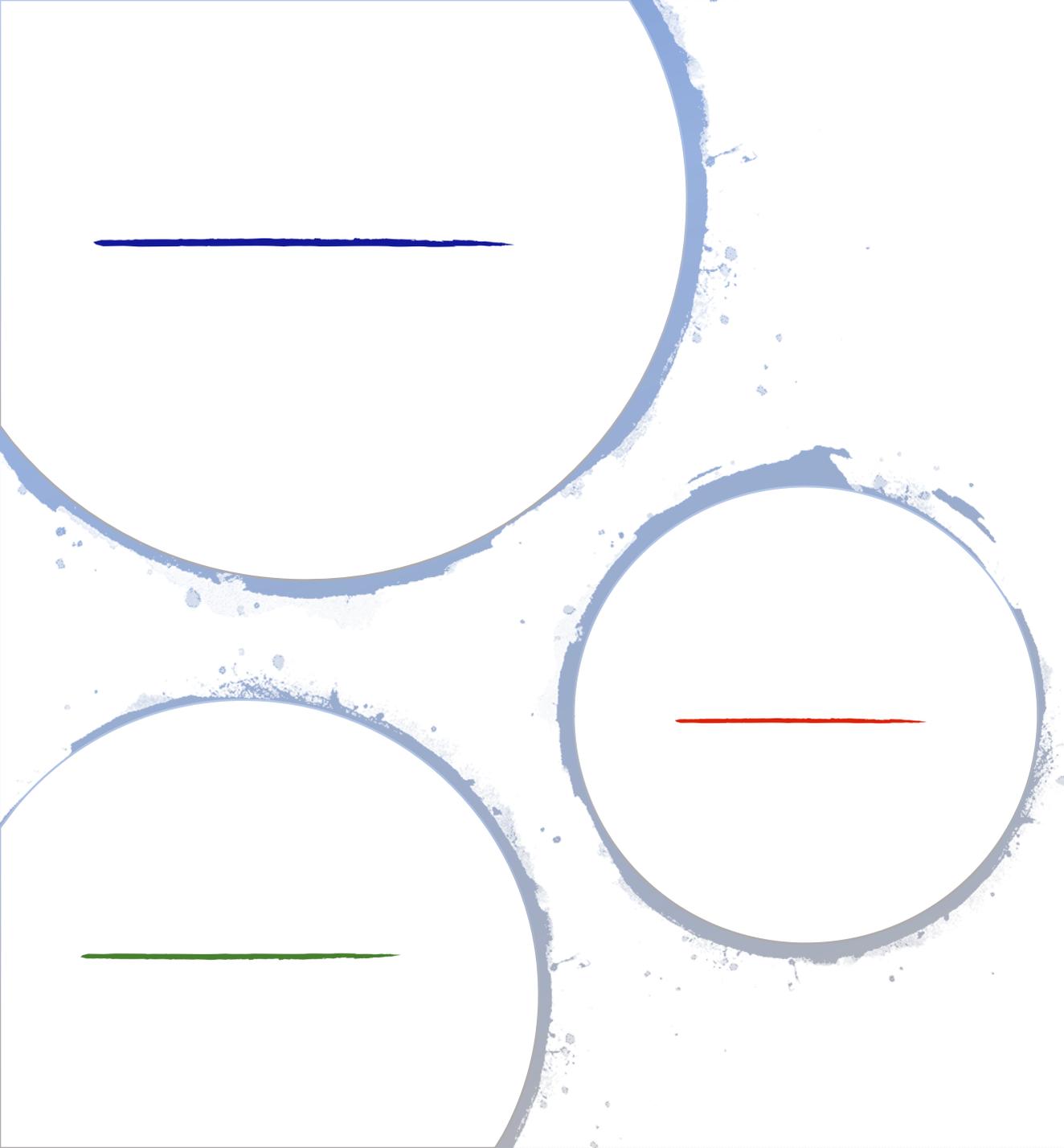
- Votes must be counted at the voting station at which those votes were cast, unless the IEC determines otherwise.
- Ballots must be rejected if, for example, it indicates voter identity; is cast for more than one registered party; or that is not clearly marked.
- After determining the result at a voting station, the counting officer must announce the results and submit the results for auditing.

Objections

- Any interested party may lodge an objection with the IEC that is material to the determination of the final result of the election.
- The IEC must decide the objection and notify the objector and other parties involved of its decision.
- Any party may, if aggrieved by the IEC's decision, appeal to the Electoral Court.

Final result

- Only the IEC has the authority to announce the final results through seat allocations for the National Assembly and provincial legislatures.
- The IEC is required to determine and declare the result of an election within seven days after the voting day.
- Accredited media, observers, party agents and candidates are permitted to be present at the Results Operation Centre.



MODULE II

ROLE OF THE MEDIA DURING THE ELECTIONS

International law framework

- **International treaties on freedom of expression and political rights:**
 - Articles 19 and 25 of the International Covenant on Civil and Political Rights.
 - Articles 9 and 13 of the African Charter on Human and Peoples' Rights.
 - Article 27(8) of the African Charter on Democracy, Elections and Governance.
- **Declarations and guidelines on freedom of expression and access to information:**
 - Declaration of Windhoek on Promoting an Independent and Pluralistic African Press.
 - African Charter of Broadcasting.
 - Declaration of Principles on Freedom and Expression in Africa.
 - Guidelines on Access to Information and Elections in Africa (ACHPR Guidelines).

QUESTION FOR DISCUSSION: As noted in the ACHPR Guidelines, “[w]ithout access to accurate, credible and reliable information about a broad range of issues prior, during and after elections, it is impossible for citizens to meaningfully exercise their right to vote”. While the right of access to information is clearly important during elections, the right to privacy must also be upheld. Why is the right to privacy important during elections, and what can be done by the media to safeguard the public’s privacy rights?

Group exercise

- Divide into groups and discuss the following questions:
 - What laws and policies are you aware of that apply to your newsroom relating to election coverage?
 - What internal processes do you follow within your newsroom relating to election coverage?
 - What is the approach within your newsroom regarding the use of social media (particularly personal social media accounts) relating to election coverage?
- Thereafter, collectively discuss what policies and processes would be considered good practice for organisations and individuals covering the elections to adopt.

Print and online media

Regulatory framework	Overview
<p>Code of Ethics and Conduct for South African Print and Online Media (Press Code)</p>	<ul style="list-style-type: none"> • Applicable to print and online media. • Sets out the standard expected of the print and online media, including for new gathering and reporting. • Complaints against the media are dealt with in terms of the Complaints Procedures. • Press Ombud empowered to issue sanctions against any publication that is voluntarily subject to such jurisdiction.
<p>Section 107 of the Electoral Act</p>	<ul style="list-style-type: none"> • Places specific controls on printed election media during the election period. • Any billboard, placard, poster or pamphlet intending to have an effect on the outcome of the election must clearly state the full name and address of the printer and publisher. • Publisher of any publication must put a heading on articles saying 'advertisement' if an article is paid for and comes from a registered party, its members or supporters, or a party list candidate.

Broadcast media

Regulatory framework	Overview
Broadcasting Act 4 of 1999	<ul style="list-style-type: none"> • Objects include to establish and develop a broadcasting policy in the public interest; to safeguard, enrich and strengthen the cultural, political, social and economic fabric of South Africa; to ensure plurality of news, views and information. • Provides for the incorporation of the SABC and for the Charter of the SABC.
Independent Communications Authority of South Africa Act 13 of 2000	<ul style="list-style-type: none"> • Establishes ICASA as a juristic person that is independent and subject only to the Constitution and the law. • ICASA must be impartial, perform its functions without fear, favour or prejudice, and which must function without any political or commercial influence. • Regulates broadcasting and telecommunications.
Electronic Communications Act 36 of 2005	<ul style="list-style-type: none"> • Aims include to promote convergence and set up a legal framework for bringing together the broadcasting, broadcasting signal distribution and telecommunications sectors. • Media coverage during the elections covered in sections 57-59.

Broadcast media

Regulatory framework	Overview
<p>Regulations on Party Election Broadcasts, the Equitable Treatment of Political Parties by Broadcasting Licensees and Related Matters (published in terms of the ICASA Act read with the Electronic Communications Act)</p>	<ul style="list-style-type: none"> • Application: (i) during an election period; (ii) to broadcasting service licensees; and (iii) to political parties contesting the national and provincial elections. • Provides a more detailed framework in respect of sections 57-59 of the Electronic Communications Act. • Regulation 4(1) sets out principles of fairness in election coverage.
<p>Code of Conduct for Broadcasting Services (published in terms of the Electronic Communications Act)</p>	<ul style="list-style-type: none"> • Sets the standards according to which broadcasting service licenses will be monitored by ICASA. • For licensees that fall under the jurisdiction of the BCCSA, they are further required to follow the Code of the BCCSA.
<p>Community Radio Election Guidelines</p>	<ul style="list-style-type: none"> • Developed by the National Community Radio Forum in 1999. • Aimed specifically at assisting community radio stations to entrench their role. • Community media organisations still required to comply with all applicable broadcast and electoral laws and regulations that affect elections.

Broadcast media

Section 57 of the Electronic Communications Act: Party Election Broadcasts (PEBs)

- A public broadcasting service licensee must permit a PEB only during an election broadcast period, and only if the broadcast is produced on behalf of a political party.
- ICASA must determine the time to be made available to political parties for this purpose.
- No PEB may be broadcast later than 48 hours prior to the commencement of the polling period.
- Commercial or community media licensees are not required to broadcast PEBs, but must comply with section 57 if they elect to do so.

Section 58 of the Electronic Communications Act: Political advertising on broadcasting services

- A broadcasting service licensee is not required to broadcast a political advertisement; however, in the event that the licensee elects to do so, must afford all other political parties a similar opportunity.
- A broadcasting service licensee may broadcast a political advertisement only during an election period.
- No political advertisement may be broadcast later than 48 hours prior to the commencement of the polling period.
- No broadcasting service licensee may discriminate against any political party.

Section 59 of the Electronic Communications Act: Equitable treatment of political parties by broadcasting service licensees

- A broadcasting services licensee must afford reasonable opportunities for the discussion of conflicting views and must treat all political parties equitably.
- Political parties must be afforded a reasonable opportunity to respond if criticised – particularly important during the 48 hours before commencement of polling or during polling.
- Opportunity to respond can either be in the same programme or as soon as reasonably practicable.
- Not apply to PEBs or political advertisements dealt with in sections 57-58.

Broadcast media

- **Regulations on Party Election Broadcasts, the Equitable Treatment of Political Parties by Broadcasting Licensees and Related Matters, 2014** (as amended by the National and Provincial Party Elections Broadcasts and Political Advertisements Amendment Regulations, 2019).
- **Applies as follows:** (i) during an election period; (ii) to broadcasting service licensees; and (iii) to political parties contesting the national and provincial elections.
- **Regulation 3: Equitable treatment**
 - Each broadcasting service licensee will be expected to treat parties fairly, and should be consistent in its treatment of contesting parties and of conflicting views.
 - Can be achieved over a series of programmes.
- **Regulation 4(1): Principles of fairness in election coverage**
 - All news coverage should be fair to all interests concerned, and all parties should receive equitable treatment on current affairs programmes.
 - Opportunity for conflicting views to be heard should not be interpreted as a requirement that all parties be heard on any subject, only that all views be heard.

QUESTION FOR DISCUSSION: What processes are in place in your newsroom to ensure equitable treatment and fairness?

Broadcast media

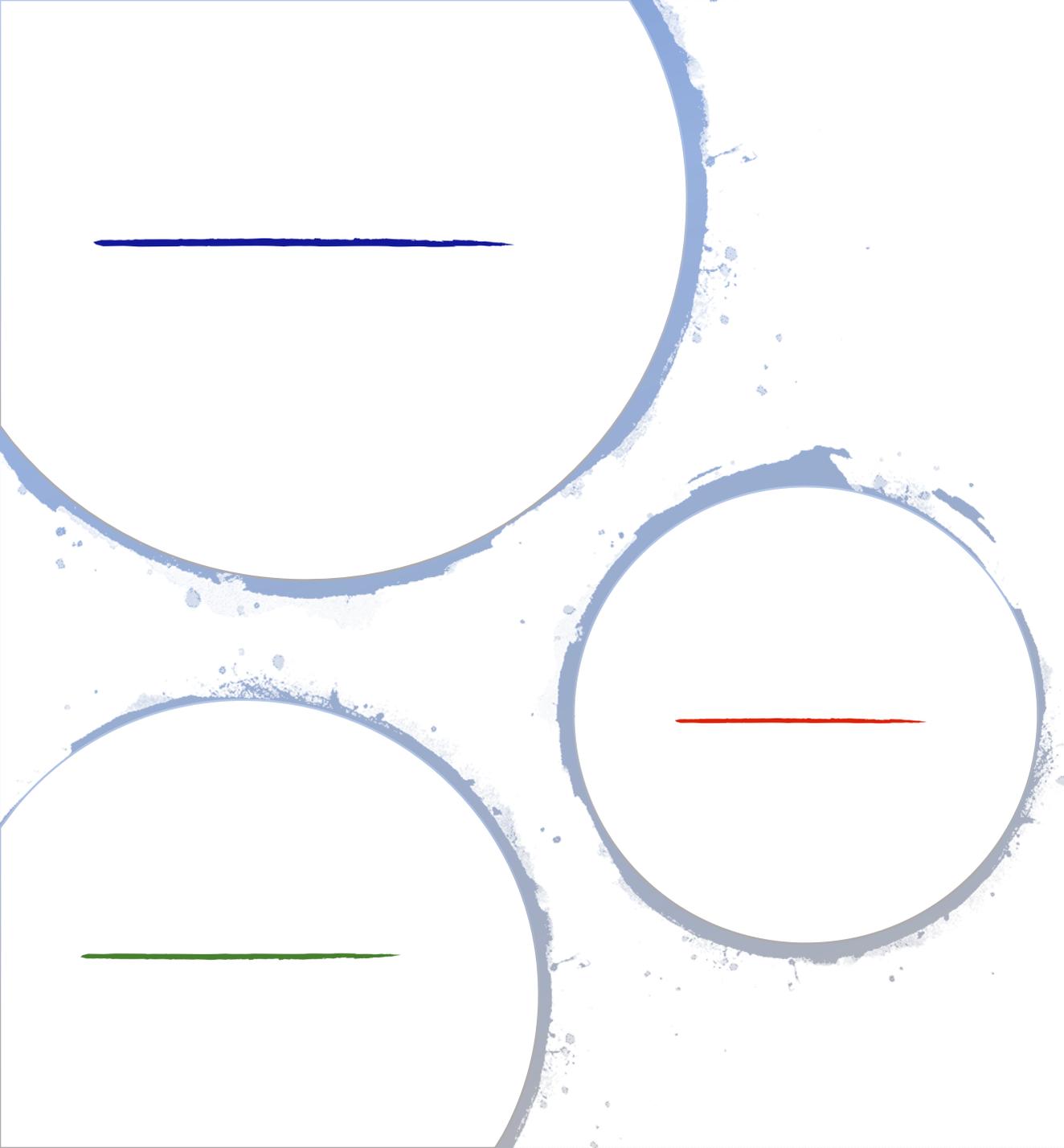
- ICASA consists of **monitoring officers and complaints officers**.
- **Complaints and Compliance Committee (CCC)** is a seven-person committee empowered to decide on complaints from the public about broadcasters not following licence conditions.
- CCC makes **recommendations to the ICASA Council** on action to be taken against broadcasters.
- For election broadcasts, any person aggrieved by a PEB or political advertisement may lodge a complaint with ICASA within **48 hours after the broadcast**.
- In respect of the BCCSA:
 - Section 14 of the of the BCCSA's Free-to-Air Code of Conduct for Broadcasting Service Licensees provides that: "During any election period, as defined in the Act, sections 56, 57, 58 and 59 of the Act and regulations issued in terms thereof apply. **The BCCSA does not have jurisdiction in these matters and complaints must be directed to the Complaints and Compliance Committee of the Independent Communications Authority of South Africa.**"
 - The BCCSA's Code of Conduct for Subscription Broadcasting Service Licensees does not contain an equivalent provision.

QUESTION FOR DISCUSSION: Identify the key differences in the regulatory approach to print, online and broadcast media, and discuss your views on the implications of this.

FAQs for election coverage

- Do I need **accreditation** for voting or counting stations?
- Is the presiding officer **obliged to grant me access** to a voting station?
- Do I need accreditation for access to the **Results Operation Centres**?
- Who am I allowed to **interview** at the voting station?
- Are there any **visuals that** are not permitted?
- Am I entitled to have access to the **results slips**?
- Can I report on **opinion polls**?
- Can I report on **exit polls**?
- What role do **observers** play?

QUESTION FOR DISCUSSION: Discuss these questions and share any tips, advice and strategies that might be useful for other journalists during election coverage.



MODULE III

DISINFORMATION DURING THE ELECTIONS

Test your knowledge

- **Media Monitoring Africa** has developed an app, **RoveR**, that enables users to fulfil three core functions: (i) **upgrade their skills** on spotting real versus false news by going through a few learning modules; (ii) testing their skills on **spotting real versus false news** through quizzes; and (iii) **preventing sharing of false news** by allowing users to check the credibility of the website from which it is obtained. RoveR can be downloaded from the Google Play Store or from here: <https://rover.directory/>.
- Here are a few questions taken from RoveR. **Can you spot which ones are fake?**

Example 1: Fears grow as "zombie" drug hits Durban

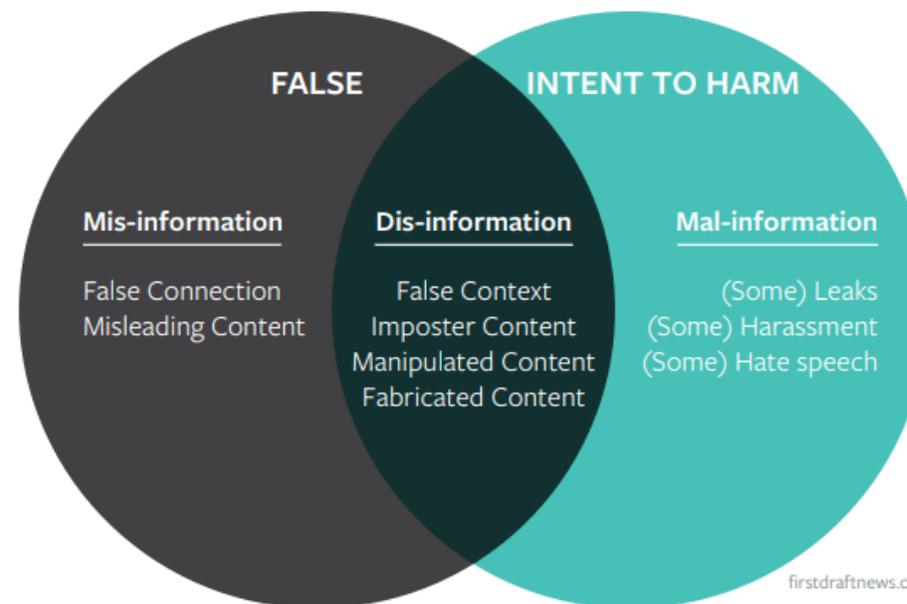
Durban - A dangerous drug craze sweeping the streets of Australia and the US has made its way to Durban. Known as "flakka" or the "zombie drug", it is a hallucinogenic drug that causes panic and hysteria. It is believed that dealers have already been selling flakka or "gravel" as it is also known, because of its look and feel, in Wentworth, Chatsworth and Pinetown. Hundreds of videos have surfaced on social media showing users in a state of panic, unable to talk or understand what is going on around them. They are unresponsive and pose a danger to themselves and others. A source revealed that in Chatsworth, three men had to be taken to hospital after taking it.

Example 2: Luthuli House to be auctioned over R25m debt

The ANC headquarters in the Joburg CBD, Chief Albert Luthuli House, could be up for grabs soon after the Johannesburg High Court ordered the sheriff to auction the building. The order was issued after the cash-strapped party failed to pay a R25-million debt owed to former spooks who were roped in to help with the 2014 provincial election strategy, court documents show. Sources say an attachment letter will be delivered by the sheriff of the court to Luthuli House tomorrow, an action that is set to cause untold embarrassment to the ANC. The court papers, which The Sunday Independent has seen, show that the ANC is embroiled in a legal battle with Resurgent Risk Managers, a company owned by Manala Manzini. Manzini was a former National Intelligence Agency boss with Arthur Fraser, who was also a director of the company but resigned last year when he was appointed as State Security Agency director-general.

Defining the terminology

- **'Fake news':**
 - Inadequate and misleading.
 - Term should be avoided.
- **Misinformation:**
 - Refers to misleading information created or disseminated without manipulative or malicious intent.
- **Disinformation:**
 - Refers to deliberate (often orchestrated) attempts to confuse or manipulate people through delivering dishonest information to them.



QUESTION FOR DISCUSSION: What strategies do you apply in your organisation to deal with the risks of publishing false information?

Source: UNESCO, 'Journalism, 'fake news' and disinformation': Handbook for journalism education and training', accessible here: <https://en.unesco.org/fightfakenews>.

Regional and regulatory responses

- **Joint Declaration on Freedom of Expression and 'Fake News', Disinformation and Propaganda**
 - Proposals to address disinformation should **avoid offering general prohibitions on speech as solutions**, as this is unlikely to meet the test for a justifiable limitation of freedom of expression.
 - State actors should **not make, sponsor, encourage or disseminate** disinformation or propaganda.
 - In addition to not disseminating disinformation or propaganda, state actors should also take **positive steps to disseminate reliable and trustworthy information**, including on matters of public interest.
 - Some public authorities **denigrate, intimidate and threaten the media** by stating that the media is lying.
 - The right to impart information and ideas is **not limited to correct statements**, and also protects information and ideas that may **shock, offend and disturb**.
- **Efforts by the European Commission:**
 - Extensive study to develop **proposals and measures** to be implemented in Europe to tackle disinformation.
 - Published a **Code of Practice on Disinformation**, including an Annex of Best Practice and Annex on Current Best Practices from Signatories of the Code of Practice.
- **Regulatory responses:**
 - **Not necessarily illegal content**, particularly in a democratic context where political speech is recognised as deserving of strong free speech protections.
 - Regulatory measures in other countries around the world tend towards **criminalising** the dissemination of false information, which may have a **chilling effect** on freedom of expression.

Electoral laws on false statements

Section 89(2) of the Electoral Act: Intentional false statements

No person may publish any false information with the intention of –

- (a) disrupting or preventing an election;
- (b) creating hostility or fear in order to influence the conduct or outcome of an election; or
- (c) influencing the outcome or conduct of an election.

Section 9(1)(b) of the Electoral Code of Conduct: Prohibited conduct

No registered party or candidate may ...

- (b) publish false or defamatory allegations in connection with an election in respect of –
 - (i) a party, its candidates, representatives or members; or
 - (ii) a candidate or that candidate's representatives.

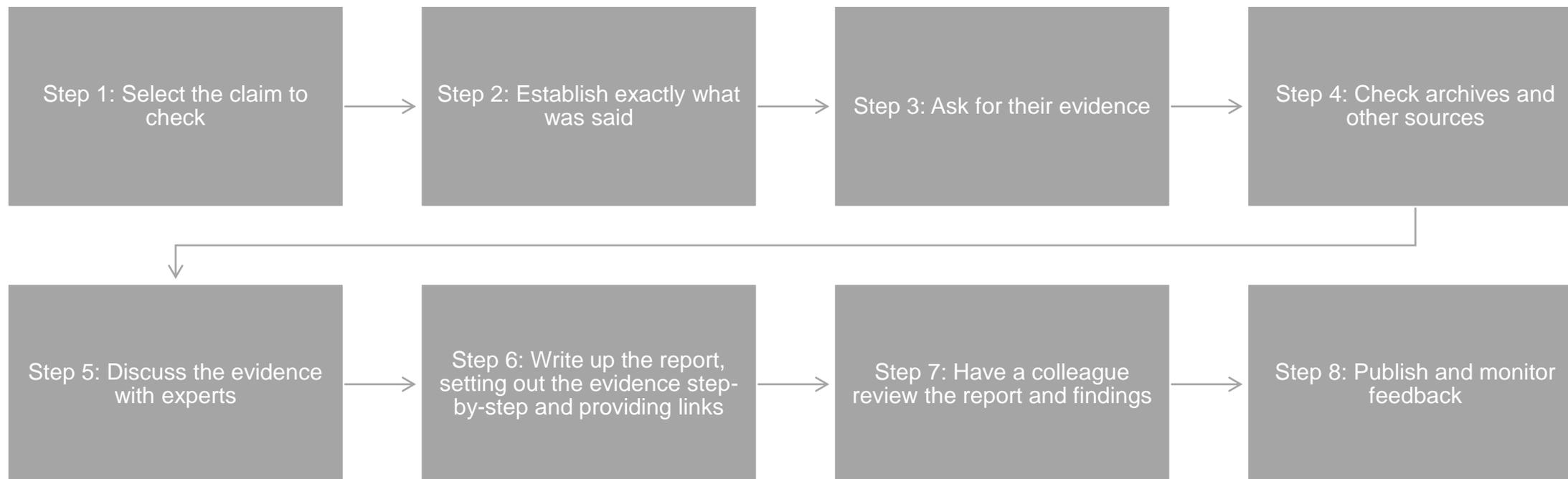
PLEASE NOTE: Media Monitoring Africa has been working with the IEC and other stakeholders, including SANEF, to establish an online portal and complaints mechanism for members of the public to lodge complaints regarding disinformation.

What can the media do?

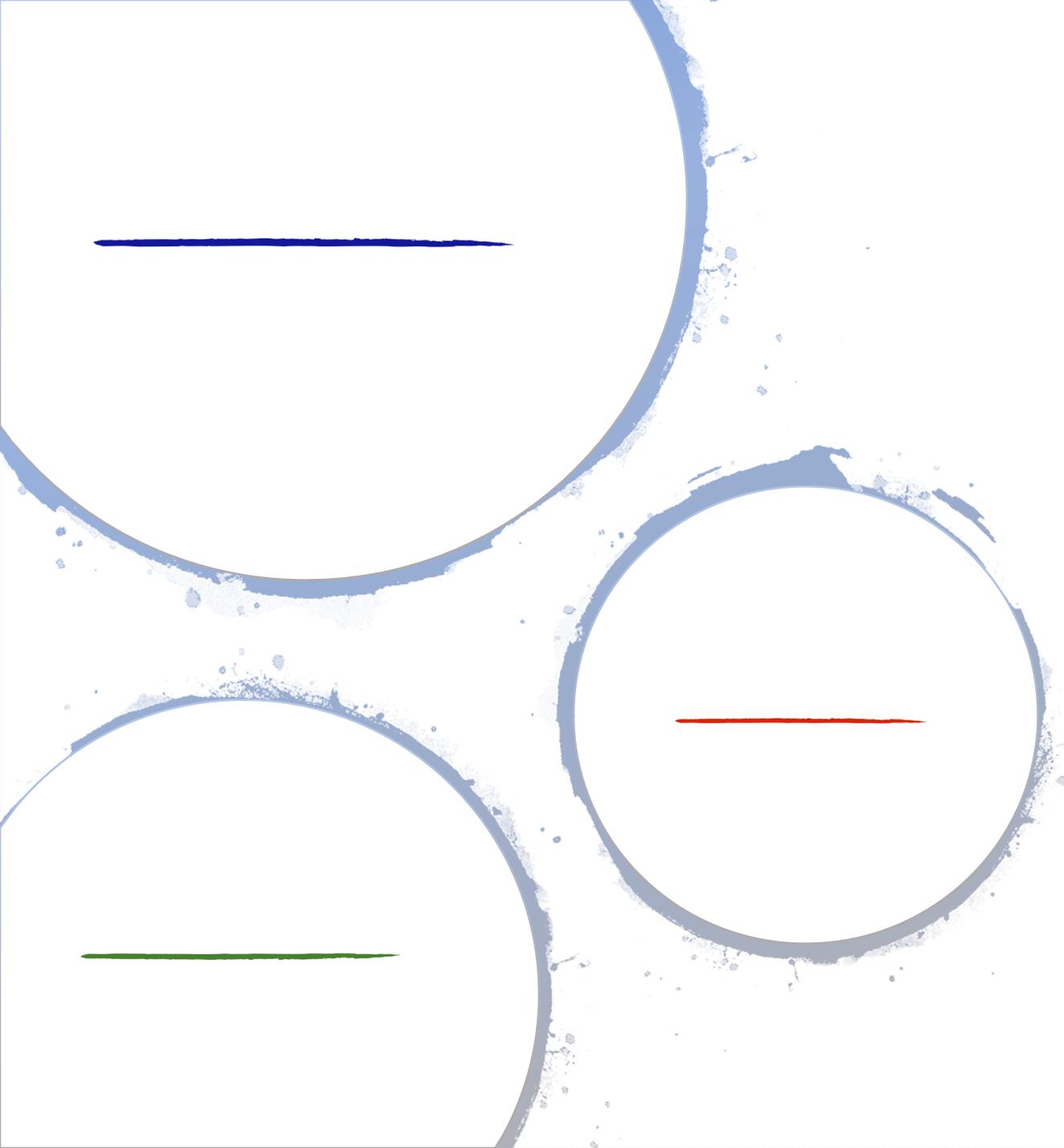
- **Standard of care** required by the media: ethical; reasonable; important to distinguish false information from legitimate forms of speech, such as artistic expression, protected comment, satire or parody.
- Publication of **counter-narratives**:
 - Provide **corrections to false information** and highlight the work being done by **fact-checking organisations**.
 - Invites easier access to **alternative perspectives and information**.
 - **Suggested approach**:
 - Reduce arguments that support misinformation.
 - Engage audiences in scrutiny and counterarguing of information.
 - Introduce new information as part of the debunking message.
- **Fact-checking and verification**:
 - **Various online tools** that can be used, such as KnowNews and RoveR developed by Media Monitoring Africa.
 - **Checklist** for verifying digital content (UNESCO, 'Journalism, 'fake news' and disinformation': Handbook for journalism education and training', (2018)):
 - Is the content original, or has it been 'scraped' from previous reporting and re-appropriated misleadingly?
 - Has the content been digitally manipulated in some way?
 - Can we confirm the time and place of the photograph or video capture, using available metadata?
 - Can we confirm the time and place of the photograph or video capture, using visual clues in the content?

Fact-checking in eight steps

Africa Check explains their approach to fact-checking in the following eight steps:



Source: Africa Check, 'How we work', (undated) accessible here: <https://africacheck.org/about-us/how-we-work/>.



MODULE IV

SAFETY OF JOURNALISTS ON- AND OFFLINE

What types of attacks do journalists face?



Source: ARTICLE 19, 'Acting on UN Human Rights Council Resolution 33/2 on the Safety of Journalists', accessible https://www.article19.org/wp-content/uploads/2017/11/safety_of_journalists_WEB_23.10.pdf.

Duty to prevent, protect and prosecute

- **Duty on the state to prevent, protect and prosecute:**
 - **Duty to prevent:** Includes the duty to create and maintain an enabling environment for journalists; ensure national laws do not interfere with journalists' independence.
 - **Duty to protect:** Includes the duty to publicly, unequivocally and systematically condemn violence and attacks; establish early warning systems and rapid response mechanisms; protect journalists covering protests and elections.
 - **Duty to prosecute:** Includes the adoption of strategies to combat impunity; ensure victims of crimes against journalists and their families have access to appropriate remedies; reinvigorate their efforts to effectively implement the international human rights framework on the safety of journalists.
- **Duty on media organisations:**
 - Contained in the **International Declaration on the Protection of Journalists**.
 - Includes general safety training for all journalists; the development and implementation of procedures and tools aimed at ensuring the physical, psychological and digital safety and security of journalists; building solidarity amongst journalists.
- **Addressing gender-specific threats:**
 - Interpreted to include **all threats and attacks that are bias-motivated and are disproportionately experienced by women journalists**, including sexual and gender-based threats such as rape and sexual assault.
 - Any strategy considered in respect of the safety of journalists – whether by the state or within a media organisation – appropriately considers the gender dynamic of the forms of threat and harassment, as well as the frequency with which it occurs.

Digital security

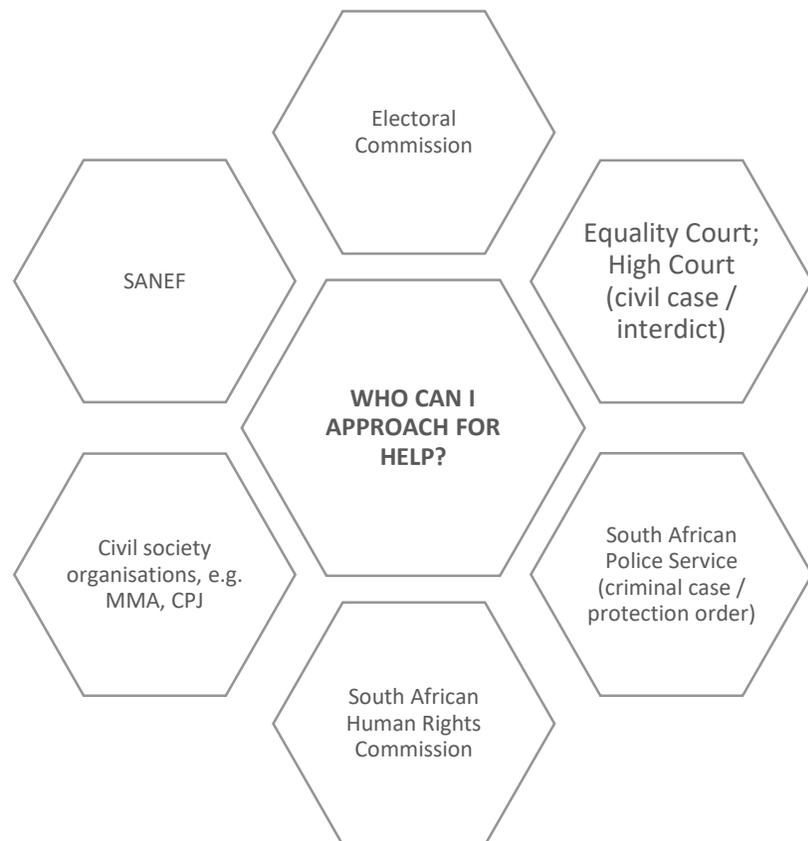
- **Digital security checklist:**

- Have you backed up your devices (on hardware and/or the cloud)?
- Have you removed sensitive data from the device?
- Have you logged out of your accounts, apps and browsers?
- Have you put a PIN lock or password on all devices?
- Have you encrypted your devices?
- Have you set up your devices to remote wipe?
- Have you saved the relevant content from your messaging applications?

- **Social media checklist:**

- Do you have long and strong passwords for your accounts?
- Do you have a unique password for each account? (Tip: Consider using a password manager.)
- Have you turned on two-factor authentication for all accounts?
- Have you reviewed the privacy settings for each account to make sure any personal data is removed?
- Have you removed any photos or images that could be manipulated and used as a way to discredit you?
- Have you spoken with family and friends about removing photographs of you from their profiles?
- Have you considered getting your account verified by the social media company?
- Are you monitoring your accounts for signs of increased trolling activity or indications of threats?

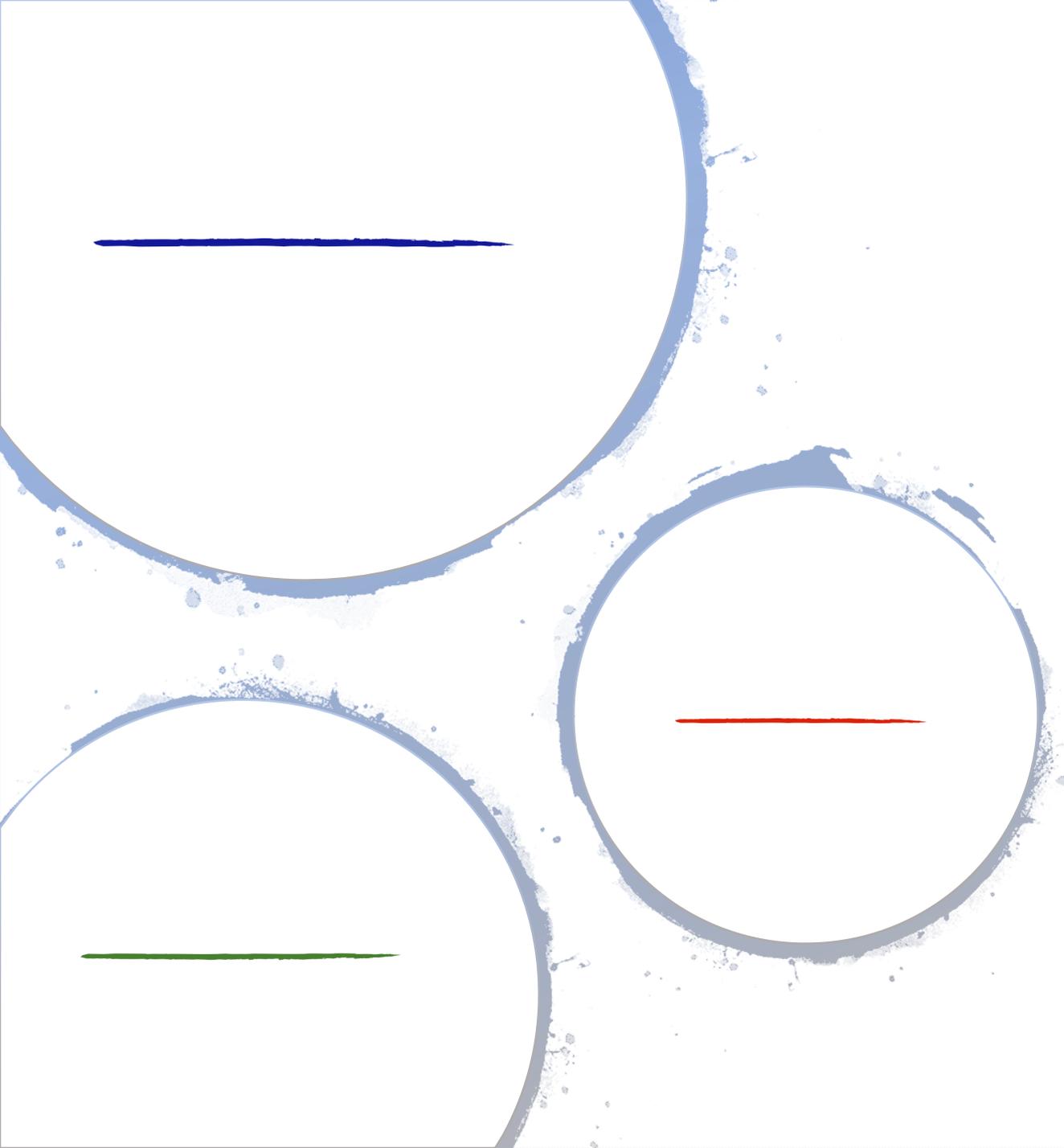
Assistance and recourse for journalists



- **SANEF** and **Media Monitoring Africa** have developed online portals to track and record attacks against journalists during the election period: <http://sanef.org.za/elections-2019/#reporting>.
- The **Committee for the Protection of Journalists** may be approached for advice and guidance.
- The **IEC** may be approached directly with a matter that falls within its jurisdiction as a contravention of the electoral law framework.
- The **South African Human Rights Commission** is competent to investigate any alleged violation of human rights.
- The **Equality Court** may be approached with a case of harassment or hate speech in terms of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000.
- A claim for **civil damages** may be instituted.
- An **interdict** may be obtained to stop certain conduct.
- A **protection order** may also be obtained in terms of the Protection from Harassment Act 17 of 2011.
- The **South African Police Services** should be approached in respect of any criminal conduct.

Group exercise

- Divide into groups and discuss the following questions:
 - What threats or attacks have you faced in your work as a journalist, both on- and offline?
 - What tools do you use to protect your safety online?
 - What assistance and recourse have you sought and or received for threats or attacks?
- In your groups, work together to draft a safety policy that could be implemented in your organisation, including internal processes, support structures, access to particular resources, and training.



FURTHER READING

Suggested resources

- ARTICLE 19, 'Acting on UN Human Rights Council Resolution 33/2 on the Safety of Journalists' (2017) (accessible [here](#)).
- C. Silverman, 'Verification handbook: The ultimate guideline on digital age sourcing for emergency coverage', (undated) (accessible [here](#)).
- CPJ, 'Safety kit for journalists covering the South African election,' (2019) (accessible [here](#)).
- IEC, 'Media guide: National and provincial elections', (2014) (accessible [here](#)).
- IEC, 'Municipal elections handbook', (2016) (accessible [here](#)).
- Media Monitoring Africa, "Disinformation and 'fake news' during elections: Proposals for the upcoming 2019 General Elections in South Africa' (2018).
- Press Council, 'Code of Conduct and Ethics for the South African Print and Online Media: Decoding the Code sentence by sentence', (1 January 2019) (accessible [here](#)).
- Press Council, 'Guidance notes: A brief for journalists covering the elections', (February 2019) (accessible [here](#)).
- UNESCO, 'Journalism, 'fake news' and disinformation': Handbook for journalism education and training', (2018) (accessible [here](#)).

For more information and resources, please visit:

sanef.org.za/elections-2019

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