

# War on Terror and Public Right to Know

## Policy Recommendations

1. The mass media must provide news responsibly, taking national security and citizens' safety into account.
2. Military strategies for persecuting the war on terror should be laid at the public domain through informed press briefing.
3. There is need for military civilian officers to work in local communities in the North-East and be points of contact for confirmation of developments for the press.
4. Due process must be used by the security agencies in seeking redress.
5. Recent legislation governing collection and dissemination of news about terrorism should be made available to all stakeholders.

Nextier SPD Policy Weekly provides an analysis of topical conflict, security, and development issues and proposes recommendations to address them. It is a publication of Nextier SPD.

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On January 6, 2019, gun-toting soldiers invaded the Maiduguri and Abuja offices of the [Daily Trust newspaper](#). Computers, voice recorders and other technological gadgets were confiscated during the raid; and the [Regional Editor of the Maiduguri office and one reporter](#) were taken into custody by the military operatives. Also, the Lagos office of the tabloid was sealed by soldiers who arrived in seven trucks, bringing the production of the Monday edition of the newspaper to a halt. In defence, the Army [spokesman justified the onslaught](#) saying that the Daily Trust published a story in its Sunday edition which violated the [Official Secrecy Act](#) because it "divulged classified military information, thus undermining national security". [Condemnation](#) of the military action reverberated across Nigeria and beyond. The UK Department for International Development described the raid as "rash" because press freedom "is an inviolable and absolute right and a free press is the hallmark of a civilized and democratic nation". Similarly, in August 2018, [Samuel Ogunjipe of the Premium Times](#) was arrested by some security operatives who tried to force him to reveal the source of his report. Following these developments, this edition of Nextier SPD Weekly examines the challenges faced by the media in reporting counterinsurgent operations and makes recommendations on how to ensure a delicate balance between national security and public right to know.

Across the globe, the emergence and proliferation of terrorist organizations have redefined the relationship between two important institutions - [the intelligence services and the news media](#). Efforts to mitigate terrorist security threats have resulted in empowering the security agencies with sweeping powers including to examine private communications which media practitioners believe must be kept secret. Thus, the war on terror has provided

news gathering and dissemination with acute dilemmas. For example, [Edward Snowden](#) (a private contractor with the US National Security Agency) copied and leaked hundreds of thousands of NSA files to journalists in 2013. Some of the files were published by the media, triggering a [debate on whether sensitive information](#) should be released to the public who have the right to know about the government which they voted to power and sustain with their taxes. Similarly, even the [Freedom of Information Act 2011](#) guarantees Nigerians access to information about the government, yet the [Terrorism \(Prevention\) Amendment Act 2013](#) strictly regulates how information about terrorism should be disseminated. Though aimed at ensuring collective security, some of these anti-terrorism legislations would appear to stifle the constitutionally guaranteed right of the media to inform the public. [Freedom of the press](#) is guaranteed by Nigerian constitution and it has been very useful in holding the government accountable under both military and civilian administrations. However, as with every right, freedom of the press is not absolute.

Worldwide, media reportage on counterterrorism reveals [general strategies without compromising particular operational tactics](#). This is to ensure that the war on terror is not sabotaged and the lives of troops not endangered. In the controversial report, the Daily Trust said it released only general and not operational plans of the military to [retake Baga](#) and seven other towns captured by Boko Haram insurgents. However, it has been confirmed that the Daily Trust report went as far as [revealing where the troops were drawn from](#). This detail was capable of exposing the troops or their base to insurgent attack considering the fact that many soldiers have been killed in recent months both in ambush as well as in their bases as we earlier [reported](#). However, the military raid was uncalled as other



legitimate channels would have been used to seek redress including a rebuttal or even a legal action. The following measures should be adopted to avoid future occurrence.

1. The mass media must provide news responsibly taking national security and citizens' safety into account. Security is everyone's business and not for the security personnel alone. So, media reportage must be conscious of this and maintain the highest standards of professionalism and ethics to ensure that neither the state nor human security is endangered by their reports. Furthermore, it is expected that such sensitive information is confirmed from the military before going to press.
2. Judging by what informs civil-military relations and the civilian control of the military, military strategies for persecuting the war on terror should be laid at the public domain through informed press briefing. As argued by Croissant and Kuehn, "[successful institutionalization of civilian control of the military is a necessary condition for the consolidation of democracy.](#)" This will help in guiding against human rights abuses by the military as presently witnessed in the North-East. The public have right to know the strategy to be used by the military. This is different from military operational details on how to carry out the execute the strategy.
3. Apart from an urgent recruitment of well-trained press officers (by the military) who will work with fellow journalists on the coverage of the military activities, there is need for military civilian officers to be engaged to work in local communities in the North-East, as they will become points of contact for confirmation of developments by the press.

This will further strengthen the transparency of the fight against terror in Nigeria.

4. Due process must be used by the security agencies in seeking redress. Rather than invading media houses and confiscating communication gadgets or arbitrarily arresting journalists, security agencies should resort to litigation in seeking redress against media outlets which violate the laws. Members of the rank and file of the security agencies should be retrained so that they will desist from divulging sensitive information to the media for selfish gains. Oftentimes, media practitioners are not privy to military operational plans – they get those details from their contacts in the security agencies. Such divulged sensitive information may have played a role in the incessant massacres of troops by insurgents in recent times.
5. Recent legislations governing collection and dissemination of news about terrorism should be made available to all stakeholders in including journalists and soldiers so that they will know their rights and responsibilities. To put an end to terrorism, all hands must be on deck. Rather than crucial institutions such as the security services and the media fighting each other, they should collaborate against the terrorists.

Considering that the nature of terrorism as an insurgency, the state as represented by the military needs the cooperation of its citizens, in order to win the war and gain the peace. Sharing military strategy as well as continues press briefing will help to build trust, community intelligence for the military and an ownership of the war for other withdrawn-stakeholders in the war against Boko Haram in the North-East.