



**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS  
REMARKS**

**BY**

**MR. NOORDIN. M. HAJI, CBS, OGW  
DIRECTOR OF PUBLIC PROSECUTIONS**

**ON 2<sup>ND</sup> NOVEMBER 2021**

**AT**

**AT CROWNE PLAZA HOTEL, UPPERHILL**

**DURING THE COMMEMORATION OF THE INTERNATIONAL DAY TO END IMPUNITY  
AGAINST JOURNALISTS (IDEI)**

***THEME: COUNTERING THREATS OF VIOLENCE AND CRIMES AGAINST  
JOURNALISTS TO PROTECT FREEDOM OF EXPRESSION FOR ALL***

- ❖ **Mr. Hubert Gijzen, UNESCO Regional Director and Representative for Eastern Africa**
- ❖ **Mr. Hillary Mutyambai, Inspector General of Police**
- ❖ **Mr. Eric Oduor - Secretary General, Kenya Union of Journalists**
- ❖ **Mr. Churchill Otieno, Chairperson, Eastern Africa Editors Society (EAES)**
- ❖ **Ms. Patricia Litho, Chairperson, Uganda Media Womens Association (UMWA)**
- ❖ **Mr. David Omwoyo, CEO, Media Council of Kenya**
- ❖ **Mr. Maina Muiruri, Chairman, Media Council of Kenya**
- ❖ **Victor Bwire, Director, Media Training and Development, Media Council of Kenya**
- ❖ **Mr. Nelson Njiri, MBS, Deputy Director, Witness Protection Agency**

- ❖ **Mr. Mugambi Kiai, Executive Director, Article 19 Eastern Africa**
- ❖ **Mr. Stephen Ouma, Secretary General, Uganda Journalists Union**
- ❖ **Mr. Omar Faruk, Secretary General, National Union of Somali Journalists**
- ❖ **Ms. Dinnah Kituyi, Executive Director, IREX**
- ❖ **Mr. Kagwa , Editorial Manager, Standard Group**
- ❖ **Mr. Peter Ikumilu, Ag. Assistant Director, Multimedia Content and Innovation, CA**
- ❖ **Ladies and Gentlemen,**

Good morning!

1. Thank you for your kind introduction and thank you all for welcoming me to this important meeting; commemorating the **International Day to End Impunity for crimes Against Journalists**. Today's event comes at defining moment in this country. With less than a year to the general elections, journalists are uniquely positioned to help focus our national dialogue on the issues that matter and which will determine Kenya's future.

2. A very big welcome to our friends from the region who are here with us today. It's fitting that you have gathered here today- to discuss the essential role that journalists always have and always must- play in strengthening this region.
  
3. The theme '***countering threats of violence and crime against journalists to protect freedom of expression for all***' is a call to combat crimes committed against journalists by enhancing prevention, protection and prosecution of these crimes in order to safeguard freedom of expression, freedom of the media and access to information.

4. More broadly, the issue of protecting journalists is also about the issue of safeguarding our democracy as a nation; namely how does a society grant its citizens the right to think, believe, write or speak as their conscience dictates, or more plainly freedom of expression! while maintaining a peaceful society that protects all of its members and more specifically those who broadcast these rights as citizens exercise them?

5. It is easy to applaud these declarations on the freedom of expression; but all of us here know that it has not always been easy to apply them. These are noble ideals to which our society aspires but we all know that at times it has been a struggle to balance this right to the freedom of expression and the responsibility that comes with applying it.

6. We are also grateful for the contributions that journalists have made in drawing attention to and directing our national dialogue toward problems that we must address. At times, your work has helped to launch investigations, to advance prosecutions and to enhance the efforts of law enforcement.

By highlighting crime in many instances, you have rallied the criminal justice players to action.

7. The ODPP, in conjunction with the Media Council of Kenya, will continue to foster a free and fair environment for the media that is guided by the Constitution of Kenya and the rule of law. To this end, I call upon other agencies in our sector to opine a similar voice of encouragement and commitment to the Media Council of Kenya and to all journalists as well.

8. We must also remind ourselves that while we enjoy our freedom of expression, we should exercise this fundamental right responsibly. Sometimes there will be those who use their right to free expression to say reprehensible things to others creating harmful divisions along ethnic or religious lines. The Media Council of Kenya must guarantee that they too will play their part in ensuring that their freedom of expression is exercised in a manner that respects the dignity and privacy of others, does not propagate ethnic incitement or discrimination and reflects the interests of all sectors of society.

Journalists must adhere to professional and ethical standards in the performance of their duties and must uphold integrity, accountability and transparency.

9. I started by alluding to the electoral season we are getting into as a country; campaigns can be messy, but we believe that democracy is enhanced through this “messy” interchange of ideas. I want to emphasize however that even as we protect the freedoms of speech during this season, first and foremost, we will prosecute anyone who uses free speech to perpetuate hate and violence. Free speech must not be a license to perpetuate the assault of political opponents or to engage in acts of vandalism.

10. Secondly in partnership with you as the media, we must not allow ethnic bigots in the name of free speech to terrorize others by threatening to initiate violence. Now not every bigoted words that are uttered are punishable by law; to be punishable, these words must be what the courts call a true threat, a serious threat to commit an unlawful act of violence and this is where you as the media can agree to have in place enhanced guidelines that proffer a more rigorous internal review striking an appropriate balance between protecting the safety of the Kenyan people and your news media's role of ensuring the free flow of information.

11. That's why, today, I am here to ask each of you to keep up the good work. Keep asking the tough questions, keep shining a light on the challenges we face as a country and region and the injustices we collectively have to remedy. Above all, keep working to ensure you uphold integrity in your profession even when the truth may be at odds with the powers that be; be it government or even the ownership of the media houses you represent; keep seeking out the truth and speaking this truth to power.

12.As a society we have benefitted from the generations of journalists- real patriots who took their professional obligations seriously to tell the complete story of our nation during the tumultuous 1990s as the nation struggled with its second liberation. Throughout the 1990's brave journalists brought the struggle and reforms into homes across the country on radios and newspapers; these Bill of Rights we currently enjoy was written on the blood of patriots including journalists and that is why we must protect these freedoms as a society.

13. I want to thank UNESCO for their commitment to enhance press freedom both regionally and internationally through initiatives that are bold, innovative and progressive. Further, I also thank all agencies represented here today for their unwavering commitment to foster inter-agency collaboration and cooperation in countering threats of violence and crimes against journalists.

14. It is my sincere hope that our discussions here today will bear fruit and produce initiatives that will promote interagency collaboration and enhance our collective responsibility to protect journalists from violence and impunity.

15.I hope that each of you has a productive day and some of the information we share during our time together will assist us in confronting the challenges you journalists face every day in the course of your work.

***Thank You and God Bless You***