



Legal Research Opportunity

*Updating Research Report on Mapping Digital Rights and Online Freedom of Expression
Litigation in East, West, and Southern Africa*

About Media Defence

Media Defence is a global charity based in the UK that helps media defend their rights. We support independent media, journalists and citizen journalists who are under legal threat by making sure that lawyers are available to defend them. We engage in strategic litigation to improve the regulatory environment for media freedom, make grants to organisations in various countries to run media defence programmes, and build the capacity of the lawyers and organisations we work with on issues of media law. Since our founding in 2008, we have supported 900+ cases in 110 countries, with a consistent success rate of 70%+.

Mission and Mandate

Our core mission is to ensure legal protection of journalists and media workers under threat for reporting on issues of public interest, in the belief that freedom of expression is essential to hold those with power to account. We work globally, where there is the greatest need.

Project Summary

In 2017, Media Defence began its Digital Rights Advocates Project (DRAP) which aims to improve the legal environment for freedom of expression online in sub-Saharan Africa. DRAP seeks to achieve this by building and strengthening a network of litigators that litigate on a wide range of digital rights issues, and by ensuring that journalists, citizen journalists and online media are protected, supported and defended by skilled lawyers when facing legal action. Specific objectives include:

1. Lawyers across sub-Saharan Africa have enhanced specialist legal expertise to litigate on a wide range of digital rights cases at the national, regional and international level and in-depth knowledge on priority digital rights issues;
2. An active and collaborative network of lawyers that proactively engage in and take legal actions to promote digital rights is developed and strengthened; and
3. Citizen journalists, journalists and online media that face legal threats and legal action have better access to free, quality legal defence and support.

Since the start of DRAP, Media Defence has successfully trained 72 lawyers and provided advanced training to 23 DRAP alumni. The project is currently planned to end in September 2021.

In 2018, during the first year of DRAP, Media Defence commissioned a research [report](#) entitled 'Mapping Digital Rights and Online Freedom of Expression in East, West and Southern Africa' that mapped laws that pose a challenge to digital rights, the outcome or status of related litigation, opportunities for further litigation and legal and civil society actors in the field.

As the project is nearing its completion, Media Defence seeks to commission a research report to look at how the digital rights landscape has changed in sub-Saharan Africa, both positively and negatively, what factors led to these changes, and where relevant, any future litigation opportunities. This report will support Media Defence in analysing its work since 2018 and identifying opportunities for the future.

Research Report

The research report will outline developments in digital rights since 2018, including legislation, cases and policies. Drawing on desk research, judgments (or legal submissions where judgments are not yet available), and interviews with civil society and legal practitioners, it should include a summary of key findings from the 2018 report, research on and analysis of relevant digital rights themes as set out below, and any opportunities for litigation to improve the digital rights landscape.

The report could be structured as follows:¹

Section 1: Executive Summary

Section 2: Introduction

Section 3: Research and analysis of digital rights themes

1. Online defamation
2. National Security, Counter Terrorism and Public Order Laws
3. Laws restricting online content and access
4. Internet shutdowns
5. Cybercrime legislation
6. Media regulation and newsgathering restrictions
7. Any other suggested areas

Within each digital rights theme, there should be the following sub-sections:

- (a) Summary of 2018 report
- (b) Changes since 2018 report
- (c) Factors which may have contributed to these changes
- (d) Any opportunities for future litigation

Section 4: Conclusion and recommendations

¹ Media Defence is open to suggestions of other outlines for the report from the consultant.

Scope

The research report should look at the above themes and include relevant examples from countries in sub-Saharan Africa. Below is a list of countries covered under DRAP:

West/Central Africa	Benin, Burkina Faso, Cameroon, Cote d'Ivoire, Guinea, Mali, Niger, Senegal, Togo, DRC, Nigeria
East Africa	Kenya, Uganda, Tanzania, Rwanda, Burundi, Ethiopia
Southern Africa	Botswana, Lesotho, Malawi, South Africa, Swaziland, Zambia, Zimbabwe, Namibia

Audience

The report will build Media Defence's understanding of its work since the beginning of DRAP, as well as highlight opportunities to expand Media Defence's work in the region in line with its strategy. Media Defence will share the report with its network of digital rights lawyers in the region, external evaluators, and publish the report on its Training Resource Hub which will launch in the summer of 2021.

Expected timeline

30 April 2021: Deadline for submission of proposal
1 June 2021: Successful proposal will begin
1 July 2021: First draft submitted for review by Media Defence
30 July 2021: Final submission

Consultant specifications

- A law degree and at least three years' relevant experience in socio-legal research and/or legal practice;
- demonstrated knowledge of international and comparative law on the right to freedom of expression, digital rights, and Internet freedom;
- familiarity with media law in East, West and Southern Africa;
- availability to work on the report in May, June and July 2021; and
- experience in carrying out research for evaluation purposes would be advantageous.

How to apply

To apply for this consultancy, please submit the following documents using the following email address: naz.k@mediadefence.org

- a cover letter;
- your curriculum vitae;
- a brief research outline, including a timeline; and
- a quotation in GBP (£).

Requests for further information can be submitted to this email address as well.