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## Firm's International Dispute Resolution Group Helps Obtain Victory in Landmark Free Speech Case at the African Court on Human and Peoples' Rights

DECEMBER 5, 2014

On Friday, December 5, 2014, the firm's international arbitration and litigation practice obtained a significant judgment from the [African Court on Human and Peoples' Rights](#)—the highest court in the African Union—in the [first freedom of expression case](#) in the Court's history. The case, *Konaté v. Burkina Faso*, involved Lohé Issa Konaté, a journalist from Burkina Faso, who was imprisoned for a year, and whose newspaper was closed, for allegedly insulting and defaming a local prosecutor in Burkina Faso.

The Court, whose judgments are binding on African States, decided in favor of Mr. Konaté, ruling that his imprisonment for defamation violated the right to freedom of expression in Article 9 of the African Charter on Human and Peoples' Rights, ordering Burkina Faso to revise its law to be consistent with the Charter and to pay compensation to Mr. Konaté.

"This is an important win, not only for Mr. Konaté, but for the right of freedom of expression in Africa and the rest of the world," said [Steven Finizio](#), Wilmer Cutler Pickering Hale and Dorr partner and pro bono counsel for Mr. Konaté. "Today's ruling marks another significant step toward recognizing that a journalist exercising the right to freedom of expression should not be subject to criminal sanction except in very limited circumstances."

Mr. Konaté has been represented by Media Legal Defence Initiative (MLDI), John Jones QC of Doughty Street Chambers and Wilmer Cutler Pickering Hale and Dorr LLP. The case was argued before the Court in Arusha, Tanzania in March 2014 by [MLDI Legal Director Nani Jansen](#), [Mr. Jones QC](#) and Mr. Finizio. The case was supported by a [coalition of interveners who argued](#) that defamation disputes should be handled under civil law and that criminal prosecutions should be brought only in matters such as incitement to violence.

Visit [www.mediadefence.org](http://www.mediadefence.org) to learn more about the case and the ruling.

MLDI is a non-governmental organization which helps journalists, bloggers and independent media outlets around the world defend their rights. Wilmer Cutler Pickering Hale and Dorr is a pro bono partner of the organization, and [Gary Born](#) is a member of the Board of Trustees of MLDI. Members

of Wilmer Cutler Pickering Hale and Dorr's [International Arbitration Group](#), including Steven Finizio, Dana Green, Maria Banda, [Victoria Narancio](#) and Brendan Casey, have provided assistance on cases for MLDI.