

republic of congo
ethiopia chad
togo zimbabwe
sudan burundi madagascar
malawi niger equatorial guinea
cameroon rwanda the gambia
namibia somaliland tanzania
uganda senegal
eritrea mali sierra leone ghana
democratic republic of congo
nigeria liberia botswana
mozambique benin kenya
djibouti gabon central african republic
south africa guinea
mauritania zambia burkina faso
côte d'ivoire

MEDIA SUSTAINABILITY INDEX 2008

DEVELOPMENT
OF SUSTAINABLE
INDEPENDENT MEDIA
IN AFRICA

MEDIA SUSTAINABILITY INDEX

2008

**The Development
of Sustainable
Independent Media
in Africa**



MEDIA SUSTAINABILITY INDEX 2008

The Development of Sustainable Independent Media in Africa
www.irex.org/msi

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Implementing Partners

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Academy for Peace and Development (Somaliland) <http://www.apd-somaliland.org/>

The Inter Africa Network for Women, Media, Gender and Development (Senegal)

Journaliste en Danger (Democratic Republic of Congo) <http://www.jed-afrique.org/>

Liberia Media Center <http://liberiamediacycenter.net/>

Media Foundation for West Africa (Ghana) <http://www.mediafound.org/>

Media Monitoring Project Zimbabwe <http://www.mmpz.org/>

Multi-Service Information Systems Madagascar

National Union of Somali Journalists <http://www.nusoj.org/>

Sol Plaatje Institute for Media Leadership, Rhodes University School of Journalism and Media Studies (South Africa)
<http://www.spiml.co.za/>



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Although many panels pointed out the effects of government or economic pressures on the editorial integrity of media outlets, some panels recognized that this was a two-way street. While the media are pressured to serve a political or business master, they also accept this fate, and often too easily.



I am pleased to introduce the 2008 Africa Media Sustainability Index (MSI), the second such study of the region. The MSI provides an analysis of the media environment in 40 countries of Sub-Saharan Africa during 2008. The MSI was first conceived in 2000 and launched in Europe and Eurasia in 2001, in cooperation with the United States Agency for International Development (USAID). Since that time, it has become a universally recognized reference for benchmarking and assessing changes in media systems across Africa, Europe and Eurasia, and the Middle East.

The MSI allows policymakers and implementers to analyze media systems and determine the areas in which media development assistance can improve citizens' access to news and information. Armed with knowledge, citizens can help improve the quality of governance through participatory and democratic mechanisms, and help government and civil society actors devise solutions to pervasive issues such as poverty, healthcare, conflict, and education.

The MSI also provides important information for the media and media advocates in each country and region. The MSI reflects the expert opinions of media professionals in each country and its results inform the media community, civil society, and governments of the strengths and weaknesses of the sector. IREX continues to encourage professionals in their vital efforts at developing independent and sustainable media in their own countries or, in many cases, preserving alternative voices in the face of repressive governments.

IREX would like to thank all those who contributed to the publication of the Media Sustainability Index 2008. Participants, moderators, authors, and observers for each country, listed after each chapter, provided the primary analysis for this project. At IREX, Leon Morse managed the MSI with editorial and administrative assistance from Blake Saville and Lillie Paquette. USAID has been a consistent supporter of the MSI, helping to develop the project and ensure its ongoing implementation.

We hope you will find this report useful, and we welcome any feedback.

Sincerely,



W. Robert Pearson

President, IREX

Partisan speech is an acceptable component of a free press and, more broadly, freedom of speech. Nonetheless, a plurality of media outlets with independent and balanced voices goes a long way toward insulating the media as a whole from direct political pressure.



The 2008 edition of the Africa Media Sustainability Index (MSI) includes 40 individual studies, up from 37 nations in the 2006/2007 edition. The latest report adds studies from Gabon and Liberia, plus a separate study for Somaliland. Being the second MSI study of the region, it is too soon to draw development trajectories for the media in these countries, individually or as a whole.

This edition of the Africa MSI does show some noteworthy developments, however. For example, several of the countries in southern Africa, the overall leaders last year, experienced reductions in their scores. Objective 5, Supporting Institutions, last year's strongest objective overall, suffered a similar decline. Objective 2, Professional Journalism, and Objective 4, Business Management, the two weakest objectives last year, improved in many countries but their continent-wide averages remained the same.

A number of common themes also emerged from our diverse panels. In particular, panelists discussed the relationship between the media, government, and the public. Although many panels pointed out the effects of government or economic pressures on the editorial integrity of media outlets, some panels recognized that this was a two-way street. While the media are pressured to serve a political or business master, they also accept this fate, and often too easily. The result is that their standing with the public comes into question. In at least one panel discussion, panelists recommended that the media act more like businesses in their external relations and less like public relations firms.

Our analysis below is both quantitative and qualitative, but it is not intended to be exhaustive, and neither are any of the recommendations made here. The MSI is designed to serve as a summary of overall developments, and a starting point for further research by local media practitioners, international media development workers, academics, and others. IREX intends for the MSI results to serve as one tool in the diverse conversation about media development, and to support advocacy efforts aimed at improving the media's ability to inform the public in the countries under study. To that end, IREX provides all previous editions of the MSI and spreadsheets with combined scoring data on its website, www.irex.org/msi.

Panelists in Namibia indicated that the emergence of an opposition political party generated more government focus on the media; they also complained about coverage of the opposition party in the publicly supported media and fairness in the distribution of broadcast licenses.

Developments in the Objectives

As an overall average, scores for Africa did not change remarkably between the 2006/2007 and 2008 editions. The continental average fell by a slight 0.03 points, with 18 countries slipping in their scores, 11 gaining, and eight remaining unchanged. The performance on most of the objectives mirrored the overall performance.

Objective 1, Freedom of Speech, gained slightly, up 0.04, with an equal number of countries (11) gaining and losing strength, and the balance remaining unchanged. Panelists complained of many of the same problems as last year, particularly the uneven application of laws. While praising, in most cases, the laws as written, panelists frequently detailed the capricious application of justice by government officials, who ignored laws and implement statutes that contravene constitutional guarantees. Harassment of and attacks on journalists continued to be a problem, although several panels suggested such instances are becoming less frequent. Unfortunately, others reported an increase in such cases, chiefly in countries that had suffered some kind of political instability over the past year. Most panels pointed to freedom of information as not improving.

Freedom of the media to access and use foreign news reports in their domestic reporting remained a strong indicator, as did access to the journalism profession. However, in the case of the latter, a few panels reported attempts by the authorities to regulate who may practice journalism. Broadcast licensing appears to be improving in its professionalism to a limited degree. Libel, although still subject to criminal fines and even jail in many countries, seemed to be relied upon less in some countries as a means to pressure the media (or more cases are settled without the intervention of courts), although in others it is still used as a way to cow the media.

Staying relatively strong, **Objective 3, Plurality of News**, generally received higher scores from panelists and its continent-wide average was 2.00. Panelists pointed to familiar strengths, such as multiple sources of news—even if they were sometimes disappointed in the variety of viewpoints and depth of news—and citizens' ability to freely

access media. Many independent broadcasters do produce their own news and that differentiates them from sources generated by the state.

However, the duality between plurality of media in cities and paucity in rural areas is not being addressed sufficiently. Panelists almost universally point out the difficulties citizens in small towns and the rural areas have in accessing any type of media, new or old. Further, news agencies at the national level seem to be suffering, and more and more may become extinct in the future. State broadcasting was a mixed bag, as some panels reported improvement in balance, while others seemed to think that content was edging more toward propaganda.

Last year's two lowest-scoring objectives, **Objective 2, Professional Journalism**, and **Objective 4, Business Management**, stayed in the lowest spots again this year. Although the continental average for each barely changed, the scores of more countries improved or stayed the same rather than fell. Nonetheless, panelists pointed to the same mutually reinforcing negative attributes that keep the media from moving forward. Specifically, weak economies and a small pool of advertisers create reliance on business or political patrons who expect positive coverage in return. In such a situation, truly independent reporting is difficult to sustain, even if a cadre of well-trained journalists exists. And biased reporting pulls the media into the political fray, typically with negative consequences. This issue is described below in more detail.

One positive development is that more panels described the use of market research by their media, even if it is still rudimentary. Although media are not yet fully using this data to inform strategic planning, there is at least, it would appear, a growing awareness and desire to tailor content to citizens' interests.

Objective 5, Supporting Institutions, suffered the worst loss in overall score. In 19 countries the score fell, for a total average loss of 0.14. To put this in context, the next largest change in the continental average was -0.04 for Objective 3 and 0.04 for Objective 1. Panelists generally criticized the ability of professional associations to create real change, and pointed to, in many cases, the absence of active trade associations. A number of factors contribute to the inability of strong associations to develop, such as political divisions, competition, adversarial relations between owners and journalists, and a lack of resources. Likewise, supporting NGOs, although these do exist in most countries and often make valiant efforts, have a hard time achieving lasting success in their attempts to further civic freedoms, including freedom of the press. Finally, civil society organizations will struggle if their governments' support is only lukewarm—or simply antithetical—to including citizen points of view in their decision-making.

Notable Country Developments

Perhaps the most surprising change in country scores came from several of the countries in southern Africa, namely Botswana, Namibia, South Africa, and Zambia. As a group, last year they had the some of the highest scores, not only in Africa but also in the three regions studied by the MSI. Most of them are still in the category of top-scoring African countries, but it is somewhat alarming that they all received such downgrades.

These lower scores were backed up by observations of the panelists, including returning panelists who mostly downgraded their scores in line with the panels as a whole. Generally speaking, panelists pointed to increasing political pressure as the main reason for these declines, and the pressure had repercussions not only on freedom of speech, but on most other aspects of the media.

To explain its lower scores, Botswana's panel cited new legislation designed to protect national security that allows the government to erode freedoms of the press and chip away at issues of media ownership. Panelists in Namibia indicated that the emergence of an opposition political party generated more government focus on the media; they also complained about coverage of the opposition party in the publicly supported media and fairness in the distribution of broadcast licenses. In South Africa the run-up to the presidential election took its toll on the media, as well. In particular, panelists noted concerns about on-going scandals with the public broadcaster, including the blacklisting of journalists critical of the ruling party. Zambia still suffers from the stalled conversion of its state broadcaster into a public one, and media reporting critical stories are suffering harassment and threats of government closure.

Political turmoil lowered scores in Kenya and Madagascar. Of particular concern for the panelists in Kenya is the fear that both opposition and ruling party politicians are beginning to work together to silence independent voices in the media. The proof of this for the panelists was the passage of harsh legislation intended to heavily regulate the media. In Madagascar, a sharp political rivalry between the president and mayor of Antananarivo was already impacting the media when the panel discussion was held; in the first quarter of 2009 it resulted in the ouster of the president by the army.

On a positive note, Niger passed legislation allowing the expansion of private broadcast media and lifting restrictions that prevented community radio stations from broadcasting news programs. Also, Malawi and Tanzania both showed solid growth. Panelists in Malawi were optimistic after the media exposed instances of corruption and the government took corrective action as a result. In Tanzania panelists pointed to

Freedom of the media to access and use foreign news reports in their domestic reporting remained a strong indicator, as did access to the journalism profession. However, in the case of the latter, a few panels reported attempts by the authorities to regulate who may practice journalism.

improvements in broadcast licensing and balance in the bulk of reporting.

Journalism Quality and the Media's Relationships

Reading the studies herein, some common themes begin to emerge that expose pressure points on the media and its ability to serve as the "fourth estate." Identifying these pressure points can be one way to begin to unravel the problems facing the media sector. However, the pressure points can sometimes be self-inflicted, even if brought on out of necessity.

Real or alleged ethical or other abuses by some media outlets are not a valid excuse for a government to limit media freedom. In fact, actions taken by governments to limit press freedom typically slow the media's progress toward better practices and can reinforce bad habits.

However, media professionals at all levels can still choose the tone, content, and adherence to good journalism practices and ethics in their reports. In deciding to be partisan, a media outlet enters the political fray, which in some countries is a dangerous business. Partisan speech is an acceptable component of a free press and, more broadly, freedom of speech. Nonetheless, a plurality of media outlets with independent and balanced voices goes a long way toward insulating the media as a whole from direct political pressure. In many countries the media have decided not to, or have been unable to choose to, transcend overt partisanship.

Further, partisan reporting often leads to gross violations of ethics. This makes media outlets and journalists an easy target for lawsuits, which are typically presided over by a non-independent judiciary. Many examples exist of good reporting resulting in a journalist on the losing side of a lawsuit, facing fines or jail time. However, it is much more difficult to generate the sympathy of one's professional colleagues, not to mention the public at-large, if one is being persecuted while also flagrantly violating standards of journalism.

For example, a panelist from Guinea offered this insight: “When you contact an office,...you will be sent from one official to the other, and eventually you will not get reliable information. So then, we must use euphemisms and rely on rumors, because we still need to write something.”

A panelist in Madagascar gave an example of how such reporting further creates ill will between the media and government. Journalists reporting on the resignation of a senior government official characterized it as “desertion.” The panelist noted how this increased the government’s mistrust of journalists. A panelist from the Central African Republic said that the private press there covers “all the major issues, but it also excels at wheeling and dealing, and presents black as white, especially on political issues, in order to sell more copies.”

One of the key obstacles to better reporting—freedom of information—is clearly in the hands of the government. Officials who suborn corruption and misuse public funds are unlikely to release reliable public information to the media. Until they do, this will continue to be a serious impediment to the work of journalists. For example, a panelist from Guinea offered this insight: “When you contact an office,... you will be sent from one official to the other, and eventually you will not get reliable information. So then, we must use euphemisms and rely on rumors, because we still need to write something.” Regimes bent on silencing critical voices rely on this shortcoming as a way to prove media outlets are unreliable because they print inaccurate information about an official or government agency.

Lackluster or unethical reporting also diminishes the public’s trust in the media and the value it places on media products. A panelist in the Central African Republic noted that journalists “do not treat key events and issues as they should. Often they do not check their information, and they are not fair. The result is that their intentions seem malicious, harmful, and dishonest.”

Further, media outlets need to make an effort to cover a range of issues beyond politics and government programs to win public support. The Zambia study concluded, “Journalists do not know what is key. They fail to identify issues worth reporting, and simply report on who has said what. For example, issues dealing with environmental degradation

and rising food prices rarely find space in the media, unless another news source reports on them.” This latter point is important, as it implies that one good media outlet can create a more vibrant media sector by serving as a news leader. Others will likely follow to remain competitive.

Even if good reporting happens, it often never sees the light of day. A panelist from the Central African Republic explained, “Journalists showing professionalism may be fired because they bother the shady sponsors of the respective media.” Developing a more solid business footing is one way media can empower themselves and become less dependent on a few powerful advertisers or sponsors.

One step the media can take is to change their perceptions of their place in the local business environment. Rather than serving as a public-relations vehicle for politicians or key businesses, as many do, they should think more as a business. By adopting a business approach to running its operation, many outlets could help bring the media closer to normalized business operations.

The panelists in Niger demonstrated one of the things that frequently hold the media back, the inability to look past competitive rivalry and secure better conditions for the industry as a whole. “While it is the [Higher Communications Council’s] responsibility to regulate the advertising market, media managers can also take collective initiatives. On this point, Ameth, the manager of Multi-Com advertising agency, tried to show the panelists that the situation could change very easily if media managers should agree to negotiate with communication agencies and advertising departments. But his proposition was not considered appropriate by some of the panelists, who did not hide their distrust of go-betweens.”

In addition, media in most countries in Africa—for that matter most countries the MSI studies—have not adopted practices that facilitate solid business-to-business relationships. The Niger discussion continued: “That crisis of trust would also be overcome if reliable statistical data concerning the media—such as audience ratings, print runs, and sales figures—were regularly processed and made available to the public. But such data is unavailable, making it difficult even for advertisers to decide wisely which media outlets they should choose as carriers for their messages.”

Enhancing the performance and sustainability of a media sector is complicated, with many actors influencing the outcome, some intractable in their opposition to reform. However, serious media outlets, on their own, can make choices that improve their chances of openly and professionally informing the public.

MEDIA SUSTAINABILITY INDEX 2008: OVERALL AVERAGE SCORES

□ Eritrea (0.26)	▼ Eq. Guinea (0.79)	▼ Zimbabwe (1.15)	▼ Burundi (1.95) ▼ Cameroon (1.55) ▼ Chad (1.76) ▲ D. R. Congo (1.73) ▲ Rep. Congo (1.63) Gabon (1.81) □ The Gambia (1.68) ▼ Mali (1.97) ▲ Cent. Afr. Rep. (1.47) □ Djibouti (1.38) ▲ Ethiopia (1.35) ▲ Sudan (1.47)	▲ Mauritania (1.93) ▼ Somalia (1.52) Somaliland (1.83) ▼ Togo (1.56) ▼ Zambia (1.89)	□ Benin (2.23) ▼ Botswana (2.34) ▲ Burkina Faso (2.14) ▼ Côte d'Ivoire (2.01) ▼ Ghana (2.45) □ Guinea (2.21) ▼ Kenya (2.13) Liberia (2.04) ▼ Madagascar (2.01) ▲ Malawi (2.47) □ Mozambique (2.19) ▼ Namibia (2.50) □ Niger (2.03) ▼ Nigeria (2.04) ▲ Rwanda (2.40) ▼ Senegal (2.07) ▲ Sierra Leone (2.16) ▲ Tanzania (2.43) □ Uganda (2.43)	▼ South Africa (2.77)	
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

MEDIA SUSTAINABILITY INDEX 2008: FREEDOM OF SPEECH

□ Eritrea (0.14)	▼ Zimbabwe (0.49)	▼ Cameroon (1.31) ▲ The Gambia (1.38) ▼ Eq. Guinea (1.11) ▲ Ethiopia (1.36) □ Somalia (1.32) ▲ Sudan (1.47)	▼ Chad (1.91) ▲ D.R. Congo (1.76) ▲ Rep. Congo (1.72) □ Djibouti (1.54) Gabon (1.99) □ Madagascar (1.98) ▲ Mauritania (1.97) ▼ Nigeria (1.58) □ Zambia (1.98)	▼ Benin (2.28) □ Burkina Faso (2.23) □ Burundi (2.13) ▲ Cent. Afr. Rep. (2.03) ▼ Côte d'Ivoire (2.10) □ Guinea (2.15) □ Kenya (2.08) Liberia (2.24) ▲ Malawi (2.46) ▼ Mali (2.37) □ Mozambique (2.27) ▼ Niger (2.10) ▼ Senegal (2.02) □ Sierra Leone (2.36) Somaliland (2.11) ▲ Togo (2.43) □ Uganda (2.36)	□ Botswana (2.60) □ Ghana (2.67) ▼ Namibia (2.58) ▲ Rwanda (2.69) ▲ Tanzania (2.65)	▼ South Africa (3.17)	
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00	3.01 – 3.50	3.51 – 4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2006/2007

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

IREX included Gabon, Liberia, and Somaliland for the first time in the current edition.

Scores for 2006/2007 are available online at http://www.irex.org/programs/MSI_Africa/20067/index.asp

MEDIA SUSTAINABILITY INDEX 2008: PROFESSIONAL JOURNALISM

				<ul style="list-style-type: none"> □ Benin (2.04) ▼ Botswana (2.33) ▼ Burundi (2.06) ▲ Chad (2.03) ▲ Ghana (2.20) ▲ Guinea (2.20) ▼ Kenya (2.08) □ Madagascar (2.01) ▲ Malawi (2.31) □ Mozambique (2.06) ▼ Namibia (2.16) ▲ Niger (2.02) ▲ Rwanda (2.30) □ Senegal (2.09) ▲ Sierra Leone (2.04) ▲ Tanzania (2.08) □ Uganda (2.28) ▼ South Africa (2.61) 			
	<ul style="list-style-type: none"> ▲ Burkina Faso (1.86) ▼ Cameroon (1.51) ▲ Cent. Afr. Rep. (1.63) Gabon (1.60) □ The Gambia (1.96) Liberia (1.95) □ Mali (1.85) ▲ Mauritania (1.98) □ Nigeria (1.89) ▼ Somalia (1.52) Somaliland (1.64) ▼ Zambia (1.84) 	<ul style="list-style-type: none"> ▲ D.R. Congo (1.40) ▲ Rep. Congo (1.48) ▼ Côte d'Ivoire (1.48) □ Djibouti (1.43) ▼ Ethiopia (1.47) ▼ Sudan (1.42) ▼ Togo (1.30) 	<ul style="list-style-type: none"> ▼ Eq. Guinea (0.84) ▲ Eritrea (0.51) □ Zimbabwe (0.95) 				
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UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

MEDIA SUSTAINABILITY INDEX 2008: PLURALITY OF NEWS SOURCES

				<ul style="list-style-type: none"> ▼ Benin (2.43) ▼ Botswana (2.21) ▲ Burkina Faso (2.17) □ Burundi (2.21) ▲ D.R. Congo (2.17) □ Côte d'Ivoire (2.33) Gabon (2.38) ▼ Ghana (2.47) □ Guinea (2.43) ▼ Kenya (2.04) Liberia (2.02) ▼ Madagascar (2.06) ▼ Mali (2.09) ▲ Mauritania (2.02) □ Mozambique (2.34) ▼ Namibia (2.49) □ Niger (2.23) ▲ Malawi (2.58) □ Nigeria (2.12) □ Rwanda (2.78) ▼ Senegal (2.30) ▼ South Africa (2.59) ▲ Sierra Leone (2.26) ▲ Tanzania (2.59) ▼ Zambia (2.02) □ Uganda (2.56) 			
	<ul style="list-style-type: none"> ▼ Eq. Guinea (0.80) ▲ Zimbabwe (0.84) 	<ul style="list-style-type: none"> ▼ Djibouti (1.35) ▲ Ethiopia (1.38) ▼ Togo (1.46) 	<ul style="list-style-type: none"> □ Cameroon (1.91) □ Cent. Afr. Rep. (1.52) ▼ Chad (1.54) ▼ Rep. Congo (1.94) □ The Gambia (1.82) ▼ Somalia (1.65) Somaliland (1.87) ▲ Sudan (1.61) 				
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UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2006/2007

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

IRES included Gabon, Liberia, and Somaliland for the first time in the current edition.

Scores for 2006/2007 are available online at http://www.irex.org/programs/MSI_Africa/20067/index.asp

The continental average fell by a slight 0.03 points, with 18 countries slipping in their scores, 11 gaining, and eight remaining unchanged.



IREX prepared the Media Sustainability Index (MSI) in cooperation with the United States Agency for International Development (USAID) as a tool to assess the development of independent media systems over time and across countries. IREX staff, USAID, and other media development professionals contributed to the development of this assessment tool.

The MSI assesses five “objectives” in shaping a successful media system:

1. Legal and social norms protect and promote free speech and access to public information.
2. Journalism meets professional standards of quality.
3. Multiple news sources provide citizens with reliable and objective news.
4. Independent media are well-managed businesses, allowing editorial independence.
5. Supporting institutions function in the professional interests of independent media.

These objectives were judged to be the most important aspects of a sustainable and professional independent media system and served as the criteria against which countries were rated. A score was attained for each objective by rating seven to nine indicators, which determine how well a country meets that objective. The objectives, indicators, and scoring system are presented below.

The scoring is done in two parts. First, a panel of experts is assembled in each country, drawn from representatives of local media, nongovernmental organizations (NGOs), professional associations, and media-development implementers. Panel participants are provided with the objectives and indicators and an explanation of the scoring system. Each panelist individually reviewed the information and scored each objective. The panelists then assembled to discuss the objectives and indicators, and to devise combined scores and analyses. The panel moderator, in most cases a host-country media or NGO representative, prepares a written analysis of the discussion, which is subsequently edited by IREX representatives.

The panelists’ scores are reviewed by IREX, in-country staff and/or Washington, DC, media staff, which then score the countries independently of the MSI panel. Using the combination of scores, the final scores are determined. This method allows the MSI scores to reflect both local media insiders’ views and the views of international media-development professionals.

I. Objectives and Indicators

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

II. Scoring System

A. Indicator Scoring

Each indicator is scored using the following system:

0 = Country does not meet the indicator; government or social forces may actively oppose its implementation.

1 = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change.

2 = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces.

3 = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability.

4 = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions.

B. Objective and Overall Scoring

The averages of all the indicators are then averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



AFRICA

Leading journalists pointed to the dispute between the executive branch and the Higher Audio-Visual and Communications Authority (HAVCA) as a particularly ominous sign that the government of Benin—viewed widely as one of Africa’s most stable democracies—was seeking to exert control over the broadcast media.



BENIN

Just two years after Beninese media were rated the freest in Africa by Reporters Without Borders, press freedom in the tiny West African country is on a downturn that shows little sign of reversing. Reporters Without Borders' 2008 rankings listed Benin 11th in press freedom among African nations, falling from its ninth-place ranking in 2007. Late in 2008, a Beninese media workers' union issued a statement documenting a host of rights infringements: imprisonments, beatings, and police interrogations of journalists; politically motivated transfers of journalists working for state media; the forming of non-aggression and propaganda agreements between the office of President Thomas Boni Yayi and the media; and the conflict between the executive branch and the agency that regulates media, regarding the granting of frequencies to new television and radio stations.

Leading journalists pointed to the dispute between the executive branch and the Higher Audio-Visual and Communications Authority (HAVCA) as a particularly ominous sign that the government of Benin—viewed widely as one of Africa's most stable democracies—was seeking to exert control over the broadcast media. The conflict, which came to be known as “the war of the frequencies,” highlighted the serious risks that arise when the institutions responsible for enforcing media law fight over interpretations.

The dispute began to unfold on January 30, 2008, when HAVCA granted new frequencies to the winners of a competition for the installation and operation of private radio and television stations. Three days later, the minister in charge of communications and information technology expressed disapproval of the procedures that led to the granting of the new frequencies, and the government asked the Benin Constitutional Court to overturn HAVCA's decision. The government claimed that HAVCA could not grant new frequencies without the ministry's technical approval, and said that the ministry “is clearly opposed to any new frequency granting for legal, technical, and security reasons.” Though HAVCA cited legislation dating to 1997 that granted the agency discretion to award frequencies, the court ruled in favor of the ministry at the end of February, saying that HAVCA had violated the constitution.

Troubling signs about the future of Beninese media have emerged from within the journalism profession as well. Journalists continue to work under deplorable conditions, and the quality of their work has suffered. Media advocates acknowledge that reporting is often incomplete or biased—a situation they attribute to low pay, poor management, and pressure from powerful individuals inside and outside of government.

Benin's overall MSI score is essentially unchanged compared to last year, although objective scores showed some movement. Objective 1, freedom of speech, and Objective 3, plurality of news sources, both received slightly lower scores; while the other three objectives remained more or less the same. The range of scores also remained similar to last year, with Objective 4, business management, receiving by far the worst score; and Objective 5, supporting institutions, receiving the best score. The other objectives fell in the lower half of the “near sustainability” range.

BENIN AT A GLANCE

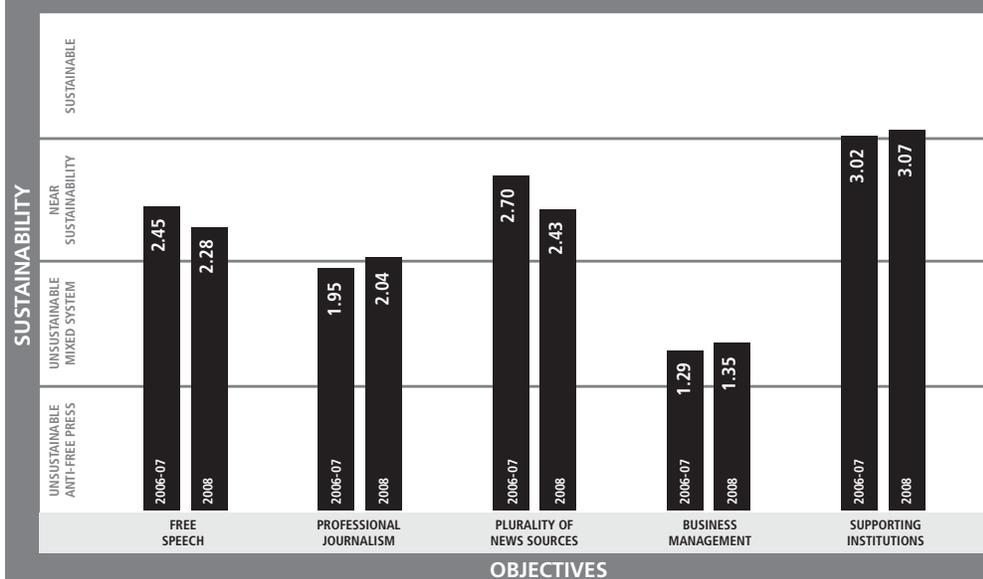
GENERAL

- > **Population:** 8,791,832 (14 May, 2009 est., *CIA World Factbook*)
- > **Capital city:** Porto-Novo
- > **Ethnic groups (% of population):** Fon 39.2%, Adja 15.2%, Yoruba 12.3%, Bariba 9.2%, Peulh 7%, Ottamari 6.1%, Yoa-Lokpa 4%, Dendi 2.5%, other 1.6%, unspecified 2.9% (2002 census, *CIA World Factbook*)
- > **Religions (% of population):** Christian 42.8%, Muslim 24.4%, Vodoun 17.3%, other 15.5% (2002 census, *CIA World Factbook*)
- > **Languages (% of population):** French (official), Fon and Yoruba (most common vernaculars in south), tribal languages (at least six major ones in north) (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$5.120 billion (World Bank Development Indicators, revised 2009)
- > **GNI per capita (2008-PPP):** \$1,310 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 34.7% (male 47.9%, female 23.3%) (2002 census, *CIA World Factbook*)
- > **President or top authority:** President Thomas Yayi Boni (since April 6, 2006)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 53 total (28 daily newspapers, 25 periodicals); Radio: 73; Television Stations: 5, including 1 public channel
- > **Newspaper circulation statistics:** Top three by circulation: *La Nation* (state-owned), *Le Matinal* (private), *Fraternité* (privately owned)
- > **Broadcast ratings:** Top three radio stations: National Radio (state-owned), Golfe FM (state-owned), Capp FM
- > **Television channel ratings:** Top three: National television (public channel), Canal3 (privately-owned channel), Golfe TV (privately-owned).
- > **News agencies:** Agence Bénin Presse (state-owned), Agence de presse Médiane Afrique (private), Agence Proximités (privately owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 150,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BENIN



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Benin Objective Score: 2.28

Benin's freedom of speech score slipped slightly compared to last year, as the scores fell for a number of indicators. In particular, panelists decreased scores for Indicator 2 (broadcast licensing) and Indicator 5 (legal guarantees of editorial independence for state media). Indicator 1 (legal protections support free speech) and Indicator 4 (attacks on journalists) also experienced a decline. Despite its slide, Indicator 4 still managed to score about a point higher than the overall objective score, as did Indicator 8 (media access to foreign news sources) and Indicator 9 (free entry to the journalism profession). However, indicators 5, 6 (libel laws), and 7 (access to information) all scored about a point lower. One indicator increased its score: Indicator 3 (market entry and tax treatment).

Freedom of speech is guaranteed by Benin's 1991 constitution. Article 23 of the constitution recognizes the right of every person to freedom of thought, opinion, and expression within the legal bounds of public order. Article 24 states that freedom of the press is recognized and guaranteed by the state. In practice, however, the media must exercise these freedoms in a restrictive legal environment. "The constitution recognizes the freedom of speech, of which the press is a direct manifestation. But on the other hand, there are still liberty-killing and obsolete laws," said panelist Edouard Loko, director of the daily newspaper *Le Progres* and president of the Benin press management organization.

Many of the laws that affect the media and its operations date to the period before 1990, when Benin abandoned Marxist-Leninist central controls for multi-party democracy. For example, Law 60-12, passed in 1960, limits the freedom of the press and stipulates prison sentences for journalists convicted of press offenses. And Order No. 69-22 PR/MJL, from 1969, provides for the suppression of attacks on public order and bans the spread, publication, distribution, and reproduction of false news.

Licensing of broadcast media has been free and open since 1990, but the conflict between HAVCA and the government over the granting of frequencies suggests that the process is not as free as it appears. According to panelists, the government's annulment of the decision of HAVCA to grant new frequencies—even though HAVCA's equitable, competitive, and apolitical action was not questioned—is evidence that the government desires to control the broadcast media. Analyzing this conflict, panelists said that the frequency granting process was more transparent than the government's management of the controversy that sprang

"The constitution recognizes the freedom of speech, of which the press is a direct manifestation. But on the other hand, there are still liberty-killing and obsolete laws," said panelist Edouard Loko, director of the daily newspaper Le Progres and president of the Benin press management organization.

from the grants. "The administration even dispatched a team of public servants and policemen to cut the power and seal off the equipment of a newly licensed radio station,"¹ said panelist Abel Gbètoénonmon, a journalist and member of a platform reuniting civil society organizations. While recognizing that licensees and citizens have the option of challenging the decisions of HAVCA, panelists regretted that the constitutional court's decision cannot be appealed.

Taxation is the same for Benin's media as for other businesses—a situation long opposed by media owners, given the nature of the media and the role they play in society. Supplies and equipment involved in production are taxed in the same way as materials used by other types of companies. Nonetheless, when they are incorporated, media companies are subject to different financial and administrative obligations according to their medium: press, radio, or television. Thus, while all a newspaper owner must do is to file a statement, the other media are forced to complete full legal and financial paperwork. After that, all media companies are taxed equally, based on their sales figures.

The panelists agreed that journalists are not murdered in Benin. From time to time, however, journalists are roughed up by police officers, who go unpunished. This situation may be explained by the fact that Benin still has no laws designed to expressly protect journalists. Mobilizing by human rights organizations is the only response when the physical integrity of a journalist is violated by the police. No media company has ever been subjected to vandalism or sabotage, panelists said.

¹ On March 31, 2008, after the annulment of the decision of HAVCA by the constitutional court, a delegation of representatives of the ministry of communication, accompanied by a police squad, raided a newly licensed radio station while it was conducting tests. The group cut the station's power and sealed off its equipment. HAVCA denounced this intervention and submitted a complaint to the constitutional court, which ruled: "The measures taken cannot be construed as a government intervention sanctioning an unlicensed radio station, which is a prerogative of HAVCA, but rather as law enforcement against a radio station that broadcasts in violation of a decision of the Constitutional Court."

“Sometimes we have felt ashamed by the work of our fellow journalists,” said François Awoudo, a journalist and former president of the Observatory for Ethics and Responsibility in Media.

The law states clearly that all journalists should have access to news sources, but those working for state media generally enjoy exceptional favoritism, as long as they are not covering news that is damaging to the interests of the authorities. They also have greater access to news events involving the government. Such favoritism may explain why journalists from the state media and public broadcasters believe that they must ally themselves with members of the government or other politicians, who appoint their managers. The need for government advertising and other support discourages state media managers from upsetting their influential patrons.

In Benin, libel is considered a media offense if it allegedly is committed through the media, and a common law offense if by other means. Civil law cases place the burden of proof on the plaintiff, but when the media are involved, the defendant journalist must show that the alleged slander is true. Panelists said that it is difficult for a journalist to provide evidence because of the length of the process and the nature of the required documents. The journalist has seven days from the notification that a case has been submitted to the court to

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- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

notify the attorney general or the plaintiff of the facts he or she intends to prove as true, as well as provide copies of all documents and names and addresses of witnesses. Journalists typically have difficulty obtaining the necessary copies, especially if the documents are in the hands of the government. Also, not many journalists dare to appear in court and testify against a well-known person.

The principle of free access to information is stated in Law No. 92-021, but no further regulations detail how such access works in practice. Journalists must find a way to acquire the information that they seek. Furthermore, any information that a journalist has that has been labeled as “confidential,” regardless of the necessity of keeping it secret, can result in a jail sentence.

Access to international news is not restricted. The Beninese media surf the Internet for news, and some use news from the Internet and broadcast news agencies based on a partnership agreement with almost no financial compensation. Dispatches from the international news agencies are rarely used by the Beninese media because of the extremely high subscription rates. Foreign publications, particularly from neighboring Nigeria, are widely distributed in the capital city of Cotonou without controls or restrictions, despite existing legal provisions to this effect.

Panelists recognized that no law restricts access to the journalistic profession. The government influences neither admission to journalism schools nor recruitment of journalists by media outlets. It has no influence on professional associations. However, by regulating the issuance of press cards, HAVCA has in effect set forth criteria determining who can be a journalist. In addition, special accreditation is required to cover certain events (heads of state meetings, national holidays, etc.) and is issued by the relevant government agencies. But “governmental control stops there, and such control within the event sites is simply for security reasons,” according to panelist Célestin Akpovo, a university professor, former journalist, and president of the private press union of Benin.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Benin Objective Score: 2.04

Although overall the score for this objective showed little change, the panelists did assess some of the indicators differently this year. Indicators 1 (reporting is fair and well-sourced), 3 (self-censorship), and 4 (journalists cover key events) showed improvement, while Indicator 6 (balance of entertainment and news) and Indicator 7 (modern equipment) ended up with lower scores. Most of the

indicators stayed within a half point of the overall score, with two exceptions: Indicator 4 scored about a point higher, while Indicator 5 (pay levels for journalists) was again the lowest-scoring indicator, coming in about a point lower than the overall objective score.

Beninese journalists' work is not rigorous. While panelists acknowledged that factors outside of newsrooms influence the quality of the journalists' work, they also recognized that journalists could hardly do better jobs because of their undesirable work and living conditions.

Journalists are most often accused of not checking and verifying information sufficiently. Many people complain that journalists do not work hard enough to get to know all sides of a story before reporting the story. Panelists said that it is awkward to see people who are granted a right of response lecturing journalists on journalism. "Sometimes we have felt ashamed by the work of our fellow journalists," said François Awoudo, a journalist and former president of the Observatory for Ethics and Responsibility in Media.

Some panelists said that journalists—particularly younger ones—are offered per diem allowances and other gifts in the hope that they will skew their articles in a certain direction. Clément Adéchain, managing editor of the daily newspaper *L'Informateur*, asked the participants, "How can you expect a paid report to be fair?" But Loko called that "a borderline, half-true excuse." According to him, money and gifts do not always explain the mistakes in the Beninese media.

The panelists said that another weakness of journalists is that they do not prepare sufficiently for broadcast debates or other discussions. Either the journalist has no command of the topic or the guest is oblivious to it. Panelist Urbain

Amégbédji, an NGO leader, said that there are a rare few journalists who do an admirable job leading a debate or conducting an interview.

The Beninese media adopted a code of ethics in September 1999. The code follows the example of other African countries and takes on the pivotal issues of the profession. Through training sessions, media professionals have been made aware of the contents of the code, although there are still some opponents to it. The code is regularly violated, often through the publication of false news, slander, false accusations, and mixtures of facts and hearsay.

Self-censorship, said Maurille Agbokou, managing director of the daily newspaper *Adjinakou*, "is part of the trade. Not everything is said out loud. But journalists often practice self-censorship because there is a threat from the outside."

Often, journalists do not discuss some topics for fear of ending up in court. But more frequently, they are afraid of upsetting business relations with certain companies by writing about certain topics that might be damaging to the companies—particularly advertisers. For example, there are publication managers who were not able to renew their contracts with a state-run company because they dared to expose the obsolete nature of its infrastructure. When big commercial and financial advantages are at play, the owner of the media outlet will give indications, or even orders, about how a topic must be covered, if at all. "If my journalist does not walk the line, I will sack him to protect the interests of the company," Adéchain concluded.

Self-censorship aside, panelists were unanimous that there is no outright taboo topic in the Beninese media. Some topics are addressed with caution, such as those subject to legal restrictions and those that can only be addressed with caution, such as national defense and safety, and pending court cases.

Salaries among Beninese media fall into two categories: journalists in the state media that are employed and paid regularly, and those in the private media who receive virtually no salary. In the private media, the poor salary structure favors corruption. Some outlets even ask event organizers to pay reporters' transportation and bed and board expenses. To survive, some journalists agree to write stories proposed by politicians in exchange for money.

To limit corruption in sensitive sectors such as justice and tax administration, the Beninese government substantially increased the magistrates' and tax agents' salaries, yet no such steps have ever been taken with journalists' salaries.

All the broadcast media have specific time slots for news but dedicate more airtime for entertainment programming

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

The panelists agreed that the state media do a great deal for cultural promotion. But they also said that the state media do not reflect the full spectrum of public opinion and are influenced by the government.

(interactive and reality shows). In a typical 24-hour period, only a third of the time is used for newscasts and the rest is entertainment.

Equipment quality in the written press has improved, but the broadcast sector has serious equipment problems. The image quality on television programs is an indicator the obsolete technical equipment (cameras and editing rooms) being used. Radio stations still use analog recorders, which affects the sound quality of reports and shows produced outside the studio.

All newspapers have correspondents throughout the country who send in field reports. The same is true for television stations, which have transmitters in the larger inland cities. But the production issue is tied to the availability of personnel and materials. Many panelists said that the state broadcast media address topics much more selectively and acknowledge all the country's ethnic groups. In contrast, all local (private, commercial, or community) radio stations produce shows that are potentially interesting to ethnic groups living only in their coverage area.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 3: PLURALITY OF NEWS

Benin Objective Score: 2.43

This objective experienced a modest drop in score, from 2.70 to 2.43. The change was caused by lower scores in four indicators: 1 (plurality of news sources), 2 (citizen access to media), 3 (objectivity of state media), and 6 (transparency of media ownership). Indicators 3 and 6 represented the lowest-scoring indicators, coming in a point lower than the overall objective score. Indicator 2 and Indicator 7 (media coverage of minority issues) scored higher by a point and a half-point, respectively.

Despite a strong presence in urban areas, the written press still struggles to reach rural populations because of an undeveloped distribution system. This shortcoming is compensated by local radio stations, which relay the news published in newspapers in their news reports and press reviews.

Citizens' access to national and international, audio-visual, and written media is unlimited. Access to the Internet is free of restrictions, but panelists pointed out that the Internet is accessed only by a very few, due to lack of financial and technical means. The government has exempted all imported computers from customs tax.

The panelists agreed that the state media do a great deal for cultural promotion. But they also said that the state media do not reflect the full spectrum of public opinion and are influenced by the government. The state appoints media managers, and the airtime dedicated to the activities and viewpoints of members of government is much greater than the airtime allotted to opposition parties and apolitical organizations. However, within a hierarchy that aims to please the government, a few journalists are fighting so that the state media fulfill their public service obligations.

Benin has two private press agencies, Médiante Afrique and Proximités. Because they are having trouble making their services profitable, they also conduct such secondary activities as training, studies, and research. Limited revenues do not allow newspapers to use the services of a press agency. Instead, they use information they find on the Internet.

In a highly competitive environment, private radio stations provide programming targeted to the populations living in their coverage areas. But in terms of quality, these productions cannot be compared to the national radio stations' productions, which are dedicated to a larger audience.

Determining the financial sources of private media is difficult. The true owners hide behind dummy corporations, so the public cannot measure the degree of objectivity of the

news distributed by these outlets. Sometimes politicians or businesspeople try to use the media to protect their interests, seeking to influence editorial content. Panelists knew of no foreign investment in Beninese media at present.

Beninese media are subject to only a few (mostly socio-cultural) restrictions on certain topics. Most social interests are represented, through local radio stations with cultural or religious programming and press outlets specializing in areas such as finance, education and sports.

OBJECTIVE 4: BUSINESS MANAGEMENT

Benin Objective Score: 1.35

Panelists rated this objective about the same as last year, although four indicators did change notably. Panelists gave better scores to indicators 3 (advertising agencies) and 4 (proportion of advertising to other revenue sources), but the scores for indicators 1 (media are well-managed businesses) and 7 (audience and circulation measurement) both worsened. Indicator 4 scored about three-quarters of a point higher than the overall objective score, while Indicator 5 (government subsidies for private media) scored more than a point higher. Indicators 6 (market research) and 7 both scored more than a point lower.

Private media outlets are neither efficient nor profitable. All panelists agreed that media companies' revenues are insignificant compared to companies in other sectors. Accounting departments have no business plans, and their personnel are insufficiently qualified and often mixed with sales and administrative departments. With community

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

The government also provides funding to media outlets, which HAVCA grants very selectively to outlets that meet certain criteria. "Yes, the media receive subsidies, but they do not allow themselves to be influenced by the subsidy distribution," Awoudo said, and other panelists agreed.

media, the situation is so difficult that sometimes municipal governments must provide financial support.

Media derive revenue from advertising and communication campaigns and, in the case of print media, circulation. The government also provides funding to media outlets, which HAVCA grants very selectively to outlets that meet certain criteria. "Yes, the media receive subsidies, but they do not allow themselves to be influenced by the subsidy distribution," Awoudo said, and other panelists agreed. Because funds are divided among an increasing number of media outlets every year, the subsidy received by each outlet is not significant enough to buy any kind of influence.

One panelist cited another aspect of media financing—"unorthodox sources"—that strongly and negatively influence editorial content.

Minus three or four daily newspapers that rely on sales and subscriptions, the most substantial source of income for the media is advertising. One other exception must be noted: *La Nation*, a government-owned daily. That newspaper has the best sales figures—all government departments buy at least one subscription—and is the unofficial publisher of all legal announcements. The overwhelming majority of advertisers are still concentrated in the large urban centers, particularly in Cotonou.

Despite its importance to Beninese media, "the advertising market is not formalized or regulated," Loko said. Panelists said that in a chaotic advertising market, each media company negotiates directly with advertisers. The small percentage of media outlets that take the lion's share of advertising do so not because of superior marketing skills or media products, but because of connections to the advertisers.

In some newspapers, advertising space crowds out copy to the extent that only a few pages address the news. Electronic media have a similar disproportion—much air time space is devoted to advertising, often to the detriment of the public. "If you take out advertising and all other operations acting as resource advertising, there is nothing left," said panelist Maurille Agbokou, manager of the daily newspaper *Adjinakou*.

Panelist Urbain Amégbédji, regional director of a pro-democracy NGO, spoke to the panel about his organization's defense of journalists in court. "We do not always have the necessary information and understanding of the facts," he said.

The media do not acknowledge the importance of market research. They prefer to trust their instincts and to micromanage without innovations or creative distinctions in terms of product presentation. Many newspapers are similar in terms of graphic layout. Also, programming hardly differs from one broadcaster to another. Newscasts are aired at the same time; interactive shows are similar; debate shows have the same format. Only the tone changes, or the image quality, due to outdated technical equipment.

There are no reliable statistics measuring the media sector. Circulation and sales figures are provided by each media company according to what the requestor intends to do with the figures.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Benin Objective Score: 3.07

The score for this objective remained essentially unchanged this year, and only a few indicators changed to any degree. Indicators 1 (trade associations) and 2 (professional associations) improved, while Indicator 5 (short-term training)

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

received a lower score. Almost all indicators scored close to the overall objective average, with the exception of Indicator 4 (academic journalism programs), which again scored about a point below the objective score.

After the 2002 convention of Beninese media, the publishers' and owners' groups merged into one association that organizes training for its members. This association also fights to improve the economic context of the media by advocating for tax reductions, working toward the creation of a buying center for media resources, putting together an advertising regulatory institution, and lobbying for an advertising law. All these undertakings are meant to end economic dependency and make media companies more profitable.

Also after the convention, journalists organized themselves into a single union that functions independently from management and the government. New members are accepted based on the criteria adopted at the convention. The union has departments that focus on specific areas of coverage: economics, parliament, politics, and the environment. Representatives of the union have been put in place throughout all regions of the country. The union has become active in enforcing a collective bargaining agreement, and in recent years, it has mobilized to support journalists in danger—whether by imprisonment, from a judge, or at the hands of individuals.

Civil society organizations, which are present mostly in large urban areas, are very active in defending the professional associations that protect freedom of the press. However, their credibility and public image took a blow when some private organization leaders were appointed ministers in the government after the 2006 elections. The panel's discussion made it clear that the press and some civil society organizations now distrust each other. Nonetheless, some members of civil groups continue to be involved with the media. Panelist Urbain Amégbédji, regional director of a pro-democracy NGO, spoke to the panel about his organization's defense of journalists in court. "We do not always have the necessary information and understanding of the facts," he said. "This year, we have defended journalists from the national television [station] who were mistreated because they acted in a way that did not please the [station's] leadership."

Benin has schools that train journalists for different radio and television specialties, and even a master's degree in media management is being offered. The quality of the programs cannot yet be objectively judged, given that these schools are still in their early stages and turnout has been limited because of the high cost of training.

Many professional training opportunities are available to the media. The most common are writing technique

sessions and specialization modules, funded by international institutions and the Beninese government. In recent years, better-structured and organized HAVCA training sessions have been held based on the results of a study that led to a biennial program.

Newspapers are printed by independently managed printing houses and are not subject to any governmental restriction. The existing distribution networks are non-political and belong to the private sector. Distribution of the written press is still in a nascent stage. Large urban centers are well supplied with newspapers, but not rural areas. The same is true for the Internet, which is still foreign to residents of rural areas because of the lack of electrical power, computers, and telephone service. Internet access is provided by private companies.

List of Panel Participants

Clément Adechian, manager, *L'Informateur* daily newspaper, Cotonou

Maurille Agbokou, journalist, *Adjinakou* daily newspaper; former vice-president, Observatory for Deontology and Ethics in the Media, Porto-Novo

Pierre Claver Ahouansou, representative of the president, Social Watch Benin NGO, Cotonou

Célestin Akpovo, professor and legal expert; former editor-in-chief, *Le Point au Quotidien*; former president, the Media Professionals' Association, Cotonou

Urbain Amegbedji, regional manager, Centre Africa Obota NGO, Cotonou

François Awoudo, former president, the Observatory for Deontology and Ethics in the Media, Porto-Novo

Armand Coovi, manager, Benin Culture Community Radio, Porto-Novo

Edouard Loko, president, Beninese Media Management, director, *Le Progrès* daily newspaper, Cotonou

Abel Gbetoenonmon, secretary general, Beninese Civil Society Platform, expert in journalism and international trade, Bohicon/Cotonou

Moderator and Author

François Laïbi, journalist consultant, Médiane Afrique Private Press Agency, Cotonou

The Benin study was coordinated by, and conducted in partnership with, Media Foundation West Africa, Accra, Ghana.

Panelists expressed fears of monopolistic trends in the market, as private media companies' attempts to diversify and expand market share have been restricted to either buying smaller outlets or creating partnerships with foreign media.



BOTSWANA

B

Botswana has enjoyed 42 years of multiparty democracy since gaining independence from Britain in 1966. The country has since been governed by the Botswana Democratic Party (BDP) and has witnessed the smooth transition of power to four different presidents. Despite the stability, opposition parties and political commentators continue to call for electoral reform away from winner-takes-all to a proportional representation system. Calls have also been made for direct presidential elections. The BDP has resisted change, adopting an “if it isn’t broken, why fix it?” position.

Economically, Botswana has continued to be one of the strongest performers on the African continent, with a growth rate of around 6 percent. The country appears to have been relatively insulated from the global slowdown, but analysts suggest this may not last. The strong economy is good for media, but with a population of fewer than two million people growth potential is limited. Panelists expressed fears of monopolistic trends in the market, as private media companies’ attempts to diversify and expand market share have been restricted to either buying smaller outlets or creating partnerships with foreign media. Panelists expressed disappointment that a government policy to promote competition and diversity has yet to be introduced. There are also concerns that private media sustainability is undermined by unfair competition from state-controlled media.

The 2008 MSI suggests a growing concern among media professionals that past gains are being eroded, and the overall country score declined modestly from 2.51 to 2.34. Concerns about journalists’ safety and restriction on free expression were important contributors to the MSI decline, with panelists highlighting three 2007 assaults on journalists by police and onlookers and the blacklisting by the Ministry of Labor and Home Affairs of journalists, academics, and human-rights activists from Australia, the United States, and Canada for their critical accounts of the resettlement of Bushmen from the Central Kalahari Game Reserve on August 1, 2007.

Capturing the views of the panel, *The Mining Mirror* managing editor and owner Gwerevende Hamufari observed: “This state of affairs contradicts the spirit of freedom of expression and threatens the country’s position as Africa’s beacon of democracy and peace.”

Further contributing to the MSI decline was the introduction of the Intelligence and Security Services Act on August 6, 2007. The Act, which was rushed through parliament, is intended to promote national security, but it also contains loopholes panelists fear may be used to restrict media freedom.

The decline in score and criticisms of the panelists mostly were manifest in Objective 2 (professional journalism), Objective 3 (plurality of news), and Objective 5 (supporting institutions), all of which experienced moderate drops. By contrast, the score for Objective 4 (business management) improved

BOTSWANA AT A GLANCE

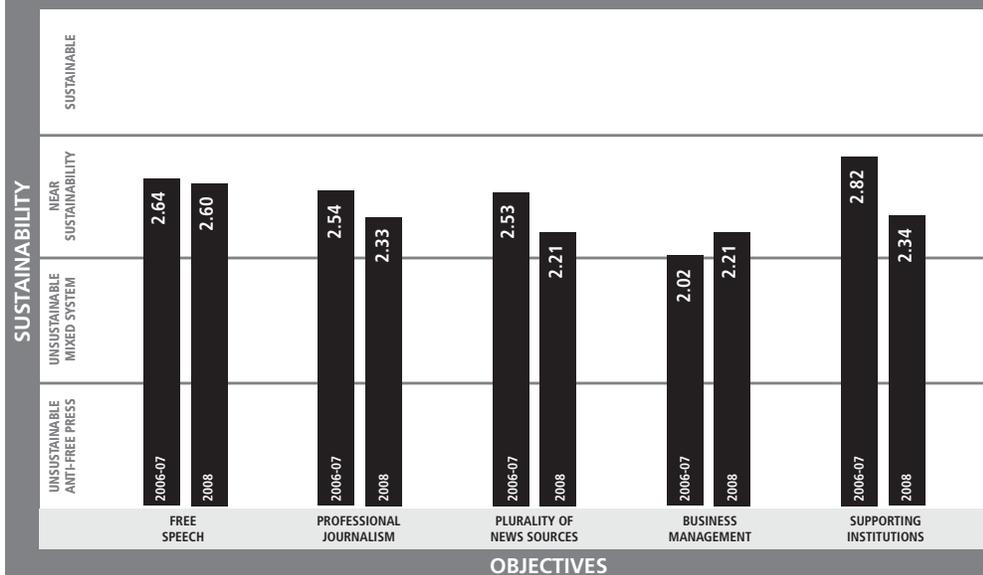
GENERAL

- > **Population:** 1,990,876 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Gaborone
- > **Ethnic groups (% of population):** Tswana (or Setswana) 79%, Kalanga 11%, Basarwa 3%, other, including Kgalagadi and white 7% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 71.6%, Badimo 6%, other 1.4%, unspecified 0.4%, none 20.6% (2001 census, *CIA World Factbook*)
- > **Languages (% of population):** Setswana 78.2%, Kalanga 7.9%, Sekgalagadi 2.8%, English 2.1% (official), other 8.6%, unspecified 0.4% (2001 census, *CIA World Factbook*)
- > **GNI (2008-Atlas):** \$11.51 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$12,880 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 81.2% (male 80.4%, female 81.8%) (2001 census, *CIA World Factbook*)
- > **President or top authority:** President Seretse Khama Ian Khama (since April 1, 2008)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 1 state-owned newspaper and 13 privately owned commercial newspapers; Radio stations: 2 national state-owned, 3 national privately owned, and 8 foreign stations. Television Stations: 1 state-owned, 3 privately owned commercial. Newspaper ownership is mostly concentrated in Gaborone.
- > **Newspaper circulation statistics:** Top two by circulation: *Daily News* (circulation 65,000, state-owned), *The Voice* (circulation 35,000, private)
- > **Broadcast ratings:** 85 percent of population has access to national (government owned) radio. The 3 national privately owned radios listenership is unclear. Broadcast dominated by state-owned BTV.
- > **News agencies:** Botswana Press Agency (State-owned)
- > **Annual advertising revenue in media sector:** Total advertising expenses estimated at BWP 300 million (2008 MSI panelist commentary). There are 16 registered advertising agencies. Major players include Alliance Media, Mudhut Sound Studios, Horizon Ogilvy and Mather, Optimum McCann Erickson, Primedia Outdoor, RMC Marketing, Central Advertisers, and CBS Advertising.
- > **Internet usage:** 80,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BOTSWANA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

slightly. Despite panelists' fears for the future, for now the score of Objective 1 (freedom of speech) remained unchanged and scored noticeably higher than the other objectives.

OBJECTIVE 1: FREEDOM OF SPEECH

Botswana Objective Score: 2.60

Panelists were relatively positive about the protection of free speech. However, although the score for this objective remained unchanged overall, most of the indicators within did show movement compared with last year. Indicator 3 (market entry), Indicator 4 (attacks on journalists), and Indicator 9 (entry into the journalism profession) all received notably lower scores from the panelists this year. Improving somewhat were Indicator 5 (legal guarantees of independence for public broadcasters), Indicator 6 (libel laws), and Indicator 7 (access to public information). Despite the improved assessment by the panelists, however, Indicators 5 and 7 both scored more than a half-point lower than the overall objective score and remained the lowest-scoring objectives again this year. Indicator 8 (media access to foreign news sources) remained unchanged but was the only indicator to score more than a half-point higher than the overall objective score.

Panelists agreed that freedom of speech is guaranteed under section 12 (1) of the constitution, which states that "except with his consent, no person shall be hindered in the enjoyment of his freedom of expression, freedom to hold opinions without interference, freedom to receive ideas and information... freedom to communicate ideas and information... and freedom from interference with his correspondence." The extension of these rights to the media has been buttressed by a Botswana High Court judgment that is consistent with Article 10 of the European Union Convention on Human Rights.¹ *Botswana Guardian* investigative reporter Dikarabo Ramadubu felt free speech was also supported by social norms expressed in Tswana adages that everyone has the right to express his mind and thoughts freely.

Despite these legal and social protections, panelists felt free speech remains contested, arguing that Botswana still has a number of laws that regulate the media. These laws, when invoked by the state, override constitutional provisions, grant discretionary powers to government officials, and impose harsh penalties on media who breach them. The National Security Act (1986) regulates anything that might threaten the security of the country, while the Directorate of

Corruption and Economic Crime Act prevents journalists from reporting on subjects under investigation until a case reaches the courts or investigations are concluded.

Botswana also imposes restrictions on freedom of expression and media to protect the reputations and rights of others and prevents the disclosure of information obtained in confidence.² These laws are accommodated under section 12 (2) of the constitution, which provides for permissible restrictions on the exercise of freedom in areas of defense, public security, public order, public morality, and public health.³ Panelists felt these provisions are open to interpretation and, in Ramadubu's view, can be "unsettling on the media, rendering them unsure about how far to go in gathering information and publishing it."

An attempt by the government to pass a media practitioners' bill in 2007 was viewed as a significant threat to media freedom. If passed, the bill would require the compulsory registration of journalists in Botswana and would also have imposed a code of media ethics regulated by a statutory Press Council.⁴ Hefty penalties were envisaged for violations. Panelists unanimously viewed this bill as potentially eroding media freedom and freedom of expression and ultimately engendering censorship and self-censorship. Opponents argued in favor of maintaining the status quo of media self-regulation through the existing Press Council of Botswana. The Council includes a media complaints committee and an appeals committee that provide a free avenue for the public to seek recourse over issues they have with media.⁵

Media accountability is also addressed in the Botswana Press Council's Code of Ethics and statutory Broadcasting Regulations (2004), both of which stipulate that media practitioners maintain the highest professional and ethical standards and disseminate accurate and balanced information.⁶ Both frameworks impose obligations on media practitioners to provide a right of reply to persons who feel aggrieved by news reports.

The bill attracted significant opposition from civil-society groups and stakeholders in the media, with the Media Institute of Southern Africa (MISA) pressing for its withdrawal. It has also been the subject of spirited debate among members of parliament, who have convinced the

¹ So this is Democracy 2007? State of media freedom in southern Africa, 2007:148

² For detailed discussion of laws that impact negatively on media freedom in the country, see T. Balule and B. Maripa, *Quick Guide to Laws and Practices That Inhibit Freedom of Expression in Botswana* (MISA-Botswana, 2000)

³ Botswana constitution

⁴ Ibid

⁵ Botswana Media Awards Speech, Chairperson, 2008

⁶ Regulation 13

minister of communications, science, and technology to defer the bill. Part of the reason for the deferment was to provide time for the minister to consult with MISA, a gesture that was warmly welcomed.

The broadcast media are licensed by the National Broadcasting Board (NBB) under the Broadcasting Act of 1998.⁷ Panelists based their positive responses to broadcast licensing on the fact that in the year under review three private radio stations were issued licenses to operate at the national level by the NBB. The stations are Duma FM, which newly went on air in 2007, Gabz FM, and Yarona FM.⁸ A further development was the introduction in Gaborone of Gateway Broadcasting Services (GTV), a new pay television channel that took advantage of a legal victory against the NBB by the existing pay television channel MultiChoice Botswana to remain a relay channel and not attract local licensing.

Print media in Botswana are not licensed. However, although not raised in the panel discussion, a provision of a proposed mass media communications bill would, if passed, have prohibited the printing or publication of any newspaper in Botswana unless it is registered with a government Registrar of Newspapers. Further, under section 26(1), the Registrar could refuse to register a particular newspaper if it did not fulfill "all the requirements for registration."⁹ Research reveals that the bill did not make clear whether such requirements were limited to providing administrative details (such as the name of the newspaper) set out in section 25 and providing proof that 80 percent of the newspaper was owned by citizens of Botswana as required by section 26(2).

Regarding market entry, Hamufari, a Zimbabwean national living in Botswana and owner of *The Mining Mirror* magazine, said "it seems there is no regulation about who wants to register a publication or not. One just needs to have registered a company like any other business." This may change, however, if the media practitioners' bill is enacted.

With regard to the indicator on journalists' safety, panelists agreed that common crimes against journalists were not vigorously prosecuted, although panelists were divided on whether such attacks did generate a public outcry. Sello Motseta, editor and owner of *Tswana Times* newspaper, said, "There is very little empathy from the public. Such crimes do not cause public outrage." Hamufari felt differently, arguing that "violations [in Botswana] cause public outrage like any other place in the world."

⁷ Ibid:156

⁸ So this is Democracy 2007? State of media freedom in southern Africa, 2007:24

⁹ Fidelis (Edge) Kanyongolo, University of Essex / Article 19 Consultant: <http://www.fx.org.za/pages/Publications/Medialaw/botswana.htm> (15/10/2008)

The indicator that addresses whether public media receive preferential legal treatment and maintain editorial independence received a below-average score. Panelists argued for the need to transform state media into public media. Ramadubu felt "the move toward public media as opposed to state media, which remains in the clutches of the government of the day and by extension the ruling party," was one of the most pressing issues facing Botswana. Panelists noted that early in 2007 parliament had rejected a draft broadcasting bill that, if adopted, would have countered shortcomings of the National Broadcasting Act of 1998.

Most panelists believed that editorial interference by government ministers at the state media, particularly of Botswana Television, would continue unless the Act was reviewed. Panelists were infuriated, for instance, that on May 13, 2007, Botswana television (BTV) censored a recorded discussion program, *Matlho a phage*, to remove comments perceived as offensive to the government, the president, and the vice president.

Panelists had mostly positive things to say about libel and holding of public officials to account. Panelists argued that media-support organizations, such as MISA and Botswana Press Council, had played an important part in preventing lawsuits against the media and in encouraging the media to be more professional in reporting. For example, in 2007 the Botswana Press Council Complaints Committee that presides over most disputes brought against journalists registered

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

eight cases of defamation and ensured that no lawsuits were filed. Three of these cases were entirely dropped. Defamation cases are not only against private media but also the government's own television station, BTV (Francistown-based District Commissioner Sylvia Muzila vs. BTV).¹⁰

In the absence of a Freedom of Information Act,¹¹ the indicator associated with access to public information received the lowest score. The government's reluctance to pass the act, despite its being one of the recommendations by the country's Vision 2016 council, has continued. Local media consultant Caroline Lubikwa-Phiri expressed concerns regarding the newly introduced Intelligence and Security Services Act, saying "we have fears that the intelligence and security law, which was hurriedly rushed through parliament, could be abused." Her fears may be well-founded, as the law vests a lot of power to the head of state, which stands in conflict with ideals of democracy. The deportation by then-President Mogae of Professor Kenneth Good (former political science lecturer at the University of Botswana) was still fresh in the minds of the panelists.

As reported last year, the following laws govern, sometimes to the detriment of, the free flow of information:

- Broadcasting Act, 1998 (Act No. 6 of 1998), the primary statute dealing with the regulation of the broadcasting sector;
- Cinematograph Act, 1970 (Act No. 73 of 1970) provides for the censorship and pre-classification of films and publications;
- National Security Act, 1986 (Act No. 11 of 1986) provides for terrorism, defense, and internal security;
- Printed Publications Act, 1968 (Act No. 15 of 1968) provides for the registration of certain newspapers, and;
- Penal Code No. 2 of 1964 sets out conduct that is deemed to be criminal, including defamation.¹²

Most panelists were concerned about section 4 (1) of the National Security Act (1986), which makes it unlawful for any person who has obtained information from her or his position as a public servant to reveal information without authorization. The prohibition is enforced by the possibility of up to 30 years imprisonment and has led to self-censorship

¹⁰ So this is Democracy 2007? State of media freedom in southern Africa, 2007:23

¹¹ Ibid:151

¹² Mochaba, K., Raffinetti, C., White, J. (2004). *SADC Media Law: A Handbook for Media Practitioners. Volume 2: A comparative overview of media laws and practice in Botswana, Swaziland and Zambia*. Johannesburg: Konrad Adenauer Foundation. Pp. 23–24. Accessed from: <http://www.kasmedia.org/> See this publication for detailed descriptions of these laws.

in newsrooms.¹³ The civil-society organizations, including Botswana Council of Nongovernmental Organizations and MISA, attempted to sensitize the parliamentarians before the enactment of the bill but were unable to prevent its passing.

One noteworthy example of journalists being denied access to information occurred on September 10, 2007, when Kgosi (Chief) Seepapitso IV, the Chairperson of Botswana's House of Chiefs, locked media workers out of a briefing the House had with the minister of local government, Margaret Nasha. The chief simply said outsiders were not welcome and emphasized that this included the media.¹⁴

Panelists noted that while government had introduced information officers to streamline the flow of information from its ministries, this strategy had not resulted in any improvements. "They just waste time," Lubikwa-Phiri said.

Panelists had little to say about the final two indicators in this category, which relate to unrestricted access to information and the lack of constraints to entry into the journalism profession, but rated both highly. However, in the context of freedom of information, MISA Botswana Director Thapelo Ndlovu observed that "the determination of government to bring up a media practitioners' law regulating the media... in the recently deferred bill" was a serious threat. His view, supported by fellow panelists, was that "by enforcing registration of journalists the larger public will not be able to provide vital information, either through open means or as whistle-blowers."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Botswana Objective Score: 2.33

Panelists rated professional journalism practice lower this year than last year, just below the overall average for the nation in a discussion that included some strong debate. Scores for half of the indicators were down: Indicators 2 (journalism ethics), 4 (coverage of key events), 5 (pay levels for journalists), and 6 (balance of entertainment and news) all fell noticeably. Only Indicator 8 (niche and investigative reporting) showed some improvement. However, nearly all the indicators received scores close to the objective average. Only Indicator 5 lagged behind by about a point.

The indicator for fair and objective reporting prompted one of the panel's most controversial debates. Some panelists stressed that problems with reportage could be attributed to frustrations that journalists experienced in obtaining

¹³ So this is Democracy 2007? State of media freedom in southern Africa, 2007:148

¹⁴ Ibid:28

information. Freelance reporter Lauri Kubuitsile and media consultant Lubikwa-Phiri observed that getting information from authorities was difficult and placed a strain on reporters. Such frustrations, they argued, could kill stories because “it takes a long time and consumes the little resources [available] to follow up one story.” The Intelligence and Security Act, the proposed media practitioners’ bill, and the recently published public-services bill compounded these frustrations.

Regarding recognized and accepted ethical standards, some panelists, including Kubuitsile, argued that poor-quality journalism occurred more often than not. She claimed, “Excerpts from my stories have been plagiarized” and added, “This is a sign of lack of professionalism.” Others on the panel argued that reporters did check their facts, balanced their reports with a wide range of sources, and drew on experts in the field. They also stressed that the Press Council of Botswana compels journalists to meet internationally accepted norms and standards. Professor David Kerr of Botswana University media studies department observed that “of their nature, norms are a compromise between ideals and reality.” He added, “The private media in Botswana do make mistakes like any other media elsewhere, but this is no good reason to criminalize their operations.”

Some panelists felt intense competition and commercialization in the media sector, meaning some media houses steer clear of stories that might antagonize advertisers and therefore practice self-censorship. Since the emergence of private media in the 1980s in Botswana, the watchdog role of media has generally been appreciated.¹⁵ Cases of corruption in government, mismanagement, and human-rights abuses have been exposed by the private media practicing investigative journalism. However, panelists also observed that in the absence of a clear regulatory framework, media houses sometimes censored themselves because it was unclear where they would be running afoul of the law. Some felt media outlets failed to take up certain issues for fear of people in positions of power and influence.

Overall, panelists felt that journalists cover key events and issues. However, Rahman El-Kindly, of RMC Marketing, was emphatic that journalists “do not know where and how to get news; they just rely on news releases.” He felt journalists do not attend the numerous conferences that are held in the country, including ones by the Southern Africa Development Community (SADC), and missed out on important leads for investigative stories. Other panelists disagreed and warned against journalists spending too much time at functions and conferences.

¹⁵ See S.T. Sechele, *The Role of the Press in Independent Botswana*, in W.A. Edge & M.H. Lekorwe (eds), *Botswana: Politics and Society* (1998): 412, 416.

Panelists felt the question of pay levels for journalists needs to be addressed more broadly and argued that in addition to remuneration, questions also need to be asked about hiring practices. They suggested that nepotism is a growing problem in some media houses. Kabo Mokgoabone, a business reporter at *Mmegi* newspaper, described the practice as “[editors] killing the standards of journalism in the country by extending favors to journalists regardless of merit or capabilities.” Asked whether favors were gender-biased, the *Botswana Guardian’s* Ramadubu explained that “favors are not based on sex or gender, as most newsrooms have more men than women and others have male reporters only.”

Panelists also felt that the quality of journalism is deteriorating as media houses lose skilled journalists to public relations, marketing, and other communications-related jobs where salaries are higher. MISA’s Ndlovu said, “The situation in Botswana is corroding the industry such that, if we are not careful, one day we are going to find ourselves without anyone to spearhead the cause of freedom of the press.” Hamufari felt the problem of salaries can be addressed in small media houses that buy stories from correspondents, but the majority of the panel felt poor pay levels are a challenge to most private media and responsible for the decline in professional standards. The problem is exacerbated when experienced journalists are promoted and stop writing stories. To Kubuitsile, a freelance journalist, the pay for freelancers is “abysmal.” She added, “A full-page story that would take one a week or more to get organized would earn close to nothing.”

On whether entertainment programming eclipses news, the panel suggested that content on private radio stations is more diverse than that of newspapers and caters to most

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

interests by offering morning chat shows and news every hour in the main languages (Setswana and English) as well as current affairs, entertainment, local music, call-in interactive programs, and sports.¹⁶

Equally, panelists agreed that technical facilities and equipment for gathering, producing, and distributing news are adequately modern and efficient. No specific equipment used was mentioned, but recent developments in the information and communications technology sector and ongoing convergence in communication technologies support their view. MISA cites fast technological developments in the country that have been enhanced by the liberalization of IT services and the introduction of the Cyber Crime and Computer-Related Law.¹⁷ With Internet access becoming widely available and affordable and use of cellular phones vastly increasing, more and more private media are able to gather, produce, and distribute news easily. It is estimated that the number of cellular subscribers stands at more than 600,000 in Botswana.¹⁸

On the issue of quality niche reporting and programming, some panelists felt a number of factors are still hampering professionalism in Botswana's media. Motseta, of *Tswana Times*, was adamant that "specialization is lacking in the newsrooms," and this, he said, "affects the quality of the final product." Motseta believed that organizations like MISA-Botswana and the Southern Africa Institute for Media Entrepreneurship Development (SAIMED) must provide training to journalists to help them develop specialized knowledge. He said the shortage of specialized reporters on business, health, and other news beats "makes journalism look as though it is an ordinary man's job." Panelists also felt investigative reporting could be improved.

OBJECTIVE 3: PLURALITY OF NEWS

Botswana Objective Score: 2.21

Panelists cited a mixed bag of weaknesses and strengths about the diversity of news outlets in Botswana, and their scores brought the objective down about a third of a point compared with last year. Scores fell in Indicators 2 (citizen access to media), 4 (news agencies), 5 (independent broadcasters produce their own news), and 6 (transparency of media ownership). However, despite the lower scores this year, Indicator 2 still outperformed the overall objective score

¹⁶ Ibid

¹⁷ So this is Democracy 2007? State of media freedom in southern Africa, 2007:34

¹⁸ African Media Barometer 2007 – Botswana

by more than three-quarters of a point. All other indicators scored within a half-point.

As to the question of affordable public and private news sources, panelists agreed that Botswana enjoyed a variety of news outlets. For the vast majority, broadcast media, particularly radio, is the easiest medium to access. State-owned *Radio Botswana* reaches 80 percent of the population, with RB2 standing at 65 percent. Listeners' choice has been improved with the granting of national licenses to three radio stations this year, although they have yet to extend transmission to each and every corner of the country.¹⁹ Panelists also felt the Department of Information and Broadcasting should lease out its equipment to private radio stations so that they could cover the whole country. This has already been done by the Telecommunications Authority for mobile-phone operators.

Technological changes have created economies of scale that cut across formerly separated markets and thus have created motivation for an established company in one market to enter others. For example, most incumbents in fixed-line telephone services have established Internet Service Provider subsidiaries. This has made an already complex regulatory function even more difficult and sometimes impossible. Getting the balance right is at the heart of regulation. In Botswana, the current regulatory regime has opted for issuance of separate licenses for different services. As such, a fixed-line service requires a separate license, as do mobile services, Internet services, or broadcasting services.²⁰ What this means is that different networks are required for each of these. Under the law, telecommunications services and broadcasting services even fall under different regulatory authorities.

Notwithstanding these technological developments, while the Broadcasting Act of 1998 empowers the NBB to issue licenses to public, private, and community broadcasters, there is just one public broadcaster, about 12 private broadcasters, and no community broadcaster. Establishing of community radio is currently a highly controversial issue. The test case occurred on December 8, 2007, when *Naledi FM*, a community radio station, was pre-launched with encouragement from MISA to challenge the NBB procrastination in introducing community broadcasting.²¹

¹⁹ Ibid

²⁰ See Twoba Boikaego Koontse, Regulations for full connectivity in Botswana in *Connect-World*, the information and communication technology (ICT) decision makers' magazine, Article no.4 in Africa and Middle East 2004

²¹ So this is Democracy 2007? State of media freedom in southern Africa, 2007:25

The state broadcaster, BTV, dominates the television sector as a news source. It is broadcast free and is also accessible through a free-to-air satellite system and on DSTV-MultiChoice, a South African-based satellite service. MultiChoice won a legal battle against the NBB in 2007 to transmit as a relay pay channel. Spilling over from this victory was the introduction of the new GTV based in Gaborone, which offers viewers an alternative pay television service and competition for the government broadcasters. However, the Multichoice and GTV offerings are available only on satellite, which makes them inaccessible to poor people. The state broadcaster is widely appreciated by various viewers, particularly older ones, for providing news about major events and information about elections. Some panelists argued that there are more free international television channels offered by the free-to-air decoders presently in Botswana.

In the print sector, panelists felt that ownership of Botswana's private newspapers is monopolized by one associated group, Dikgang Publishers, and, as such, Botswana does not enjoy a wide range of newspaper outlets. "It is very dangerous for one company to run and own all independent papers," investigative journalist Ramadubu said. Panelist Mokgoabone, of *Mmegi* newspaper, illustrated the importance of diverse media in a community with the story of the government disputes with the San people of the Central Kgalagadi Game Reserve, which the state, private, and international media covered from varied perspectives. "With different approaches to the story, readers and viewers could make informed decisions and judgments on what they think of the stories that are presented by the different media houses," he said.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

In discussing citizens' access to domestic or international media, panelists argued that the only restrictions on international media are the costs of technology and subscriptions. The costs and infrastructure associated with the Internet and satellite equipment still hinder access to Web-based and satellite-based international news sources for poorer individuals and organizations, particularly in rural areas. Panelists felt that access to international news was affected when BTV discontinued its transmission of a BBC news program. For local media, panelists felt that newspapers are often too expensive for the majority of people and that this places a price constraint on the availability of multiple news sources. Distribution to remotes areas is limited, with the exception of the state-owned *Daily News*.²²

The question of whether state or public media reflect the views of the entire political spectrum, are nonpartisan, and serve public interest was contentious, but panelists agreed that the independence of the state media is still a concern. In the absence of a law on public broadcasting, there is no guarantee of editorial independence in state media, which continues to favor the ruling party and the government.²³ The state newspaper tries to cover a wide range of issues and events, but there remains, according to Ramadubu, "a stumbling block: the lack of professionalism and necessary skills as most experienced journalists leave for greener pastures elsewhere." The state radio stations, RB1 and RB2, appear to provide more diverse programming than television²⁴ and cover many divergent interests.

Language diversity in the media is limited to English and Setswana, which is widely spoken by Botswana's eight major tribes.²⁵ Other languages are Sikalaka, spoken in the northern part by the Kalanga people, and Basarwa (referred to as Khoi-san or Bushmen), found in the Kalahari Desert region in the southwest of the country. No media are produced in these languages. The country's unabated economic growth has contributed to the non-Botswana populace growing considerably, with most coming in as expatriates from within Africa and from Europe, Asia, and America. The media do not specifically serve these population groups.

In discussing news agencies, panelists said some wire services appear to be beyond the means of many media organizations. In a comment representative of most of the panelists, Ramadubu said, "The government makes available its own Botswana Press Agency (BOPA) to both the private

²² African Media Barometer 2007 – Botswana

²³ National Integrity Systems Country Study 2006/7 – Botswana, Media: Role of Institution as a Pillar

²⁴ So this is Democracy 2007? State of media freedom in southern Africa, 2007:25

²⁵ MISA, Southern Africa Media Directory, 2006/7: 13

and public [media] and has always made news accessible, but most of [private media] do not make use of it.” Explaining the private media’s reluctance to use BOPA news, Motseta, of the *Tswana Times*, responded, “We would not want to be used [by BOPA] to spread half-truths.”

There are also news agencies that sell news to media companies, although Ramadubu felt that Botswana media “rely mostly on those that offer their services for free or cheaply, like the BBC and Chinese Xinhua.” Botswana has two private news agencies—Sila News Agency, established in 2005, and the Front Page News, which specializes in feature stories.²⁶ Panelists were unsure how frequently local media make use of these agencies.

The measure of independent broadcast media producing their own news programs revealed a number of challenges facing the media, with panelists primarily commenting on constraints that impact the quality of news production. “The media have a role to educate and inform society, but in their quest to do so they are met with problems of satisfying their sponsors and financiers,” business reporter Mokgoabone said. “The political and financial tie between the media and society influences the outcome of the news content.” Ndlovu agreed, adding, “Self-censorship does exist in production of news programs, especially due to some cultural customs. For example, writing about elders in a negative way still makes some people frown” and is regarded as disrespectful. Research reveals that self-censorship on the part of journalists is indeed common.²⁷ Botswana is a small, close-knit society where everyone knows everyone.

Indicators measuring transparency of media ownership that allows consumers to judge objectivity of news and the related issue of concentration of media ownership sparked much concern among panelists. Botswana has experienced a relatively rapid growth of media outlets, and competition in this small market has become fierce. Information on ownership is privileged and can be sourced only with great effort because media outlets are not publicly listed. There is no law compelling disclosure. Panelists felt conglomerates are being created in Botswana and cited the example of Dikgang Publishers, which owns the daily newspaper *Mmegi* and weekly *The Monitor*. It also partially owns the other mainstream weeklies *Botswana Guardian* and *Midweek Sun*, which are under the CBET group. *Mmegi* also has some shares in the private radio station Gabz FM.

As they looked at whether a broad spectrum of social interests are reflected and represented in the media, including

²⁶ African Media Barometer 2007 – Botswana

²⁷ See National Integrity Systems Country Study 2006/7 – Botswana, Media: Role of Institution as a Pillar

minority-language information sources, panelists felt the media ignore minority languages such as Sikalaka of the Kalanga people and Basarwa (Khoi-san or Bushmen). MISA-Botswana’s Thapelo noted that the lack of community radio stations exacerbated the lack of diversity and limited the diversity of news sources. Thapelo said community radio had the potential to improve “the accessibility of media as it reaches people at community level” and bemoaned the delays in licensing community stations. Panelists agreed that local news, whether private or government, consistently reports on development issues such as agriculture, economics, education, environment, and health, including national and rural development.

OBJECTIVE 4: BUSINESS MANAGEMENT

Botswana Objective Score: 2.21

The score for business management fared modestly better this year, with much of the improvement coming from better evaluations of Indicator 1 (media are well-managed) and Indicator 7 (audience and circulation measurement). All indicators scored very close to the overall objective score.

While panelists gave media business efficiency a high score, they were divided in their views on how efficient management practices are at different media outlets. There was general acknowledgement that management is sound at larger, more mature companies, but that smaller ones face significant operational challenges. Ramdubu, of *Botswana Guardian*, stated categorically that “media are managed as profitable businesses and strive to use professional people in human resources and financial administration,” while

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Motseta, of *Tswana Times*, felt that “factors such as success and sustainability depend on the maturity of a media outlet.”

Freelancer Kubuetsile felt financial constraints limit the ability of small-scale media to be managed more professionally. Drawing on her own experience of running a failed publication, she said her team had to work overtime because there was no separation between business and editorial functions. “I used to own the newspaper. I would write the stories, distribute the paper from my own car, pay salaries from my own pocket, and I ran the paper [like this] for 10 years,” she said.

Bright Kholi, a senior news reporter at *Ngami Times*, told a similar story: “As the editor of a small weekly, I make sure that pictures are there, adverts are in on time, the only distribution car is in good condition, and the morale of the staff is high.” Mokgoabone, who holds a middle-management position, said that when looking from the outside, local independent media seem well managed, but when seen from inside it is a different story. In his view, “commercialization of the press has led publishers to seek profits to the detriment of promoting editorial independence.” This view was widely supported. However, it is not supported by available research, which suggests that private media outfits operate efficiently and as professional businesses. Standards are high in the print sector, compared with the poor quality of the government news products, enabling private media to retain their market share.²⁸

In addressing a multitude of revenue sources, panelists noted that while the bulk of the revenue earned by private media comes from advertising and, in the case of newspapers, copy sales, most media houses are trying to diversify their revenue. The government remains the main advertiser in Botswana, and panelists felt this makes media organizations vulnerable²⁹ to economic pressure. The feeling remained despite a 2001 ruling by the High Court that a government advertising boycott of the *Botswana Guardian* and *Midweek Sun*, which had consistently criticized government activities, was unconstitutional. Since this ruling, the government has not openly discriminated against the private media in the placement of advertising,³⁰ although panelists did remark on a 2006 government directive to its departments to be careful where they allocated their advertising budgets. Kubuetsile’s observation that “of late the government and its institutions had issued out advertisement without fear or favor” was widely supported, but panelists felt media houses are still subject to subtle pressures.

Hamufari commented, “Stories that seek to expose corruption in the government are not covered for fear of being stripped off from the advertisement roll.” Mokgoabone observed that media houses that receive government advertising have toned down their reports. Financial pressures also come from the commercial sector, as is evident in a personal example cited by Motseta, who described how his newspaper, the *Tswana Times*, had been offered financial inducements to kill a story that reflected negatively on a large corporation. Mokgoabone observed that both mature and emerging media houses have been subject to financial pressures. Recent government cost-recovery initiatives have also made competition for advertising spending more intense.³¹

In the debate over advertising agencies, the panelists expressed great concern about the impact state-owned media are having on the revenues of independent media houses. Ndlovu claimed that the commercialization of RB 2 and the *Daily News* has had a significant impact on the revenues earned by independent media. “The two state-funded media houses have all the advantages to lure advertising compared to private ones, yet the latter relies heavily on advertisement-generated funds,” he said. Panelists unanimously attributed the fall of *Mokgosi*, a Setswana newspaper, and the recent demise of *Mahube* newspaper to competition from the *Daily News*.

Fairly representing most panelists’ views on the ratio of advertising to other revenue, Ndlovu stated, “The advertisement rates are generally low in the country, and something must be done to make them sustain the business.” Currently, Botswana follows the usual editorial/advertising ratio of 40:60.³² “Newspapers are failing to cope with their expenses because their sales levels on advertisements are low [compared with the government-owned media],” Thapelo added. Research supports Thapelo’s sentiments. A study by Dr. T. Balule on public-sector advertising in the private media recommends safeguards against government manipulation of the private sector. It also found that most government advertising is being placed in government media and not the private media. What this means is that there is still not enough openness about the use of public funds to prop up the government media. The study concluded that the government should make the process more transparent.³³

MISA, however, reported in 2007 that the advertising market is large enough, with an estimated advertising spend of BWP 400 million (\$72 million) in 2005 and, more recently, BWP 300 million (\$51 million), arrived at in a study conducted by Methaetsile Leepile. The Internet, radio, and others have not

²⁸ So this is Democracy 2007? State of media freedom in southern Africa, 2007:159

²⁹ Ibid: 158–159

³⁰ African Media Barometer 2007 – Botswana

³¹ Ibid:158

³² Ibid:167

³³ So this is Democracy 2007? State of media freedom in southern Africa, 2007:160

yet explored the advertising market thoroughly enough to secure revenue from it.³⁴ What this means is that the growing media industry in Botswana, particularly new entries into the industry, such as Internet media, could also be sustained by the advertising market if they could brand themselves more vigorously like those that have long been on the market and have developed a brand. Content, though, ultimately continues to be king. The ability to adapt and to continue to retain audiences relies on riveting, relevant content.

Panelists agreed that independent media receive no government subsidy. This was regarded as an appropriate state of affairs. Kholi, of *Ngami Times*, captured most panelists' opinions when he said, "We need to feel that we are on our own and don't need the government to give us a hand. This will make us independent, and the freedom of expression won't be tampered with." The media industry can draw on other loan programs openly tailored for citizen empowerment, and some private media have benefited from the government-sponsored Citizen Entrepreneurial Development Agency (CEDA).³⁵

Media houses have limited access to market research. Lubwika-Phiri echoed the views of most panelists, arguing that "there has been lack of comprehensive market research for media that would direct organizations toward professionally tailored products to the public." However, Mokgoabone observed that when research was conducted, the media did use their findings to "inform their revenue estimates and market readiness and to [retain] their customers (readers and listeners)." No research was available to substantiate this argument.

Panelists reaffirmed their view from last year that accuracy of local media product surveys was compromised, as most media tend to conduct their own surveys and circulation audits. Professional media surveys had not taken root yet despite the presence of circulation bureaus such as Mapping Technology and Consulting and South Africa-based Audit Bureau of Circulation (ABC). Much confidence is placed in the accuracy of ABC. Ramadubu asserted, "Most advertisers have confidence in these audits, as can be proven by the growth in numbers of new advertisements every time they [ABC] announced." While appreciating Ramadubu's assertion, from Kubuetsile's perspective the application of print-media circulation audits is contentious. Kubuetsile, who is based in a rural area of Botswana, argued that media houses outside of Gaborone find it hard to obtain business from advertising agencies mostly because of low circulation figures resulting from small regional populations. "It [is] a very harsh business climate... it [is] nearly impossible to stay out of the red," she said.

³⁴ African Media Barometer 2007 – Botswana:160-161

³⁵ Ibid:159

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Botswana Objective Score: 2.34

The objective addressing the role of supporting institutions was most controversial. The panel held extremely diverse opinions, yet its score on the issue exactly tracked the overall MSI average score. To accomplish this, however, the score fell rather significantly from 2.82 last year. Most of the indicators fell as well; only Indicator 1 (trade associations) and Indicator 3 (supporting NGOs) maintained their scores from last year. All indicators scored within a half-point of the overall objective score.

Regarding trade and professional associations, press associations do provide a free avenue for all media to seek support, such as the Botswana Editors' Forum, which is affiliated with the Southern Africa Editors Forum and by extension the continental African Editors' Forum; Journalists Against HIV/AIDS in Botswana; Botswana Media Workers Union (BOMEWU); Botswana Filmmakers Association; and the Botswana Independent Producers Association. Some of the older ones, like the Botswana Press Council, are feared moribund.

Panelist Mokgoabone expressed dismay at media practitioners' poor attitude toward associations such as BOMEWU. The media should "consider themselves as workers, too," he said. "Not even one day [can one] read about journalists addressing their concerns as workers; instead we concentrate on writing and criticizing other workers' organization, but we do not have one that represents us." Some panelists could not accept the blanket charge of apathy but agreed that on occasion this trait has emerged. On the other hand, Motseta bemoaned an absence of institutions supporting the professional interests of independent media

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

in the country, citing existing media companies elbowing out new ones on their belief the market was saturated.

In spite of the various associations available, it appears safe to say that they do not seem to be making much impact. This was evident from the panelists' comments on the debate regarding supporting organizations. Some understood the debate to refer to media-support institutions, such as MISA and the Press Council, which directly promote media development. Others understood supporting institutions as referring to news accreditation units. Representing the latter group, Motseta cited the difficulties that publications face gaining entry into news functions, as the hosting companies and organizations would require their own extra accreditation. "On several occasions, I found myself closed outside the conference room because I was not accredited by the hosting company," Motseta affirmed. In addition to MISA, Botswana has other media-support organizations, such as SAIMED, which provide business and management development services and mentorship.

It is no coincidence, therefore, that while the media fraternity itself is caught up in validating the trade associations, the government came up with a media practitioners' bill to regulate the media. As an alternative, the government could simply work with associations such as the Botswana Press Council to strengthen the existing self-regulatory mechanism.

A separate indicator addressing professional associations protecting journalists' rights scored better. Panelists agreed that while professional associations did exist, they are not active. Ramadubu observed, "The only time one can hear about the association of journalists in Botswana is when there is a fundraising [event]. After the funds are raised, those campaigning for the funds will disappear into thin air." Panelists agreed that local journalists were not interested in running their own union, which left them exposed to abuse by the public. Lubwika-Phiri and Ndlovu confirmed that BOMEWU was formed a few years ago but had received limited support from journalists. Lubwika-Phiri observed further that the professional associations, such as the Editors' Forum, "[have] gone quiet for unknown reasons." The Editors' Forum had to postpone its 2007 annual general meeting five times after members failed to arrive.

Panelists agreed that NGOs, such as MISA Botswana and the Botswana Media Women Association, did support independent media. For example, it was pointed out that MISA had been instrumental in the formation of the Press Council of Botswana. Equally, the NGO fraternity was acknowledged for having supported the media in ensuring that the government, legislators, and members of the public were adequately sensitized and informed on aspects of the media practitioners' bill.

Other successful media campaigns supported by local NGOs have included showing support to Zimbabwe. For Hamufari, a Zimbabwean national based in Botswana, this campaign meant a lot, and he paid tribute to the NGOs as very helpful in issues of freedom of expression. "You just need to look at what BOCISCOZ [Botswana Civil Society Solidarity Coalition on Zimbabwe] have done to the cause of the Zimbabweans, and you will get the picture," Hamufari said. The coalition includes Ditswanelo, Botswana Secondary School Teachers Union, Botswana Council of Churches, Botswana Council of Nongovernmental Organizations, and MISA. However, research reveals that there is growing concern over the fact that civil-society organizations in the country have become more like government NGOs since most of them are now funded by the government, following the exodus of the traditional NGO funders after Botswana was declared a middle-income country in 1994 by the international community.³⁶

Panelists noted that journalism degree programs were offered by the University of Botswana's media studies department and the recently introduced Limkokwing University. However, panelists felt these graduates needed more practical training. Ramadubu said "graduates need to be tested in the field," while Lubwika-Phiri said she would hire someone with journalism experience over a student fresh from the university. "Journalism is a hands-on profession," she said.

Scoring lower was the related issue of short-term training for working journalists. MISA-Botswana and SAIMED were singled out as the only organizations offering training to professional journalists in Botswana.

While they had little to say about access to newsprint and printing facilities, panelists felt the government has been flexing its financial muscles in this area. They accused the government-owned media of crowding the small media market by going commercial. The government decision in late 2005 to purchase a printing press and take control of the production of the daily newspaper previously printed by *Mmegi* still was contentious. As Ndlovu put it: "Botswana government is no different from those states that forcefully close media houses, but it does it in a more subtle and soft way."

Last, the indicator for channels of media distribution being in private hands, apolitical, and not restricted received the highest score of all the indicators in this objective. Panelists had little to say on this indicator, although Lubwika-Phiri reiterated the earlier submission by Mokgoabone that government should rent space on their transmitters to private radio stations. "There is no need to invest," she said.

³⁶ Ibid:153

List of Panel Participants

Caroline Phiri-Lubwika, freelance media consultant, Gaborone

Thapelo Ndlovu, director, Media Institute of Southern Africa-Botswana, Gaborone

Rahman El-Kindly, director, RMC Marketing, Gaborone

Sello Motesta, owner and editor, *Tswana Times*, Gaborone

Kabo Mokgoabone, business reporter, *Mmegi Times*, Gaborone

Lauri Kubuetsile, freelance reporter and writer, Lecheng

Dikarabo Ramadubu, investigation editor, *Botswana Guardian*, Gaborone

Gwerevende Hamufari, editor, *Mining Mirror*, Gaborone

The following participants submitted a questionnaire but did not attend the panel discussion:

David Kerr, head of the media studies department, University of Botswana, Gaborone

Beata Kasale, owner and editor, *Voice* newspaper, Gaborone

Bright Kholi, senior news reporter, *Ngami Times*, Maun

Moderator

Jacqueline Kabeta, director, Southern Africa Institute for Media Entrepreneurship Development, Gaborone

Co-Authors

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The Botswana study was coordinated by, and conducted in partnership with, the Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown, South Africa.

The Burkinabe media have been at the forefront of the fight against corruption, according to a 2006 report by the National Anti-Corruption Network. “The contribution of the press was once again decisive in 2006. Many instances of corruption and corrupt practices would have been trivialized or simply forgotten if the media had not reported them,” the report states.



BURKINA FASO

The media landscape in Burkina Faso generally shows little change since the last MSI survey. The country's controversial information code of 1993 is still in place, despite a review process spurred by journalist associations. The code ushered in private media and grants the government considerable power over the media sector. The Higher Communications Council (HCC), a 12-person panel whose members are mostly appointed by the government, remains the main regulatory body governing and monitoring the media.

The Burkinabe media have been at the forefront of the fight against corruption, according to a 2006 report by the National Anti-Corruption Network. "The contribution of the press was once again decisive in 2006. Many instances of corruption and corrupt practices would have been trivialized or simply forgotten if the media had not reported them," the report states.

The same year, however, HCC issued a report warning of the precarious state of private media. "The current private media environment must be stabilized," the council found. "Because of their lack of transparency in management, how they are created, their legal status, their workers' situation, [and] the lack of development plans, they are but mere tools in the hands of one person who treats them as a personal business. As a result, hosts move around and there are episodic crises affecting their normal operation. None of these encourage the professionalism and durability of press companies."

In the report, the HCC called for "the creation of a collective contract for journalists in order to secure the status of media employees and employers and eliminate the poverty that affects the nobility of the profession." But efforts to establish a collective contract and a press card system have accomplished little, despite numerous negotiations and meetings among management, journalists, and state institutions.

In 2007, Burkina Faso made itself a focal point of African media by hosting three events that drew strong participation from French- and English-speaking journalists from around the continent. The events included the Festival of Free Press and Expression; the meeting of the Fédération of African Media Outlets and Press Centers; and a seminar on the decriminalization of press offenses, organized by the Norbert Zongo National Press center. (The Zongo center is named for the director of the weekly publication *L'Indépendant Burkinabe*, who was assassinated in 1998. An independent committee concluded that Zongo was killed because he was leading an investigation that implicated members of the Presidential Guard in the death of the driver of President Blaise Compaoré's youngest brother. Yet the case was dismissed in 2006 for lack of evidence. Today, 10 years after Zongo's assassination, the case is unresolved, and the people's discontent is still strong).

BURKINA FASO AT A GLANCE

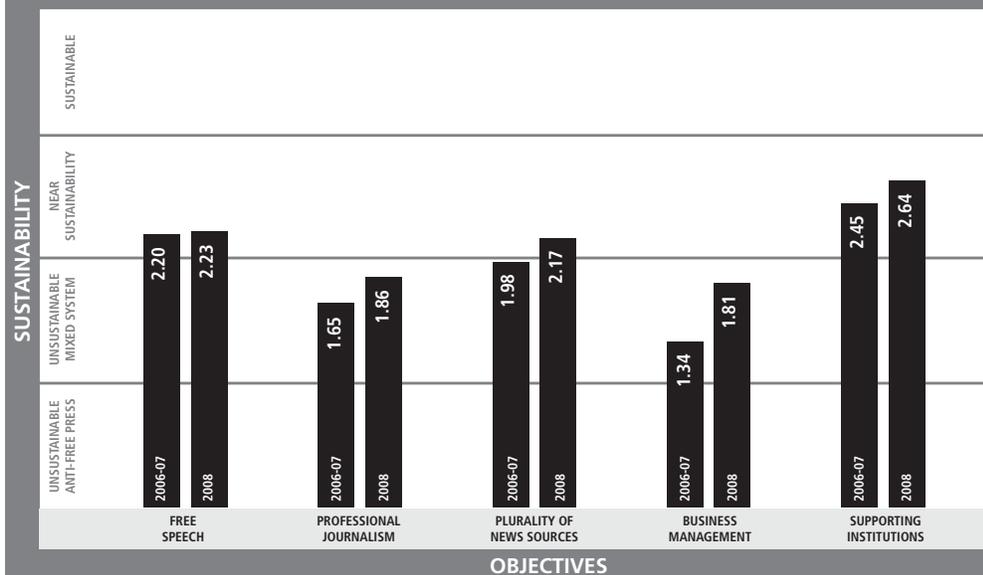
GENERAL

- > **Population:** 15,746,232 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Ouagadougou
- > **Ethnic groups (% of population):** Mossi 40%, other approximately 60% (includes Gurunsi, Senufo, Lobi, Bobo, Mande, and Fulani) (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 50%, indigenous beliefs 40%, Christian 10% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), native African languages belonging to Sudanic family spoken by 90% of the population (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$7.278 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$1,160 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 21.8% (male 29.4%, female 15.2%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Blaise Compaore (since October 15, 1987)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 4 daily newspapers, 8 weekly publications, 17 newspapers in the national languages; Radio: 12 public, 19 commercial, 23 community, 19 religious, 4 international; TV: 1 public, 3 private (CSC report 2006)
- > **Newspaper circulation statistics:** Top daily newspapers: *Sidwaya* (state-run), *L'Observateur Paalga* (private), *Le Pays* (private), *L'Express du Faso* (private)
- > **Broadcast ratings:** N/A
- > **News agencies:** N/A
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 80,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BURKINA FASO



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Burkina Faso Objective Score: 2.23

The legal bases of free speech in Burkina Faso include the constitution, which guarantees freedom of expression; and the information code, which established private media for the first time in the country's history and affirms journalists' independence. "Even if the application of legal provisions is subject to caution, it is certain that the legal and social standards existing today in Burkina Faso encourage the freedom of speech and access to public information," said MSI panelist Victor Sanou, a member of the HCC.

Kassoum Kambou, a magistrate and member of the Burkina Faso Movement for Human and People's Rights, voiced a sentiment shared by the rest of the panel when he said, "Legislation is in conformity with the general principles governing the freedom of the press." He also said that the independence of the judiciary is "an open issue. Obviously, there is no political will guaranteeing the efficiency of the freedom of the press and information."

Regarding the licensing of broadcast media, Sanou said that efforts have been made to render the process more transparent. "Before, the institution used to grant licenses *in vitro*. Now we publish existing frequencies in advance [and] ask people to apply according to given criteria. [The applications] are graded by an ad-hoc committee, from which the deciding HCC members are excluded. At this point, specialists are called to participate, and they are the ones making the decisions."

Kambou, however, said that the makeup of the HCC "casts doubt with respect to transparency and fairness in granting frequencies. Leaving prejudices aside, out of its 12 members, 10 or 11 belong to one political party." Panelist Justin Coulibaly, secretary general of the Independent Union of Information and Communication Workers, said that the media professionals of the HCC do not represent professional associations.

One panelist said that the HCC sometimes breaks its own rules when granting licenses. "Even when subject to a regime of competition, the license granting process violates the rules of the calls for bidders," said Rémis Fulgance Dandjinou, deputy director of Canal 3, a private television station. "The Catholic Church and the Media 2000 communication agency received frequencies without a call for tenders. It was also the case of Africable, the cable television channel broadcasting from neighboring Mali. Moreover, terms and conditions are carelessly managed, significantly distorting competition between various institutions."

Panelists agreed that the process for establishing a media outlet is generally the same as the process for any other

Kambou, however, said that the makeup of the HCC "casts doubt with respect to transparency and fairness in granting frequencies. Leaving prejudices aside, out of its 12 members, 10 or 11 belong to one political party."

business. Eric Kam, president of the Press Freedom Defense League, said it was "not any more complicated than creating a bakery. So the regime is fair and legally comparable, and the market is free." Kam noted that newspapers do not need licenses. However, Boureima Diallo, editor in chief of the newspaper *L'Observateur Paalga*, said that since the media are "unlike a small shop or a bakery, they should receive more support in terms of taxes and others." Sanou agreed: "The lack of a tax regime specifically designed for the media is a huge handicap."

The panelists said journalists are attacked and threatened on a daily basis. "The most frequent criminal acts are threats made by security forces or decentralized community agents," said panelist Pierre Tiergou Dabiré, secretary general of the Association of Journalists of Burkina Faso. The panel noted in particular the case of Sam'sk Le Jah, a radio host with Ouaga FM who received death threats and had his car burned. Kam said that government did not ask Yahoo.fr to identify

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

“We cannot say that most journalistic productions [reports, investigations, columns] are balanced,” said Dabiré. “Either out of lack of means, time, or for subjective reasons, journalists let themselves go.”

and provide information about an e-mail address used to send death threats against Le Jah. “They also refused to denounce and distance themselves from the threats made on behalf of the president of Burkina Faso by the same Internet user,” Kam said. “Public authorities do not seem keen on strongly investigating offenses and crimes committed against journalists.” Though Kam’s Press Freedom Defense League filed a complaint, the case has not been resolved.

Panelists found serious shortcomings with Burkina Faso’s slander laws, which stipulate that “slander is a criminal offense and it is up to journalists to prove that they did not [commit] libel. The evidence system is reversed, so this all scores bad points,” Kam said.

Panelist noted the difficulties with access to information. Dabiré said that while the information code provides the free access to information in principle, “in reality, things are different due to administrative rules and conduct in a social environment.” Dandjinou said: “Access to information is easy but far from being guaranteed by the government, which restricts investigations or quality news reports.”

As reported last year, most media in Burkina Faso use the Internet and have free access to the information circulated by the international media. The main difficulty is cost. The result is that many newspapers print the news that they take from news agencies without properly quoting them as sources, for fear they might have to pay for the use of the stories.

There is no restriction on the practice of journalism in Burkina Faso. The professional journalist card stipulated by the law (article 47 of the Information Code passed in 1993) is still not effective, and journalists’ status is not clear.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Burkina Faso Objective Score: 1.86

The panelists were very critical about the practice of journalism in Burkina Faso. However, panelists spoke highly of Burkinabe journalists as individuals, noting that some do high-quality work despite a perceived lack of experience. “I

believe that Burkina Faso has good journalists, well qualified journalists. But sometimes there is a gap between being well qualified and doing a good job,” said Danielle Bougaïré, an assistant professor in the University of Ouagadougou’s journalism department. “I would even say that the problem of qualification is false. Someone who decides to be a journalist can become a good journalist if they really want to. On the other hand, there are graduates of journalism schools who systematically violate ethics.”

Kam also noted the corruption among new journalists. “The opening of the profession attracted many persons with no concern for objectivity and no respect for ethics,” he said.

“We cannot say that most journalistic productions [reports, investigations, columns] are balanced,” said Dabiré. “Either out of lack of means, time, or for subjective reasons, journalists let themselves go.”

“Journalist associations such as AJB [Burkina Association of Journalists] have set up standards of ethics and obligations, but they are not observed,” said panelist Djénèba Hortense Tiéba, journalist with Munyu Radio. She added that the practice of taking money or gifts in exchange for favorable coverage is on the increase. “Editors often practice self-censorship because they are afraid of losing their job or jeopardize their peace of mind,” she said. “They are also afraid of upsetting politicians, and journalists and photographers would like to avoid pressure from editors-in-chief, which restricts journalists’ capacity to produce a good report.”

While other panelists agreed that self-censorship is widespread, some said that the country’s pluralistic media prevents certain topics from going uncovered entirely. Kam

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

noted that when a demonstration by interns at Yalgado Ouédraogo National University Hospital was broken up by police entering the hospital building and firing tear gas grenades, the event was not mentioned by state television. Dabiré, however, said that the print media reported the event. “No matter what the situation is, thanks to a plurality of press outlets, important events and issues cannot be ignored. I believe that our press today is a responsible press that in many cases brings the essential issues to the public eye.”

Dabiré’s assertion largely echoed the National Anti-Corruption Network’s 2006 report. “Just by regularly raising the alarm, articles, columns, and shows about corruption woke people up. For that, their place and role are unquestionable in this context, where silence, complacency, and indifference prepare the field for corruption,” the report stated.

During a public convention organized by the Journalists Network for Integrity and Transparency, the president of the HCC said, “to be efficient in the fight against corruption, the press itself must resist the temptation of evil. Journalists work and live in an uncomfortable situation that may compromise their mission, particularly their capacity to put corruption under an impartial spotlight.”¹

Self-censorship, however, has become a defining feature of state media, several panelists said. “The public media conceal information that they believe to be awkward for public authorities and their managers are appointed by the government,” Kam said. Dabiré agreed: “I think that, fundamentally, the national television and the public media only speak about news that does not bother anyone. I see this as a lack of independence; we all know that some clips will never be shown on [national television], and even then we are told that the clip is upsetting... Who does it upset? The people in power. I believe that the public and government-run media are largely under the influence of the authorities.”

Bakari Koné, a journalist with the Radio Gaoua regional station, cited what he called “a very simple example: in Gaoua, unions organized a rally, asked for media coverage, called the national radio. And they said if you go there, do it so that everything is not found out. And that was said clearly. The reporter who went out is a fellow journalist; he did his job correctly, came back, and aired his report on the national radio. Instead of making a summary or stopping his report, the Ouaga national radio reported there was no rally in Gaoua and that this was false news spread by Gaoua radio journalists. This was embarrassing for us Gaoua journalists. We had to call the central news desk in Ouaga and tell them: ‘Send us out where you do not have reporters. We are willing to go but you have to retract what you said at 1. Say it was

¹ RENLAC: 2006 Report

not true in your 7 p.m. news bulletin.’ They were forced to say that there had indeed been a union rally in Gaoua.”

On the other hand, Dabiré said that “especially in the private press, efforts are being made to approach all subjects, even the more delicate ones.”

Salaries in the media are low and sometimes leave journalists vulnerable to overtures by those seeking favorable coverage, in addition to exploitation by their own managers. “Many private commercial, religious, and associative radio stations offer meager salaries or none at all, relying on their employees’ commitment and activism,” Dabiré said. Kambou said that the salaries do not allow journalists “to meet the required professional quality standards.”

Regarding the issue of balancing entertainment and news in the media, Kam said that hardly any outlets report on news or education. “If you look at the programming of broadcast media—FM radio stations as well as public and private television channels—and if you compare the duration of entertainment shows against current events reports and educational documentaries, most of it is entertainment, with a special emphasis on music. This is so pervasive that even the national television is into it,” he said.

“News and entertainment are blatantly off balance,” Dabiré said. “One wonders whether this is not subject to political purposes.”

Equipment is a clear impediment to quality journalism, especially in the broadcast media, panelists agreed. “I believe that we do not even have the minimum that is needed to operate normally,” Bougaïré said. Added Dandjinou: “In rural areas, equipment is very scarce and revoltingly rudimentary, as opposed to the urban areas, where equipment is rather modern.”

OBJECTIVE 3: PLURALITY OF NEWS

Burkina Faso Objective Score: 2.17

The panelists found that multiple news sources provide Burkina Faso’s citizens with objective and reliable information. “I believe there is diversity,” Kambou said. “People have access to the Internet. Thanks to satellite, they also have access to radio news.”

Dandjinou noted that “access to the media is free, but it is only the urban population that enjoys it. The small number of broadcast media that cover news in rural areas and the poverty of rural populations limit the diversity of news sources that should be available to them.” Dabiré said, however, that community radio stations, though they are

Regarding news production by independent broadcast media, Dabiré said, "Private radio stations have trouble producing their own shows. Most of them are the result of cooperation with outside partners."

clustered in urban areas, "provide citizens with more news options. The same is true about newspapers in national languages, even though their publication is intermittent."

Panelists discussed the drawbacks of state media in reporting objectively or covering a wide range of political viewpoints. As reported last year, despite the drawbacks, state-run radio and print media have made progress to better serve the public interest. State-run television, however, remains oriented towards the government's activities and is mostly inaccessible to parties of the opposition or civil society.

"The only news agency is under the control of the state-run daily newspaper and it is not really a news agency," Dabiré said.

Regarding news production by independent broadcast media, Dabiré said, "Private radio stations have trouble producing their own shows. Most of them are the result of cooperation with outside partners."

Panelists complained that ownership of private media is largely opaque. "For most of the private media, it is difficult to know who owns what and who does what," Dabiré said.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Coverage of minority groups has serious shortcomings, Kambou said: "I am interested in knowing if anyone is talking about these groups, if their interests are protected, emphasized, because some minority groups are in danger of disappearing not because someone wants to eliminate them, but because no one talks about them. We know absolutely nothing about many of them."

OBJECTIVE 4: BUSINESS MANAGEMENT

Burkina Faso Objective Score: 1.81

The panelists said they did not believe that press companies are viable, professional and profitable businesses. Boureima Jérémié Sigué, publication manager of *Le Pays* publishing company, said that he believes that functioning as a profitable business "is not always easy for most of the media."

Kaboré had several comments regarding media business management. The biggest question, he said, is who actually leads the media company. "In general, journalists are in charge, as they progressively end up taking managing positions. The marketing and sales system has made progress, but it can be improved. The desirable objective is a modern management of media businesses; the journalistic profession and all who live off it must feel safe. When managers from another area get involved in the press, they tend to become impatient. They want quick and consistent financial results... Efforts are being made to manage local media, but modern management must be implemented, just like it is with large companies."

Income sources for the media are diverse, including a government subsidy for private media. Advertising is an

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

important revenue source, according to the panelists. Kaboré said that the market “is vast, but many of our national companies are really branches. They depend much more on international groups and communicate more internationally than nationally.”

However, Kaboré said that the advertising aspect of media can be problematic. “Our advertising code is quite rigid. How many today are in the field of advertising? There are more than 40 advertising agencies in Ouaga. How many truly practice communication? That is the question, so businesses that are supposed to get more involved in communication can deal directly with their sponsors and reduce costs. So that’s a loss from the very start. Agencies that are supposed to offer official rates are forced to reduce the costs to reach a market. We are in a circle which makes it hard to survive in this area.”

Panelist pointed to several other problems stemming from the advertising market. “Advertising often influences editorial policy, and the state-run media are the most vulnerable. Advertising is unevenly developed, more so in urban than rural areas,” Tiéba said. Coulibaly agreed: “Sometimes [a paper has] 20 ad pages out of a total of 30. Take [national broadcasting]—sometimes they have nothing.”

“The media industry is incomplete,” said Dandjinou. “There is no real distribution. Communication agencies are disorganized—they behave at the same time as boards, campaign-makers, and advertising departments. The advertising market cannot rely on market studies, which are scarce anyway.

Kam concurred, saying: “Although there are a few success stories, in general, the Burkina Faso media do not allow journalist independence. The problems are the amateurish management, lack of proper working space, undeclared staff, unorganized advertising market monopolized by a few media, while print runs are not made public and program ratings unknown.”

The panelists expressed appreciation for the steadily increasing government subsidy for private media. The subsidy was XOF 150 million (\$285,000) in 2005, XOF 200 million (\$383,000) in 2006 and 2007, and XOF 250 million (\$560,000) in 2008.² The panelists said that the subsidy is a general fund that is not earmarked in any way by the government, and that the media themselves equitably divide up the funds. “The way in which the current state subsidy is distributed must not affect the newspaper independence,” Kam said. “But it would be ideal if the economic development of the media allowed them to survive without the government’s aid.”

² Ministry of Culture, Tourism, and Communication: Press Aid Report 2008.

“The way in which the current state subsidy is distributed must not affect the newspaper independence,” Kam said. “But it would be ideal if the economic development of the media allowed them to survive without the government’s aid.”

Very little market research or audience measurement is conducted in Burkina Faso, beyond some call-in shows and other audience feedback that give a rough measure of audience size and demographics. No independent auditing of newspaper circulation is conducted.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Burkina Faso Objective Score: 2.64

Burkina Faso’s supporting institutions are “visibly militant,” according to Kam. “They are active in lobbying to decriminalize press offenses, behind the initiative for the right to access public information, regularly protesting against violations of the freedom of the press, etc,” he said. But their efforts are not always effective or efficient, he added.

The News and Communication Workers’ National Union protects the financial interests of journalists. The mission of the Journalists Association of Burkina Faso (BJA), consisting of media professionals, is to protect the freedom of the press, promote journalistic ethics, and to guarantee the proper training and professional development of journalists.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Burkina Faso's schools do offer degree-level programs and professional training in journalism. "There are more and more journalism schools that provide better professional training in the media," said panelist Boureima Diallo, editor-in-chief of the daily L'Observateur Paalga.

Dandjinou noted that "journalist organizations take into account the diversity of the initial media, which is not the case of owners' organizations. They tend to remain generalist, and the written press has a dominating position."

Burkina Faso's schools do offer degree-level programs and professional training in journalism. "There are more and more journalism schools that provide better professional training in the media," said panelist Boureima Diallo, editor-in-chief of the daily *L'Observateur Paalga*. The Department of Journalism of the University of Ouagadougou offers graduate programs and a certificate course. The Vocational Training Center of Information (CFPI), run by the ministry of information, also offers journalism courses. Students also learn journalism elsewhere in Africa (e.g., Senegal, Togo, Côte d'Ivoire) and in Europe.

Due to the lack of a distribution service, each newspaper in Burkina Faso is distributed through its own sales network and concentrated in the capital.

List of Panel Participants

Boureima Diallo, editor-in-chief, *L'Observateur Paalga*, Ouagadougou

Rémis Fulgance Dandjinou, deputy director, Canal 3 TV, Ouagadougou

Bakari Koné, journalist, Gaoua Regional Radio, Gaoua

Djénèba Hortense Tiéba, journalist, Radio Munyu, Banfora

Albert Ouédraogo, correspondent, *L'Observateur Paalga*, Ouagadougou

Boureima Jérémie Sigué, editor, Le Pays Publishing House, Ouagadougou

Kassoum Kambou, member, Burkinabe Movement for Human Rights and Peoples, Ouagadougou

Eric Sibiri Kam, president, Press Freedom Defense League, Ouagadougou

Marie Danielle Bougaïré-Zangréyanogho, assistant journalism professor, University of Ouagadougou, Ouagadougou

Tiergou Tiergou Dabiré, secretary general, Association of Journalists of Burkina, Ouagadougou

Justin Coulibaly, secretary-general, Independent Union of Workers of the Information and Culture, Ouagadougou

Pierre Kaboré, director, Edifice McCann Erikson Communication Agency, Ouagadougou

Victor Sanou, member, The High Council for Communication, Ouagadougou

Moderator and Author

Abdoulaye Diallo, coordinator, Norbert Zongo Press Center, Ouagadougou

Assistant Moderator

Sié Offi Some, consultant, Norbert Zongo Press Center, Ouagadougou

The current repressive wave is similar to the one in November 2006, when four important Bujumbura journalists spent more than two months in prison after they reported that the army was preparing an attack on the presidential palace and the presidential party leader’s residence.



BURUNDI

Burundi experienced multiple events in 2008 that demonstrated growing threats to its civil and political rights. As a result, the Burundian media are forced to work in what panelists described as a politically hostile context.

Most local community and provincial officials are members of the ruling party, the Conseil National pour la Défense de la Démocratie—Forces de Défense de la Démocratie¹ (CNDD-FDD). They have been accused of harassing members of opposition parties, often under the authority of a state order that mandates groups to obtain authorization prior to organizing any public meeting.

The opposition party Mouvement pour la Sécurité et la Démocratie² (MSD), which the government refuses to recognize, has been targeted in particular. In late October, two MSD members were arrested in the Cankuzo province for carrying membership cards of their political parties. On November 3, political activist and former journalist Alexis Sinduhije was arrested along with 36 others at a meeting at MSD headquarters. Dozens of police officers armed with assault rifles entered the building, stating that they had information that an illegal meeting was taking place. A search warrant that supposedly authorized their entry was issued later that day. Sinduhije was questioned about the documents and his critical statements about President Pierre Nkurunziza's development policies. The police labeled the statements as "insulting to the president" and charged Sinduhije with "threats against state security."

The current repressive wave is similar to the one in November 2006, when four important Bujumbura journalists spent more than two months in prison after they reported that the army was preparing an attack on the presidential palace and the presidential party leader's residence.

Burundi's overall score was slightly lower this year, primarily due to lower scores for Objective 2 (professional journalism) and 5 (supporting institutions). Objective 4, business management, scored well below all other objectives with a 1.27, the sole objective scoring in the "unsustainable, mixed system" range.

¹ National Council for the Defense of Democracy – Democracy Defense Forces

² Movement for Security and Democracy

BURUNDI AT A GLANCE

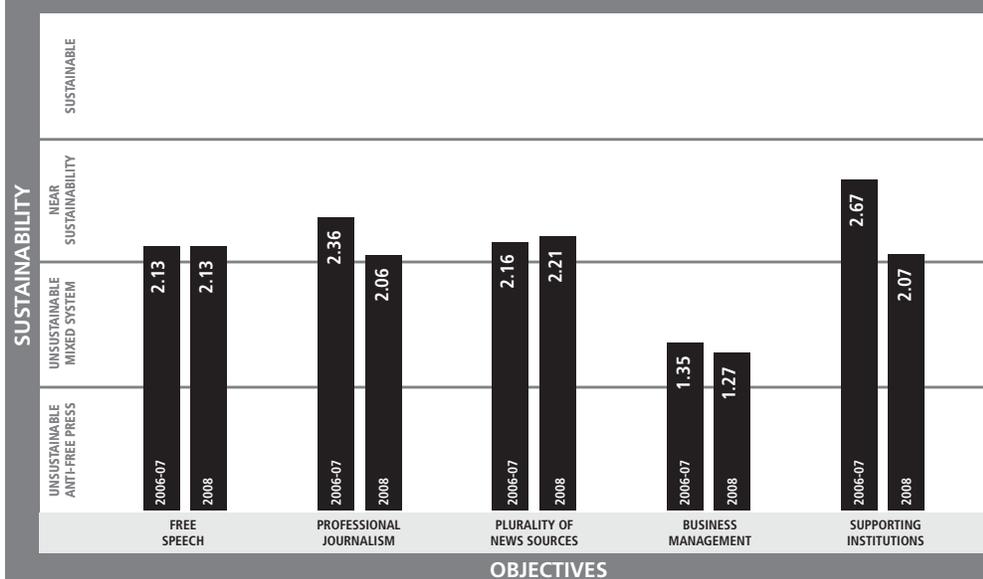
GENERAL

- > **Population:** 8,988,091 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Bujumbura
- > **Ethnic groups (% of population):** Hutu (Bantu) 85%, Tutsi (Hamitic) 14%, Twa (Pygmy) 1% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 67%, indigenous beliefs 23%, Muslim 10% (*CIA World Factbook*)
- > **Languages (% of population):** Kirundi (official), French (official), Swahili (along Lake Tanganyika and in the Bujumbura area) (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$923 million (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$330 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 59.3% (male 67.3%, female 52.2%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Pierre Nkurunziza (since August 26, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: regular newspapers include *Le Renouveau du Burundi* (state owned), *L'Avenir* (private), *Ubumwe* (state-owned), *Ndongezi y'Uburundi* (Catholic church owned bi-monthly); Radio: 7 main stations including Radio-Culture, Radio-Umwizero or Radio de l'Espoir, Radio-CCIB FM+, and African Public Radio; TV stations: 1, National Radio Television of Burundi
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Burundi Press Agency (public), Net Press Agency, Infop Agency, Expresso Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 60,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BURUNDI



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Burundi Objective Score: 2.13

Article 31 of the 2005 Burundi constitution guarantees freedom of speech, and the 2003 press law also guarantees freedom of expression. But according to Athanase Ntiyanogeye, a journalist with Burundi Radio Télévision Nationale, Burundi has no specific law addressing the right of the public to freely express themselves within the boundaries of the law, and no mechanisms are in place to protect this right.

Multiple factors prevent pro-media legislation from being enforced properly. In most cases, implementation is sabotaged for political reasons, as some political figures and organizations do not appreciate the media's efforts to report on scandals stemming from the daily governance of the nation.

One example is the case of Jean-Claude Kavumbagu, director of the netpress.bi website. He was arrested on September 11 following the posting of an article stating that President Nkurunziza had spent BIF 100 million (\$100,000) on his trip to China to attend the Olympic Games opening ceremony. According to the article, the president's spending caused a delay in the payment of government salaries. Representatives of the office of the secretary general stated that the president was only assigned BIF 50 million, and it lodged complaints of "libel" and "diatribes" against the website.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Nonetheless, the panelists pointed out that Burundi is quite advanced with regard to freedom of speech as compared to other countries in the sub-region. Burundian citizens value freedom of speech, and any violation of this freedom, wherever it may come from, generates collective protest.

The website has long been critical of the president's party, which won the August 2005 elections. Kavumbagu was also arrested multiple times under the previous government, and his site was suspended by order of the media regulating organization in 2005. At that time, the state was showing growing hostility towards human rights associations and some private media and local journalists.

Nonetheless, the panelists pointed out that Burundi is quite advanced with regard to freedom of speech as compared to other countries in the sub-region. Burundian citizens value freedom of speech, and any violation of this freedom, wherever it may come from, generates collective protest.

The Conseil National de la Communication has the responsibility of granting licenses, and the process has been quite fair to date. However, given the rather tense political context, some media are supervised closely by the *conseil* executive. The panelists were critical of the fact that licensing institution employees are appointed by presidential decree and therefore indebted to the executive power, and this often affects their work.

In addition to having to pay business taxes, press companies are subject to license fees charged by Agence de régulation et de contrôle des Télécommunications³ (ARCT). The fees vary from BIF 1 million (\$1,000) to BIF 5 million (\$5,000).

No fatal attacks on journalists have occurred in Burundi in the last few years. However, panelists believe that journalists are subject to a kind of "state terrorism"—frequent intimidation, aggression, and imprisonment of media professionals. These acts are usually committed by state officials—the police, the army, or security services—and go uninvestigated and unpunished, despite the public outcry and the coverage in local media.

Kabanyana Sprès Caritas, a journalist and producer with Radio Isanganiro in the province of Bubanza, said that private media journalists' access to public news sources is a real challenge,

³ Telecommunication Controlling Agency

No fatal attacks on journalists have occurred in Burundi in the last few years. However, panelists believe that journalists are subject to a kind of “state terrorism”—frequent intimidation, aggression, and imprisonment of media professionals.

especially given that no law forces public agents to publish information of public interest. Félix Nzorubonanya, a journalist and RPA radio correspondent, said that unfortunately, the public media continue to be the government’s mouthpiece and the law does not guarantee the independence of journalists working in the public media sector.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Burundi Objective Score: 2.06

Burundian journalism is of rather modest professional quality. Most local journalists have learned on the job and are not well equipped to produce a high standard of reporting. Another factor is limited funding. Local media are often confronted with financial and logistical problems, and journalists are forced to work with insufficient resources.

At the same time, some private media show a definite desire to improve professionalism. Media are now hiring graduates from new local universities with communication programs,

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

and journalists are being trained in the ethics of their profession. In the long term, these efforts should result in more professional reporting.

Despite their modest salaries, Burundi journalists are a positive example of resistance to corruption. Journalism is one of the best paid professions in Burundi, hence the very small number of journalists who leave the field for better-paying work, such as with international development organizations.

The panelists acknowledged that Burundi has a journalist ethics code, which is based on international codes such as the 1971 Munich Charter. But they said that the code is not disseminated enough and is often violated.

Newsroom editors and journalists regularly practice censorship and self-censorship. This is not the result of direct political threats or lobby pressure, but rather a desire to improve editorial content and reduce errors in order to protect their companies from retaliation. However, media outlets are well aware of the hot-button issues that will attract unwanted attention from the government and therefore approach such issues with great care. Without complete and verifiable information, therefore, many stories are not carried.

Some panelists said that local journalists adhere to old reporting habits such as covering political news rather than civil society issues. Even so, the political coverage is still less than ideal, given the multiple perspectives on each issue and the constantly changing political situation.

“Journalists do not cover major events and issues consistently because some political issues are too sensitive,” said panelist Spes Kabanyana. “If anyone covers cases of misappropriation, he or she can expect to be thrown into prison or fired.”

The panelists agreed that in Burundi, quality niche reporting is rare because of the lack of specialized journalists in important fields such as economics or rural development.

OBJECTIVE 3: PLURALITY OF NEWS

Burundi Objective Score: 2.21

Burundi has multiple media outlets, made up mostly of radio stations. Very few stations cover the entire national territory—only RTNB, Isanganiro, RPA, REMA FM, and RSF Bonesha FM. Bujumbura has only three regular weekly publications, and there is no written press outside of the city.

Panelists had different viewpoints regarding citizen access to media. Kabanyana said that access is limited. “Only urban residents use television or the Internet. Burundi citizens have

access to national media, but not so much to international media. For example, foreign newspapers are scarce, and very few foreign radio stations can be picked up in the provinces.”

But panelist Junior Biraronderwa, assistant professor at the Université Lumière of Bujumbura, had a more optimistic outlook. “People living in urban areas have ways to access information via different media and the Internet, which has broken through even in other provincial cities and in time has become affordable even for average citizens. Populations in rural areas are experiencing a slow breakthrough of community radio, such as the RPA Ngozi.”

Access to international news is free and not restricted in Burundi. People receive news directly from international channels such as RFI, BBC, and VOA captured live or rebroadcast by local radio or television stations. The government does not restrict access to news through the Internet, foreign newspapers, or cable television subscriptions.

Although they wish to practice professional and balanced journalism, the public media are often confronted with political pressure. As a result, most of the news they release is favorable to the government, and usually covers current events related to government activities. “The Burundi public media do not serve the public interest, and they are not completely apolitical,” Kabanyana said.

Local media indirectly use international news agencies. Burundi also has independent press agencies that collect and distribute information. The most active are Netpress and Syfia Grands Lacs.

All the panelists noted the weak presence of advertising in the Burundi media, and said that advertising revenues do not help the media to survive. In order to stay in operation, the public media are forced to appeal for public funding, while other media accept financing from international NGOs or churches.

The independent press has been trying for years to produce its own newscasts in order to differentiate itself from the public press. Radio stations such as Isanganiro, RPA, and RSF Bonesha FM produce shows on various current events and broadcast political debates, street interviews, school events, etc.

Majabuko Amiri, editor-in-chief of the newspaper *Le Visionnaire*, said that private media is serving Burundians well in the absence of state objectivity. “If the public media mostly reflect the opinions of the governing politicians, the private radio and TV stations also give other members of the society—opposition parties, the civil society and the private sector—a chance to speak. The private media also addresses social issues such as HIV/AIDS, sexual violence against women, health, and school problems.”

Local media are generally funded from abroad, but the lack of transparency in ownership prevents the average consumer from easily evaluating the objectivity of news.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Burundi Objective Score: 1.27

Most Burundi media are not businesses so much as associations, and are not designed for profit-making. Under these circumstances, the panelists pointed out, it is difficult to evaluate their capacity to comply with international standards.

“Press companies are not really profitable, self-sustaining businesses,” said panelist Désiré Ndaziza, executive secretary of the Burundi Women Journalists’ Association.

Despite the declared intentions of various governments to support the written press, government subsidies for private media are nowhere to be found. The state itself has a hard time funding or subsidizing the public media.

All the panelists noted the weak presence of advertising in the Burundi media, and said that advertising revenues do not help

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

the media to survive. In order to stay in operation, the public media are forced to appeal for public funding, while other media accept financing from international NGOs or churches.

Biraronderwa said that media do not have access to market data. "In Burundi, there is no institution that specializes in market research focusing on media response measures. This may explain why there are no analyses that could define rating or implement strategic plans and improve or personalize the product according to the needs and interests of the public."

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Burundi Objective Score: 2.07

The panelists were satisfied with the professional associations working for the protection of the rights of journalists. They include the Association Burundaise des journalistes,⁴ Association Burundaise des radiodiffuseurs,⁵ journalist associations such as the Association des Femmes Journalistes,⁶ and powerful journalist unions such as the Syndicat des travailleurs de la Radio Télévision Nationale Burundaise.⁷ They work actively in multiple areas, including legal issues, training, and lobbying.

Burundian NGOs also work to protect freedom of speech and independent media. They include the Ligue des Droits de l'Homme,⁸ ITEKA, APRODH, Observatoire de l'Action

⁴ Telecommunication Controlling Agency

⁵ Radio-distributor Association of Burundi

⁶ Women Journalists' Association

⁷ Radio Television Nationale Burundaise Workers' Union

⁸ Human Rights League

Gouvernementale,⁹ and Observatoire pour la lutte contre les malversations économiques.¹⁰

The panelists also pointed out the activity of the foreign NGOs involved in this sector. Institut Panos Paris and Search for Common Ground, for example, help media professionals by providing short-term training sessions.

Désiré Ndaziza believes that media professional organizations are efficient in lobbying and advocating in defense of the rights of journalists, and are having a positive impact on Burundian society as well. For example, the Burundi Women Journalists' Association defends and promotes women's rights by strengthening female journalists' capabilities. The membership in this association is growing as new media are created, she said.

Biraronderwa noted the involvement of supporting institutions in the education of journalists. "For a long time, local journalists learned their trade in the workplace for lack of an institution habilitated to provide complete journalistic training. But in 2000, initiatives from the private sector, namely the Université Lumière de Bujumbura, made possible the introduction of university programs in communication in their curricula, with a specialization in audio-visual creation. But even then, the educational quality is not completely satisfactory, for lack of appropriate logistic means. Thus students do not have impeccable training, particularly when it comes to practice."

Local printing houses are managed by independent for-profit organizations and they are not political. Distribution is informal and newspapers are still sold on the street.

⁹ Observatory of the Government Activity

¹⁰ Observatory for the Fight Against Economic Malpractice

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Athanase Ntiyanogeye, journalist, La Radio-Television Nationale du Burundi, Bujumbura

Ernest Nkurunziza, member, Ligue Iteka, Bujumbura

Fiacre Muhimpundu, journalist, *Le Visionnaire*, Bujumbura

Junior Biraronderwa, assistant professor, Université Lumière, Bujumbura

Nadege Irambona, analyst, Media Organization of Central Africa, Bujumbura

Innocent Manirakiza, director, UMUCO FM, Ngozi

Ruston Uwimana, journalist, *Ndongezi*, Bujumbura

Adélaïde Ndabambarine, journalist, Burundi Press Agency, Ngozi

Linette Sindimwo, journalist, Bonesha Radio, Bujumbura

Désiré Ndzanza, executive secretary, Association of Women Journalists, Bujumbura

Kabanyana Sprès Caritas, journalist, Radio Isanganiro, Bubanza Provence

Félix Nzorubonanya, correspondent, Africa Public Radio, Bururi

Amiri Majabuko, editor-in-chief, *Le Visionnaire*, Bujumbura

Moderator & Author

Alain Gashaka, correspondent, Journaliste en Danger, Bujumbura

The Burundi study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo.

A week later, on February 28, the show “Canal Presse” on Canal 2 International was interrupted in its 18th minute by the security department. The topic of the show was the “Albatros” case, in which two reporters from the daily newspaper Le Messager were summoned by police after reporting a story on the near-death of President Biya and his family aboard the Albatros presidential plane.



CAMEROON

The Republic of Cameroon is among the most corrupt countries in the world, according to Transparency International. The resultant political and civil upheaval has had significant effects on the media sector, with tensions coming to a head in 2008.

Since 1982, Cameroon has been led by President Paul Biya, a member of the political party Rassemblement démocratique du peuple Camerounais (RDPC). In 2004, Biya was reelected to a new seven-year term, partially on the basis of a campaign promise to wage a relentless war against corruption. However, in one of his public speeches in 2008, Biya vowed to work for a constitutional amendment that would lift presidential term limits. Given the strong parliamentary majority of the RDPC, such a modification has every chance of passing.

This constitutional revision project provoked a wave of civil protest. Street rallies were held in Douala, the second-largest city in the country. Acting upon the January 15, 2008 prohibition of public rallies in the Littoral province, security forces clamped down. On February 25, Douala buried its first dead.

Radio Équinoxe and Équinoxe TV, Cameroon's most popular media outlets, openly opposed the revisions. On February 21, Cameroon's minister of communication shut down the stations for four months, offering as the official reason "an illegal exercise of the audio-visual broadcasting profession." A week later, on February 28, the show "Canal Presse" on Canal 2 International was interrupted in its 18th minute by the security department. The topic of the show was the "Albatros" case, in which two reporters from the daily newspaper *Le Messager* were summoned by police after reporting a story on the near-death of President Biya and his family aboard the Albatros presidential plane.

These civil and political convulsions were still fresh in the MSI panelists' memory as they gathered in Douala. They gave an overall country score of 1.55, a small drop compared to last year's score. Objective 3, plurality of news sources, received the highest rating at 1.91. Objective 1, freedom of speech, was rated the lowest at 1.31.

CAMEROON AT A GLANCE

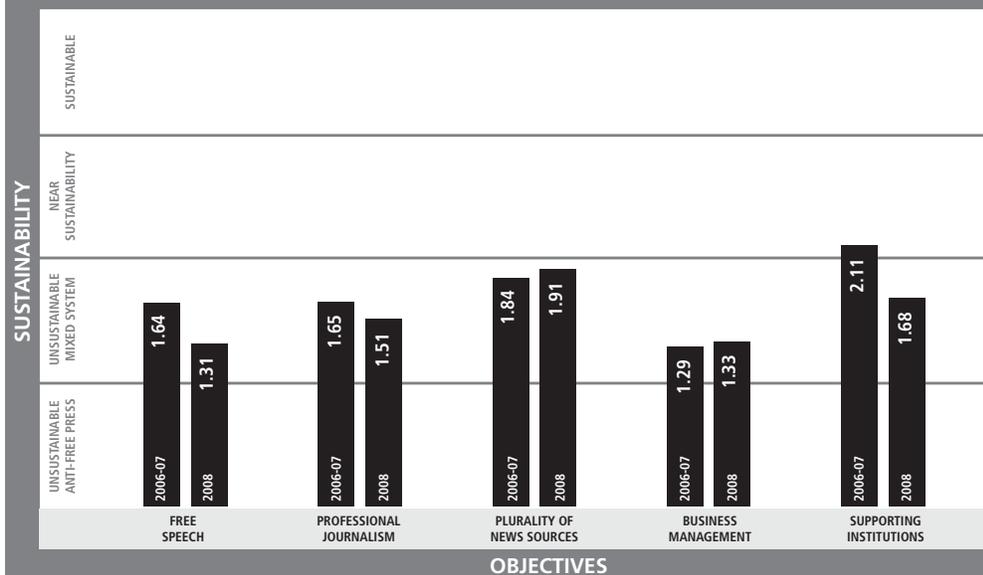
GENERAL

- > **Population:** 18,879,301 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Yaounde
- > **Ethnic groups (% of population):** Cameroon Highlanders 31%, Equatorial Bantu 19%, Kirdi 11%, Fulani 10%, Northwestern Bantu 8%, Eastern Nigrific 7%, other African 13%, non-African less than 1% (*CIA World Factbook*)
- > **Religions (% of population):** indigenous beliefs 40%, Christian 40%, Muslim 20% (*CIA World Factbook*)
- > **Languages (% of population):** 24 major African language groups, English (official), French (official) (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$19.49 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$2,120 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 67.9% (male 77.0%, female 59.8%) (2001 est., *CIA World Factbook*)
- > **President or top authority:** President Paul Biya (since November 6, 1982)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 5 daily newspapers; Radio: 3 main stations; Television stations: 3
- > **Newspaper circulation statistics:** Top three by circulation: *Le Messager* (private), *Cameroon Tribune* (state-owned), *Mutations* (private)
- > **Broadcast ratings:** Cameroon Radio Television (state-owned), Radio Reine (Catholic) station, Radio Siantou (private)
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 370,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CAMEROON



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Cameroon Objective Score: 1.31

The panelists agreed that Cameroon has the constitutional framework to enforce free speech. Media laws include No. 52 from December 19, 1990 on communication, and the decree passed on April 3, 2000 addressing the liberalization of the broadcast sector. Some panelists saw some reason for optimism and said that the existence of media freedom laws in Cameroon is significant in itself. But most felt that the overriding reality is the government's control of the media sector and abuse of constitutional law.

"It is undeniable that legal and social texts do not protect or encourage freedom of speech and access to public information in Cameroon. The state is the first obstacle in achieving this Number 1 objective," said panelist Foimoukom Honoré.

Olinga Ndoa Joseph agreed. "Applying legal and social standards to the practice of the journalism profession in Cameroon seems to be difficult," he said. "This situation could be solved if the authorities cared about creating an environment capable of guaranteeing the sustainability of press companies."

Several panelists referred to the cases of Magic FM, Radio Équinoxe, and Équinoxe Télévision as examples of the state's maltreatment of the media. All three outlets were shut down in February, 2008. According to panelist Jean-Marc Soboth, the stations were closed for allegedly failing to pay a high license fee of XAF 100 million (\$200,000). The state reopened the outlets after they paid half of the required fee, but an informal mission statement was forced upon the group owner, Séverin Tchounken, with the intention of limiting the freedom of expression of the outlets.

Panelist Djimeli Alexandre named several other events from 2008 in which the government sought to silence freedom of speech. They included an interdiction against the rally in Douala and the Littoral district in January; the muzzling of artists Joe la Conscience and Lapiro de Mbanga, who took a stand against the modification of the constitution; the dismissal of the RTS TV manager; the investigation of *Le Front* deputy editor Jean Bosco Talla and one of his reporters; and the jailing of journalist Lewis Medjo. Panelist Dzudie Nganga Guy Modeste also mentioned the attack on Blaise Nzuphiop, a correspondent for the daily newspaper *La Nouvelle Expression*.

Some panelists expressed willingness to take in stride the current state of the media. Mumba N'Gandwe Mireille said that freedom of expression in the media is increasing "despite a few dark spots here and there." Ambang Ndjock Mireille Grâce emphasized that freedom of speech still is guaranteed

by law, and called upon the government to "allow journalists a small amount of freedom so that they can do their jobs."

Panelists noted major flaws with the licensing of broadcast media. Mireille said that licensing is "draconic and selective," and Roland Tsapi said that the ministry of communication is overwhelmed by applications. The government has no formal criteria for issuance, he said, and the government prefers the media to operate under a "tolerance regime," which allows it to shut down media outlets at will.

The panelists indicated that Cameroonian media do not receive tax breaks and are subject to common law and multiple taxes. Grâce gave the example of producing a public show on entertainment; that outlet would owe OTVP tax in addition to its quarterly taxes. "The state should reconsider its position in the matter of taxes," he said. "A distinction must be made between broadcast and other companies."

Tsapi said that the state media, CRTV and *Cameroon Tribune*, enjoy preferential treatment in the form of license fees and subsidies. As a result, the information processing work of state media journalists depends on the will of the government.

Journalists in Cameroon are subject to violence and criminal acts, and are targeted by the military and other authorities, according to the panelists. Usually these events do not cause a public outcry nor do they register with the private sector.

"Professional journalists sometimes have to pay a hefty price, as the police inflict heinous acts on them," panelist Ngo Bissohon Saphelie Minouche said. "For instance, it is not an

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

easy thing to cover a political event in Cameroon. Many of our fellow journalists suffered physical violence during the legislative and municipal elections of July 22, 2007.”

Journalists are subject to prison terms for committing “press offenses,” including slander, which has been categorized as a criminal offense. In most cases, the court requires that the journalists produce evidence that supports their writings.

Although no law denies the right of journalists to information, in daily practice private media journalists are at a disadvantage. Many requests for information from the government remain unanswered, Alexandre said. When it is available, official information is only released to the public media, which then share it in a discretionary manner. It is very difficult for media to obtain official comment during their investigations.

Access to news sources, the Internet, and international media is unrestricted by the government. Cameroonian journalists are gaining a wider perspective of world events through better access to international media. Foreign broadcast networks such as BBC, CNN, and RFI are well-established in Cameroon, and Internet and satellite availability is increasing.

Mireille said that to practice their profession, journalists are required to carry various identifying documents (press cards, accreditations, etc.) These materials must be issued by a public institution and are not always easily obtained, he said.

Otherwise, access to the journalism profession is open in Cameroon. However, many panelists said that the lack of control is having a negative effect on quality. “The importance of the journalistic profession is being diluted while the authorities have encouraged a sense of casualness. Anyone can wake up one morning and become a journalist,” panelist Michel Ferdinand said. “And this is not for lack of legislation—much to the contrary. In practice, leaders are being very slack on this matter.”

Panelist Tchomba Gilbert agreed. “Access to the trade must be regulated [by] a self-regulatory institution that is not dependent on the government,” he said.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Cameroon Objective Score: 1.51

Panelists were highly concerned with the lack of professionalism among Cameroonian media members. “We are convinced that the Cameroon press is in a state of disaster,” panelist Douanla Kaze Reinnier said. “The most worrying issue is that of the precarious working conditions.”

Various factors appear to be affecting the level of professionalism of Cameroonian journalists. Limited access to sources, self-censorship, inadequate fact checking, and the demands of advertising clients all affect the veracity and objectivity of media output.

“It is difficult for journalists to meet professional quality standards,” Honoré said. “The inertia is overwhelming.”

Often, journalists are unable to address certain topics in any accurate way because they cannot find contact persons willing to provide information, Grâce said. However, Alexandre said that journalists are responsible for their omissions and errors. “The high number of rights of response, corrections, and rectifications shows that journalists are doing a poor job,” he said.

Mireille said that reporting is further compromised by poor ethics among many journalists. “Reports are not always fair because even at the level of information gathering, the event organizer hands the reporter an envelope [“gombo,” in press jargon]. This fundamentally influences the information analysis,” he said.

Panelist Modeste agreed that ethical standards are lacking. “The great majority of Cameroonian journalists do not even come close to respecting the ethics and deontology of the industry to the letter,” he said.

Even more telling, according to Tsapi, is the nonchalant attitude towards failing professionalism. “Ethics are old-fashioned,” he said. “Every day reporters get bribed to publish biased information, and this phenomenon has created so-called ‘street journalism.’”

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

The Conseil camerounais des medias (CCM), a self-regulatory institution, has been campaigning in cooperation with the Canadian Freedom Network to promote ethical journalism, according to panelist Soboth. But he said that respect for deontological rules, particularly among print media, is not universal.

Panelist Olinga Ndoa Joseph said that professionalism is affected greatly by a media company's economic interests and its ties to "sociopolitical actors or pressure groups." In this way, self-censorship is implemented through the newsrooms—even among the more independent newspapers such as *La Nouvelle Expression* and *Le Messenger*. "Journalists are constantly reminded to write articles according to their respective editorial policy and the economic partners of their media," Minouche said.

Tsapi agreed. "The big advertisers can practically impose their views on the media," he said.

The low pay level for journalists is another major contributor to poor ethical practices. The panelists' statistics on pay were varied, but most said that monthly salaries are between XAF 50,000 and XAF 200,000 (\$105 to \$420). Modeste said that some journalists make only XAF 5,000 (\$10) per month. Reinnier said that such paltry wages are resulting in Cameroon is losing its journalists to other, more lucrative professions.

Reinnier said also that some journalists are owed back pay. "This is the case with Radio Équinoxe, one of the most popular radios in Douala," he said. "At Canal 2 Internationale, a much-watched local television channel, journalists were let go because they had dared to denounce publicly the lack of salaries. At that time, they had not been paid for six months."

According to panelist Minouche, journalists are not above bribery. "Ethical standards are not always observed in a context where journalists have to survive with no salary, so they often accept 'gifts,'" he said. In exchange, reporters will write stories from a certain angle or selectively omit information.

"All these [factors] do not in any way encourage the growth of garbage-free journalism," Honoré commented.

The broadcast media's programming choices are also reflective of Cameroon's issues with professionalism. "In terms of production, entertainment still trumps news. Under these circumstances, quality shows and reports are not being produced," Joseph said.

Modeste said that audience members mainly watch comedy shows and Brazilian soap operas, and Soboth said that advertisers prefer entertainment programming as well. But advertisers are showing interest in supporting economic reports, he said.

Minouche agreed. "Although advertisers push the media into producing even more entertainment programs, things seem to be changing slightly. The same advertisers are willing to provide advertising for newscasts," he said.

News broadcasting has also suffered due to subpar facilities for program production. Panelists agreed that most private stations are either functioning with obsolete technical equipment or have none at all. According to Joseph, print media journalists are working under the worst conditions, with no cameras and malfunctioning computers that date back more than 10 years. Minouche said that some television stations have no teleprompters and some radio stations have no tape recorders or even writing paper. Modeste said that Radio Star does not have an archiving system.

Reinnier and Gilbert said that more subsidies must be directed towards private written press and radio stations, to allow purchasing and upgrades of basic equipment.

Joseph said that public media outlets are improving their production systems, but programming is still heavily dominated by news related to the government and the leading party.

The panelists indicated that niche reporting and programming is rare. Minouche said that Cameroon lacks specialized print and broadcast journalists, and Mireille said that few journalists corroborate their reports with opinions from experts.

"The lack of expert input definitely makes it impossible to have in-depth investigations, particularly in the private daily newspapers," Modeste said.

OBJECTIVE 3: PLURALITY OF NEWS

Cameroon Objective Score: 1.91

The panelists agreed that Cameroon has a plurality of public and private news sources. Citizens access news mainly through television and radio, with the city of Douala alone having 19 FM radio stations. "Since the broadcast communications sector was liberalized, private radio and television stations multiplied—particularly in the large cities," Reinnier said.

The Internet is accessible nationally, though only 2 percent of Cameroonians are connected.

Cable service provides access to foreign television channels such as CNN, TV5, TF1, France 2, and BBC. Tsapi said that foreign competition has forced CRTV to raise its quality standards in order to keep its audiences.

Panelists said that problems center around distribution of print media and national coverage of broadcast media. Rennie said that citizens' weak purchasing power along with the country's poor communication infrastructure prevent audience members from receiving news in real time.

"Because of signal trouble, only one part of the population can watch STV. Ariane TV is also virtually impossible to get," Grâce said.

Gilbert said that distribution problems leave many citizens without regular access to print media. "Newspaper distribution in the remote rural areas leaves a lot to be desired, due to a lack of technical means among the press."

The government does not restrict citizens' access to domestic and international media. However, most Cameroonians cannot afford to buy print media. According to Alexandre, 51 percent of the population lives off less than \$2 per day.

"Access to national and international media is not available to everyone, if we consider the living standard of the average citizen," Minouche said. "It is really difficult to satisfy the populations in the less advanced areas of the country. Obtaining a newspaper in the town of Kumba, for example, can be extremely costly."

Foreign print publications are unaffordable also for most of the population, Gilbert said.

The panelists agreed that Cameroon's public media outlets are not independent, reporting almost exclusively on government activities and viewpoints and failing to fulfill their missions as public servants. According to Minouche,

"three-quarters or even almost all [state media] employees are activists of the leading party."

Gilbert said that the public media are mouthpieces of the government and often do not allow comments from opposing parties. However, Ferdinand said that this tendency is changing, and public media columnists have begun to include divergent viewpoints in their articles.

With regard to news agencies in Cameroon, all the panelists mentioned the government agency Camnews. But they could not seem to agree on whether it continues to function. Ferdinand and Tsapi said that it is functioning but is "dying," and provides stories of only minimal interest. Minouche said that Camnews "probably does not meet all expectations, but at least it exists and operates."

However, according to Modeste, Camnews went bankrupt. And Soboth said, "Camnews ... was refinanced by the CANAD UNESCO project. Unfortunately, the news produced by this press agency was only used in the regional pages of the governmental daily newspaper *Cameroon Tribune*. This agency has been gone for many years now."

Also, Soboth said that the lack of news agencies prevents the press from expanding coverage into rural areas.

"In the absence of an independent press agency worthy of this title, the media are forced to do the news gathering by themselves," Reinnier said. "However, some of the media pick up news distributed by foreign press agencies."

Independent media produce their own newscasts but they do not have the competence or the funding to produce quality programming, according to the panelists. Gilbert said that radio stations produce shows of interest to Cameroonians, but the scope of their work is limited due to the high cost of production.

The panelists agreed that transparency of media ownership is addressed by law, but that the true ownership of media companies is often hidden. "Media are managed more like private grocery stores, at the discretion of the owner—with total secrecy concerning financing, receipts, and expenses," Tsapi said.

"The media are often controlled by groups whose interests do not coincide with those of the public," Alexandre said.

According to Modeste, many media owners are members of RDPC. He gave the example of BoKon Mayor Wouton Siontou Lucien, who is the owner of the Radiotélévision Siontou in Yaounde. "There are known situations where he used his political position to put reporters back in their place," Modeste said.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Cameroon has several regional newspapers with a minority readership, and some radio programs are broadcast in languages other than French or English. But the panelists said that more than 200 dialects are spoken in Cameroon, making production of news in all minority languages impossible.

According to Mireille, independent media in urban areas are not concerned with minority issues, although rural media often address topics of interest to minorities.

OBJECTIVE 4: BUSINESS MANAGEMENT

Cameroon Objective Score: 1.33

The panelists agreed that the Cameroonian media sector does not operate under modern or ethical management standards. "Media outlets and supporting institutions are profitable, professional, and lucrative companies. The problem is that it is not the professionals who profit," Minouche said.

Reinnier agreed. "The business environment does not encourage the flourishing of independent media or managerial practices. Most media owners are opportunists in search of achieving personal objectives and are often on the payroll of politicians."

Alexandre provided details on the state of business management: "The independent media is poorly managed due to the difficult times that the written and electronic media are going through. Late worker payments and fiscal debt indicate that the companies are not doing well. Journalists are despondent and some of them are forced to compromise to make ends meet: a second job, corruption, favoritism, etc., and the content quality ends up suffering."

Soboth said that media companies are not modernizing partly because of the difficulty in securing bank loans. In general, banks do not trust the media, he said.

Cameroonian media are financed through multiple sources. According to Mireille, "There are numerous and various national or international sources of financing for the media. Financing may also take the shape as a partnership: South-South or North-South."

Advertisements are the principal source of income for the press and most media outlets. The largest advertisers are the ministry of finance, Orange Cameroun, South African mobile telephone provider MTN, local telecommunications company PMUC, and South African Broadcasting Corporation. The state media are also supported by revenues from broadcast licensing fees.

In general, the advertising market in Cameroon is still being developed and does not meet global standards, the panelists said. "Access to advertising follows subjective standards and hidden mechanisms, due to the disorganized nature of both press and advertising agencies," Joseph said.

Tsapi agreed. "Advertising agencies are still very poorly organized, which reflects on the advertising market. The latter is chaotic. Advertisers may pay different prices for the same ad space, depending on the title of the newspaper. The same page is XAF 325,000 in the *Cameroon Tribune* and XAF 215,000 in *Le Messenger*."

Mireille said that some media companies are too dependent on the whims of advertisers. "Some media sell off their air time to the detriment of others, and then suddenly find themselves without advertising when the particular advertiser deems it too expensive," he said.

Soboth mentioned another problem: advertiser debt. "The STV television channel had more than XAF 40 million (\$84,000) in recoverable debt from advertising agencies, while the Ketch group alone owed just as much to the Souther Media Corporation-SMC Group, the latter being already deep in financial trouble," he said.

Many panelists mentioned the government's subsidy program for the independent media. Although the subsidy was increased from XAF 100 million (\$210,000) to XAF 300 million (\$630,000), nearly all of them called that amount trivial at best.

"This subsidy brandished by the government as media support is ridiculous," Honoré said. "The government that subsidizes the independent media is also one of the institutions that makes efforts so that journalists are not independent. The

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

government holds the media in its power by the very subsidy that it grants—often in a discretionary manner.”

Tsapi called upon the government to provide “legislated aid based on clear-cut criteria, similar to aid given to political parties, [to] help the media to develop positively. A monitoring mechanism should be implemented to make sure that this aid is justly used.”

Cameroon media do not have the funding to acquire or commission market research, according to the panelists. The market studies that exist were ordered by foreign institutions, Soboth said.

“Private newspapers such as *Le Messenger*, *Mutation*, *Le Jour*, and *La Nouvelle Expression* have no statistical data available that might help them understand how their products are marketed,” Modeste said. “The large broadcast media are in the same situation.”

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Cameroon Objective Score: 1.68

Cameroonian media are supported by just a few institutions. The country’s professional media associations are either inactive or do not fight universally for the rights of all media members, panelists said.

“Very few supporting institutions work for the interests of the independent media. That is why we have rated them poorly,” Reinnier said. “There are associations of publishers but they are not very relevant.”

Joseph provided a picture of the overall situation. “The very notion of association is hard to interpret in Cameroon,” he said. “Associations function according to [government regulations], while unions are governed by the international labor agreement. Therefore, the latter work to protect the rights of the media workers despite the lack of funds and, sometimes, the lack of interest noticeable with some media workers.”

Honoré said that publishers’ associations are not active in protecting the professional interests of the independent media and that they fight only for the publishers’ personal interests.

Tsapi said that the journalists’ union, Union des éditeurs de presse d’Afrique centrale (UEPAC) exists on paper only, and that other journalist associations (SNJC, SJEC, UTC, CAMASEJ, CMO, and Médiations) do not operate at full capacity.

Some panelists said that media professionals themselves are not overly involved in defense of their rights. Soboth said that media members are timid about mobilizing. Tsapi said “Journalists who are fighting every day to survive have no time

to get involved in associations and unions.” Ferdinand added: “Radio station or newspaper owners do not normally gather round and talk things out. Each runs in his or her own lane.”

Mireille said that professional organizations maintain too low a profile to be effective. “These associations are not well known. Professional associations working to protect the rights of journalists are too discreet, and the public is not aware of their activities. Instead of protecting the interests of their members, these associations find a way to make some money by giving away prizes to public figures.”

Minouche said that associations misdirect their energies. “Professional associations do protect the rights of journalists, but only within certain limits. Some of them determined the creation of the committee that negotiated the journalists’ collective employment contract; but they spend their time giving out awards to the media instead of protecting the rights and the merits of professionals.”

Although NGOs are in place in Cameroon, they are not sufficiently active in their protection and defense of journalists, according to the panelists. Ferdinand named the German NGO Friedrich Ebert Foundation as “the in-place supporter of the media.”

Gilbert said, however, that some NGOs are active and just not openly public. “Their actions remain discreet due to lack of financial means. There are NGOs that excel at being silent in cases of violation of the rights of journalists.”

The panelists agreed that although Cameroon’s schools offer journalism degree programs, the quality of education is unsatisfactory or inadequate for a career in reporting.

Ferdinand and Modeste mentioned Ecole Supérieure des Sciences et Techniques de l’Information et de la Communication

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

(ESSTIC), founded by the government. "As far as the quality of the degrees offered is concerned, we must point out that the program offered by ESSTIC has received positive reviews at least for its theoretical activity," Modeste said.

Grâce said that many of Cameroon's schools (ESG, Institut Siantu, and the Institut Ndi Samba) do not offer appropriate program content. Most of them offer programs in communication, not journalism, he said.

Mireille agreed. "We also must distinguish between communication and journalism. One thing is clear: most students out in the field have done communication studies, hence their relational adaptability."

Short-term training programs are available in Cameroon. They are often sponsored by international organizations and offered by some media companies to their employees. According to Reinnier, however, very few Cameroon media professionals have access to such opportunities.

Modeste agreed: "Continuous training of journalists very much depends on the press company owners' mood."

Cameroon has two functional printing houses, Macacos and Sopecom, and they regularly produce more than 100 publications. Macacos is owned by the Catholic Church and run independently. Sopecom, however, is run by the state and controls the content of private newspapers, according to the panelists.

The panelists said that channels of media distribution are privately owned but cannot be called apolitical. "Newspapers belong to the public and the private sector at the same time. The same is true about the media distribution channels: they belong both to apolitical managers and politically-involved operators," Joseph said.

Distribution can be problematic, especially in rural areas, Alexandre said. "Press distribution is hazardous. This results in an absence of newspapers in the villages."

Mireille said that the government has at times interfered with media distribution. "When the state labels some media as bothersome, television and radio transmitters are often shut down. The reason: offense against public authority or public disturbance."

List of Panel Participants

Djimeli Tafopi Alexandre, journalism teacher, Douala

Dzudie Nganga Guy Modeste, member, Journalists Union of Cameroon, Bafoussam

Gilbert Tchomba, economic report, *Les Afriques*, Douala

Roland Tsapi, journalist, *Le Messenger* newspaper, Douala

Joseph Ndoa Olinga, reporter, *Le Peuple*, Douala

Douanla Kazé Reinnier, former journalist, Dynamic FM, Douala

Mumba N'Gandwe Mireille, correspondent, *Journaliste en Danger*, Douala

Michel Ferdinand, reporter, Club Media Ouest, Douala

Honoré Foimoukom, reporter, Journalists Union of Cameroon, Douala

Ngo Bissohon Saphelie Minouche, freelance journalist, Douala

Ambang Ndjock Mireille Grâce, reporter, Spectrum Television (STV), Douala

Moderator & Author

Jean-Marc Soboth, national secretary, Journalists Syndicate of Cameroon, Douala

The Cameroon study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo.

The country's media—both private and state-run—mirror the desperate situation. Newspapers are produced on photocopiers and distributed on A4 paper. Print runs never reach 1,000 copies, despite owners' exaggerated claims. Radio stations work under slightly better conditions, but only one... has modern equipment and professional programs.



CENTRAL AFRICAN REPUBLIC

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Few countries have endured turmoil like the Central African Republic (CAR) since its independence from France in 1960. CAR has been ravaged by coups and wars and ruled by generals, revolutionist leaders, a despotic emperor, and, today, an elected leader. The political arena, the economy, and greater society still bear the scars of instability, and the country has sunk into abysmal poverty. Its largest employer, the state government, has been unable to pay salaries for years, regardless of who has been in power. The average income is roughly \$1 a day, and life expectancy is less than 50 years of age.

The country's media—both private and state-run—mirror the desperate situation. Newspapers are produced on photocopiers and distributed on A4 paper. Print runs never reach 1,000 copies, despite owners' exaggerated claims. Radio stations work under slightly better conditions, but only one, Radio Ndeke Luka, a project of the Fondation Suisse Hirondelle, has modern equipment and professional programs. Management of media outlets is substandard, and profitability next to impossible.

CAR held its first elections in 1993 and opened up to private media soon afterward. Even though parliament passed a law in 2005 that decriminalized media offenses, journalists are still tried according to the criminal code. They receive prison sentences according to the mood of the judges, yet the parliament has never protested these violations of the law. Journalists are also threatened, sometimes by government officials.

CENTRAL AFRICAN REPUBLIC AT A GLANCE

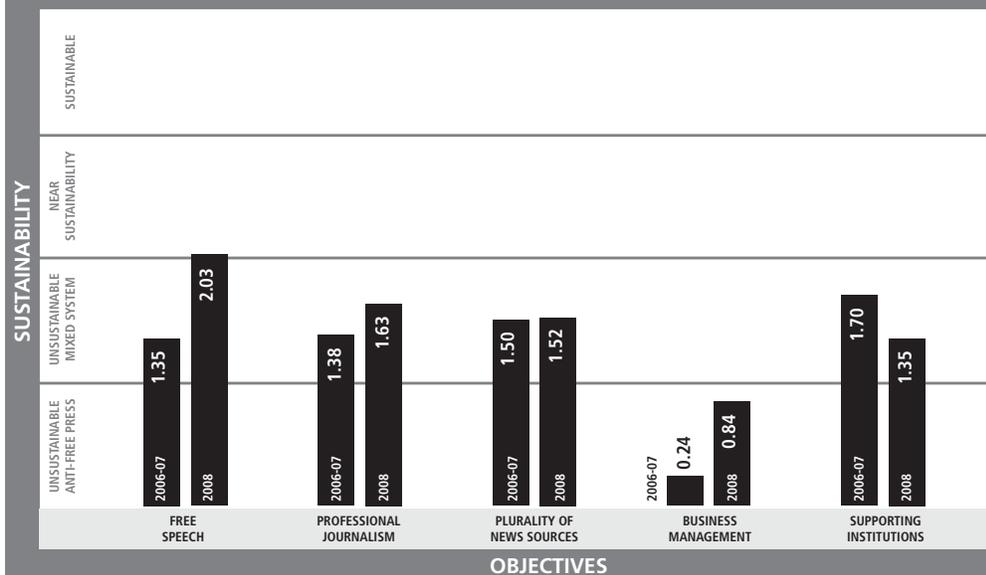
GENERAL

- > **Population:** 4,444,330 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Bangui
- > **Ethnic groups (% of population):** Baya 33%, Banda 27%, Mandjia 13%, Sara 10%, Mboum 7%, M'Baka 4%, Yakoma 4%, other 2% (*CIA World Factbook*)
- > **Religions (% of population):** indigenous beliefs 35%, Protestant 25%, Roman Catholic 25%, Muslim 15% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Sangho (lingua franca and national language), tribal languages (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$16.67 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$740 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 48.6% (male 64.8%, female 33.5%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Francois Bozize (since March 15, 2003)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 43 newspapers; Radio: 2 main stations: Central African Radio, Ndeke Luka Radio; Television stations: 1, Central African Television (Source: HCC)
- > **Newspaper circulation statistics:** Top three most popular: *Le Citoyen*, *Le Confident*, *L'Hirondelle*
- > **Broadcast ratings:** N/A
- > **News agencies:** CAPA (Central African Press Agency)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 13,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CENTRAL AFRICAN REPUBLIC



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

CAR Objective Score: 2.03

The Central African Republic's 2004 constitution and subsequent laws guarantee freedom of speech and the press. In addition, the country is a signatory of the African Human and Peoples' Rights Charter, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights. But the MSI panelists said that those legal guarantees have been ignored by a succession of governments. "According to the law, the media is free," said panelist Eloi Bellonghot, a journalist with state-run Central African Radio. "In reality, that varies based on the ruling regime. Under Gen. André Kolingba and Ange-Felix Patassé, the pressure applied on public media was very apparent. They used to promote government events without balancing the information. That is true even today."

The Higher Communication Council (HCC), created at the end of 2004, grants publication and broadcast licenses, the latter in partnership with the Telecommunication Frequency Regulating Agency. According to panelist Pierre Debato II, a journalist with the Media Observatory of Central Africa, the government places no restrictions on granting a license, and the HCC is nominally independent. But he said that "in fact it is controlled by the state, since some of its members are appointed by various [government] institutions. Hence, there is a latent conflict between the HCC and professional associations."

Panelist Joseph Vermond Tchendo of the HCC said that the council "works to make sure that the way the media get [in] on the market is in accordance with legislation."

Debato said that the media are not taxed more than other private companies, but also do not receive tax breaks. For example, media companies are subject to the country's value-added tax.

The panelists agreed that the state's fight against criticism has led to inhospitable and even dangerous conditions for journalists. Crimes against journalists "are not prosecuted and go unpunished," said panelist Marie-Chantal Pani. She cited the example of panelist Marie Clotilde Azomolegba, a television journalist and the vice president of the Central African Journalists' Union. Azomolegba was nearly shot and killed by a soldier in 2005 while she was reporting in the field. The soldier was never questioned, Pani said.

Bellonghot said that journalists are roughed up at news events. "On March 15, 2006, in Mbaiki, a reporter was wounded in the presence of the chief of state, who was holding a speech," he said. "The reporter had dared to get too close to the president in order to get a better sound recording."

Government officials often threaten journalists—sometimes with death. "The Minister of Mines, for example, promised journalists that they would 'die like flies,'" said panelist Faustin Bambou. "Journalists are perceived as enemies due to the publishing of articles denouncing a bad government with respect to state affairs... The brave ones who try to do their job by presenting points of view that do not concur with those of the public authorities are often subject to fierce reprimands."

In 2005, the National Assembly passed Order No. 05.002, which decriminalized press offenses. It was hailed domestically and abroad as a major step toward free media. But the law has yet to be implemented. "There are obstacles preventing the enforcement of this legislation throughout the country," Pani said. "Legal provisions are not independent, but subject to pressure from authorities."

Some panelists said that the government has simply ignored the law, trying journalists under the country's criminal code and sentencing them to prison terms. Panelist Michel Alkhaly Ngady, manager of *Temps Nouveaux*, was handed a prison sentence by the judiciary and served time in the central prison of Ngaragba. He said that the decriminalization law offers little protection. "Judges tend to venture outside the scope of this special law so they can enforce the provisions of the criminal code when they have to deal with journalist-related libel," he said.

Tchendo agreed, saying that the judiciary "is often manipulated by the executive when a journalist trial is involved." Manengou said that journalists never win their court cases.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Though the law does not distinguish between government media and private media, the reality is another story. "Journalists in the public sector enjoy special status, as they are public servants and they are treated differently," said panelist Chérubin-Raphael Magba-Totama, a freelance trainer.

Access to information, although guaranteed free and equal by law, is often restricted, according to Azomolegba. "The executive branch makes discretionary use of information in the public press. Information agents appointed by the executive branch enforce censorship both in the newsrooms and at the level of all public authorities," she said.

Other panelists agreed. "Access to information is very limited and basically does not go beyond press releases, press conferences, and official documents read on television," Bellonghot said. And Ngady said that journalists in the private media "are not allowed to cover certain official events. Journalists must find their own means to obtain information from government sources. On the other hand, the media are free to collect information from international news sources."

The government does not restrict who can become a journalist, panelists said. Debato said that the lack of guidelines has affected the quality of CAR's media, however, citing "the proliferation of titles and inevitable mistakes." He added that the government is addressing the problem by forming a committee that will issue press cards and founding a department for journalism training.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

CAR Objective Score: 1.63

The panelists were unanimous in describing the quality of journalism in CAR as extremely low, due principally to lack of training, low pay, poor working conditions, and low ethical standards.

Panelist Mathurin Constant Nestor Momet gave an overview of the issues. "In the Central African Republic, the journalism profession resembles the priesthood, inasmuch as the living and working conditions of media professionals are appalling. First, there is no school of training for journalists in this country. To cover this gap, press owners recruit their personnel from among university graduates. Then the lack of state subsidies, the difficult economic context, the problematic newspaper distribution in rural areas, and the scarceness of advertising have resulted in opposition from the owners to the setting up and adopting a collective contract. Finally, professionalism is affected because journalists succumb to corruption to make ends meet."

Objectivity and fairness received low marks from the panelists, who faulted both the state-run and private media. Debato said that journalists "do not treat key events and issues as they

should. Often they do not check their information, and they are not fair. The result is that their intentions seem malicious, harmful, and dishonest."

Because few journalists in the government press attended journalism school, Azomolegba said, "most of them were qualified on the spot or recruited by the various political regimes that followed one another for more than 20 years. Therefore, they are completely loyal to their causes. Journalists in the public media are state servants or agents."

Bellonghot noted that the private press covers "all the major issues, but it also excels at wheeling and dealing, and presents black as white, especially on political issues, in order to sell more copies."

Ferdinand Samba, a journalist with *Le Démocrate*, a private daily, agreed, but saw cause for optimism. "The independent private press has a huge issue with professionalism, given its youth and the lack of qualification of its workers," he said. "Still, things are evolving, and some of the requirements of the trade have been met." Pani noted that "journalists in the independent press do dare to speak the truth on events that are censored in the public media."

Ethics are given short shrift, the panelists said, and self-censorship is common. "It is often the case that journalists get paid for articles that trash ethical standards," Bellonghot said. "Key topics are addressed, but the news editor or the newspaper's owner decides if they are published. Journalists showing professionalism may be fired because they bother the shady sponsors of the respective media."

Magba-Totama disagreed. "There is no self-censorship in the private press, which is free to treat the news however

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

it pleases," he said. "The public media practice excessive censorship, systematically concealing major issues that may generate debate."

The country's major media outlets, both state and private, focus on news about the government, leaving key topics uncovered. "Out of the total amount of news, 80 to 90 percent is official or protocol-related news," Azomolegba said. Debato said that the public media mainly cover national politics, with community and local outlets focusing on local news and events.

The panelists said that media salaries are appallingly low and are to blame for journalists' ethical breaches. Ngady went as far as to say, "Journalists do not receive salaries, properly speaking. A very few newspapers pay a small amount as a salary." Azomolegba agreed, saying that salaries of public and private media members alike are trivial. "Corruption has become their breadwinning source," he said.

Regarding the balance of news and entertainment programming, Azomolegba said that "on public television, mostly foreign entertainment shows and soccer make up the bulk of the programming. The quality of locally produced shows and news is not satisfactory."

The quality of equipment available to broadcast and print media was judged to be extremely poor by various panelists. "Technical equipment in newsrooms and studios is obsolete and scarce," said Manengou. Echoed Ngady: "There is no modern equipment to speak of. This situation directly affects the quality of reports." And Pani said, "Television stations have been slowly receiving donations from partners, but the donated technical equipment breaks down rather quickly, because its users are barely qualified in the field, if at all."

OBJECTIVE 3: PLURALITY OF NEWS

CAR Objective Score: 1.52

Panelists said that for a variety of reasons, citizens of CAR do not enjoy the variety of news sources that has become common in many developing countries in the 21st century. Neither government nor private domestic media reach all areas of the country. International media have a limited presence, and while the Internet offers the same abundance of information in CAR as it does everywhere, high costs and limited access have lessened its impact.

"The public is not well provided with news, for lack of certain informational channels, such as press agencies and independent private newspapers," said panelist Judes Zosse, a journalist with the private daily *L'Hirondelle*. "Citizens' access to the public media is so incredibly restricted that they are deprived of necessary and useful information. In most cases,

it is the private newspapers that provide the public with news. Given the newspaper prices, their audience is limited."

Manengou provided details on the distribution of media. "Media outlets are spread across the entire territory, but in the western parts, there is a higher concentration of radio stations. Television access is limited to the capital, and so are newspapers."

CAR citizens have access to foreign channels, including the BBC, RFI, TV5 and Canal Plus. The government places no legal restrictions on access these or any domestic or international media. But according to Pani, "not everyone can afford satellite television because of the high cost of the subscription."

Samba said that despite what he called "the progressive retreat of international press agencies [and] fewer and fewer opportunities to access multiple news sources," he sees slight progress with access. "In the last few years, the multiplication of media channels has managed to overcome this obstacle," he said.

Panelists said the media do not present information that reflects a broad range of interests and concerns. According to Debato, "The public or state-run media do not reflect the opinions of the entire political spectrum. They are not apolitical and do not serve the public interest. Their intentions are censorship and politicization. There are no private radio and television stations providing more in-depth and different programs on political affairs and more detailed reporting," he said.

With the exception of Swiss-funded Radio Ndeke Luka, which organizes debates on current events, government and private broadcast outlets avoid covering topics that could draw negative attention from the government. "The national radio and

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

television stations are the public media, and unfortunately they never offer the opposition a chance to express themselves," Magba-Totama said.

The state-run Central African Press Agency is the only domestic news agency, and according to Momet, is plagued by problems. "It cannot accomplish its mission due to an all-too-well-known lack of financial, technical and logistical resources," he said.

Electronic media broadcast in French and Sango, the country's two principal languages. In addition, Azomolegba said, the HCC "has licensed a radio station with Muslim overtones that sometimes broadcasts in Arabic."

OBJECTIVE 4: BUSINESS MANAGEMENT

CAR Objective Score: 0.84

CAR's media outlets are badly managed, and in the case of the private media, unprofitable, according to panelists. In a country with a ruined economy and a history of turmoil it could hardly be otherwise, they said. "The context does not offer many possibilities," Samba said. "Everything is related to the economic and social situation."

Several panelists had strong comments regarding the business practices of the private media. Zosse described private media as "vulnerable companies with amateurish management." Debato pointed out that "independent media lack means and capital. They are sole-proprietor companies. They cannot afford to recruit competent human resources." And Momet said, "The Central African independent private press operates in a toxic social, economic, and political environment. This can only negatively affect its efforts to restructure and revitalize."

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Management of the government media also drew criticism. "The powers in place are not willing to help the public media become better organized," Pani said. Manengou said the state-run media "are subject to authoritarian practices," and Bellonghot noted that managers of the state media outlets are government appointees.

Revenue is scarce for CAR's media, and sources are limited. In particular, the economic situation precludes a healthy advertising market. "There is practically no advertising market to speak of, due to the economic crisis aggravated by the various wars that have torn at the country in the last decade," Bellonghot said. "These recurrent wars reduced the number of advertising producing companies."

Magba-Totamba said that virtually the only regular sources of advertising are UN agencies, which issue notices and communiqués and pay to place them in print and broadcast media.

Bambou suggested a solution for the advertising drought: "Public authorities should persuade [state-run] commercial companies, under the supervision of different ministries, to provide a minimum number of advertising offers to help the press."

A law passed in 2005 established a government subsidy for the private media, but after a partial initial payment, the money stopped flowing. Pani said that private media outlets are clamoring for the payments to resume, but are not receiving a response from the state. "The government will not discuss it. The issue is addressed in the budgetary commission but the subsidy is never included in the state budget," he said.

CAR has no agency to measure ratings, circulation, or Internet statistics, Debato said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

CAR Objective Score: 1.35

Media business professionals are represented by two groups: the Central African Public Press Publishers Group and the Central African Independent Public Media Publishers Group. But according to Magba-Totama, both groups are ineffective. "These press management associations only exist in theory, as they painfully lack the means to build a strategy," he said.

Among journalists, professional groups include the Central African Journalists Union and the Central African Association of Women Communication Professionals. Magba-Totama was critical of the journalists' union, saying it is "packed with journalists working in the state media and who are not concerned about issues."

Many panelists praised a variety of NGOs for supporting media and individual journalists. Among those mentioned were the Central African Human Rights League, the Central African

Human Rights Defense Organization, the Christian Association Against Torture, and the Human Rights Defense League. "Human rights promotion and protection organizations strongly support the press," Magba-Totama said. "Their members who are attorneys represent journalists in court for free." Bambou noted that when he was arrested and imprisoned, NGOs "truly mobilized."

However, Debato described relations between journalists and supporting organizations as having "an atmosphere of distrust... Supporting institutions have begun to realize the lack of professionalism of journalists and have been having trouble supporting them. Professionals are wrong to assert their identity as journalists, because they are unqualified and disrespectful of ethics."

CAR has no degree-issuing journalism school, though Azomolegba and Magba-Totama said that a project aimed at creating a communications department at the University of Bangui is being pursued. Some aspiring journalists travel to other countries for training, and "persons with degrees obtained in other disciplines are accepted to work as journalists," Bellonghot said.

In the past, the government sent students abroad for training, but no longer. Debato said that the media is now paying the price for the lapse. "Many journalists were trained 30 years ago; no serious training programs have been organized since," Debato lamented. "These qualified journalists are on their way to retirement. Inevitably, the non-journalists, who are taking over, do not meet professional quality standards, nor respect the established and recognized ethical codes."

Short-term journalism training is only available sporadically. According to Zosse UNESCO or other United Nations agencies

will offer trainings, but Pani said that the courses do not provide adequate instruction.

"We need seminars or training workshops in order to enhance or strengthen the capabilities of journalists in the written and private press," Bambou suggested. "Educational travels should also be made available to them. They would then have the opportunity to meet their fellow journalists from other African countries and other continents."

Panelists listed four printing companies in CAR, two of which are state-owned. However, panelists decried the lack of a suitable printing plant for newspapers. "No printing house worthy of the name is available," Bellonghot said. "The newsrooms have photocopying machines, which makes possible the publication of newspapers."

Pani agreed that print and distribution conditions are poor. "Private press is confronted with the problem of small print runs, because there are no printing houses, newsstands, or distribution companies."

List of Panel Participants

Faustin Bambou, reporter, *Les Collines de L'Oubangui*, Bangui

Judes Zosse, journalist, *L'Hirondelle*, Bangui

Ferdinand Samba, publication director, *Le Démocrate*, Bangui

Pierre Debato II, journalist, Media Observatory of Central Africa, Bangui

Michel Alkhaly Ngady, manager, *Temps Nouveaux*, Bangui

Marie Clotilde Azomolegba, vice president, Union of Central African Journalists, Bangui

Eloi Bellonghot, journalist, Central African Radio, Bangui

Jean Ignace Manengou, journalist, Catholic Media, Bangui

Joseph Vermond Tchendo, reporter, Higher Communication Council, Bangui

Chérubin-Raphaël Magba-Totama, freelance trainer, Bangui

Marie-Chantal Pani, television producer, Association of Women in Communications, Bangui

Moderator & Author

Mathurin Constant Nestor Momet, manager, *Le Confident*, Bangui

The Central African Republic study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

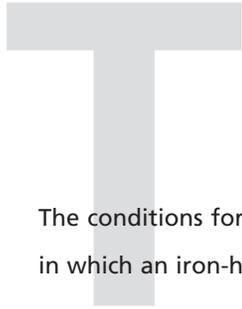
SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

But after a nearly successful uprising in February 2008 reached the gates of the Presidential Palace in N'Djamena, the capital, Deby's government has cracked down on the political opposition and some journalists.



CHAD



The conditions for media sustainability in Chad reflect the country's larger political and security situation, in which an iron-hand regime beset by constant rebellions imposes repressive measures to stay in power.

Since taking power in a coup in 1990, President Idriss Deby has since instituted elections and allowed an opening of the media landscape. But after a nearly successful uprising in February 2008 reached the gates of the Presidential Palace in N'Djamena, the capital, Deby's government has cracked down on the political opposition and some journalists. It banned coverage of the armed rebellion and any information "endangering national unity," as part of a nationwide state of emergency, according to the Committee to Protect Journalists.

The police investigated opposition circles and even journalists. Some of them were forced into temporary exile in neighboring countries. Two particular members of the opposition disappeared after the authorities, according to several witnesses, questioned them. They are Ngarleji Yorongar and Ibni Oumar Mahamat Saleh. The former resurfaced in Cameroon before leaving for France and the latter is still missing. The investigation committee appointed by the government has yet to get to the bottom of this case.

CHAD AT A GLANCE

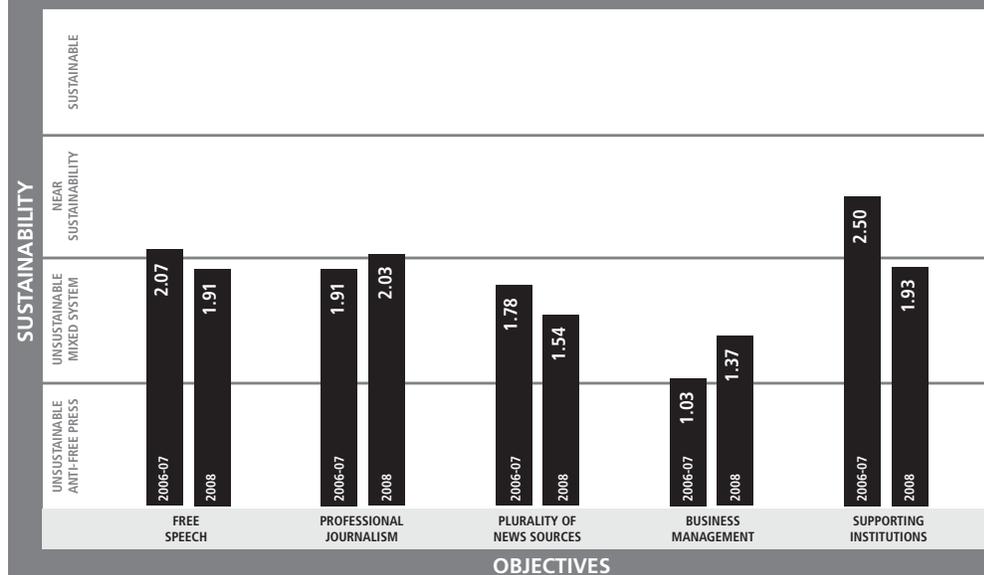
GENERAL

- > **Population:** 10,329,208 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** N'Djamena
- > **Ethnic groups (% of population):** Sara 27.7%, Arab 12.3%, Mayo-Kebbi 11.5%, Kanem-Bornou 9%, Ouaddai 8.7%, Hadjarai 6.7%, Tandjile 6.5%, Gorane 6.3%, Fitri-Batha 4.7%, other 6.4%, unknown 0.3% (1993 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 53.1%, Catholic 20.1%, Protestant 14.2%, other 12.6% (1993 census, *CIA World Factbook*)
- > **Languages (% of population):** French (official), Arabic (official), Sara (in south), more than 120 different languages and dialects (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$57.60 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$1,280 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 25.7% (male 40.8%, female 12.8%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Lt. Gen. Idriss Deby Itno (since December 4, 1990)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 1 daily newspaper, 4 other weeklies; Radio stations: 6; Television stations: 1
- > **Newspaper circulation statistics:** Top three by circulation: *Le Progres* (daily), *N'Djamena Hebdo* (private weekly), *L'Observateur* (private weekly)
- > **Broadcast ratings:** Top three radio stations: Radiodiffusion Nationale Tchadienne (state-owned), FM Liberte (private), La Voix du Paysan (Catholic station)
- > **News agencies:** Chad Press Agency (CPA)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 60,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CHAD



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Chad Objective Score: 1.91

Chad's constitution—specifically, amended Article 27, adopted in 2006—and Law No. 029/1994 regulate the media. In theory, they guarantee freedoms of expression and the media, but “this freedom has no application in reality. Journalists work in a permanent state of fear,” said Evelyne Fakir, a journalist with Radio Nationale. The country's state of emergency law and Order No. 05 limit freedom of expression, said freelance reporter Edouard Takadji, who noted that contradictions between Order No. 05 and Law No. 029/1994 “complicate journalists' work.”

Panelists said Chad's system of licensing media through the Higher Communication Council was generally fair. The council has nine members: three representatives of the media and six political appointees. “No medium is marginalized; all are subject to the same regime,” said Kalde Lwanga Dingamnaël, reporter and editor-in-chief for Radio Soleil. Fakir cautioned, however, that “in this country, the creation of media is not prohibited, but its development, its editorial content and orientation, and the management are subject to strict control from local political authorities.”

The media are heavily taxed, according to Takadji. The print media must pay Chad's value-added tax, said François Djekombe, a reporter with Radio Sarh, and broadcast media outlets pay rent for their frequencies. “They operate just like any other business venture,” he said. Fadassa Djibrine, a reporter with DJA FM, said that the government's failure to provide tax relief has spurred media companies to increase prices.

Several panelists said that journalists are sometimes attacked. “Violent acts against journalists keep occurring, and those responsible for these crimes go unpunished,” said Nadingui Maitol from the Union of Private Radio Stations. Fakir said: “Journalists' motorcycles and their reporting equipment are sometimes confiscated when they are out in the field. This happens regularly to journalists. The authorities do not really care, and investigations usually lead to nothing.” Djekombe, however, asserted, “There are no real crimes against journalists.” The government, Takadji said, frequently harasses journalists despite the press freedoms established by law. “Journalists are arrested all the time,” he said. “Newspapers and radio stations are shut down.” Djibrine agreed, saying, “Journalists are persecuted and severely punished.” Arrests of journalists often spark popular protests, said Lwanga, “but the executive power in Chad reigns supreme, and the authors of such barbaric acts go unpunished.”

Chad's state-run media is clearly favored by the government, panelists agreed. “The state-run media are not independent, and the media-related legislation gives them privileges,” said Djourtangue Amas, secretary general of the Association of Editors. Fakir said, “Journalists in the public sector are privileged to the detriment of others because they are their boss's mouthpieces or spokespersons.”

Panelists differed over how frequently journalists are accused of libel, but all concurred that the penalties can be severe. While Amas said that there are few cases of journalists being arrested for libel, others disagreed. “Libel is a recurrent complaint against journalists,” said Bénéloum Baïdomti, member of the Union of Private Radio Stations. “Journalists are often given prison sentences. It all depends on the judges' interpretation of the legislation and how rich or powerful the defendant is.” Lwanga complained that, “Journalists are convicted and held responsible for their actions, but the judicial process is not independent. The executive decides the fate of the defendant.” The burden of proof lies with defendants in libel cases, Djibrine said, adding that even when journalists can satisfy that burden, they still can be punished. “Despite providing evidence exonerating them, they are not released from prison,” he said.

Access to information “remains the greatest problem in Chad, both for journalists from the public and private media,” said Souleymane Yacoub, secretary general of the Chad Association of Radio Broadcasters. Lwanga said that “public information is not equally accessible to all journalists,” and several panelists

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

concluded that state-run media are given greater access than private media. Fakir said access to news sources “depends on the budget of each media outlet, the journalist’s social connections and their address books... Communication is still far from being a priority for our leaders.”

Anyone wishing to become a journalist in Chad “is not hindered,” Benelum said. Maitol said “one must have a degree to be a journalist, but there are persons who work as journalists after being trained on the spot.” Fakir, on the other hand, maintained, “in the private sector, everyone can become a journalist, but in the public media one must have a degree to get hired.”

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Chad Objective Score: 2.03

Panelists expressed a wide range of opinions about the professionalism of Chadian journalists. “The social, political, and economic situation of the country makes it hard for journalists to do their job. Working conditions do not allow for the journalists’ professional development,” Lwanga said. “However, we must admit that efforts are being made every day to professionalize the work of journalists in Chad. We must also point out that people do make mistakes because no human activity is perfect.” Djekombe said that “reports are fair in some cases, but not in others.” Fakir, however, was pointedly critical: “News is processed poorly, superficially, and in no depth. The news that reaches the public is indigestible.” Lack of professionalism can carry a high price, warned Djibrine, who said “reporters do not always double-check the information they release, which is often enough to send them to prison.”

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Ethical standards were established in 2002 by the Union of Chad Journalists, and Maitol said they “are available and recognized, but in reality they are often infringed.” Amas estimated that “at least three-fourths of all journalists observe the accepted and recognized” standards, but Djibrine said bluntly: “Journalists do not observe ethical codes.” Ethical breaches, said Kenneth Djaoune Gueryau Madji from *Ndjamena Hebdo*, can be blamed on “the poor living and working standards of journalists. This explains why a large number of journalists in various media tend to accept payments or gifts as a result of their work.”

Self-censorship is “a rule in Chad,” Fakir said. “We are a sensitive society in the grip of armed conflicts. Because of that, news is carefully scrutinized before it is released.” Journalists practice self-censorship “either because their conscience dictates it or due to the pressure of their superiors,” Djibrine said. Takadji suggested another reason: “fear that they might be thrown into prison.” Two panelists contended that recent developments in Chad had made self-censorship a bigger problem than it once was. Madji blamed the perceived trend on “the recent evolution in the country’s domestic policy. Writing a much-too-daring article exposes the author to the leaders’ claws, and the gates of prison are opened.” Djekombe said it was “a result of the political events that have shattered the country. Journalists do address key topics, but certain issues concerning politics and the rebellion are silenced.”

Likewise, Chad’s political situation affects how journalists cover different kind of news, panelists said. “Journalists do not cover all the events. Certain political issues are addressed with too much caution,” Maitol said. Djibrine said such choices were made “to avoid trouble from the authorities in wartime.” Lwanga noted, “Journalists are not sufficiently free to cover military-related events. Reporters’ safety is not guaranteed.” Amas added, “Key issues are addressed more prudently to avoid libel lawsuits or other trouble from the country’s security services.”

Panelists’ assessment of journalists’ salaries ranged from poor to “completely ridiculous,” as Takadji put it. “In Chad, journalists have no consistent salaries,” Fakir explained. “Some of them have no salary at all. They practice their trade to survive and live off of gratuities.” Benelum said, “Their so-called salary does not even cover food, not to mention health care. Journalists live in less than human conditions which push them to adverse alternatives.” Those alternatives include corruption, several panelists said, or the decision to, in Fakir’s words, “abandon the profession and do something else.”

Panelists agreed that entertainment programs take precedence over news, and that outdated equipment is a

problem that plagues all media. "Equipment is wanting," Djekombe said. "Some radio stations use digital equipment, but sound processing is a problem. Therefore we are in need of quality training programs for sound technicians. Quality shows and reports are rare."

OBJECTIVE 3: PLURALITY OF NEWS

Chad Objective Score: 1.54

A variety of news sources are available but not necessarily affordable, panelists said. "The government does not restrict citizens' access to the media," Maitol said, but the citizens "lack the financial means for access." Madji said that 20 percent of the population has the means to buy or read a newspaper. Moreover, the media are concentrated in the capital, N'Djamena. "Access to objective and reliable news is difficult," Lwanga said. "The written and audio press do not cover the entire nation. The expansion of the written press is limited due to the fact that a large part of the population is illiterate. Access to the Internet is very limited. Underdevelopment affects the work of journalists." The journalists themselves, said Sama, "are not really in touch with the world and receive domestic and international news with a delay."

None of the panelists disputed that government-owned media are partisan and are not independent.

"The public media are the voice of the government: they convey the government's propaganda and policies always showing its positive side to the public," Fakir said. "Reports

are biased: the state must always come across as good. The opposition is muffled." Madji agreed: "The public media serve the interests of the government and the ruling party. They sing of their generous acts and justify their actions and gestures."

Panelists said that independent broadcast media produce their own news programs and, in doing so, exercise significantly more independence than state media.

Little was said about the transparency of media ownership. "The public is more or less aware of who owns the private media, but nothing is clear," Djekombe said. Benelum said lack of transparency "makes it impossible to analyze the almost nonexistent news objectivity."

OBJECTIVE 4: BUSINESS MANAGEMENT

Chad Objective Score: 1.37

Panelists expressed divergent opinions about the management of media companies in Chad. Madji said they are "professional and profitable, but they have accounting and financial management problems. In the last two years, however, the Chad Private Press Publishers Association has started a process of normalization of the management system to further professionalize these companies." In contrast, Amas said media companies are not well managed, and Fakir described them as "... shady. The sheer poverty of journalists is evidence of that. Owners hesitate to hire competent people because they know their rights and ask for more money."

There are few sources of revenue for media in Chad, panelists said. Advertising is the principal source, but the market is underdeveloped. Lwanga said there are only two companies

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

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- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
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- > Broadcast ratings and circulation figures are reliably and independently produced.

that advertise in the media, both of them cellular telephone providers. There are no advertising agencies.

Madji said that in the print media, 60 percent of available space is covered by news and 40 percent by advertisements. "Against accepted rules," he said, "ads represent almost 80 percent of the sales figures of private press companies. This is dangerous in terms of their independence from advertisers."

Chad's media laws provide for government subsidies for private outlets, panelists said, but "such aid is rare and irregular," Maitol said. Lwanga said, "Subsidies drip in, but in a very biased fashion" and that they are regulated by the Higher Communication Council, "which tends to muzzle the media." "These funds are either misappropriated or confiscated," Benelum said.

Panelists described market research as either inefficient or nonexistent. Accurate circulation and ratings figures are not available.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Chad Objective Score: 1.93

Chad has "no commercial associations representing media publishers or radio station owners, but there are dynamic and efficient professional associations working to protect the rights of journalists," Yacoub said. Panelists put the number of professional groups at between three and 10.

International NGOs support the Chadian media, "working tirelessly for the freedom of speech. They collaborate closely with the media but unfortunately they are not implemented throughout the country, which makes their work less known,"

Benelum said. Fakir said, however, "Not too many NGOs do their job to protect liberties. If more are created, we can hope to create a larger movement in support of journalists." Civil society organizations, said Madji, "collaborate and support press companies to really implement the freedom of expression. They react to violations against fundamental liberties. Some of them offer legal support to the media."

Chad has no journalism school, though there is a communications sub-department within the Department of Language and Literature at the University of N'Djamena. "Most communication professionals in Chad were trained abroad," Madji said. "However, professionals that constituted the association called *MédiaExcel* do a remarkable job of training young persons who are interested in this profession and even retraining older professionals, allowing them to improve their competence or acquire new journalistic techniques." Benelum noted that while "it is true that short-term training may allow journalists to improve their output... it is preferable to push them a bit further to obtain university degrees and in turn become teachers so that foreign training might become less necessary."

The only printing plant available is Chad Printing House, Fakir said. "The identity of its owners is shady," he said. "One of its shareholders is the current minister of communication." Other panelists spoke of multiple printers, but said Chad Printing House has an effective monopoly.

Distribution is diffuse, panelists said. "There is no official newspaper distribution network other than hiring young peddlers and wandering salespeople," Djekombe said. "Each media outlet sets up its own distribution."

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
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List of Panel Participants

Evelyne Fakir, journalist, Radio Nationale, N'Djamena

Bénéloum Baïdomti, member, Union of Private Radio Stations, N'Djamena

Amas Djourtangue, secretary general, Association of Editors, N'Djamena

Kalde Lwanga Dingamnaël, reporter, editor-in-chief, Radio Soleil, N'Djamena

Maitol Nadingui, reporter, Union of Private Radio Stations, Ati

François Djekombe, reporter, Radio Sarh, Sarh

Yacoub Souleymane, secretary general, Chad Association of Radio Broadcasters, N'Djamena

Edouard Takadji, freelance reporter, N'Djamena

Fadassa Djibrine, reporter, DJA FM, N'Djamena

Kenneth Djaounsed Gueryau Madji, contributor, *Ndjamena Hebdo*, N'Djamena

Tchanguiz Vatankhah, editor-in-chief, Brakoss Radio, Moissala

Moderator:

Odjitan Maji Maji, journalist, FM Liberte, N'Djamena

The Chad study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo.

The media, particularly private radio and television stations, spent much of 2008 competing amongst themselves to organize political debates, even in local languages. Yet their means of sustaining themselves continued to be almost nonexistent.



DEMOCRATIC REPUBLIC OF CONGO



Two years after the first free and transparent elections in 40 years, the Democratic Republic of Congo (DRC) is still racked by insecurity. In the northeastern part of the vast country, Congolese and foreign-backed rebel movements are still active, and natural resources are plundered in the absence of government control. Far to the west, in the capital Kinshasa, the hopes engendered by the election have largely faded, as President Joseph Kabila's promises to fight corruption and promote governance have proven to be little more than rhetoric.

At the same time, the Congolese media have displayed the same combination of intense activity and financial struggle that has characterized their activities since the media landscape was opened up in 1990. The media, particularly private radio and television stations, spent much of 2008 competing amongst themselves to organize political debates, even in local languages. Yet their means of sustaining themselves continued to be almost nonexistent. State subsidies for 2007 and 2008, approved by the parliament, have not been disbursed.

Journalism remains a dangerous profession in the DRC. As of October 2008, three journalists and media professionals were imprisoned in the Kinshasa Penitentiary and Reeducation Center for "offenses against the chief of state," among others. One of them, an assistant director with the small private channel GLOBAL TV, was also accused of "incitement to rebellion"—a crime that does not exist in Congolese law—simply for having been present when the special forces of the Congolese police attacked the station's headquarters because it had broadcast the press conference of an opposition representative.

Radio and television stations close to the opposition were arbitrarily banned by the government, while those operating in the combat zones of the northeast often had to shut down for their own safety. The agency in charge of regulating state media decided to forbid the broadcasting of "news not confirmed by official sources and likely to discourage the armed forces and the nation" with respect to the resumption of fighting in the northeast.

DEMOCRATIC REPUBLIC OF CONGO AT A GLANCE

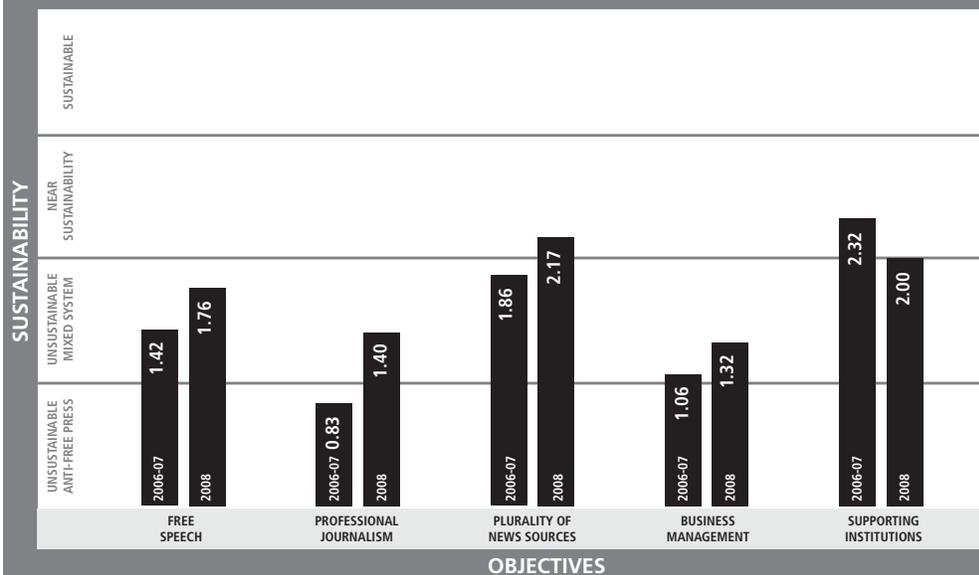
GENERAL

- > **Population:** 68,692,542 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Kinshasa
- > **Ethnic groups (% of population):** more than 200 African ethnic groups of which the majority are Bantu; the four largest tribes—Mongo, Luba, Kongo (all Bantu), and the Mangbetu-Azande (Hamitic) make up about 45% of the population (*CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic 50%, Protestant 20%, Kimbanguist 10%, Muslim 10%, other 10% (1993 census, *CIA World Factbook*)
- > **Languages (% of population):** French (official), Lingala, Kingwana, Kikongo, Tshiluba (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$8.572 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$290 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 67.2% (male 80.9%, female 54.1%) (2001 est., *CIA World Factbook*)
- > **President or top authority:** President Joseph Kabila (since January 17, 2001)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 8 daily newspapers, more than 100 others; Radio: 226; Television stations: 60 (Source: GRET, 2005)
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** Top three radio stations: National Radio (state-owned), Golfe Fm (privately-owned), Capp Fm; Top three TV stations: National television (public channel), Canal3 (private channel), Golfe TV (private channel)
- > **News agencies:** ACP (private), APA (private), Syfia (private), DIA (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 230,400 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: DEMOCRATIC REPUBLIC OF CONGO



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

DRC Objective Score: 1.76

The panelists were unanimous in acknowledging that Congolese law provides abundant guarantees of free expression. They were equally unanimous in pointing out that those laws are seldom observed.

The preamble to the Congolese constitution refers to the Universal Declaration of Human Rights and the International Pact for Civil and Political Rights, and Articles 23 and 24 establish freedom of expression and the right to information. In addition, Law No. 96/002, passed in 1996, which concerns the “modalities in which the freedom of the press must be exercised,” guarantees freedom of expression. “The legislation regulating the freedom of expression is available. It is even quite liberal with respect to what I know from other African countries. But this legislation is not enforced in certain situations,” said Ben-Clet Kankonde, manager of the daily newspaper *Le Potentiel*.

Donat M’Baye Tshimanga, president of the NGO Journaliste en Danger (JED), blamed the lack of enforcement on “political involvement in the justice system and the magistrates’ corruption.” Other panelists said it stemmed from a lack of political will. Mbayi Katshingu, a journalist with the state-run Congolese Press Agency and a member of the Congolese Media Observatory, said that “politicians are reluctant to enforce well-defined legislation.” Isidore Kabongo Kalala, manager of Congolese National Radio-Television (known by its French acronym, RTNC), the state-run broadcast network, said “the public authorities on the one hand and financial forces on the other hand do not allow freedom of expression to exist normally.”

As reported last year, two ministries are involved in the granting of broadcast licenses, the Ministry of the Post, Telephones, and Telecommunication and the Ministry of Information, Press, and National Communication. The first issues the license and authorization for technical operation. The second issues the authorization to open. Last year’s panelists believed that there was a lack of independence and transparency by the granting agencies.

Journalists have been frequent victims of violence throughout the rebellions and regional uprisings of the past dozen years. Most recently, fighting in the country’s northeastern region has resulted in killings and kidnappings of individual journalists, and forced radio stations to close. “The legal protection of journalists is a useless line. Journalists are still questioned and intimidated. In the Eastern Congo, given the small-weapons traffic, the best way to settle the score with a

Isidore Kabongo Kalala, manager of Congolese National Radio-Television, the state-run broadcast network, said “the public authorities on the one hand and financial forces on the other hand do not allow freedom of expression to exist normally.”

journalist is to kill him,” said Solange Lusiku, manager of *Le Souverain*, a newspaper in the northeastern city of Bukavu. Lusiku mentioned the assassination in 2007 of Serge Maheshe, assistant editor of Radio Okapi, a station operated jointly by Fondation Suisse Hirondelle and the UN peacekeeping mission in Congo. In November 2008, after the panelists met, another Radio Okapi journalist, Didace Namujimbo, was killed.

Libel complaints against journalists are usually handled as criminal cases, according to Godefroid Kabongo Nzengu, an attorney who often defends journalists and media companies in court. Kabongo Nzengu deplored the fact that “the right to reply or modification granted by the press law to the wronged person has no effect when it comes to judging a journalist’s guilt.” He cited the example of Moliere TV, which was shut down by the minister of communications. When a court ordered that the station be allowed to reopen, the minister refused. “When the public servant who complains

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

All of the panelists praised the work and professionalism of Okapi Radio, which M'Baye cited as proof that, if given decent salaries and equipment, Congolese journalists can do a great job.

against a journalist has influence or power, no judge dares to remain independent," Kabongo Nzengu said.

Despite the constitutional guarantee of the right to information, there is no legislation regulating access to public information. As a result, access depends on the benevolence of the person that holds that information.

As reported last year, in DRC the media are free to broadcast the programs of foreign media. Sometimes journalists appropriate a foreign story without mentioning the source. Since access to foreign sources is so expensive, some media indulge themselves in their fraudulent use without paying for a subscription. Managers of foreign media have complained about the Congolese using their material without permission, but to no avail.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

DRC Objective Score: 1.40

In general, all of the panelists acknowledged that journalism as it is practiced in the Congo does not comply with generally recognized professional standards or, at best, complies to a very limited extent. Benoît Kambere Lusamba, a journalist with the Catholic magazine *Renaitre*, said, "professionalism is sacrificed on the altar of private and personal interests. Unfortunately, the quality of journalism depends on multiple, extra-professional factors such as the social situation, journalists' safety, the precariousness of the job market, small salaries, etc."

Blandine Lusimana, a journalist with the daily newspaper *L'Observateur*, said another reason for the low quality of coverage is that "very few media companies pay for reporting. Journalists are taken care of by event organizers, which means that when the article is written, those organizers will get the royal treatment." Journalists who do report without bias, she said, often find that editors simply put their articles aside to wait and see if a better offer comes along from a politician or advertiser. M'Baye agreed, saying, "The press is increasingly disappointing. Essential topics are not addressed or are addressed superficially. There are more

bought articles or shows that praise politicians; meanwhile the country is not well."

However, Dieudonné Tombe Kabiena, a teacher with the University Institute of Information and Communication Sciences in Kinshasa, said that, "Some journalists are really professional, with an honorable background, abiding by the code of ethics and obligations." All of the panelists praised the work and professionalism of Okapi Radio, which M'Baye cited as proof that, if given decent salaries and equipment, Congolese journalists can do a great job.

Ethics are often breached, panelists said, largely due to what Clavet Roger, a Canadian national and journalist trainer, called "generalized corruption of press owners and the pressure of the public, religious, and military authorities on the editorial content." Roger said he believes that the main problem is "the poor financial conditions that journalists are forced to put up with." Joseph Mbakulu Pambu Diana, provincial manager of the RTNC in the western part of the country, said that to compensate for their low salaries, "journalists become press officers or communication advisors in political offices, ministries, or public companies."

Lusiku asserted that "journalists who are underpaid or not paid at all cannot be independent." And Emmanuel Kabongo Malu, a national media expert working for the Centre Wallonie-Bruxelles, lamented that "these media companies are just ways for the owners to get rich, to the detriment of journalists seen as simple enforcers, with no employment contract or fixed and regular salaries."

Kabongo Malu also touched on the topic of self-censorship, saying, "Congolese journalists and media practice self-censorship abundantly, which bypasses the important issues."

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

As reported last year, the technological means available to journalists are not state-of-the-art, but still somewhat modern. This is especially true for the broadcast media. But the written press suffers from major crisis in terms of equipment, affecting everything from the collection through to the distribution of newspapers. Because of the absence of printing plants, publishers heavily depend on their more fortunate colleagues who own them and who may be somewhat capricious with their services.

OBJECTIVE 3: PLURALITY OF NEWS

DRC Objective Score: 2.17

The DRC has had a large number of news sources, both domestic and foreign, since 1990, when dictator Mobutu Sese Seko lifted restrictions on media ownership in the country. While the country has more than 100 newspapers and more than 200 radio stations, true plurality of news has nevertheless proven elusive. There are “multiple news sources in the DRC, but not much diversity,” Lusimana said, adding, “The news is the same.” M’Baya said broadcast news, in particular, is skewed toward coverage of official activities of ministers or other public servants, without the slightest critical analysis.

Kambere added that, “These media and news sources are concentrated in cities and larger towns and so in no way cover the entire national territory.” Neither do they address the wide range of topics that interest Congolese readers and listeners, panelists said. M’baya said the media, especially

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Ownership of private radio and television stations is not transparent, Kankonde said. The public owner is often not the real owner. Kabongo Kalala said owners often use dummy companies, creating “media empires” in no time. Tombe added: “The interplay of dummy companies works wonderfully.” “Most of them are controlled by a conglomerate of politicians with diverse if not divergent interests,” Kambere said.

broadcast stations, seldom cover issues such as the lack of electricity and water in the cities, violence and crime, human rights violations, misappropriations, and the cost of living. There are seldom any human-interest stories, Lusimana said, because “they do not pay.”

News provided by international sources is more diverse. Radio France International (RFI), the BBC, and Voice of America are very popular in the DRC and counterbalance the news provided by domestic outlets, Kakonde said. Recently, however, the government banned RFI broadcasts in the eastern cities of Bukavu and Bunia. The Congolese media also use international agencies such as Agence France-Presse, Reuters, and the Associated Press, often without agreements with these agencies.

The Internet is available, without legal constraints, “but the high cost excludes most of the potential users,” M’Baya said. In Kinshasa, he said, “one must pay at least \$300 for an Internet connection kit and a monthly subscription of at least \$100.” Kabongo Malu said it would be “difficult to say that this digital boom provides people with objective and reliable information.”

The country’s government-run media were liberalized in 1996 under Law No. 96/002, which says the state-run media are public services that cannot serve an individual or a group of individuals. But experience shows that the RTNC serves the government and the ruling party, Kankonde and Kabongo Kalala said. However, Diana, who heads the state broadcaster in western Congo, said that in his region, the network reflects all opinions despite logistical difficulties.

The DRC has four domestic news agencies: the state-run Congolese Press Agency (CPA); Associate Press Agency, a private company created by former CPA journalists; Dia, a Catholic news agency, and; Syfia International, which is privately run.

“The independent or public media cannot be profitable in a disaster-stricken state,” said Roger. “The DRC is painfully living in moral and economic bankruptcy. Competition and a lack of solidarity prevent media workers from uniting and creating common marketing strategies.”

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Several panelists said the media serve a variety of the many ethnic groups that populate the vast country. “There are more and more very critical political debates, even in national languages, which is a very good thing,” M’Baya said. Katshingu said Congolese broadcast media appeal to different ethnic groups because they have the advantage of being received at no charge and offer news in local or national languages, including Tshiluba, Kikongo, Lingala, and Swahili (newspapers cost roughly \$1 apiece and are written in French). Kabongo Nzengu pointed out, however, that “there are more and more shows in local languages, but the legal target of 30 percent has not yet been reached.”

Roger summed up the situation by saying that a diversity of news sources does not necessarily provide citizens with objective and reliable news. To correct this problem, “media owners must be willing to show transparency, [and] the state must recognize the right of the public to be informed and the right of journalists to be treated with dignity, like a person searching for truth and not like mere useful but underpaid transmission belts.”

OBJECTIVE 4: BUSINESS MANAGEMENT

DRC Objective Score: 1.32

Panelists agreed that DRC’s private media are not well managed and cannot hope to be profitable in the current economic climate. Lusimana said that more often than not, a private media outlet has “a family-run-type management

with no accounting. The owner controls all financial receipts.” Kankonde concurred, saying that “the independent media live from day to day without accounting.”

Such problems cannot be resolved until some measure of stability is restored to the DRC and its economy is allowed to grow, panelists said. “The independent or public media cannot be profitable in a disaster-stricken state,” said Roger. “The DRC is painfully living in moral and economic bankruptcy. Competition and a lack of solidarity prevent media workers from uniting and creating common marketing strategies.” Kabongo Nzengu echoed that view, saying that “in a disastrous economy and with a diminishing [consumer purchasing power], written press companies in general have to survive with political funds and subject themselves to the advertisers’ whims.”

Those two revenue sources—advertising and politicians—have a pervasive and generally unhealthy holds on media companies’ balance sheets, panelists contended. The topic of editorial independence sparked a stormy debate among the panelists, some of whom contended that not all private media are independent. They are private because they are owned by individuals or groups of individuals, but media independence refers not to ownership but to the editorial policy with respect to the political or financial powers.

Some panelists said advertisers flout the law in terms of content and sheer numbers of advertisements. Katshingu complained that misleading advertisements are common. For example, beer ads promise drinkers that they will gain athletic prowess. There is also illicit advertising—bylined articles promoting a political figure or a product but are obviously paid for, even though the ethical code forbids

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

journalists to associate their name or image with advertising. In some cases, journalists also serve as advertising salespersons and earn a commission, usually 10 percent. Kambere took issue with the quantity of advertisements, saying that “many press businesses survive more or less by inserting advertisements that often compete with the editorial content.”

The limited advertising market, however, means that advertising revenue is not the principal means for keeping private media companies afloat, Tombe said. “The advertising market is informal. The funds that support press companies are political—if not mysterious—and are given to those media that agree to play the game.” Lusimana also referred to “mysterious financing coming from political sponsors. Unfortunately, these political sponsors also influence the editorial policy of the media.” In many newsrooms, an article will be dropped if it is critical of a sponsor, and journalists have lost their jobs for having criticized a “friend” or “sponsor” of the media, often without knowing who they were.

Kankonde acknowledged that politicians fund the media frequently, but he said his newspaper, *Le Potentiel*, was an exception, drawing its revenue from institutional or individual advertising as well as subscription or individual sales.

M’Baya also suggested media companies were hamstrung by their inability to obtain loans from banks. Interest rates are prohibitive—as much as 18 percent per day, depending on the bank—and bankers would rather lend money to sectors that can be immediately profitable, such as the mining, timber, or food industries. As long as the media do not have access to bank loans, M’baya said, they would be vulnerable companies willing to take political funds and mortgage their independence.

In this situation, Diana said, the state must make things easier for the private media by providing direct support, through subsidies, or indirect support, through tax relief, telephones, transportation, or other means. But such support must be voted on by the parliament and distributed by an independent committee on the basis of objective criteria, such as audience share or print runs, sustainability, etc. But, said Roger, “the Congolese state is completely indifferent to the abeyance and bankruptcy of the Congolese press.”

As reported last year, research in the media is almost non-existent. Media outlets either cannot afford serious research or else owners care only about getting out a political message and not about the preferences of their audience.

Panelists said that journalism education has suffered from the broader educational crisis that has beset their country for decades. “The general and generalized deterioration in the national education sector is becoming almost a disaster for journalism as a profession,” Kambere said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

DRC Objective Score: 2.00

The panelists generally held the DRC media sector’s professional associations in low regard. Kabongo Kalala decried a “lack of courage and solidarity within professional associations, which do not support the public or the private media. They are poorly organized, and do not have authority and willpower.” M’Baya suggested that there are “too many divisions within the media sector, particularly among journalists. That is why it is difficult to speak in one voice to protect the interests of the trade.” Lusimana said she believes the associations are often controlled by media owners, who take care of their own interests to the detriment of journalists.

Regarding support groups, Kambere said he believes that “although they are not numerous, the associations supporting the freedom of journalists and the media still do a good job to meet the needs of many media professionals.” But

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Mbakulu disagreed. Except for JED, he said, “the other NGOs only support the media that help them to achieve their own objectives.” Kankonde also said that “JED remains the most active NGO for the defense and protection of journalists. Other younger NGOs have followed its model.” Roger, however, said NGOs are guilty of “contributing to the alienation of the press by offering per-diem allowances to journalists covering their activities.”

Panelists said that journalism education has suffered from the broader educational crisis that has beset their country for decades. “The general and generalized deterioration in the national education sector is becoming almost a disaster for journalism as a profession,” Kambere said. Two decades ago, said M’Baya, the Kinshasa-based Higher Institute of Information Science and Technology—now called the University Institute of Information and Communication Sciences (IFASIC)—“did not have more than 100 students at all levels, recruited after a rigorous competition. Today, IFASIC has more than 2,500 students on the same premises. For lack of space, half of them attend on even days and the other half on odd days. The number of students seems to be more important than the quality of education.”

Access to the profession is too open. With such minimum qualifications required, no one knows who is a journalist and who is not. Kabongo Nzengu suggested that, “Journalistic training must be selective. Today students of journalism do not even know why they want to become journalists.”

Lusiku pointed out that in the eastern city of Bukavu, there is no school of journalism. Most journalists working there learn on the job. They benefit from short-term training organized by NGOs such as the Panos Institute. Roger, himself a trainer, said “the training and improvement needs of journalists and press owners are enormous in Congo.”

Printing operations are all privately held, and some newspapers such as *L’Observateur* have their own printing plant, which other newspapers also use. “There are private, apolitical printing houses but their technical quality is not good,” Tombe said. “Taking only Kinshasa as an example, there is no printing house capable of printing 10,000 copies in one night. Also, color printing in Kinshasa leaves a lot to be desired.”

Kinshasa is the only Congolese city with adequate printing facilities. Newspapers not located near the capital must look to Bujumbura in Burundi, Kampala in Uganda, or Kigali in Rwanda. This can be ruinous to a newspaper if, as Kabongo Malu concluded, the print medium’s “economic sustainability depends on the capacity to access printing houses and distribution services to minimize costs.”

List of Panel Participants

Ben-Clet Kankonde, director, *Le Potentiel* Daily Newspaper, Kinshasa

Donat M’Baya Tshimanga, president, Journaliste en Danger, Kinshasa

Solange Lusiku, manager, *Le Souverain* Newspaper, Bukavu

Mbayi Katshingu, journalist, Congolese Press Agency; member, Congolese Media Observatory, Kinshasa

Isidore Kabongo, director, Congolaise National Radio Television, Kinshasa

Godefroid Kabongo Nzengu, defense attorney for journalists, Kinshasa

Blandine Lusimana, journalist, *L’Observateur*, Kinshasa

Roger Clavet, journalism trainer, Journalists for Human Rights, Kinshasa

Benoît Kambere, journalist, *Renaître* Magazine, Kinshasa

Emmanuel Kabongo, media expert, the Belgian Association for the Promotion of Education and Training Abroad; media expert, Centre Wallonie-Bruxelles, Kinshasa

Dieudonné Tombe Kabiena, teacher, Faculty of Sciences Institute of Information and Communication, Kinshasa

Joseph Mbakulu Pambu Diana, provincial manager, Congolaise National Radio Television, Matadi

Sylvain Kayumba wa Tshilumbu, former research manager, Journaliste en Danger, NGO, Kinshasa

Moderator

Tshivi Tshivuadi, secretary general, Journaliste en Danger, NGO, Kinshasa

The Democratic Republic of Congo study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa.

On July 30 people were arrested and held at the detention center of Pointe-Noire, the Congo's second-largest city. The detainees were accused of "insulting the chief of state, destruction of property and pillage" and had been arrested after violent demonstrations in early July in Pointe-Noire.



REPUBLIC OF CONGO

A series of events has revealed a deteriorating political climate in the Congo in the aftermath of the local elections of June 29, 2008. Those elections had an absentee rate of about 80 percent, just one year before the 2009 presidential elections.

On July 30 people were arrested and held at the detention center of Pointe-Noire, the Congo's second-largest city. The detainees were accused of "insulting the chief of state, destruction of property and pillage" and had been arrested after violent demonstrations in early July in Pointe-Noire. The demonstrations erupted during the funeral of the former chairman of the national assembly, Jean-Pierre Thystère Tchicaya, who also was chairman of the Rally for Democracy and Social Progress (RDPS), a party close to the presidential majority.

As part of this arrest wave, Christian Perrin, news manager of Télé Pour Tous (TPT), a Pointe-Noire based private channel, was also picked up on July 21, 2008, upon the order of the Attorney General of the republic and temporarily released after spending one night at the Department of Territory Surveillance in Pointe-Noire. The journalist was accused of airing images of crowds demonstrating their hostility towards President Sassou Nguesso during the funeral of the former chairman of the National Assembly.

The journalist was also blamed for an incident during a political show called *Franc Parler*, in which two members of the opposition Party for Democratic Alternation (PAD) criticized the poor organization of the local elections and the secretive management of President Denis Sassou Nguesso's regime.

On August 15, in reaction to all the criticism, the Rally for a Presidential Majority (RMP) organized a show of force in support of President Nguesso. The RMP, which included the Congolese Labor Party and its allies, used large banners with messages such as "strike force" to show the president's adversaries that he could still count on popular support.

Pundits have interpreted the population's lack of interest in politics either as a gesture of rejection of both the authorities and the opposition or as a sign of the people's poor understanding of the electoral stakes, due to the lack of public debates on radio and television about the meaning of the elections and issues including unemployment, price hikes, problems with water and electricity supply, and a general feeling that oil revenues are not fairly distributed.

Challenged by the mobilization of the population, and predominantly financed or controlled by members of the political elite, the Congolese media ceased to play their independent role and have become mere mouthpieces of the ruling officials and parties, to the detriment of the concerns of the people.

REPUBLIC OF CONGO AT A GLANCE

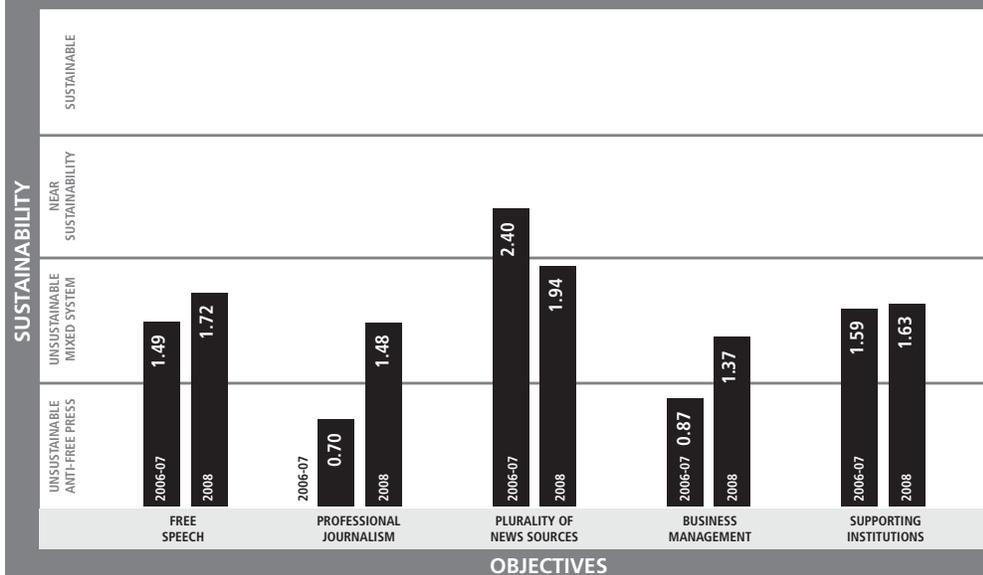
GENERAL

- > **Population:** 4,012,809 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Brazzaville
- > **Ethnic groups (% of population):** Kongo 48%, Sangha 20%, M'Bochi 12%, Teke 17%, Europeans and other 3% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 50%, animist 48%, Muslim 2% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Lingala and Monokutuba, many local languages and dialects (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$5.797 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$2,750 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 83.8% (male 89.6%, female 78.4%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Denis Sassou-Nguesso (since October 25, 1997)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 1 daily newspaper (*Dépêches de Brazzaville*), 50 private newspapers (only a handful appear regularly), 10 weekly magazines; Radio: 18 stations, including Radio Liberté; Television: 10 channels
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Congolese News Agency (CNA) (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 70,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: REPUBLIC OF CONGO



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Republic of Congo Objective Score: 1.72

All the participants of the MSI Brazzaville panel admitted that the Republic of the Congo is well equipped in terms of legislative support for freedom of speech. The media sector is regulated by the freedom of communication law number 08-2001 passed on November 12, 2001; law number 15-2001 of December 31, 2001, concerning the access of political parties to the public broadcast media; and law number 04-2003 of January 18, 2003, pertaining to the organization, functioning and constitution of the High Council on Freedom of Speech. They also unanimously recognized that there is still a gap between the existence and the implementation of this legislation. The panelists however disagreed on the reasons why this legislation is not implemented both by public authorities and the journalists themselves.

For example, Charles Moudibou, a journalist and program manager with Radio Béni in Ouessou, said the Congolese government has guaranteed freedom of the press and access to information sources by creating judicial documents, a charter for information and communication professionals, the constitution, and laws on freedom of the press. "These documents do exist but they are not made widely known, and the journalists' job is made harder by the fact that decision-makers do not respect them," he said. "Most emerging press outlets belong to people in the government or close to the government."

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

This media dependence affects the contents of the news. "Journalists cannot release information without the approval of their news managers, especially if the particular information is political or concerns the powers that be," said Eudoxie Ofinini, a journalist and anchor for the national language news at Congolese television.

Some issues are taboo, such as anything related to oil drilling or the so-called beach disappearance case, which exposes journalists to threats and even arrests despite the fact that Congo has a law that decriminalizes press offenses.

For example, Erica Yvette Bilala, a reporter for TPT in Pointe-Noire, one of the few independent channels, cited the case of Christian Perrin, TPT's news manager who was arrested by security forces for airing a show in which two members of the opposition criticized the poor management of the country.

Many panelists pointed out that the political powers strive to control the media through the High Council on Freedom of Speech and through the operational license granting process. Control by political authorities is also a result of the existing situation in which the majority of the media are owned by members of the government or to the party close to the president.

Jean Bruno Mitsoko, a journalist and member of the Congolese Media Observatory, said that while press offenses are decriminalized in Congo, in reality the media are under strict scrutiny from the moment they are created until the news goes out. "Any civil servant" can become a journalist, he said, which encourages unprofessional behavior.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Republic of Congo Objective Score: 1.48

Congolese journalists have a harsh perspective of themselves and their profession. The panelists denounced a litany of shortcomings: lack of professionalism, an environment of corruption, ignorance of their ethics code, lack of training, low salaries, intellectual laziness, and superficial news treatment.

Jocelyne Francis said the lack of professionalism stems from low salaries in the state-run media and no salaries or illegal employment in some private broadcast media. She said no effort is being made to present quality news programs to the public, and that recording and broadcasting equipment is outdated.

"In general, ethical issues are pushed into the background," she said. "The programs are poorly conceived and do not

According to Edouard Adzotsa, Congolese journalists who work in the public sector barely make \$100 monthly while their private sector counterparts are paid the equivalent of \$50 to \$60. Many others have no salary to speak of.

meet the expectations of those who read, watch, or listen to us. The Congolese journalists work for themselves.”

According to Edouard Adzotsa, Congolese journalists who work in the public sector barely make \$100 monthly while their private sector counterparts are paid the equivalent of \$50 to \$60. Many others have no salary to speak of. “Under these circumstances, we have all become potboiler journalists—all journalists are hunting stories that bring in some cash,” he said. “The other social facts of interest to readers or listeners are not reflected in the press, there is no serious investigation on important issues such as oil contracts and misappropriations.”

For many panelists, the lack of training explains why reporting is so wanting and ignores even elementary ethical rules.

Adding to these reasons, Erica Bilala includes the censorship that media owners enforce in order not to damage their relationships with sponsors and the self-censorship journalists practice to avoid reprisals. “For political, commercial, [and] economic reasons, the owners themselves can ban even a well-documented and well-presented report simply to protect

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

their relationships or because they do not want to have any problems with the persons incriminated [in reports],” she said.

Koumba Berthe also weighed in on training. “Journalists do not grasp the concept of reporting. That is why they make do with mere accounts of an event they were invited to and in which all they do is praise the merits, albeit imaginary, of the event organizer if they can obtain an advantage from it.”

Nevertheless, all the panelists appreciate the existence of the Congolese Media Observatory, which has to make sure of quality media content and that it is in compliance with professional requirements. Over the years, due to the lack of resources, the Observatory has become a mere shadow of what it once was.

OBJECTIVE 3: PLURALITY OF NEWS

Republic of Congo Objective Score: 1.94

According to unofficial statistics, in Congo-Brazzaville there are some 50 registered newspapers and some 20 radio and television channels, but in reality only four or five newspapers are able to appear regularly and only some 10 radio-television channels are broadcasting in Congolese territory. The country is literally covered by the media, especially by radio and television, broadcasting from the other side of the river, in the Democratic Republic of the Congo. There is also international media (Radio France Internationale, BBC or Voice of America) that can be heard on FM or shortwave. In the major cities of Brazzaville and Pointe-Noire, access to the Internet is made easy by the increasingly numerous cyber cafes available to the public for a more or less affordable price.

According to Adzotsa, a diversity of news sources is a reality in Congo-Brazzaville. But these outlets are not affordable or immediately available to everyone—the Internet, in particular, is still a luxury in Congo, while frequent power cuts or lack of electricity prevent people from following the news regularly. Newspapers are available almost exclusively to intellectuals and those who can read French.

“In Congo,” said panelist Charles Moudibou, “there are multiple news sources but they are not accessible due to economic problems, It is also a cultural trend: people prefer to listen to music or watch television than read; the public media are too political; there are no government-issued restrictions but not all opinions are relayed, only those that are very similar to the owner’s.”

Berthe said that most press outlets are based in the larger cities and are therefore inaccessible to the people in rural areas. The press does not cover the heart of the country

where people face their own problems. The urban broadcast media are very political and do not accept opinions that run contrary to the official opinion; they compensate for the “overly political” factor by relaying international channels. Therefore, their programs are more influenced by an international factor.

Bilala pointed out that not even journalists have access to the information they are looking for. In order to inform others they must first be well-informed themselves, which is not always the case, she said. That is all the more telling since Congo has no independent press agency that gathers news and distributes it to the press. The only press agency (ACI) is a state-run agency that is “incapable of national coverage,” she said.

Citing the example of TPT, some media do have the courage to take on what are considered to be sensitive issues, she said.

Jean Bruno said that although people’s access to the media is not restricted, the fact is that poorer citizens cannot afford the media. The public media do not reflect general opinion, and are mere mouthpieces of the parties and individuals in power, while minorities are absent from the media.

Joslyne Francis said the media design their programs according to the opinion of the owners, with the exception of Radio Liberté, which can afford to be completely independent without getting orders from the owner. “One fact that must be pointed out is that 90 percent of the Congolese media are owned by various official power holders,” Francis said.

Berthe said that most press outlets are based in the larger cities and are therefore inaccessible to the people in rural areas. The press does not cover the heart of the country where people face their own problems.

All the panelists agreed that there is transparency in terms of media ownership, as it is publicly known what media belongs to whom.

OBJECTIVE 4: BUSINESS MANAGEMENT

Republic of Congo Objective Score: 1.37

All the panelists believe that there is no independent media in Congo, strictly speaking. Most media are created by politicians or personalities close to the public authorities. Therefore, media are not established to be run as business ventures.

Referring to the management of the media, Adzotsa said that just two or three press outlets are well-managed, including *La Semaine Africaine* and *Dépêches De Brazzaville*. But there is a paradoxical discrepancy between the management of the profits they generate and the poor treatment of their journalist employees.

Public authorities influence how advertising is distributed, so much so that if the media refuse to remain in line or

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Adzotsa said that the mission of the Congolese Press Publishers' Association is to protect the interests of the private newspaper publishers. But, he added, this association has been going through a crisis for five years due to divergent interests among its members.

sing praises to the higher officials they will not get any advertising.

Moudibou believes that the press companies and printing houses generate good revenue, but the incoming funds are poorly managed—proven by the fact that most journalists working in the private press do not receive a paycheck or receive one late.

For Bilala, the main financing source is advertising. As a result, a newscast can be canceled to make room for a soccer game sponsored by a cellular telephone company—which often happens on TPT.

“Some private media receive hidden financing from politicians in power,” Adzotsa said. “Law number 08-2001 of November 12, 2001, provides a state subsidy for the private media. But this provision is not yet implemented in Congo. The public aid for the media is not efficient; there is no political willpower.” From time to time the media receive financial aid from the president of the republic.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Republic of Congo Objective Score: 1.63

In the wake of the political liberalism that has emerged in Congo in the last 10 years, several unions and other civil society organizations focusing on the media have emerged. However, except for a few isolated projects and activities initiated by foreign or international bodies interested in the media, there is no other supporting institution to protect the interests of independent media professionals.

Adzotsa said that the mission of the Congolese Press Publishers' Association is to protect the interests of the private newspaper publishers. But, he added, this association has been going through a crisis for five years due to divergent interests among its members.

Referring to professional associations for the protection of the rights of journalists, he mentioned the Federation of Communication Workers' Trade Union, which he chairs and which is active in protecting the interests of Congolese media workers. According to Adzotsa, his union has some 800 members and is affiliated with International Federation of Journalists based in Brussels, Belgium; it is the world's largest journalist union.

There also is the Association of Local Language Journalists (Lingala and Kintuba). But Ofinini said the associations are based in the capital and not heard from in the rest of the country. “And when journalists are in trouble, these associations do not react, out of a lack of logistic resources or because their leaders are not involved enough,” she said.

Congo has no school for training journalists, only a department at the Marien Ngouabi University, which offers some communication courses.

Panelists pointed out that the printing houses are privately owned but that the government supervises their activities and subjects them to some restrictions.

List of Panel Participants

Edouard Adzotsa, independent journalist, ICP Training Center, Brazzaville

Koumba Berthe reporter, Radiotelevision Nouvelle Alliance, Dolisie

Erica Yvette Bilala, reporter, *Télé Pour Tous*, Pointe-Noire

Charles Moudibou, journalist and program manager, "*Radio Bénie*," Ouessou

Eudoxie Ofinini, journalist and anchor, The National Language News, Congolese Television, Brazzaville

Jean Bruno Mitsoko, journalist and member, *Congolese Media Observatory*

Jocelyne Francis Waboutoukanabio, reporter, Radio Liberte, Brazzaville

Jocelyn Rodrigue Kionghat, reporter, Radio Brazzaville, Brazzaville

Christine Matondo, reporter, Radio Congo, Brazzaville

Bissat Henoc Nazaire Ebethas, head of communications, FOSOCEL, Brazzaville

Eugène Kebe, lawyer, Brazzaville

Moderator & Author

Tshivis T. Tshivuadi, secretary general, Journaliste en Danger, Kinshasa, Democratic Republic of Congo

The Republic of Congo study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo.

The new minister of communication, Ibrahim Sy Savané, has endeavored to finalize the implementation of the 2004 legislation, which provided the legal regime for the printed press, radio, and television.



CÔTE D'IVOIRE

S

Since the signing of the Ouagadougou Political Agreement in March 2007 by the two parties to the armed conflict, Côte d'Ivoire has been relatively calm.

The unity government that arose out of the agreement has been in operation since April 7, 2007. In the context of the Ivoirian media, the new minister of communication, Ibrahim Sy Savané, has endeavored to finalize the implementation of the 2004 legislation, which provided the legal regime for the printed press, radio, and television. Various legislation has been passed toward that end. The legislation in question was in the form of decrees on the organization and operation of the National Press Council, the joint Press Identity Card Committee, and the Press Support and Development Fund.

The Press Identity Card Committee, which had been officially set up toward the end of 2007, had not even made a start on its work during 2008. Not one card had been issued. Only in January 2009 had it started to issue any cards. It has nevertheless succeeded in examining more than 400 applications so far.

A study commissioned by the Ministry of Communication on Ivoirian radio and television had laid the foundation for an opening up of the domestic radio and television scene. In its conclusion, the study, which was carried out by the French consultancy Media Consulting Group, suggested that deregulation would be prudent if the objectives of increasing diversity in what appeared on television, enhancing public debate by creating new forums for active citizenship, and establishing conditions for the development of a national program production industry were to be met.

For the time being, that segment of the media has been only partially deregulated. It comprises public stations (two radio and two television), two private radio stations (Jam, Nostalgie), one scrambled television channel (Canal-Horizon), and some 50 local radio stations.

CÔTE D'IVOIRE AT A GLANCE

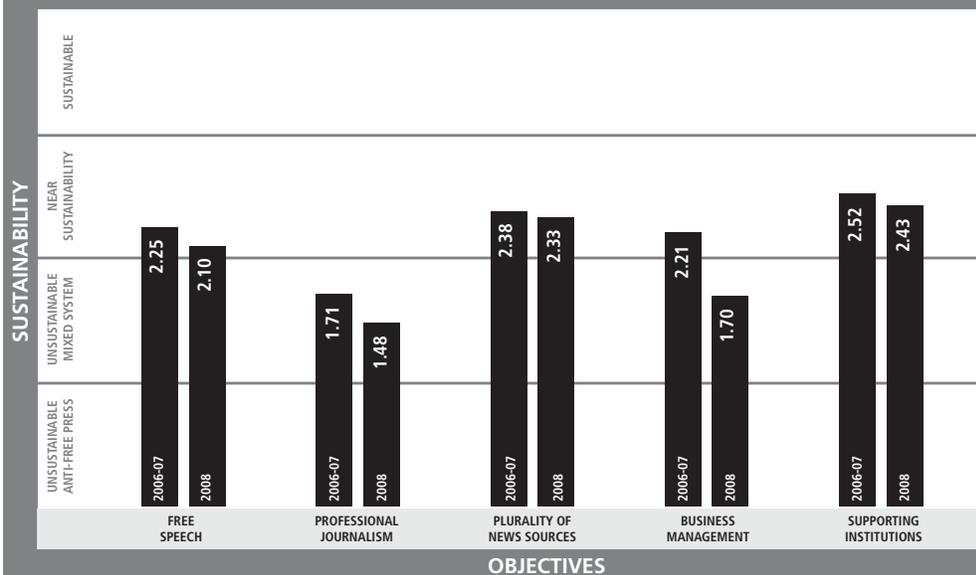
GENERAL

- > **Population:** 20,179,602 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Yamoussoukro
- > **Ethnic groups (% of population):** Akan 42.1%, Voltaiques or Gur 17.6%, Northern Mandes 16.5%, Krous 11%, Southern Mandes 10%, other 2.8% (1998 est., *CIA World Factbook*)
- > **Religions (% of population):** Muslim 38.6%, Christian 32.8%, indigenous 11.9%, none 16.7% (2008 est., *CIA World Factbook*)
- > **Languages (% of population):** French (official), 60 native dialects with Dioula the most widely spoken (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$17.54 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$1,590 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 48.7% (male 60.8%, female 38.6%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Laurent Gbagbo (since October 26, 2000)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 22 daily newspapers, 58 others, 8 periodicals; Radio: N/A; Television stations: N/A (Source: National Council of the Press)
- > **Newspaper circulation statistics:** Top three by circulation: *Fraternité Matin* (6,824,333 2006 circulation in 2006), *Soir Info* (4,904,498 circulation in 2006), *Le Nouveau Réveil* (3,733,010 circulation in 2006)
- > **Broadcast ratings:** N/A
- > **News agencies:** Ivorian Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 300,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CÔTE D'IVOIRE



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Côte d'Ivoire Objective Score: 2.10

The panelists were unanimous in recognizing that the legal and regulatory instruments that formed the basis for freedom of speech were indeed in existence in Côte d'Ivoire. In addition to the constitution, Law 2004-643 of December 14, 2004, on the legal regime for the press and Law 2004-644 of the same date on radio and television media, in the words of the panelists, "affirmed" that freedom. Freedom of speech was much easier to see in the printed press, which benefited from a more hands-off regulatory regime.

Abdoulaye Sangaré, a press publisher and chairman of the board of the Publishers Association (GEPCI), said that even though the new press law had imposed restrictions in terms of business creation that went beyond the conditions demanded of other sectors of the economy, and however justified or well founded they were, it was nevertheless true that those restrictions did exist.

Gérard Dogbemin, a lawyer, expressed the view that on the other hand the freedoms extended to the press were not subject to excessive fiscal pressure, as the press was treated as a commercial enterprise but nevertheless benefited from an exemption on inputs such as paper.

Josette Barry, a journalist, highlighted the situation of financial insecurity in which most Ivorian papers were developing. It was easy to see how the press was getting on in the market, but quite a few could not manage to climb into the black. However, they could do so, in her opinion, if they were relieved of fiscal pressure. There needed to be a movement toward tax relief for press enterprises. In other words, the companies in the sector should be allowed to benefit from tax holidays, like some local enterprises.

Charles Sanga, a newspaper director, noted that the "advertising levy," which was charged on all advertisements, went into the Press Support and Development Fund.

Even though various approaches to deregulation were being looked at for television, the radio and television sector was still subject to the grant of concessions. The National Television and Radio Media Council, an independent administrative body, is responsible for regulating the sector. The National Press Council regulates the printed press. Another professional organization, the Press Freedom, Ethics and Professional Standards Observatory (OLPED) had the purview of self-regulation by the Ivorian media.

In 2008, four editorial offices were the targets of acts of vandalism; journalists were harassed and offices wrecked by

individuals. The panelists deplored the fact that those acts of vandalism against the media and people in the sector had not been energetically followed up. The Press Council also picked up a dozen or so cases of obstructing the exercise of press freedom of which journalists and press companies had been victims. They concerned, among other things, access to sources, and intimidation and threats by both individuals and elements in the police forces.

On access to sources, the panelists noted some special features for sources of domestic news. Apart from communiqués from the Council of Ministers, authorities give journalists only what they want Ivorians to know. When journalists go to a ministry to obtain information, the first thing that is looked at is the "color" of the journalist's newspaper, and then either they talk or they do not. Some public institutions are off limits to some journalists, for example. In short, access to public information is used as a source of discrimination.

Access to information from the private or international sectors is more freely and openly accessible to all players. A half dozen or so operators offer Internet access at relatively attractive rates. The number of "cybercenters" is constantly increasing throughout the country, and more particularly in Abidjan. Various unlimited-access broadband packages are available.

Access to the journalism profession is freely available and open to young people as long as they meet the conditions set by law, which define a professional journalist as any physical person with a higher diploma from a professional journalism school,

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
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- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

failing which, with a higher-education degree coupled with two years' professional training. In addition, the qualification has to be backed up by a principal, regular, and remunerated occupation in researching, gathering, selecting, using, and presenting news information in one or more press companies.

A professional press card issued by a national press card committee is sufficient proof that a person is a journalist. After 10 years of total inactivity in which not one press card has been issued, the national committee has been reactivated and new members have been designated. In January 2009, the committee began to issue new press cards.

Dogbemin regretted, however, that professional journalists who are in jobs but have no diplomas had not been taken into account in the transitional provisions.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Côte d'Ivoire Objective Score: 1.48

Most of the panelists were of the opinion that the reportages that are made public are far from being fair, objective, and well documented; the scores given were generally low. The same applied for ethical and professional standards. In 1992, the journalists of Côte d'Ivoire had adopted a professional code, which, in 20 or so articles, set forth the rights and duties of journalists working there. OLPED was doing its best to promote the code, but it was in fact clear from its own statistics that the great majority of journalists do not attach much importance to the rules that they had voluntarily set for themselves.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

In 2007, four dailies (*Le Patriote*, *Soir Info*, *Le Nouveau Réveil*, and *Matin d'Abidjan*) had trouble from the civil and armed police or in the courts.

Also in 2007, the National Press Council had to impose 90 penalties on 28 press organs, including 18 dailies, for professional misconduct. There were fewer reprimands, though, than in 2006—45 compared with 106.

In 2008, four editorial offices were called up for questioning by the armed police investigation squad in the context of investigations following the publication of articles. Three were summoned to appear in court.

Relative to 2007, editorial practice turned up a fair number of breaches of the professional rules. In addition to 57 summonses to appear for questioning and 14 formal notices, for 2008 the Press Council issued 60 warnings and 57 reprimands. The breaches that were picked up had essentially to do with defamation, failure to respect people's private lives, refusals to publish rights of reply, or insulting the head of state or foreign heads of state. The annual Press Council report said that with 2008 being an electoral year that had seen the electoral campaign and presidential elections in Côte d'Ivoire, the papers that were close to the political parties, particularly the dailies, had let themselves be swept off their feet by election fever and had committed many violations.

Even though it had the power to suspend publications for proven serious misdemeanors, the Press Council has so far gone no further than first-degree penalties, i.e., warnings and reprimands.

On the subject of self-censorship, Sangaré pointed out that journalists are growing up: "When one looked at breaches of ethics and professional standards, one could see that they had more to do with political and economic constraints than a lack of freedom." Self-censorship is voluntary and linked to political or economic ties. Journalists might self-censor when they find themselves up against political or party interests.

An analysis of Ivoirian media content highlights the clear preponderance of the political over matters concerning society or of general interest. In most cases, the Ivoirian newspapers, indeed the dailies practically as one, were close to political parties or political actors. That fact was noted by the panelists as a whole.

OBJECTIVE 3: PLURALITY OF NEWS

Côte d'Ivoire Objective Score: 2.33

A large majority of the panelists took the view that plurality of news sources is a reality in Côte d'Ivoire. People can indeed freely access news sources of their own choice. In addition to a diversity of domestic and foreign titles, people may also access foreign radio and television channels.

On December 31, 2008, 102 Ivoirian titles were to be found on the newsstands, compared with 80 in 2007, an increase of 28 percent, which actually concealed the difficulties that the players in the sector were experiencing. Thus, in 2008, even though 33 new publications had appeared, another 30 had ceased publication. The 102 titles comprised 18 dailies (25 in 2007), 45 weeklies, and 39 monthlies and other periodicals.

Nevertheless, because of the crisis that rocked the country over the past few years, distribution of the press throughout Ivoirian territory is not yet an everyday reality. Publications arrive belatedly, more than 48 hours late in some places. Sanga, who had just returned from a mission to the north of the country, noted that because people there could not get Ivoirian radio and television, they were turning to satellite dishes so they could get international news more easily.

Barry said that what stands in people's way in accessing the media is more the economic aspects than legal barriers. Most people's standard of living and endemic poverty, which was gaining ground, are real limiting factors. No one could deny that people have to have sufficient purchasing power if they

can afford to buy newspapers or pay the subscription to a scrambled television channel.

The panelists as a whole felt that the public or state media in Côte d'Ivoire do not at all reflect the diversity of opinions and the whole political spectrum. Sanga observed that those media conflated their public-service mission, the role of the government, and often even the role of the party in power and wondered whether the public media were open to all points of view, given that they had recently heard of political parties deciding to no longer invite the public media to their activities.

While broadcast coverage of the activities of those political parties is delayed or even completely ignored, it is also true that such reactions on the part of those political factions could be considered an obstruction of access to sources of information.

Barry, a journalist with the (public) *Fraternité Matin* said that she was more worried about the attitude of journalists in the public media: "If one put oneself in those journalists' shoes, you got self-censorship, as there was no mechanism in place for the media to play the role they ought to be playing." She herself spoke of a time when at *Fraternité Matin* the paper's content was gone through with a fine-toothed comb before it was printed and the first copies off the press were dropped at the residence of the head of state at 4 a.m. However, all that is now a thing of the past. There are no more night raids on the paper. But what is being seen is self-censorship, which in her opinion occurs more because of the job than anything else. "When Mr. Journo thought about the salary he was being paid each month, he thought to himself, 'OK, perhaps I had better just put up and shut up if I want to keep my job,'" she said.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Côte d'Ivoire Objective Score: 1.70

Before June 2, 2008, only 40 percent of the titles published in Côte d'Ivoire met the conditions for their existence required by law. After an awareness-raising period passed, the Press Council saw to it that the law prevailed, with a view to cleaning up the sector. Thus, on December 31, 2008, 118 titles came into the legal fold and out of the informal sector to set themselves up as genuine press businesses, including 18 dailies, 48 weeklies, and 52 monthlies and other periodicals. Even so, some of those titles stopped appearing, either temporarily or for good.

The panelists were split as to the reliability of broadcasting ratings and circulation figures. Studies are under way within the Press Council with a view to providing a structure for substantiating circulation figures for the printed press.

Circulation numbers for the daily press have been low for many years, with daily circulations per title between 4,000 and 25,000. In 2008, the total circulation was 34,246,638 (37,263,661 in 2007) for the dailies and 7,783,816 for the weeklies (7,347,457 in 2007). In 2008, total press sales were XOF 5,574,741,700 (\$12.3 million).

Francis Domo, of the National Press Council, said that from the figures it seemed that the sector is doing well on the printing and distribution side.

Sanga took the view that the number of copies put on sale is far from reflecting the economic reality of the sector. "With costs as they were, no local press business could show a trading account in the black," he said. "Costs were just too high, and without support from either the state or the private sector, how those businesses were going to dig themselves out of the hole was a mystery."

Barry noted that every single rotary press is racking up outstanding printing charges, in some cases over XOF 100 million (\$250,000). Some of those charges are never going to be recovered. She stressed that a number of factors must be taken into account. For *Fraternité Matin*, for example, it is an issue of production equipment that needs to be renewed. Fifteen years ago, *Fraternité Matin* had sales on the order of XOF 12 billion (\$21.6 million at the time). The current figure is scarcely a third of that. Since the press's heyday, the top rotary printing house has had tough competition to face.

Though press companies' revenues traditionally comes from sales of copies and advertising space, it is also true that in the current economic context those two sources are not enough to keep some publications in the kiosks. Sanga pointed out that not one local publication publishes its annual sales

figures, and so it is not out of the question that the survival of some titles is attributable to subsidies or some other kind of covert assistance.

The panelists were unanimous in recognizing that advertising is getting in the way of editorial content, though Sanga felt obliged to remind them that one had to be careful because in some cases advertising is 90 percent of total sales.

The crisis that raged in Côte d'Ivoire seriously affected the economy. Nevertheless, the cellular telephone companies, of which there are five, must compete and regularly place advertising inserts in the papers.

Nevertheless, the panelists remarked on the scantiness of advertising revenue relative to aspirations when it comes to achieving the standards normally accepted in the media sector. The appeal of television (followed by radio) aside, whether by reflex or by necessity real or imagined, some advertisers consistently turn to the *Fraternité Matin* daily, which has cornered a good part of the advertising market. In addition to legal announcements, that paper has succeeded in developing services such as obituaries and small advertisements.

Sangaré recalled that people have their established ways and customs, and then there are the institutional, governmental, and other announcements that land directly in *Fraternité Matin*. When they make announcements, even the subregional institutions such as the Economic Community of West African States and the West African Economic and Monetary Union choose the government papers in the member states. These are common practices that penalize other publications.

The Press Support and Development Fund, which had been awaited for 20 years, was finally put in place in early 2009. The fund, which is financed through a levy on advertising that had already been imposed for a number of years, was reported to amount to almost XOF 2 billion (\$4.5 million).

At the time of writing, the Press Support and Development Fund, as reviewed by the Law of 2004, had been constituted and its management structures put in place. The fund's essential missions are to facilitate the development of press or radio and television enterprises and to support the professional organizations working in the sector.

In a communiqué released once the fund was set up, the chair of GEPCI said that the fund will contribute to the restructuring and consolidation of the press sector with a view to making it an effective element for democracy and development.

Even as he reaffirmed that the fund could have a real impact on the sector by creating, for example, links into the financial system, Savané nevertheless stressed that the fund would not be able to save badly run companies.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

To the benefit of the companies in the sector and of eligible professional organizations, the fund is going to finance training, research and consultancy, broadcasting, development of the press and of multimedia, as well as projects in the collective interest of professional organizations. The fund is managed by a 12-member management council and an executive director. In addition to the ministers of communication, economy and finance, and culture, the management council consists of representatives of the National Press Council, the National Television and Radio Media Council, publishers, the Associations of Professional Journalists of the printed press, and the radio and television media.

The media sector suffers from a lack of market research to improve the identification of the various segments of media audiences, sales areas, and so on. Only a few media agencies have some fragmentary studies available that have been carried out for the launching of new commercial products.

No press companies have done any such market research either before launching a title or before changing editorial policy. Products are simply put on the market in the hope that readers will follow. That most likely explains why so many titles that have only just come on the market disappear as swiftly.

It was to be hoped that the Press Support and Development Fund, one of whose missions is to fund studies, would succeed in overcoming that handicap by making instruments available that would provide a real picture of the sector within the national economic fabric.

There are no statistics available on audience sizes for either radio or television stations. Point surveys are carried out to gauge the penetration of those media.

For the printed press, every quarter the Press Council publishes the number of copies made available to the public and the sales rates of each title. Sangaré pointed out that there could be no more reliable source, and it was accessible to the public.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Côte d'Ivoire Objective Score: 2.43

For a number of years, the media picture in Côte d'Ivoire has become remarkably structured. There are various professional organizations and unions trying to improve working conditions.

Following the National Union of Journalists of Côte d'Ivoire, established in 1991, a self-regulatory structure, OLPED, was formed in 1995. OLPED was the first such French-speaking structure in Africa and has served as a model for several African countries. It was stressed, however, that for

several months OLPED has been having difficulties operating, mainly because of a lack of resources.

The publishers' association GEPCI has been established for those in charge of press enterprises; the aim of the association is to enhance their businesses' credibility.

Publication directors formed themselves into a national confederation, and female journalists have two organizations: the Network of Female Journalists of Côte d'Ivoire and Women in the Media of Côte d'Ivoire. Online press presenters formed the Network of Online Press Professionals of Côte d'Ivoire.

There are three union organizations, including the National Union of Private Press Employees (SYNAPPCI), which, alongside the structures with a public media sector orientation, are actively trying to improve working conditions for people in the media sector.

After negotiations between the publishers and the union, the Collective Interprofessional Convention for the media sector was signed in February 2008 and will effectively be applied by all the companies from June 2009 on. The secretary-general of SYNAPPCI, Guillaume Gbato, said when the convention was signed that the employees, aware of the difficulties that their companies are experiencing, had agreed on a grace period of 18 months so that an environment favorable to putting the convention into effect could be created. The salaries agreed upon for journalists under the convention range from XOF 180,000 (\$425) for intern news-writers to XOF 594,000 (\$1,400) for chief editors. Photographers, proofreaders, and researchers receive between XOF 90,000 (\$212) and XOF 313,200 (\$735).

On support from civil-society organizations for freedom of speech, the panelists as a whole noted the absence of any real involvement. Barry observed that those organizations have been very active before the opposition came to power and informed the panel that she had done a great deal of work with NGOs, particularly women's organizations, that made themselves heard and who had pushed, and then suddenly it was as if they had lost their voices and nothing was heard from them; one had the impression that the same causes no longer existed, particularly those concerning women and the challenges they face.

In fact, in the face of attacks suffered by press outlets and journalists, apart from publishing communiqués, the organizations responsible for defending freedom of speech remain much more subdued.

On the existence of journalism training, locally in Abidjan there are a plethora of private schools that provide training more in media than in the profession of journalism. Sangaré said bluntly that the panel must recognize that there is no

high-quality training; in fact, not much, if any, training is available. There is only the Institute of Media Science and Technology (ISTC). Access to the ISTC is either by direct entrance examination or by professional competitive examination and is open to all.

Barry, who had recently trained interns in her newsroom, emphasized the collapse in general knowledge. Having trained more than 30 interns from local establishments, she believed there is a problem with quality. The panelists agreed that this is a general shortcoming within the national education system.

Up to the end of the 1990s, most Ivoirian journalists were trained abroad; thus, among the pioneers in the sector, there were graduates of the *École Supérieure de Journalisme* in Lille, the *Centre de Formation et de Perfectionnement des Journalistes* in Paris, the *Centre d'Études des Sciences et Techniques de l'Information* in Dakar, and the *École Supérieure des Sciences et Techniques de l'Information et de la Communication* in Yaoundé.

For more than 20 years, not one journalist has been trained abroad.

From 1995 to 2005, editorial offices benefited from training, which has borne fruit. As Sangaré observed, young university students who now have training in journalism were recruited and trained by Ivoirian professionals and now hold honorable positions in press companies, even if they are not at the wheel. In other words, a nucleus of competencies is available, although still less than sufficient. But it can be said that the in situ and seminar training model has worked; the seminars were organized with the support of development partners, NGOs, and so on.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Moussa Zio, a journalist/teacher and author of a study on the subject, noted that it has taken time to put the seminars together and that in the future the goal should be to establish a teaching and training strategy steered by qualified and competent resource people who have a clear awareness of the expected objectives. They should also require the means to achieve these objectives on the basis of a strict follow-up and assessment policy whose instruments have been subjected to validation.

Nevertheless, panelists stressed that for a number of years there has been no activity in that area aimed at journalists.

Companies specializing in printing newspapers—companies with rotary presses—have declined slightly. Two printing houses that used to print their own titles (*Le Jour Plus* and *Patriote*) ceased operations, and both dailies are subcontracting their printing. Of the seven rotary printers that shared the domestic market a few years ago, only four are left.

Newspapers are distributed by two Ivoirian companies, Edipresse and Côte d'Ivoire Distribution. Côte d'Ivoire Distribution's capital is entirely in Ivoirian hands and had at one point been nearly bankrupt. The Distrilibre Company, which was established in 2006, stopped operating in 2007.

Edipresse was established when the first Ivoirian daily, *Fraternité Matin*, had been created in equal partnership with the French press distribution company NMPP¹ and had a near-monopoly of press distribution. Sanga informed the panel that Edipresse told his company that they were running a deficit. Edipresse, which in its time had been set up to distribute educational texts, European papers, the only Ivoirian daily, and the only Ivoirian weekly, from 1994 on had to cope with a number of publications, many of which had unsold return rates of around 80 percent. Also, the turnover rate in national press titles said a lot about their average life expectancy.

List of Panel Participants

Josette Barry, editor-in-chief, *Fraternité Matin Éducation*, journalist, Fraternity Monitoring Group, Abidjan

Adama Koné, journalist, International Union of Francophone Press, Abidjan

Gérard Dogbemin, president, Association of Young Lawyers of West Africa, Abidjan

Francis Domo, journalist, National Commission of the Press, Abidjan

¹ *Nouvelles messageries de la presse parisienne* (New Parisian Press Shipping) distributes about 85 percent of newspapers in France.

Barthélemy Kouame, president, Online Press Network of Côte d'Ivoire, Abidjan

Charles Sanga, editor-in-chief, *Le Patriote*, Abidjan

Abdoulaye Sangare, director, West Media Press Group; manager, *24 Heures*; president of the board of directors, Newspaper Publishers Association of Côte d'Ivoire, Abidjan

Sylvie Naya, producer, Radio Daloa, Daloa

Saly Silué Konaté, journalist, Radio Television Ivoirienne, Abidjan

Valérie Yao Ble, magistrate, Ivorian Human Rights League, Abidjan

Jacques Silué, director, Institute of Communication Sciences & Techniques, Abidjan

Youssouf Sylla, freelance journalist, Bouaké

Dogad Dogoui, regional correspondent, Ivorian Press Agency, Abengourou

Moderator & Author

Samba Koné, chief executive officer, South Actions Media; president, Network of Self African Media, Abidjan

Djiboutian media struggle with professionalism. Informed media reports with balance are largely absent. Citizens do not have a trusted media sector that is able to convey facts, support responsible debate, or represent the country's diversity of communities and views.



DJIBOUTI

The Republic of Djibouti is the smallest and most stable country in the Horn of Africa and the East Africa region. When it gained its independence in 1977, a single party began directing the affairs of the country. However, an armed rebellion was started in 1991 in the north, and a new constitution that introduced a multi-party system was passed in 1992. In December 1994, the government and the rebel group Front for the Restoration of Unity and Democracy (FRUD) signed a peace agreement, which has secured lasting peace in Djibouti.

According to the panelists, the government states that Djibouti, as a young country, uses its mass media to ensure its sovereignty and national unity. Such safeguards appear necessary as instability in the East Africa region continues, with the breakup of Somalia into several autonomous authorities following the Ogaden War, the Ethiopia-Eritrean conflict, the crisis of the Hanish Islands, the intervention of Ethiopian troops in Somalia, and the recent phenomenon of Eritrean troops along Djibouti's northern border.

All news media organizations are controlled by the Ministry of Communications, Culture, Posts and Telecommunications (MCCPT), created after Ismail Omar Guelleh became president in April 1999. (Between February 1986 and April 1999, the state media of Djibouti was under the auspices of the General Secretariat of Information, part of the presidential administration.) Djibouti's public media include Radio Television of Djibouti (RTD), which forms a single entity with the same staff and the same leadership; the Djibouti News Agency (Agence Djiboutienne d'Information, or ADI); the Arabic-language newspaper *Al Qarn*; and *La Nation*, published four times a week and the only French-language newspaper in the Horn of Africa. In addition to the official press, newspapers of the political parties are also available, though not on a regular basis.

Several international broadcasters operate freely in Djibouti, including established terrestrial radio channels such as BBC, VOA, RFI, and RMC, broadcast in FM.

Overall, the Djiboutian government is supportive of the media sector, at least the state media. Recently, the Minister of MCCPT, Ali Abdi Farah, introduced a bill to the cabinet and parliament aimed at promoting media workers by recognizing the rights and the contribution of journalists in a pluralistic society. The bill was passed by the parliament and signed by President Guelleh, but its tenets have not yet been implemented, pending an execution plan from media houses.

Djiboutian media struggle with professionalism. Informed media reports with balance are largely absent. Citizens do not have a trusted media sector that is able to convey facts, support responsible debate, or represent the country's diversity of communities and views. Parties with a political, rather than a journalistic, orientation directly run the media. And the high rate of illiteracy (approximately 49% of the population over 15 years) and the low number of inhabitants in the country (approximately 700,000) constitute a serious handicap to the development of a multifaceted and independent press owned and run by Djibouti citizens.

DJIBOUTI AT A GLANCE

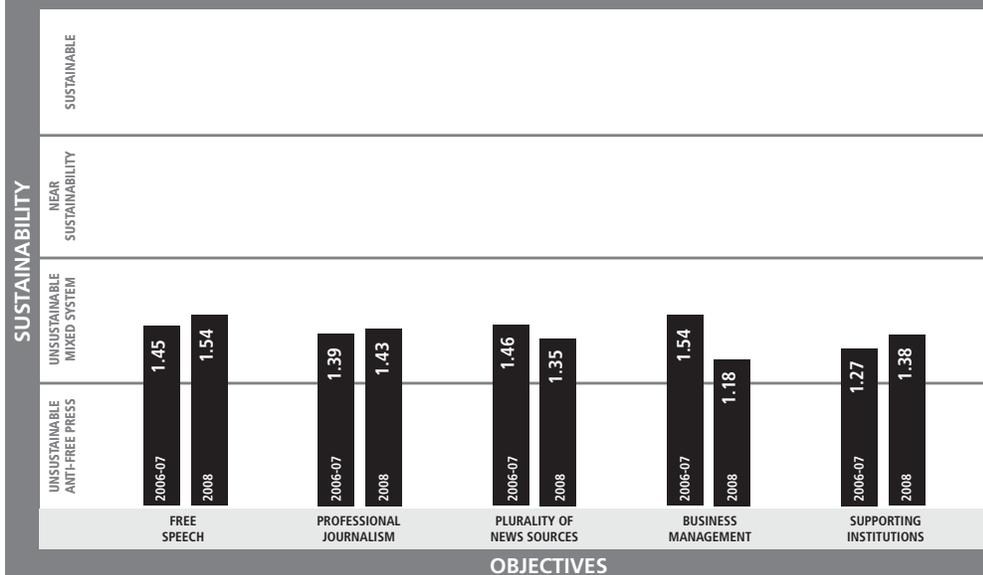
GENERAL

- > **Population:** 516,055 (July 2009 est., *CIA World Factbook*) <https://www.cia.gov/library/publications/the-world-factbook/geos/DJ.html>
- > **Capital city:** Djibouti
- > **Ethnic groups (% of population):** Somali 60%, Afar 35%, other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 94%, Christian 6% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Arabic (official), Somali, Afar (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$908 million (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$2,260 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 67.9% (male 78.0%, female 58.4%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Ismail Omar Guelleh (since May 8, 1999)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** *Le Nation*, *Al-Qarn* and Radio Television de Djibouti (RTD)
- > **Newspaper circulation statistics:** Top two by circulation : *Le Nation* (circulation 1500), *Al-Qarn* (circulation 500)
- > **Broadcast ratings:** N/A
- > **News agencies:** Djibouti News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 11,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: DJIBOUTI



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Djibouti Objective Score: 1.54

Djiboutian media enjoy relative freedom that is nonetheless limited by the predominance of state media, sporadic opposition media, and the absence of independent newspapers and radio stations.

The constitution of Djibouti fully guarantees freedom of expression, freedom of information, and freedom of the media. Given that media outlets in Djibouti are run either by the state or opposition political parties, some politicians argue that the current provisions in the constitution have not been implemented. Opposition newspapers do not necessarily adhere to the principles of free press as stated in the Djiboutian constitution or serve as an independent voice in accordance with international standards, according to the panelists.

The media regulation law under which the sector currently operates is a draconian inheritance from the previous administration of late president Hassan Guled Aptidon. Although this law was not implemented by either of the administrations succeeding Aptidon, it includes articles that severely restrict media freedom. For this reason, Farah proposed the aforementioned new media law that promotes journalistic work, improves working conditions of journalists, secures the rights of media professionals, and grants more rights to members of the media sector that are not government employees.

Djibouti is a safe place for journalists to practice their profession. There are no pending court cases on freedom of expression, and no journalist has ever been killed, jailed, or charged with criminal defamation. Due to the lack of such problems, the panelists did not mention any crimes committed by journalists that required a court hearing, although panelists said that some staff members of opposition newspapers were arrested a few years back.

Opposition politicians accuse the government of not allowing free expression, yet the panelists could not recall a case of ordinary Djiboutian citizens that wanted to establish a private/apolitical media house but were disallowed by the government. Opposition politicians also say that the government prohibits plurality of the media and that it utilizes state media to advocate particular agendas, panelists commented.

Djibouti has only one Internet service provider, Djibouti Telecom, which is under control of MCCPT. The panelists agreed that all websites are accessible in Djibouti, and the government does not block access. People use free calling

The media regulation law under which the sector currently operates is a draconian inheritance from the previous administration of late president Hassan Guled Aptidon. Although this law was not implemented by either of the administrations succeeding Aptidon, it includes articles that severely restrict media freedom.

Internet services such as Skype. Djibouti Telecom and other foreign web hosting companies have not been held legally responsible for the Internet content of individual website owners who use their services to create web pages.

The only television and radio stations in the country are state-owned news media organizations. MCCPT is responsible for licensing and accrediting media. Because Djibouti has only one broadcaster, panelists could not say whether or not the procedures for licensing are fair and competitive.

News media organizations that are established in Somalia and western countries have offices and relays in Djibouti. There are no restrictions for these media organizations, apart from making a formal request to MCCPT. The ministry also accredits journalists coming to the country.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Reporters and editors are encouraged to cover key events in Djibouti, but one panelist said that such events must be either under the patronage of the government or have the blessing of the government.

As part and parcel of being under government control, state media do receive preferential treatment from the government. Djibouti has no law yet that addresses editorial independence, even for state media. The non-functional old media law favors state media over any other media. State media editors and management are closely linked to MCCPT or other governmental departments. Large businesses rarely play roles or have any influence with the state media.

The criminal code is sometimes used in cases in which staff of opposition media are accused of defaming government officials. But no journalist has served a complete sentence for libel, and accused opposition journalists are acquitted or pardoned. For libel cases, courts determine guilt or innocence. Public officials are sometimes held for libel as well, according to panelists. Since judges are well paid and under heavy control from the top levels of government, no corruption cases have been reported.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Djibouti Objective Score: 1.43

The Djiboutian media community is increasing, as more workers join the state media outlets, the state news agency, and international news media organizations. Some became journalists because they are fluent in other languages, such as Somali or Afar. "They never went to journalism school—perhaps attended one or two workshops. They devote very little of their time to reading journalism books," one panelist said.

Journalism schools do not exist in Djibouti, but journalists occasionally take advantage of training opportunities abroad. Djiboutian journalists do not often interact with other media members in the region or at journalism institutions, partially due to language barriers.

Journalists working at state-controlled media strive to inform the public on all political, economic, social, health, cultural, educational, scientific, religious, and sporting events and developments in the country and abroad. Media outlets also

aim to ensure open and free discussion on all issues of public interest, as long as they do not contradict the policies of the government. RTD has made significant strides in presenting the diverse opinions of local residents and covering the issues of their villages/districts, including concerns of public services, without bias or partiality.

However, panelists said that state media give priority to political considerations of the government. Opposition politicians accuse the government of not allowing the state media to treat impartially all political, economic, and health issues.

The panelists agreed that Djiboutian journalists do not have a professional code of conduct to guide their work. They do not adhere the journalistic values of openness, equality, balance, independence, reliability, and variety of sources. Editors and producers exercise self-censorship in dealing with news that is critical of the government and the ruling party.

Reporters and editors are encouraged to cover key events in Djibouti, but one panelist said that such events must be either under the patronage of the government or have the blessing of the government.

Journalists are highly paid in comparison to journalists working in other parts of Horn of Africa, but the standard of living in Djibouti is very high as well. The law improving the working conditions of journalists was enacted to aid journalists in maintaining a living sufficient to discourage corruption.

State media are well equipped with the latest technology, allowing their journalists to more easily perform their day-to-day activities. Opposition journalists, however, do not work under such conditions. Opposition politicians do not

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

make a priority of updating technology, and opposition media have difficulty generating funds to help equip their journalists.

Aside from state media, the Djiboutian media sector features print publications of political parties. Those papers include *Le Renouveau*, *La Réalité*, and *La République*. All are run mainly by politicians or activists with no journalism training, and lack any real graphic design or images. They are distributed very sporadically, most often to sway the public at the approach of elections. Their content is very critical of the government, the panelists said.

Given these realities, the MSI panelists said that effort is needed in helping Djiboutian journalists professionalize through training and media development, and in establishing independent media institutions in Djibouti.

OBJECTIVE 3: PLURALITY OF NEWS

Djibouti Objective Score: 1.35

Djiboutian media is dominated by the government and the opposition, and thus does not portray the entire political spectrum of the country. However, citizens have unrestricted access to news and information from the world's major news organizations, including BBC, CNN, VOA, RFI, RMC, and Al Jazeera (in Arabic and English). Foreign news agencies such as AFP, Reuters, and AP have correspondents in Djibouti, as do the Somali television networks Universal TV and Raad TV. Foreign news media organizations produce their own news programs and have the liberty to send to their main offices the news they deem appropriate.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

La Nation and Al-Qarn newspapers, which are both run by the government, have better circulations than opposition newspapers. Only about 15 percent of the population read newspapers because of the strong oral culture in Djibouti.

As for the international press, major newspapers in Arabic, French, and English are available at newsstands but are quite expensive for the average Djiboutian. Major newspapers are brought from Dubai and Paris.

Most Djiboutian newspapers are in French and Arabic. *La Nation* and *Al-Qarn* newspapers, which are both run by the government, have better circulations than opposition newspapers. Only about 15 percent of the population read newspapers because of the strong oral culture in Djibouti.

The Horn of Africa Journal, a monthly magazine in English, has just been launched and is in its sixth edition. The magazine targets mainly the business community and presents the potential and economic advantages of Djibouti as a hub for international shipping. The cultural and promotional magazine *Djib-Out* is also in publication.

Anyone can create and use a blog in Djibouti. SMS news alerts through Djibouti Telecom are being used to communicate within the country and to receive messages from abroad. But SMS messages cannot be sent outside Djibouti, which may change with ongoing improvements to the telecommunications system.

Ownership of Djiboutian media is transparent. State media is clearly owned, run, and controlled by the government; opposition newspapers are clearly owned, run, and controlled by the opposition politicians.

OBJECTIVE 4: BUSINESS MANAGEMENT

Djibouti Objective Score: 1.18

State media are well financed and well managed. Dedicated professionals handle accounting, marketing, and human resources duties for the state media and established procedures govern their operations. On the other hand, opposition newspapers are under-financed and poorly managed by young men who were not recruited for their managerial knowledge, competence, or experience.

Unlike the newspapers of the opposition parties, The Progress is a journal published by the National Printing House. Its circulation is mainly aimed at party members, but the public can also buy it.

RTD and *La Nation* inherited an infrastructure from France, which operated the media in Djibouti's colonial period. RTD is the heir to the French regional channel Outremer (FR3-Djibouti), and the weekly *Le Réveil* became *La Nation* in 1980. The newspaper is preparing to transform from being published four times a week into a daily, with about 1,500 copies in each run. ADI was established in 1999, which boosted *Al Qarn* (founded in October 1998) to a circulation of 500 copies.

The main party in power, the Popular Rally for Progress, has its own newspaper, *The Progress*. The paper is facilitated and funded by members of the governing party, and some editors are senior executives of the party, according to the panelists. Unlike the newspapers of the opposition parties, *The Progress* is a journal published by the National Printing House. Its circulation is mainly aimed at party members, but the public can also buy it.

Apart from the government funding they receive, Djibouti's three major state media organizations are supported by donations, advertisements, and selling of their services. Advertising accounts for about 11 percent of the media

sector's total revenue. Advertising agencies have yet to be established in the country. Djiboutian media members are unfamiliar with market research; the country has no companies or agencies that produce audience ratings or circulation figures.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Djibouti Objective Score: 1.38

The Association of Djibouti Journalists (MAJD) is the only journalists' association in the country. The association was properly constituted in early 2008, due to efforts by the International Federation of Journalists and Eastern Africa Journalists' Association, along with financial support from American Center for International Labor Solidarity. Due to the small number of Djibouti nationals who are practicing journalists, time was needed to establish a professional association.

MAJD has been working to bring together journalists and other media staff to show solidarity and address key issues as one body. The association represents mainly state media members—editors, reports, camera operators, and freelancers. Opposition media members are not involved in the association; they are not considered "journalists" by MAJD.

NGOs that support media freedom, freedom of expression, or other media development activities do not operate in Djibouti. The US Embassy in Djibouti previously provided limited support to the media sector. There are also no trade associations, given the limited ownership of media aside from the government.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

As reported last year, Djibouti also suffers from a lack of educational institutions that provide interested students with practical training instead of theoretical knowledge. Specifically in the field of media studies, no journalism schools or trained faculty exist in Djibouti, and opportunities to study abroad are limited. Media outlets have hired some journalism graduates from neighboring Somalia, and a few journalists have graduated from programs in other countries.

However, short-term training opportunities do exist. The training programs are organized in collaboration with international organizations. Basic journalistic skills classes are among the more popular courses, but investigative journalism and editing classes are also needed.

Supporting industries and facilities are not apolitical and most are not privately held. Distribution and printing firms are barely adequate to support the media in its current state. To date, distribution and printing firms have not been manipulated into interfering with media operations. All broadcast transmitters are owned and operated by the state for exclusive use by RTD.

List of Panel Participants

The MSI panelists in Djibouti agreed to participate only if they were not named publicly.

Members of the presidential family either directly or indirectly control the main media. Most journalists are public servants and must obtain authorization from the minister of communication when they want to meet.



EQUATORIAL GUINEA

F

For the second time in a row, the MSI panelists for Equatorial Guinea could not convene in the capital of Malabo as planned. Not only was it difficult to obtain the required permit for a meeting, but also journalists and other civil-society members were afraid to take part in an activity that the authorities might view unfavorably. The suspicion and fear are signs of a striking deficit of democratic values in this small, oil-rich country with a little more than a million people, wedged between Cameroon and Gabon on its continental side and sharing a long maritime border with Nigeria.

In Equatorial Guinea, a closed police state, 2008 was a year of legislative and municipal elections on May 4. The Parti démocratique de Guinée équatoriale¹ (PDGE), led by President Teodoro Obiang Nguema and his allies, won without encountering any problems, as has happened every time since the advent of the multiparty regime in 1991. The PDGE obtained 89 out of 100 parliament seats, while its “electoral coalition” alliance, made up of nine small parties from the “democratic” opposition, took only 10. The Convergence pour la démocratie sociale² (CPDS), the main opposition party, took only one seat, compared to two held previously. The PDGE also garnered an overwhelming majority in the municipal elections (305 councilors), while the “electoral coalition” won 14 and CPDS took 12 out of 331 seats.

The foreign media were not allowed to cover any of these elections, which has raised questions about their legality. On May 2, 2008, *El Pais*, *La Vanguardia*, *El Periodico De Catalulinya*, *EFE*, and *TVE*—which are Spanish independent daily newspapers, an official press agency, and public television, respectively—were denied visas to enter Equatorial Guinea to cover the elections.

In Equatorial Guinea, the lack of violations of freedom of the press does not imply a democratic opening. On the contrary, President Obiang has ruled the country with an iron hand since 1979, when he overthrew his uncle, Francisco Macias Nguema. Members of the presidential family either directly or indirectly control the main media. Most journalists are public servants and must obtain authorization from the minister of communication when they want to meet. Information leaks out of this country only with difficulty.

¹ Democratic Party of Equatorial Guinea

² Convergence for Social Democracy

EQUATORIAL GUINEA AT A GLANCE

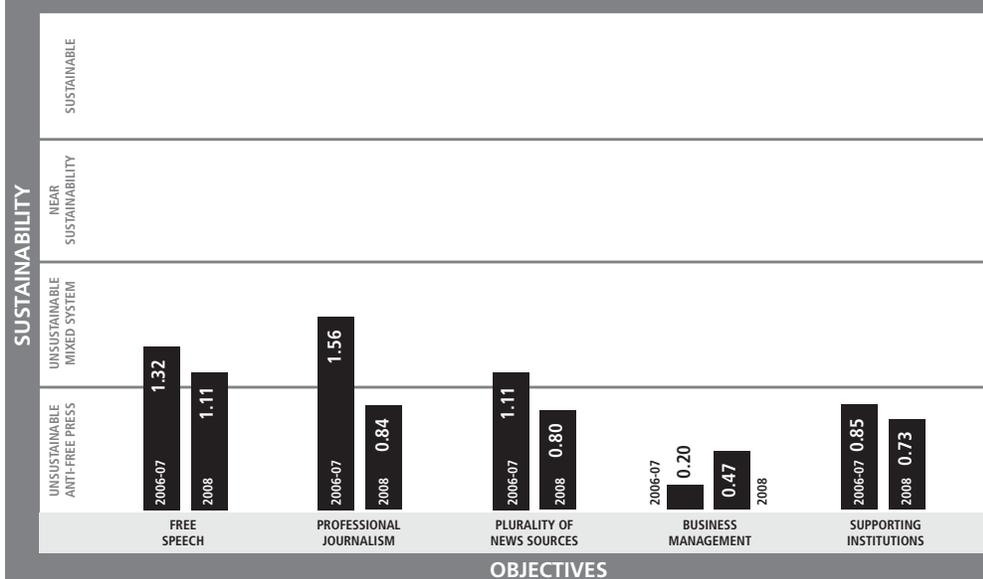
GENERAL

- > **Population:** 633,441 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Malabo
- > **Ethnic groups (% of population):** Fang 85.7%, Bubi 6.5%, Mdowne 3.6%, Annobon 1.6%, Bujeba 1.1%, other 1.4% (1994 census, *CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic, other (*CIA World Factbook*)
- > **Languages (% of population):** Spanish 67.6% (official), other 32.4% (includes French (official), Fang, Bubi) (1994 census, *CIA World Factbook*)
- > **GNI (2007-Atlas):** \$6.527 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$21,230 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 87.0% (male 93.4%, female 80.5%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Brig. Gen. (Ret.) Teodoro Obiang Nguema Mbasogo (since August 3, 1979)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers; Radio: 2 national stations; Television stations: 1 state run station
- > **Newspaper circulation statistics:** Top three by circulation: *Ebano* (state-owned), *La Opinion* (private), *La Nacion* (private)
- > **Broadcast ratings:** Top two radio stations: Radio Nacional de Guinea Ecuatorial (state-run), Radio Asonga (private, owned by the president's son)
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 8,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: EQUATORIAL GUINEA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Equatorial Guinea Objective Score: 1.11

The constitution of January 1992, amended by Constitutional Law number 1/1995 does guarantee in article 13, paragraph 6 “the freedom of speech, thought, ideas, and opinions.” But in reality the press is in the hands of the authorities, who use the press to serve their own interests.

Law number 13/1992 concerning “the press and printing,” passed on October 1, 1992, is the only law that regulates all aspects of the practice of journalism in Equatorial Guinea. This law is an exact replica of the Spanish press law issued in the 1960s under the dictator Francisco Franco and is not fit for a democracy. The text includes a deontology, ethics, and moral code for the professions of journalist, publisher, managing editor, publication manager, and general manager.

At the same time, neither the authorities nor the journalists enforce the law. No measures are taken against its offenders, which are often the authorities themselves. Sometimes the law is used only to punish journalists or to ban a newspaper or broadcast media outlet attached to some opposition party.

Last year’s panelists said that even though legal texts protect freedom of expression on paper, they are enforced differently according to whether one works in the private or state press. Private-press journalists are the most punished, and sometimes barred from the profession, whenever they show

independence or objectivity in their work by presenting the real events happening in the country.

According to one panelist, journalists seen as critical of the government frequently have their equipment confiscated and are arrested and detained for several months before police release them. He stated that these cases remain unreported. No official media speak of journalists being arrested or of censorship of the press—not even when their own journalists are involved. Year after year, statistics from organizations defending freedom of the press indicate very few cases, including arrests of journalists or direct attacks against the media.

In September 2008, the radio station belonging to the CPDS, the only true opposition party, was declared “illegal” and was banned by a judge who referred to this particular law in order to “confiscate all the equipment of the radio station.”

In this context, broadcast licensing and market entry are severely curtailed. While private media, including radio, do exist, nearly all of what is left of it is aligned with the ruling party. State media, including some print outlets, have no guarantee—or illusions—of editorial independence. They serve the interests of the state and in practice receive favorable treatment by the government in terms of both resource allocation and access to government officials; in the latter case, however, it should be noted that state media are typically fed information by the government as opposed to seeking it out at their own initiative.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Equatorial Guinea Objective Score: 0.84

Most journalists and technicians in Equatorial Guinea are qualified. The older ones were trained in Spain more than 30 years ago, while the next generation is being trained in Cuba or China. All journalists in Equatorial Guinea are public servants and governed by the so-called public servant and state administration agent law.

Thus, they are paid according to the regime of public service. For example, this ranges from XAF 100,000 to XAF 250,000 (\$225 to \$560) monthly for a manager. According to the public servant law, public servants cannot commit crimes. The only crime punishable by prison is publication of news concerning attempted coups.

As civil servants, journalists working in the official media are appointed by the president. Any small infringement of the internal regulations set up by media managers may lead to suspensions of up to 30 days, temporary layoffs, salary

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

cuts, or disciplinary transfers. These measures abide by the public servant law but such actions are sometimes arbitrary; a journalist's direct superior can suspend him or her for several days, and there is no way to appeal. The victimized journalists, out of fear that they might worsen their situation, also conceal such cases.

The PDGE's editorial policy also applies to the public media. There are practically no cases of violations, since the only media products are summaries of the president's activities presented according to the PDGE's editorial policy. Other key events or issues are not covered, particularly if the government does not want them to be. For example, the bread shortage that affected nearly everyone in Malabo for two months at the end of the year was not reported by any of the state-run or private media.

Because the regime has appointed people from the ruling party as editorial managers, they enforce the party guidelines literally and often overzealously.

There is no media regulating body in Equatorial Guinea. This is the job of the minister of information, who is also a member of the executive committee of the PDGE and the government's spokesperson. The minister of information decides who is fit to practice journalism, given that the number of media in the country is very low.

As reported last year, foreign press correspondents and the few independent journalists face many annoyances: access is denied to official news sources, and bans exist on reporting events involving the president and other members of the government. As a result, coverage of key events suffers.

The hostile attitude toward independent media is sometimes adopted even by representatives of organizations within the United Nations' presence in Equatorial Guinea. The UN often avoids inviting the independent press or foreign correspondents to its meetings with the government, its seminars, or other activities that it organizes.

Given that the predominance of media are either state-run or pro-state, reporting on specialized topics is extremely thin and investigative reporting non-existent.

OBJECTIVE 3: PLURALITY OF NEWS

Equatorial Guinea Objective Score: 0.80

All of the observers recognized that there is no true press in Equatorial Guinea. The only "press" to speak of in this small state is the state-run press, the Radio télévision de Guinée équatoriale (RTVGE). RTVGE consists of a television and radio station in the capital of Malabo and another television and radio station in Bata, the second-largest city and economic capital in the country's continental region.

These official media are accompanied by Asonga radio-television, which is made up of a "private" television station and two radio stations broadcasting in Malabo and Bata. They are owned by Teodoro Nguema Obiang, the eldest son of President Teodoro Obiang Nguema. While Asonga does include news programming, it can hardly be said to be independent.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

In general, these media faithfully reflect the activities of President Teodoro Obiang Nguema Mbasogo; his wife, Constanca Mangué Nsue Okomo; their son, Teodoro Nguema Obiang; and others from the ruling PDGE. These activities—and hymns dedicated to the glory of the “PDGE founding chairman”—are the main news on the national radio and television station, as well as the “private” press. None or few social facts are ever reported. As a result, state media can be characterized as serving the interests of the state and not the public interest.

There are no domestic news agencies operating in the country.

There is no independent print press. With the advent of “democracy” in the 1990s, a few titles appeared, such as *El sol*, *La opinion*, *El Tiempo*, *La nacion*. But there have been none in the past decade due to insufficient resources and the authorities’ hostility toward views that contradict the official policy of the ruling party and its chairperson. On the other hand, *Ebano*, the official biweekly newspaper published and distributed by the Ministry of Information for XAF 500 (\$1), is still active and appears intermittently.

OBJECTIVE 4: BUSINESS MANAGEMENT

Equatorial Guinea Objective Score: 0.47

Aside from the official press, which essentially survives on subsidies from the Ministry of Information, some Spanish-owned journals exist. These include *La Gaceta de Guinea ecuatorial* and *El Correo Guineoecuadoriano de deportes*, which are published in Spain and sold in Equatorial

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

La Gaceta and Ceiba have a monopoly, granted by the Ministry of Information, on print media advertising. La Gaceta, for example, often publishes two to 10 advertising pages out of a total of 30 pages in one edition.

Guinea for XAF 800 and XAF 500 (\$1.75 and \$1), respectively. Their pages are mostly covered by advertising, particularly for American oil companies and public companies.

La Gaceta and Ceiba have a monopoly, granted by the Ministry of Information, on print media advertising. La Gaceta, for example, often publishes two to 10 advertising pages out of a total of 30 pages in one edition. Ceiba is a sort of People Magazine clone and advertising magazine with an annual budget of more than XAF 100 million (\$225,000).

These “independent” media, which are heavily supported politically and financially by both the regime and locally based companies, are the only ones that appear regularly. The private media have ceased to appear because of a lack of resources and because the state has provided no subsidies. Regulatory burdens and economic hardships mean that a truly independent media outlet would be unlikely to survive.

As reported last year, market research is not used, broadcast ratings are not prepared, and circulation figures are not independently verified.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Equatorial Guinea Objective Score: 0.73

There are two press associations—the Association de la presse de Guinée équatoriale³ (ASOPGE), created in 2000, and the Association des journalistes professionnels de Guinée équatoriale⁴ (APPGE), created in 2007 and chaired by one of the PDGE secretary-generals, Santiago Ngua Nfumu. They accept as members only “graduates of journalism” in Equatorial Guinea. The National University of Equatorial Guinea teaches communications in its School for Social Sciences, but in general, the curriculum does not cover what would be considered journalism.

When it was created in 2000, the ASOPGE operated as a true association for the protection of journalists and media

³ Press Association of Equatorial Guinea

⁴ Professional Journalist Association of Equatorial Guinea

When it was created in 2000, the ASOPGE operated as a true association for the protection of journalists and media professionals of all constituencies. After two years, the government declared that the association “behaved like a parallel government” (in the words of Alfonso Nsue Mokuy, vice-minister of information at the time).

professionals of all constituencies. After two years, the government declared that the association “behaved like a parallel government” (in the words of Alfonso Nsue Mokuy, vice-minister of information at the time). Pedro Nolasco Ndong Obama Nkara, chairman of the ASOPGE, left the country in 2005 and took refuge in Spain after being the victim of numerous threats that he never stopped denouncing.

The ASOPGE is charged with the mission of controlling the professionals of the official press. Recently, it was entrusted by the minister of information to Roberto Martin Prieto, a Spaniard who came to Equatorial Guinea to enter the trade business. In the media vacuum he found there, he created *La Gaceta* and *El Correo*, which are published in Spain. He is also the secretary-general of the association.

The ASOPGE gathers all official and “private” media professionals in the country who are exhorted not to be members of another association “of the same kind, existing or to be created” according to current statutes.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Otherwise, those who become members of another association will lose their membership and consequently their job. That is why journalists cannot openly take part in any activity concerning the press unless it is organized or approved by the Ministry of Information.

List of Panel Participants

Tomas Esono, journalist, Radio Bata, Bata

Jose Antonio Ndong, journalist, *El Tiempo*, Malabo

Maria Teresa Nkara, journalist, National Television, Malabo

Honorio Obiang Obana, journalist, National Radio, Malabo

Samuel Obiang, journalist, correspondent for Africa No. 1, Malabo

Nlavo Nande, journalist, National Television, Malabo

Martial Abaga Barril, journalist, *The Verdao*, Malabo

Carlos Ona Boriesa, journalist, *The Verdao*, Malabo

Moderator

Rodrigo Angue Nguema, journalist, correspondent for *Journaliste en Danger*, Malabo

The Equatorial Guinea study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo.

One panelist wrote, “...the first MSI Eritrea report of last year was an eye opener for Eritreans. A lot of people didn’t know or didn’t want to admit it was that bad.”



ERITREA

S

Shortly after September 11, 2001, the history of Eritrean independent media came to an end. In 1995, after independence from Ethiopia, the first independent newspaper was established and seven more emerged in the next five years. It is reported that they enjoyed an advantage in popularity over their government-sponsored counterparts. However, as part of a larger crackdown on pro-reform forces within the government, on September 18, 2001 and the following few days the government saw to it that all independent and potentially dissenting voices in the media were silenced.

It is beyond the scope of this report to account for all the kinds of injustices being committed in Eritrea. However, as one panelist put it, MSI scores do serve as an indicator that “Things are not looking that well for Eritrea.” Another panelist summarized his view on Eritrean media with the following statement: “The humanitarian condition in Eritrea has now reached such a horrifying point that one cannot answer the questions presented in [the] MSI without, at the same time, having this odd feeling of disconnect with reality.”

The state of media in Eritrea is not at all comparable to any Sub-Saharan African country. One panelist wrote that it can only be put on par with North Korea. There is not a semblance of an independent media. Media in Eritrea have become a tool for government propaganda. In short, journalists—even those working for government media—are a liability and potential threat to “national security.”

Indeed, last year Eritrea scored the lowest of all countries studied by the MSI, not only in Africa but when compared to the countries in the Middle East and Eastern Europe studies as well. One panelist wrote, “...the first MSI Eritrea report of last year was an eye opener for Eritreans. A lot of people didn’t know or didn’t want to admit it was that bad. Everyone understands the importance of strong media sector to support governance and development—particularly in Africa.” Eritrea again scored the lowest of all countries studied in 2008.

These results very much reflect the extent of damage that has been, and is being, inflicted on the media sector and the formidable challenges Eritrea faces to develop and establish an independent media culture in the coming years.

All MSI participants were Eritreans living in exile. The MSI panelists participated remotely by completing the MSI questionnaire and being interviewed by the IREX moderator, also an Eritrean in exile. Given the geographic dispersion of the panelists, a full discussion was not held. While not all panelists asked to remain anonymous, because of the political situation in Eritrea IREX decided not to publish their names.

ERITREA AT A GLANCE

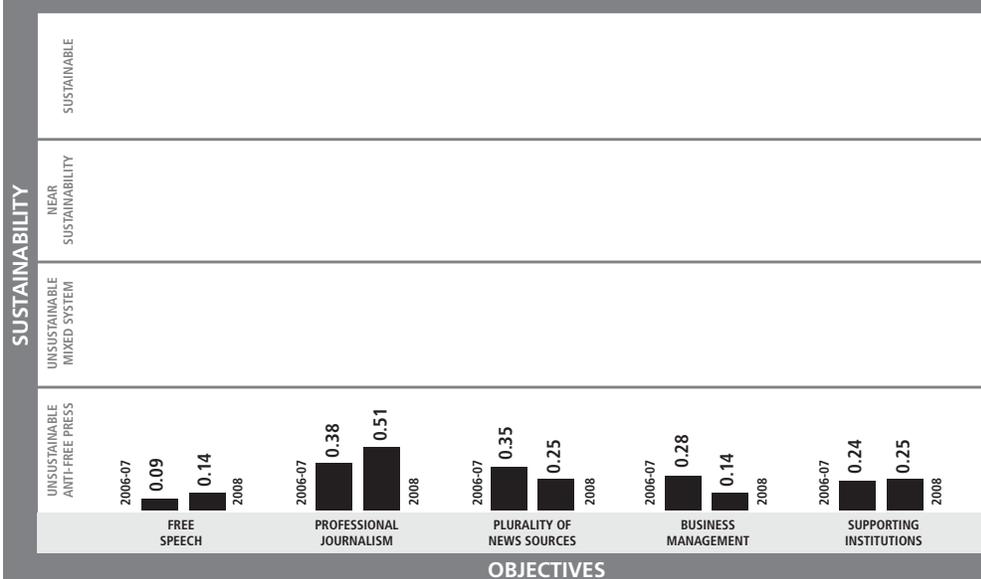
GENERAL

- > **Population:** 5,647,168 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Asmara
- > **Ethnic groups (% of population):** Tigrinya 50%, Tigre and Kunama 40%, Afar 4%, Saho 3%, other 3% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim, Coptic Christian, Roman Catholic, Protestant (*CIA World Factbook*)
- > **Languages (% of population):** Afar, Arabic, Tigre and Kunama, Tigrinya, other Cushitic languages (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$1.308 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$620 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 58.6% (male 69.9%, female 47.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Isaias Afworki (since June 8, 1993)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Newspaper readership is low, but there are some radio and television stations. All of these are state-owned however
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 120,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ERITREA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Eritrea Objective Score: 0.14

The legal and social norms to protect and promote free speech and access to public information are non-existent in Eritrea. Ever since its independence in 1993, the government of Eritrea has taken a negative stance on freedom of expression by overt or covert means. This may well be a culture inherited from the 30-year liberation struggle. It seems that Eritrean leadership is permanently looking out for “enemies” to fight against and uses this as the main excuse to curtail civil liberties including freedom of speech and freedom of the press.

Article 4 (1) of Eritrea’s press law, proclaimed in 1996, allows plenty of leeway to prevent the exercise of the freedom of the press, which it implies exists. Article 4 (1) (b) prohibits censorship “except under the provisions of this proclamation or with the approval of the competent court.” Further, the following section states that, “The Government may, under special circumstances, where the country, or part of it, is faced with a danger threatening public order, security and general peace caused by war, armed rebellion or public disorder or where a natural disaster ensues, by proclamation, undertake measures to censor all publications and mass media. The Government shall rescind the proclamation by another one upon the termination of the conditions warranting it.”

However, the constitution, which has not been implemented (one of the main causes of the 2001 crackdown), would have set the groundwork for freedom of speech and freedom of the press. Article 19 states, “Every person shall have the freedom of speech and expression which include freedom of the press and other media.”

In the absence of a constitution and a government interested in promoting such freedoms, the reality remains bleak. One panelist wrote, “...when we talk about the freedom of the press in Eritrea, we are talking only about a part of freedom of expression. We have to remember that the latter is a much...broader phenomenon. In a nation where any congregation of more than seven persons has been outlawed, minority religions banned, the only university in the nation closed for good, and the whole nation put under a totalitarian grip, to talk about the state of private media is a bit misleading unless it is at the same time put in context within that larger picture of pervasive repression.”

There is no broadcast licensing. Eritrea’s press law makes it quite clear that the government is the sole owner of radio and television. Article 4 (1) (d) states, “Except for radio and television, the ownership of which is reserved for the

Based on reports of international organizations and informed Eritreans who have left the country, the government is the chief, if not sole, culprit of violence against journalists.

Government, private ownership of press and all equipment of expression shall be permitted to Eritreans only.” Likewise, market entry is strictly limited, as beyond the inability to open a broadcast outlet, under the current conditions it is impossible to publish any sort of print media outside of the auspices of the government.

Based on reports of international organizations and informed Eritreans who have left the country, the government is the chief, if not sole, culprit of violence against journalists. Within a few days of the 2001 crackdown, on top of rounding up 11 members of parliament, at least 16 editors and journalists from independent newspapers were arrested and put in prison. At least four of them—Said Abdulkader, Medhane Haile, Yusuf Mohamed Ali, and Fesshaye Yohannes—have died in detention while the fate of the rest remains unknown. All are kept incommunicado in undisclosed locations.

One panelist wrote that even the “loyal” government journalists opt to leave the country whenever the opportunity arises, evidence of the constant pressure they are reported to be operating under. Some have died or been killed trying

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

One panelist wrote that even the “loyal” government journalists opt to leave the country whenever the opportunity arises, evidence of the constant pressure they are reported to be operating under.

to cross the border into Sudan, while those captured are spending time in prison. A significant number of Eritreans who recently graduated from journalism programs in Eritrea have left the country.

An ex-member of the security police who fled the country reported, on a web site administered by members of the Eritrean diaspora, that four staff members of the Ministry of Information were apprehended while attempting to cross the Eritrea-Ethiopia border. Ahmed Bahja, Daniel Kibrom, Semret Sereke, and Selamawit were given prison sentences ranging from one to five years. However, in an apparent move to ease rumors that the government had imprisoned these journalists, the information minister intervened to release Bahja, who later appeared on a television show covering festivities on the eve of St. John’s Day in late September of 2007. In another section, the writer notes that such prison sentences are delivered without any legal guidelines and by an ad-hoc committee whose members have no legal background.¹

The state media enjoy legal advantages through their monopoly position although there is no legal guarantee or expectation of editorial independence.

Libel laws provide for criminal punishment of offenders. However, these provisions are not used against journalists. Journalists considered untrustworthy (there are not even any journalists left in the country that could be called “critical”) are generally arrested without charges and taken to prison.

The government does not grant any freedom of information. Rather, there is a seamless relationship between state media and the government, and the former simply releases whatever information the government desires the public should know. Veracity of this information is often doubtful.

Journalists have access to international news sources but they cannot freely relay information from these sources, particularly if it has anything to do with Eritrea.

The government does not have licensing procedures for journalists, but since they are the only employer of media professionals, by default the government defines who is, and who is not, a journalist.

¹ <http://erit-alliance.com/erit/magazines/vol.No%203%20Eng.pdf>

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Eritrea Objective Score: 0.51

Journalists in Eritrea make little effort to report fairly or present alternate views. Rather, they present what amounts to government propaganda. In a conference held in July of 2008, the president of Eritrea stated, “We are at an era where the hardest of wars are fought with media.” However true that statement might sound in our current world, it reflects a different reality when put in its proper context. When the practice of “media” is qualified by the word “state” in front, it denotes a media atmosphere in which a government is the sole owner, manufacturer, controller, and distributor of information.

For example, Eritrea’s 2008 report on meeting UN Millennium Development Goals, on health and education in particular, portrayed progress as promising and on target. Without a media able to probe and report objectively, even in a limited way, there is no method to present to the public any bit of reality to counter those claims. In other words, one of the main functions of an independent media is to hold a government accountable for its failures, shortcomings and, indeed, report on success stories as well. In Eritrea however, failure to achieve goals is usually attributed to lack of finance, expertise, or some external factors; it is not the fault of the government.

Officials use various excuses to justify this situation. As described above they rely on external “enemies.” In an interview conducted with Press TV on the October 6, 2008, Ali Abdu, the information minister, is reported to have provided another justification: “In view of the fact that the

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

dominant Western media is striving to serve the interest and strategy of the big powers in violation of the ethics and norms of journalism, the voice of the majority of the world population is being muffled and marginalized.” In this respect, he underlined that the marginalized people should work in a coordinated manner so as to portray the correct picture of issues and bridge the information gap created as a result of such domination. He indicated that the agreements concluded in Tehran on media cooperation were done within this context.

Because of this situation, journalism ethics are non-existent. One simply follows the wishes of editors, who in turn are taking orders from the political bosses. Similarly, self-censorship is not simply a matter of choice, it is part of the censorship and control over the media as a whole.

Furthermore, media do not cover key events, or any event unless the government wishes it to. For example, media does not cover the thousands of Eritreans fleeing their country. Such information is only available from external sources, such as the revelations made by the escaped member of the security police, referenced above. In addition to the arrests of journalists detailed above, the author also describes the systemic extermination of the Kunama people of Eritrea. An Eritrean radio station based in South Africa and Sudan will eventually broadcast this report. However, as one panelist pointed out, the government makes frequent attempts to jam these broadcasts.

Pay for journalists is very poor. In fact, according to one panelist, media is mostly comprised of unpaid “journalists,” and their work is considered as a contribution towards time spent for national military service, therefore with minimum pay.

There is a respectable balance between news and entertainment content; however, the descriptions given by panelists on the reliability of news content do not make such balance a particular strength in the media.

In 2007, the government invested millions dollars in opening a new media center that included modern equipment.

What niche reporting exists is typically tainted by political influence. Investigative reporting is totally absent.

Radio broadcasts from outside Eritrea are raising awareness and breaking the unstated taboo imposed by the government that “Eritreans are not supposed to see, hear, or speak evil about Eritrea.”

OBJECTIVE 3: PLURALITY OF NEWS

Eritrea Objective Score: 0.25

Minimal plurality of news exists to the extent that various forms of media, such as print, radio, and television, exist. The perspective and message are the same, however: it is the governments’ viewpoint.

Some openings do exist that people can take advantage of. Privately owned Internet cafés operate with an indeterminate, yet not oppressive, level of control. Access to satellite television is not restricted. However, according to a number of panelists, this gives a false sense of openness. Most of those who have the means and the privilege to access international sources of information are residents of the capital city and represent a negligible percentage of the Eritrean population.

When it comes to radio transmissions from outside Eritrea however, anyone who owns a radio can have access to all

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Further, media ownership is wholly transparent: the government owns all of it, effectively creating a monopoly conglomerate.

kinds of sources from anywhere. Radio broadcasts from outside Eritrea are raising awareness and breaking the unstated taboo imposed by the government that "Eritreans are not supposed to see, hear, or speak evil about Eritrea."

Radios are cheap and available to most of the population. A panelist reported that the government made several attempts in mid-2008 to jam Voice of Meselna Delina, a satellite radio station based in South Africa and run by Eritreans. Voice of Meselna Delina is financed by Eritreans living abroad and reports on controversial news and comments for just half an hour a day. For lack of finances, it is now confined to broadcasting on the Internet.

The media content provided by government media outlets mainly focuses on foreign news, sports, entertainment, the "good" news about government-run development projects, and the stalled border issue between Eritrea and Ethiopia and its effect on the economy and security of Eritrea. None of the "bad" news is raised or discussed or, if it is, it is done in a way that will not incriminate the government.

Erina is a state-run news agency, but it is not independent. There are no local independent news agencies. Foreign journalists are closely monitored and are given little or no access to information on the country's situation, which results in the absence of credible and objective news and reports about Eritrea.

There is no independent production of broadcast news, and no independent broadcasters to distribute it if it existed. Further, media ownership is wholly transparent: the government owns all of it, effectively creating a monopoly conglomerate. Foreign ownership of Eritrean media is prohibited by Part 11 of 1994 Press Proclamation Law, which states: "private ownership of press and all equipment of expression shall be permitted to Eritreans only."

As reported last year, various languages are used in the media, although the government clearly prefers the use of Tigrinya. However, this is not for the purpose of covering minority specific issues apart from culture. Discussion of minority grievances that may exist is not allowed and news is the same as that the government prepares in Tigrinya.

OBJECTIVE 4: BUSINESS MANAGEMENT

Eritrea Objective Score: 0.14

Media are run as an arm of the government, not as profit-seeking businesses; their revenue stream is largely limited to state budget allocations. Advertising agencies do not exist, but there is a limited advertising market centered on the local catering and travel industries. Such advertisements appear infrequently. Newspapers also generate limited revenue from sales of copies.

Overall, however, the extreme poverty in the country is a severe limitation on both supply of advertising and their likely usefulness and impact on the public. Should the political situation change, this weakness would severely hamper any initiatives to reignite independent media.

In terms of management generally, there is little specific information but financial accountability is weak in all government ministries.

Panelists had not heard of efforts at conducting serious market research or measurement of circulation or broadcast audience.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Eritrea Objective Score: 0.25

There are no independent associations, media-related or otherwise, except those affiliated with the ruling party. The government does not allow international human rights NGOs to operate in the country, either.

Regarding journalism education, panelists report that there is a new diploma-level program offered. Although it is not reported on national news, there is evidence that a number of the first batch of young Eritrean graduates of journalism, a course of study that was primarily established to boost and serve government propaganda, have left the country. Reliable sources indicate that the number of those who are escaping is increasing.

As with the media itself, the government controls all printing presses and channels of distribution for both print and broadcast media.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

All MSI participants were Eritreans living in exile. The MSI panelists participated remotely by completing the MSI questionnaire and being interviewed by the IREX moderator, also an Eritrean in exile. Given the geographic dispersion of the panelists, a full discussion was not held. While not all panelists asked to remain anonymous, because of the political situation in Eritrea IREX decided not to publish their names.

For its part, the government claims slow but steady improvement in its relations with the media. But press freedom advocates say that a new press law passed in late 2008 aims to systematically encourage self-censorship and diminish the media's ability to engage the government on important issues.



ETHIOPIA

Relations between Ethiopia's government and media have been contentious throughout the 18 years since the Ethiopian People's Revolutionary Democratic Front took power by toppling the military dictatorship of Mengistu Haile Mariam. Most recently, after violence erupted over the contested elections of 2005, the government arrested many journalists and opposition leaders, charging them with treason in what Reporters Without Borders called a "spiral of repression."

For its part, the government claims slow but steady improvement in its relations with the media. But press freedom advocates say that a new press law passed in late 2008 aims to systematically encourage self-censorship and diminish the media's ability to engage the government on important issues. The new Mass Media and Freedom of Information Proclamation, while banning censorship and pre-trial detention of journalists, also maintained repressive criminal libel statutes and vague national-security restrictions, according to the Committee to Protect Journalists. The measure, which became law in December, increased fines for defamation and granted prosecutors discretion to impound any publication deemed a threat to public order or national security. Political opposition groups, the international community and journalists in the private media have expressed concern that passage of the law demonstrates that the government has not changed its confrontational approach toward the private press.

However, in what is seen as a big step forward in relations between the government and private media, no journalists have been convicted this year and no journalist is currently jailed. At the same time, high-profile government officials and agencies are slowly opening their doors to private newspapers and have shown signs of engaging the country's two private FM radio stations.

Due to the oppressive political environment, panelists for Ethiopia agreed to participate only on condition of anonymity.

ETHIOPIA AT A GLANCE

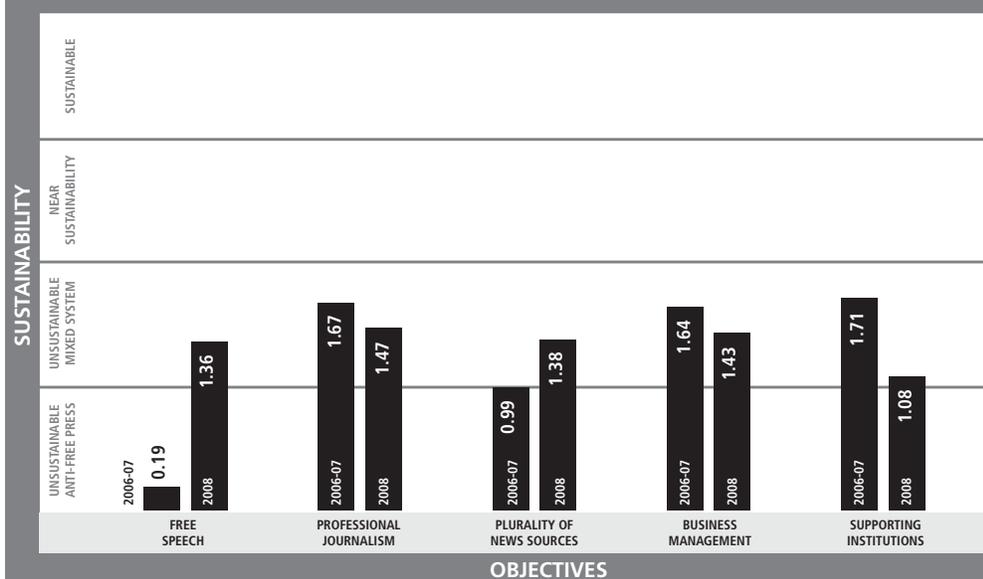
GENERAL

- > **Population:** 85,237,338 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Addis Ababa
- > **Ethnic groups (% of population):** Oromo 32.1%, Amara 30.1%, Tigraway 6.2%, Somalie 5.9%, Guragie 4.3%, Sidama 3.5%, Welaita 2.4%, other 15.4% (1994 census, *CIA World Factbook*)
- > **Religions (% of population):** Christian 60.8%, Muslim 32.8%, traditional 4.6%, other 1.8% (1994 census, *CIA World Factbook*)
- > **Languages (% of population):** Amarigna 32.7%, Oromigna 31.6%, Tigrigna 6.1%, Somaligna 6%, Guaragigna 3.5%, Sidamigna 3.5%, Hadiyigna 1.7%, other 14.8%, English (major foreign language taught in schools) (1994 census, *CIA World Factbook*)
- > **GNI (2008-Atlas):** \$17.57 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2008-PPP):** \$780 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 42.7% (male 50.3%, female 35.1%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Girma Woldegiorgis (since October 8, 2001)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 3 daily newspapers, 4 other main papers; Radio: 4 main stations; Television: 1 main station
- > **Newspaper circulation statistics:** Top three by circulation: *Addis Zemen* (state-owned), *Ethiopian Herald* (state-owned), *The Daily Monitor* (private)
- > **Broadcast ratings:** Top three radio stations: Radio Ethiopia (state-owned), FM Addis 97.1 (state-owned), Voice of Tigray Revolution (state-owned)
- > **News agencies:** Walta Information Centre (private, pro-government), Ethiopian News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 291,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ETHIOPIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Ethiopia Objective Score: 1.36

Panelists agreed that legal protection of free speech exists but implementation is very poor. One participant suggested that free speech actually has three components: freedom before you speak, freedom when you speak, and freedom after you speak. He said that although freedom to speak is largely allowed in Ethiopia, freedom after you speak presents some reservations. He referred to a personal experience when he was “harassed by state security forces after I repeatedly published stories of famine and the war in Sumale *killil* [the ethnic Somali province].”

The participants also agreed that there is no social protection of free speech, as Ethiopian society has little or no respect for journalists. Legal infringements of the right to free expression, which is protected by the constitution, reflect the low stature of the media in society.

Licensing of broadcast media is not transparent, panelists agreed. In fact, broadcast licensing only started one year ago, and it only extends to private FM stations in the capital, Addis Ababa. To the dismay of the majority of the panelists, private television stations are not allowed to operate. One participant said that he considers these restrictions to be the most irresponsible thing that the government has done since coming to power in 1991.

Some participants said that they object to the government's claims that private radio and television stations could be used to incite violence and erode peaceful coexistence of the diverse ethnic groups, as occurred in Rwanda and other countries. On the contrary, they said, private broadcast media could promote cultural dialogue, information exchange and foster common values and tolerance. Some participants said that the government could have consistent consultations with radio and television owners to determine the boundaries of the content of programs and could monitor their broadcasts.

One panelist said that the Broadcast Agency does not know the limits of its mandate, explaining that officials of the agency have conducted surprise checks of the two radio stations to see what was going on there.

In addition, media companies are required to deposit 30 percent of their capital in a blocked account while waiting for a broadcast license, which all the participants said could paralyze the cash flow of the companies.

Generally, more than half of the panelists felt that the government has usurped the role of the free market with

regard to broadcast media and that it maintains a growing political interest in the licensing issues.

Regarding taxation of the media, two senior journalists, one of whom owns the newspaper where he works, ridiculed the fact that the import tax on newsprint stands at 35 percent.

Complaints of harassment have been filed but no physical attacks on journalists had been reported over the past year up until the time of the MSI panel discussion. Shortly afterwards, however, Reporters Without Borders reported a brutal attack on Amare Aregawi, editor of *The Reporter*. Police arrested two suspects shortly after the attack, and local gossip suggests that his attackers were working at the behest of a private party and not the government.

The government generally favors the public media, though a few government offices are willing to entertain requests for information from the private media. There are no legal regulations that preclude certain media from access to information.

Editorial policies at all private and government media, including the state-run Ethiopian TV, typically stipulate editorial independence. In practice, however, government media experience frequent interference from editors who dictate what news and feature stories should be produced, and how. Powerful businesses also are increasingly interfering with content and editorial independence, and some newspapers have fallen under the influence of the businesses with which they have signed advertisement agreements.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
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Going to police stations to respond to defamation and other charges is common practice for private journalists. Journalists are subject to prison sentences for libel and related crimes, and, although they rarely serve them if found guilty, these potential sentences still serve as a real threat. Charges of press offenses can be filed by government prosecutors, private businesses, individuals, and NGOs, but the police are apparently the main players in the arrest and prosecution of journalists. Journalists have accused the government of taking them into custody at peak production hours of the week, keeping them in a police station for three days, and releasing them on bail. Some panelists claimed that the government purposely takes journalists in custody on Fridays so that they stay in jail through the weekend and brought to court on Monday. Journalists are mostly released on bail, and many find that no charges are filed against them after they are released.

A sign of positive change on the government's part in the last two years is the fact that there are currently no journalists in prison. The judiciary system in Ethiopia, however, is not well informed of the importance of protecting free speech. Government prosecutors and judges do not, in general terms, understand the legal philosophy behind the protection of free speech, and judges naturally ally with prosecutors, not journalists, in court. There have been some unproven allegations of corruption involving judges and prosecutors in libel cases.

The government denies restricting some web sites, yet other web sites are not accessible. There is widespread suspicion that the country's sole Internet provider, state-owned ETC, filters sites that belong to militant opposition groups based in Europe and the United States. Although Internet speed has improved over the years, the cost is still high, prohibiting salaried workers and students from searching the Internet for information.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Ethiopia Objective Score: 1.47

There is a serious lack of professional and ethical standards among journalists in government and private media. Most news stories and special programs are not well sourced. Both government and private journalists employ a great deal of partisanship in their reporting. Fact checking is not usually conducted in reporting news stories. Instead, methods of collecting information are a reminder that the media are still prisoners of Ethiopia's old culture of rumors. The panelists agreed that part of the blame goes to editors. As one put it, "There is a significant amount of trust that editors put in their reporters, which results in no fact-checking at all in the news stories brought by the reporters."

When journalists do attempt to properly report a story, a lack of training and skills has led many to rely on ill-informed sources and minimal, flawed or partisan background material, the panelists said.

Although there are quite a number of journalists' associations in Ethiopia, none has developed any ethical standards for practicing journalists. Most journalists follow guidelines of their own and those established by their editors, which often differ from international standards. For example, news editors at some newspapers do not require repeated background checks before publication, and they sometimes do not edit news stories thoroughly.

There are numerous instances of journalists giving preferential treatment for gifts or cash. The practice is more profoundly noticed in one private paper, but it

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

generally takes place at many private newspapers and in the government's broadcast media.

Journalists, both in government or private media, say that they practice self-censorship because they fear reprisal in various forms. Government journalists are mostly concerned about job security, as stories seen as unfavorable by editors could cost them their jobs. Even if they try to cover such stories, their requests are turned down by senior editors. Private journalists are afraid of government reprisal either directly, such as through judicial harassment, or indirectly, through denial of access to information from government institutions.

Along those lines, panelists said recent trends show that upsetting opposition political parties and big businesses has become more dangerous than criticizing the government. Opposition parties have threatened, libeled, or openly denounced papers that have criticized them. Recent signs also show that big businesses threaten, bribe or, in rare circumstances alleged by the journalist community, attack journalists following reports into their activities.

Journalists cover almost all major events in the country. Security is not a concern when covering news in regional states far from the capital, except in Sumale *killil*, where there are sporadic clashes between government forces and local insurgents. Editors are mostly willing to send their reporters to cover any political, cultural, or economic events in any part of the country if they can afford to do so.

Panelists agreed that the low salary of reporters is eroding their professional integrity, thereby encouraging what they called petty corruption. Some panelists expressed grave concern over recent alleged instances of the "sale" of favorable articles and news stories to politicians and business leaders for gifts and cash. In such cases, the articles are not produced after negotiating a price, but rather are produced first, after which the subject either chooses to reimburse the journalist voluntarily or is asked for a reward.

Salary levels at different media outlets show significant disparities. At a few private newspapers, the starting salary for reporters is 30 to 50 percent higher than at government newspapers and other private broadcast and print media. The editor-in-chief or deputy editor-in-chief posts at some private papers pay twice or three times the salary and benefits of government journalists. Correspondents and stringers for foreign media outlets are in a better financial condition and are generally regarded as more professional.

The salary and benefits of journalists are much lower than in other fields in the private sector, though not worse than those received by civil servants. Journalism is called a "benefit-free" profession in Ethiopia, because no allowances are given for housing or transportation, and there are no

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provisions for health insurance or pensions, except in the public media.

These conditions have prompted a massive outflow of journalists to jobs in communications, public relations, and other consultancy posts with multinational organizations and NGOs operating in Addis Ababa. In addition, journalism has become less appealing to university students.

With regard to programming balance, most of the panelists agreed it has indisputably tilted to entertainment, particularly sports talk shows, call-in shows, and listeners' song requests. Except for a very few newspapers that focus on economic and political issues, most magazines are geared toward fashion, lifestyle, sports and other "soft and non-controversial" content. Feature programs and analytical news stories are largely unavailable. Government media, including the papers and FM radio stations, are politically charged, and audiences are more interested in sports, cultural shows, and documentaries than news analysis from these outlets.

Most of the panelists, especially from the private papers, said their equipment is outdated. Among private newspapers, there is a serious lack of recording equipment and computer databases to store stories and recordings. These shortages sometimes force reporters to go off the record during interviews, leaving them defenseless in libel cases and making retrieval of background information very difficult. Broadcast production equipment, including cameras and video mixers, at state-owned ETV are outdated, some dating back 20 years. At Walta News Agency and Radio Fana, both affiliated with the ruling Ethiopian People's Revolutionary Democratic Front, equipment availability and quality is commendable.

The level of niche reporting and programming is very unsatisfactory. Some media, notably private papers, do a relatively better job of investigative reporting. The only television station in the country, the state-run ETV, is politically charged but does a good job of reporting on minority issues. While not as strong as it was, ETV still airs some investigative programs. The two private FM stations also run investigative programs.

The political opposition is generally not covered by the government media. On rare occasions when they are, the tone and content is mostly negative. The state media does not conduct in-depth reporting, but cultural programs are well prepared and produced and are popular among the television audience.

Major constraints to investigative and niche reporting include politics, lack of professionalism, and ethics. Among the private media, journalists who attempt to investigate specialized subjects are hindered by their editors' biases and lack of buy-in. They also encounter the ethical problems arising from their own personal and vested political interests.

OBJECTIVE 3: PLURALITY OF NEWS

Ethiopia Objective Score: 1.38

People in the cities have far greater access to news than those in rural areas, and one panelist described the difference as "incomparable." Private media have national coverage but mainly concentrate on issues involving the capital. AM radio is available throughout the regional states, ETV covers much of the country, and a few community radio stations exist for the rural population in southern Ethiopia.

Access to foreign media is not restricted in any way. Foreign broadcast outlets are widely listened to, and foreign magazines are available for purchase at affordable prices, though newspapers are very expensive for Ethiopian readers and not widely available.

Internet is slow and not widely available in the country. It is available only in the big cities, and the cost of access forces low- and middle-class families to rely on their workplace computers. Most government offices and businesses have Internet access for their employees. The culture of browsing the Internet for news is growing in Addis Ababa, and affordability is improving. There are very few blogs on Ethiopian affairs that are frequently visited. Some private newspapers rely on the Internet for information. SMS news alerts are completely unknown.

Most of the panelists agreed that the government restricts access to some anti-government websites. The government allegedly blocks opposition websites and blogs based in the United States and Europe.

Satellite television is unrestricted and is available in urban, rural, and even nomadic communities across the country. Satellite channels such as Arabsat and Nilesat, as well as cable television, have penetrated deep in the rural areas where even telephone access is very limited. The cost of subscription to satellite television has come down to a level where it is affordable for low-income families.

The government media are not truly public-service media. Most of the panelists agreed that the state media are as biased toward the government as the private media are toward the opposition. They reflect the stance of the ruling party and are not open to alternative political thought. The state broadcast media devote much of their airtime to government activities and inflated success stories. The majority of panelists felt that most journalists in the state media do not see themselves as serving the public interest, rather as civil servants serving the government.

The political opposition is generally not covered by the government media. On rare occasions when they are, the tone and content is mostly negative. The state media does not conduct in-depth reporting, but cultural programs are well prepared and produced and are popular among the television audience.

There are only two news agencies in Ethiopia, which gather news and distribute it mostly to government media. The biggest and oldest news agency, state-owned Ethiopian News Agency, exhibits a partisan approach and does not have editorial independence. The other agency, Walta

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Information Center, is affiliated with the ruling party and provides much of its news to state media. Walta offers documentary video productions, a press digest, and summaries of international and local news about Ethiopia. The agency also posts its news on its websites, which any other media outlet, including private papers and web sites, can quote. Since both agencies are seen as being associated with government and ruling-party structures, private papers and the public have serious reservations about relying on them, even though the price of news at these agencies is very low and is affordable for many of the public and private papers. On the other hand, many on-line news sources are hopelessly biased against the government, insensitive, and often divorced from reality. International agencies, notably Associated Press, Reuters, and the BBC, are often quoted for news and information on international political and business affairs.

Many of Ethiopia's broadcast media produce their own programming. Both state and private outlets focus on social issues and do not show major differences in content. However, the private stations have a more sophisticated approach in presentation of their programs. Yet news programs mostly rely on press releases that are sent to all stations from government and private institutions.

There are serious questions raised by the public concerning the ownership of media companies. Many private newspapers are allegedly supported, if not created, by opposition political parties operating locally and abroad. Most readers do know for certain who owns the papers they read. In the case of the FANA radio station and the Walta Information Center, both are affiliated with the ruling party.

There is no foreign investment in the media in Ethiopia, as the law only allows Ethiopian citizens to invest in media. The ban of foreign investment deprives the Ethiopian media of finance, modern management, and experience that they badly need, but many of the panelists contended that allowing considerable foreign ownership could mean putting vital national security interests in foreign hands.

There is minimal resistance to the inclusion of a wide variety of social issues in the media. Journalists covering minority issues are not harassed. However, minority-language programs are not as numerous or strong as they should be, considering that Ethiopia is a country of numerous ethnic groups and languages. Minority-language media exist among the state broadcast services but not in the private papers, except for a few that cater to specific minority groups and publish only sporadically.

Marketing and administration posts are usually filled by relatives of the editor-in-chief or other senior editors of the papers. A few of the private papers and the two private FM radio stations have personnel policies to place the right people in the right places, but implementation of those policies is very poor.

OBJECTIVE 4: BUSINESS MANAGEMENT

Ethiopia Objective Score: 1.43

Most private and state media do not function as professional businesses. Many of the private papers are badly managed, and financial, administrative, and other documents are not kept properly.

Editorial, marketing, and design teams are not properly organized. Most of the papers do not have efficient marketing strategies. Instead, they are forced to compromise their editorial integrity to secure and maintain business contacts and lure advertisements. Likewise, many of the papers lack strong business plans and strategies, and do not have a vision of where they want to be in five or 10 years.

Accounting and financial practices are below even local standards. Some panelists said that small roadside stores are better managed in terms of accounting and marketing

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

practices. With the exception of two newspapers, almost all private papers do not hire professional personnel to manage their businesses. Editors-in-chief of many of the papers are directly engaged in day-to-day financial decisions and managing human resources, including hiring and firing of employees.

Marketing and administration posts are usually filled by relatives of the editor-in-chief or other senior editors of the papers. A few of the private papers and the two private FM radio stations have personnel policies to place the right people in the right places, but implementation of those policies is very poor.

Community radio is relatively new to Ethiopia, and such stations tend to be inefficient because the staff is learning on the job.

Government media are widely accused of exploiting taxpayers' money to partisan political ends, and there are allegations of misuse of public funds by these state institutions. The private media are mostly self-financed, drawing revenue from subscriptions and advertisements. Some private papers enjoy page sponsorships from NGOs. It has been widely suggested that private media may be financially supported by opposition political supporters in the Ethiopian diaspora.

Print advertising is growing, as businesses become more aware of the benefits of advertisements in newspapers. As the number of advertisement requests submitted to businesses skyrockets, there have been cases of corrupt deals between marketing departments of businesses and papers. Numerous allegations of corruption have been reported at state-owned ETV and many private papers.

Market connection of private media remains very loose and shows the papers have to battle with each other to secure advertisement deals with businesses. Campaigns, bribes, and the political interests of partners often guide these deals, one panelist said. She claimed that she was asked by foreign interest groups to campaign against some legislative reforms that recently took effect, for which she would have been handsomely rewarded. Bribes and political interests have also become increasingly important means for private newspapers to survive in the market.

There are a quite a few advertising agencies in Addis Ababa that regularly work with radio stations, newspapers, and television stations. These agencies have secured contracts to produce advertising for international brands such as Coca Cola and for cell phone companies.

Advertising takes about one-third of broadcast air time, while the rest is dedicated to content.

Advertising revenue at broadcast and print media is often sufficient to cover costs and generate some profit. Some of the prominent private papers have been able to afford better offices and IT services as a result of long-term advertisement deals with bigger businesses.

Subscriptions are not a major source of revenue among print media. Instead, they rely on street sales. The government-run papers, by contrast, are almost completely dependent on subscriptions. They do not compete in the market with the private papers, but they are needed for government bid invitations, trade license registration, and other legislative issues. Therefore all governmental institutions, businesses, and NGOs subscribe to the three big daily government papers.

Another source of revenue for media outlets is sponsorship of special programs. Most businesses are willing to sign lucrative deals with FM radio stations to sponsor sports talk shows. Issues involving children, women and HIV/AIDS frequently attract NGO sponsorship on radio stations, television, and newspapers.

The panelists unanimously agreed that sour relations between the government and the private media make any subsidy impossible. Some editors said their requests for sponsorship from government agencies have been turned down for reasons of "unfavorable coverage." Some government agencies, however, do occasionally advertise in selected papers, although broadcast media are better placed to benefit from government ads. Government-sponsored companies such as Ethiopian Airlines, Ethiopian Shipping Lines, Ethiopian Insurance Corporation, and others work with private publications and broadcast outlets for their advertisement needs.

Print and broadcast media outlets do not conduct research to tailor production to audience needs. Most papers do not have strategic plans; the few papers that have prepared plans typically do not incorporate market research into the process. Call-ins are the common research tools employed by FM stations.

The Ministry of Information is the sole body that collects circulation figures, although some NGOs and researchers who work on governance and media issues also carry out assessment of circulation and content. Some of the NGOs are respected for their accuracy and professional capacity, and individual researchers, media observers, and the private media rely upon their reports.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Ethiopia Objective Score: 1.08

There are no media trade associations in Ethiopia. There are six legally registered professional associations, but these do not represent either the majority of journalists or their interests. Rather, they are organized along political lines. They are not willing to work together, and they often accuse each other of not being independent. Three of the six organizations claim to broadly represent journalists' interests, and the other three cater to specialists or particular beats: a photojournalists association, a women journalists association, and journalists working on HIV/AIDS and the environment. All are registered with the Ministry of Justice.

The newest association, the Ethiopian National Journalists Union (ENJU), claims more than 300 members, and is the only functioning association with members from both private and public media in the capital and regional states. The ENJU charter states that only journalists can be members; it classifies publishers as business entities and disqualifies them. By doing so, the ENJU hopes to fend off any conflict between business and professional interests within the association.

Though not adequate, the ENJU tries to provide training opportunities for its members. ENJU has been delayed in obtaining international recognition due to campaigns against the association by older associations and rumors that have circulated that the association is a government front.

Despite calls by local journalists and international media organizations for these associations to come under an umbrella union, the groups continue to work separately, each seeking the demise of the others. Relations between the leaders of the larger associations have grown particularly hostile over the years. Consequently, many prominent journalists in the private media have refused to join any association.

Some panelists said the recently passed media law was one example of how the associations remain silent while the government is drafting contentious legislation. One participant blasted the ENJU for siding with the government while the law was debated on national television. "While all of us expect a journalists' association to campaign and pressure the government for more rights of journalists, the ENJU has in effect argued—taking the same line as the government—that the law is workable and that journalists cannot ask for more in this regard," the panelist said.

"Whether the law provides more rights and protects the citizen's right to information is not the main issue here," said one participant, "but the fact that the one functioning association in the country has objected to calls of greater

freedom of the press is appalling and raises questions of the association's allegiances and values."

The Ethiopian Free Journalists Association and the Ethiopian Journalists Association have lost members to the ENJU. Both are essentially defunct and are believed to maintain ties with the political opposition.

None of the associations is engaged in or capable of providing legal and professional support for journalists, though the Environment Journalists Association does a better job of facilitating career development opportunities for its members.

Quite a few NGOs work closely with media outlets to support media independence and freedom of speech. But working with government and private institutions is uncharted territory for NGOs—and a potential minefield—so many NGOs and multilateral organizations, including the European Union, are distancing themselves from engagement in media affairs to avoid clashing with the government.

NGOs generally refrain from reacting to violations of media freedom; neither do they serve as watchdogs. Their involvement is limited to facilitating forums to bring government and the press together to discuss proposed legislative reforms. The recently passed press law is an example of the highly limited role taken by the NGOs, which only acted as facilitators.

A number of civil society organizations and multilateral organizations are still reeling from the dreadful experiences of the 2005 national election, which was marred by post-election violence and arrests of opposition figures and journalists. With a new and more restrictive civil society law coming into effect, NGOs are more cautious in their support and advocacy roles. Yet NGOs still work closely with the media on social issues, particularly HIV/AIDS, early marriage, reproductive health, and orphans and street children.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

“Whether the law provides more rights and protects the citizen’s right to information is not the main issue here,” said one participant, “but the fact that the one functioning association in the country has objected to calls of greater freedom of the press is appalling and raises questions of the association’s allegiances and values.”

The Population Media Center, Panos Ethiopia, and PACT International are the most active NGOs working with media in Ethiopia. Their partnership in these areas includes sponsorship, content production, and advocacy.

Some local NGOs that work closely with the media maintain working relationships with international media watchdogs and press institutions.

There was consensus among the panelists that degree programs in journalism are of a “very questionable standard.” Availability of the programs has significantly increased over the years, with the opening of communications and journalism departments in more than 10 state universities. Private institutions, particularly Unity University College, also have made strides in providing quality journalism education for the last six years. However, almost all institutions in the country focus on theory and classroom-based lessons and paper assignments rather than on practical experience. “The fresh graduates, including those with up to one year’s experience, have absolutely no knowledge of the basic skills of journalism,” one panelist said. “Sometimes I really wonder what they have been taught in college. I am devoting so much of my time re-training them, while at the same time I have to pay them salaries.”

There are a few opportunities for students to go abroad for journalism studies, and a good number of them return home to the profession.

As the number of graduates increases, the existing media outlets are proving too small to accommodate even a small percentage of them. Journalists with graduate degrees do not normally go back into the media but rather find jobs with NGOs and research organizations.

There are short-term training opportunities provided by NGOs on specialized topics, and practicing journalists have some access to such training, but it does not cater to their broader needs. What is needed is a series of training programs to help working journalists upgrade their news gathering and

writing skills. Private media have a good record of supporting the efforts of their staff members to take advantage of professional development opportunities. Normally, fees are not paid for courses and training, as they are mostly covered by international NGOs.

Many of the panelists agreed that printing facilities are not apolitical or unrestricted. The largest printing enterprise in the country, Birhanina Selam Printing Enterprise, is state-owned and prints all the major newspapers and magazines. It has been criticized by some private papers for imposing informal restrictions after reviewing the content of the papers. This has been especially true in the wake of the bloody 2005 election and the subsequent crackdown on the media.

Private printing companies escaped condemnation until last year when a magazine was taken over by police and its editors taken into custody. The magazine printed sensitive information from the trial of singer Tewodros Kassahun, better known as Teddy Afro. The company that printed the magazine was accused of being an accomplice in the seizure of the magazine and of succumbing to government pressure.

Private printing companies do not discriminate among the various media outlets. They often accuse Birhanina Selam Printing Enterprise of trying to systematically cripple them through increased printing costs. This state-owned enterprise cites soaring international paper prices as the cause for higher printing costs throughout the industry, but some publishers have provided figures that show prices have not climbed as fast as claimed by the printer. Nevertheless, steady price hikes effectively put some papers out of circulation in the first quarter of 2008, while the remaining ones cited printing costs as a major cause of smaller circulation.

In the same vein, private paper distributors have used their business clout to persuade papers to meet “some guidelines and rules” for political reasons. Some panelists claimed that distributors have asked them to replace front-page pictures and change headlines.

Radio transmitters are in the hands of the government, except those serving the two private FM stations. Print media distribution is very disorganized and poorly managed. Newspaper distribution is dominated by a few individuals who have established a vast network in Addis Ababa and the regional towns and cities. The Internet is usually provided by small Internet cafés with even smaller profits that prohibit further investment.

List of Panel Participants

Due to the oppressive political environment, panelists for Ethiopia agreed to participate only on condition of anonymity.

Beginning with a national convention in 1990 that allowed multi-party democracy and established freedom of the press and other basic liberties, Gabonese media outlets proliferated to the point where today there are more than 60 print publications and a variety of radio and television stations, both private and state-run.



GABON

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Gabon, an oil-rich country considered to be one of the most stable states in Central Africa, is entering a new era in which the prospects for media freedom and sustainability are anything but certain. In their discussions for the first Media Sustainability Index study for Gabon, panelists said their country oscillates between media liberalization and repression over critical coverage of Gabon's untouchable subjects—President Omar Bongo and his associates. Just months after the panel's discussion, however, Bongo died at age 79, after more than 40 years in power. Elections for a new leader were scheduled for mid-2009.

Beginning with a national convention in 1990 that allowed multi-party democracy and established freedom of the press and other basic liberties, Gabonese media outlets proliferated to the point where today there are more than 60 print publications and a variety of radio and television stations, both private and state-run. Yet the media and their defenders can point to a continuing pattern of retaliation by the government over coverage of Bongo and his entourage, who were frequently accused of corruption, influence peddling, and illicit enrichment.

In one recent example, the government suspended *Tendance Gabon*, a private bi-monthly newspaper, for three months beginning in March 2008 after it republished an article from the French daily *Le Monde* detailing real estate that several African heads of state owned in France. Bongo, the article said, owned 32 residences, including a luxurious Paris townhouse. In the same issue, *Tendance Gabon* also published an editorial criticizing the National Communications Council (NCC), Gabon's media regulator, for not reacting to certain insulting and extremist publications with powerful patrons while swiftly sanctioning other publications.

The NCC justified the suspension of *Tendance Gabon*, saying that by reproducing the article from *Le Monde*, the newspaper "had provided the missing link of what the Gabonese government considered a denigration campaign against President Omar Bongo." The council also stated that *Tendance Gabon* "could not provide evidence" supporting the allegations in *Le Monde*—which were documented by the minutes of the French judiciary—and said it was guilty of plagiarism.

With Bongo gone from the scene, it is unclear whether the running battles between media and government will subside. But as the MSI panelists' discussion make clear, the Gabonese media face many obstacles, which the death of one man—no matter how powerful—cannot remove overnight.

GABON AT A GLANCE

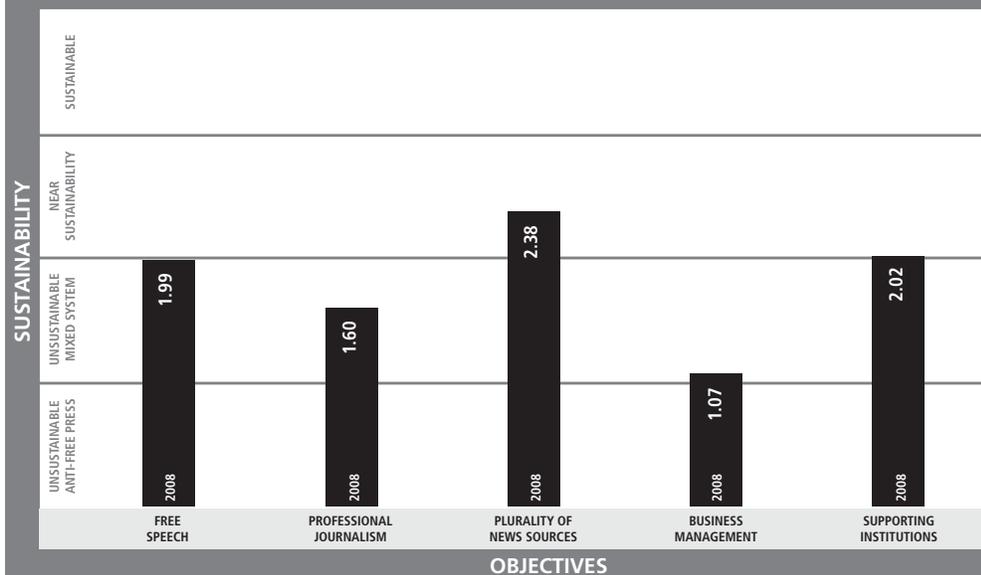
GENERAL

- > **Population:** 1,485,832 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Libreville
- > **Ethnic groups (% of population):** Bantu tribes, including four major tribal groupings (Fang, Bapounou, Nzebi, Obamba); other Africans and Europeans, 154,000, including 10,700 French and 11,000 persons of dual nationality (*CIA World Factbook*)
- > **Religions (% of population):** Christian 55%-75%, other 25%-45% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Fang, Myene, Nzebi, Bapounou/Eschira, Bandjabi (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$8.876 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$13,080 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 63.2% (male 73.7%, female 53.3%) (1995 est., *CIA World Factbook*)
- > **President or top authority:** Interim President Rose Francine Rogombe (since June 10, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 7 regularly published newspapers, 13 radio stations, 4 television stations
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Gabonews (private), Internet Gabon (private) (BBC Country Profile)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 145,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: GABON



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Gabon Objective Score: 1.99

The Gabonese constitution establishes freedom of speech and recognizes each citizen's right to freedom of conscience, thought, opinion, speech, communication, and assembly. These rights are guaranteed for all, but they are subordinated to maintenance of public order.

Some panelists noted that the National Convention of Gabon, which was held in April 1990 and paved the way for multi-party politics, had deplored the absence of any press laws, which it blamed for the weakness of the state-run press. The convention recommended that the journalism profession change its status, based on the legislation guaranteeing the freedom of the press, and that an ethical code and a state agency to regulate the media be created. As a result, the NCC was established.

The end of single-party rule in 1990 also signaled the end of the government's monopoly on information and communication. Today, media ownership is spread among the government, political parties, and private citizens.

All the panelists recognized that the current government is aware that the media have an important role in providing the people with information about political, economic, social, and cultural issues. "Before, we could do without it, but not anymore", said Jean Bekale Be Nguema, who manages one of Gabon's two state-run television stations.

While recognizing the importance of Gabon's constitutional guarantees, all the panelists nevertheless deplored the fact that in reality these rights, particularly freedom of speech, are increasingly flouted. Jean Blaise Mengue Menna, managing editor of *La Nation*, said that ever since Bongo gave a speech on December 1, 2007, celebrating his 40 years in power, the country had gradually slid back toward autocracy. For example, Interior Minister André Mba Aubame suspended the activities of several NGOs in January 2008 on the grounds that they had made "political" comments in a press conference. However, one panelist, Désiré Ename, a freelance journalist, suggested the critiques and opinions of these NGOs of the country's development should help decision makers and the government to correct their mistakes and make decisions in the general interest.

Another example of the many pitfalls and restrictions related to press freedom, the panelists said, occurred in October 2007, when the NCC suspended two publications: *La Nation*, a Gabonese daily newspaper, and *Le Gri-Gri International*, a private satirical bi-monthly published in Paris and distributed in Gabon.

According to *La Nation's* Mengue, the newspaper was notified of a NCC hearing in late September 2007 after it published an article headlined "Does Blandine Marundi deserve to be a minister?" which contained denunciations of the minister's opposition to change and lack of experience.

At the same time, the NCC banned the publication and distribution of *Le Gri-Gri International* in Gabon. The officially stated reason was that the last issue had been printed and distributed in Gabon but that the journal had never been registered as a Gabonese press outlet. The Gabonese publisher, *La Voix du Peuple* (VDP), and distributor, Sogapresse, were instructed to stop providing their services to *Le Gri-Gri International* until it was judged to conform to Gabonese regulations.

Panelists noted, however, that the issue in question was censored "for content" by VDP and the edition was not distributed in Gabon. The newspaper's front page had printed an announcement made a few days earlier by Bongo—whom the paper nicknamed "Mullah Omar"—about the upcoming exploitation of iron mines in Belinga, in northeastern Gabon, and described this exploitation as "a Gabonese fraud." The paper voiced concern about pollution and the destruction of the ecosystem as a result of this operation.

"The often unhealthy environment and the disputes among politicians prevent professionals from doing their jobs freely and independently," Mengue said, pointing out that journalists are often harassed. A panelist noted that Claude Ada Mboula, a cameraman for the private channel Tele

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Africa, was beaten by police for covering the peaceful rally of the Gabonese NGO coalition against excessive living on April 25, 2008.

Referring to the preferential treatment of some media, Bekale said he believed that while all press outlets are equal before the law, they do not receive equal state subsidies.

The panelists agreed that freedom of the press and journalists' access to information are goals that have yet to be achieved. "What is lacking is the political willpower to eliminate the obstacles that hinder the freedom of the press, improve journalists' working conditions to ensure their independence, and thus allow the people to take part in the public and democratic debate," Ename pointed out.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Gabon Objective Score: 1.60

The wind of democratization that blew through Gabon in the early 1990s not only brought a blooming of political parties and opposition newspapers, it also caused the appearance of what some panelists labeled a new breed of volunteer journalists painfully lacking training and professionalism. These so-called "combat journalists" are still pervasive among opinionated newspapers. At the other end of the spectrum are the "civil servant journalists," who work for the state-run media and often are beholden to those in power.

Order No. 7/93 of 1993 defines the qualifications of journalists and their rights and obligations. Chapter 2, Article 89 states that in the exercise of their activities, professional journalists have complete freedom to gather and use information subject to respect for laws and regulations. Article 90 states that professional journalists are subject to the collective agreement of the private press in terms of their rights and obligations. Journalists employed in the public sector are subject to regulations that apply to state workers. Panelists said the regulations illustrate that journalists in the private press can best practice their profession freely, while those in the public sector are constantly subjected to censorship and their freedom is dramatically limited. For all of them, access to news sources is often difficult, as no law defines how such access should be provided.

During the celebration of International Press Freedom Day in May 2008, Communication Minister Jean Boniface Assélé recognized that "Gabonese communicators often work in difficult conditions while having to observe professional ethics rules." He said the government continues to make efforts to improve this, including a subsidy of XAF 500 million (\$1.1 million) granted to the local written press.

Gabonese journalists try to meet professional standards, Norbert Ngoma said, but they live in an often unfavorable political, economic, legal, social, and cultural environment. His opinion was shared by Annie Chantal Bikeme: "In Gabon, journalists try their best to inform the population despite the difficulties they encounter in the field. Access to official information is still restricted."

Self-censorship exists in Gabon to varying degrees; Mengue said, "Some practice self-censorship, others do not."

Samson Ebans Nkili, a journalist with the Gabonese Press Agency, said: "The journalists' credibility depends on how trustworthy they are to their readers and auditors in general." He said "professional production of complex and balanced news is still lacking" because there is a lack of training opportunities.

Bekale, who manages a government television station, acknowledged that news reports by state media are not always fair. Their treatment of news is subject to the state-enforced communication policy for public media, and salaries do not reflect the work journalists put in. Ename blamed many of the shortcomings of Gabonese media on journalists' low salaries. When journalists are not paid enough to be truly independent, he said, sources of news can easily become sources of influence. "The quality of the press is not satisfactory," Ename said.

Like many African countries, Gabon is far behind the times when it comes to equipment for broadcast media, panelists said. Only the Pan-African radio station, Africa No. 1, and the government-run daily newspaper, *L'Union*, are up to date with new technologies. The Gabon Press Agency, also run by

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

the government, functions haphazardly after being connected to China's Xinhua News Agency last December.

OBJECTIVE 3: PLURALITY OF NEWS

Gabon Objective Score: 2.38

From the establishment of press freedom in 1990 through liberalization of the broadcast media in the late '90s, the proliferation of media outlets brought competition and variety to the sector.

The origins of this varied media landscape actually go back as far as 1981, when Gabon became the first African country to create an international radio station, Africa No. 1, which resulted from cooperation with France. All the panelists said they were happy that today this pan-African station can be received in FM anywhere in Gabon and in the capitals of most Francophone African countries, as well as in Paris. There are also two state-run radio networks: RTG 1, founded in 1959, and RTG 2, founded in 1977. Several private FM stations complete the Gabonese radio landscape. From abroad, Radio France Internationale (RFI) is broadcast over FM in Libreville, Port-Gentil, and Franceville.

Two state television channels, RTG 1, founded in 1963, and RTG 2, in 1977, are available at no charge. There are also Gabonese private satellite channels, available by subscription, such as TéléAfrica and TV+. In addition, some channels rebroadcast international programming in French and English.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Among the more than 60 written publications that have sprung up since the early '90s, most are opinion journals, while others have been directly created by political parties. The only daily newspaper is the state-run *L'Union*, which was started in 1975 and has a circulation estimated at 20,000. Published by Sonapresse, it has considerable resources, particularly high-performance computer equipment.

The Gabon Press Agency gathers and distributes news throughout the country, and Agence France-Presse and RFI have regional offices in Libreville.

"All these papers and means of communications publish and air diverse news," Ngoma said. "However, their objectivity and reliability is still in contention." Léon Brice Ovono Ndoutoume, of *Gabon Economie* newspaper, said that the problem lies not with the number of media outlets, but with the qualifications of journalists. Increasing the number of training workshops, even creating training schools, is desirable.

Bekale contended, however, that the abundance of media outlets means that Gabonese can determine for themselves which sources are trustworthy. A plurality of news sources, he said, "allows us to make allowances and compare."

Fidel Biteghe, publication manager of *La Tribune*, said that although broadcasting is diverse, news only takes up a small portion of programming. "Programs rather reflect the expectations of the decision-makers and their funding sources instead of taking into account those of the audience. This is also a professional problem that program creators have," Biteghe said.

State media focus on political reports almost exclusively, leaving the rest aside, whatever the importance of the news or event, said Ename, who added that he wished the Gabonese media would favor local productions.

OBJECTIVE 4: BUSINESS MANAGEMENT

Gabon Objective Score: 1.07

Most panelists agreed that Gabonese media suffer from limited sources of revenue. With a limited advertising market, private media outlets depend rely on the deep pockets of their owners—in some cases, political parties—and on a government subsidy. Bekale said he believes these limited resources prevent media outlets from becoming financially independent and thereby ensuring their journalists' independence.

Ndoutoume said that, "The management of the independent media depends on their sponsors, who are also their main managers. To say that they are well managed businesses would be utopian."

The dearth of advertising is a huge problem, panelists said. "We encounter many difficulties with this because we receive no advertising," said Annie Chantal Bikeme, publisher of the newspaper *Femme d'Aujourd'hui*. Her opinion was shared by Biteghe, who said: "The management of the private media is a major preoccupation, given the modest means. The scarceness of advertising in the written press does not help to set up consistent budgets. The state forces press outlets to become press and communication businesses in order to access subsidies."

Some panelists said subsidies serve to compromise the media's relationship with the government, but Biteghe said that sufficient subsidies could help the quality of news reporting. "Searching for news is costly," he said. "Newspaper sales do not bring in enough income, and the press cannot be efficient in its mission. Hence, there is a need to think about subsidies that would help in obtaining more reliable information."

While the panelists were holding their discussions, the written press publishers' board was almost at war with Asselé, the minister of communications, who wanted to extend the government's annual XAF 500 million subsidy for the printed press to radio, television stations, and on-line media. The subsidy was established in 2005 for the printed press alone. In a press conference held in late September 2008, the publishers' board stated that "the minister's initiative is deliberately meant to generate confusion by lumping together the financial aid to the written press" and another government media fund that had recently been established by law but not implemented.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Gabon Objective Score: 2.02

The panelists deplored the absence of supporting organizations that could fund Gabonese media. Ename said that there are publishers associations, such as the Free Press Professionals Association, but that no business associations have been created to encourage and support the press.

The panelists recognized that the country has no media owners groups or broad-based journalist associations. There is an association of sports journalists, and about 20 Gabonese journalists are members of the International Union of French-language Journalists. Mengue pointed out the Communications Professionals Union, which acts as the main union of Gabonese communicators, does not include journalists. Achille Moutsinga, a journalist with the newspaper *Le Temps*, regretted that the few existing associations are not yet involved in the major issues that affect the interests of the media.

Newspaper printing in Gabon is a real challenge, as there is only one reliable printing company, Multipress, which keeps its prices high because of the effective monopoly it has over the Gabonese papers. Some panelists recommended that a second modern printing company be established in Libreville and include all private publishers.

Distribution of print media is also a problem. "Newspapers do not reach the inland territories," Bikeme said. "It's a big issue, and it means that the distribution of the written press is still lacking."

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Mengue pointed out that while no training centers for journalists are available in Gabon, the cabinet had recently decided to create a Department of Information Science at the Omar Bongo University.

Participant List

Désiré Ename, freelance journalist, Libreville

Blaise Mengue Menna, general manager, *La Nation* newspaper, Libreville

Jean Bekale Be Nguema, reporter, RTG 2, Libreville

Norbert NGOUA Mezui, editor, *Nku'u le Messenger*, Libreville

Annie Chantal Bikene, editor, *Femme d'Aujourd'hui*, Libreville

Fidel Biteghe, publication director, *Tribune*, Libreville

Samson Ebans Nkili, reporter, Gabon Press Agency, Libreville

Léon Brice Ovono, reporter, *Gabon Economie*, Libreville

Achille Moutsinga, reporter, *Le Temps*, Libreville

Hasse Nziengui, program director, RTG1 Radio Television Gabon, Libreville

Patrick Ndutum Ndong, reporter, *L'Ombre*, Libreville

Otembe Nguema, culture reporter and columnist, *L'Union*, Libreville

Moderator & Author

Blaise Mengue Menna, editor, *La Nation*, Libreville

The Gabon study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo.

In the past few years, there has been a tremendous boom in the business sector with many investments coming into the country. However, this has not had much impact on the media, especially in relation to advertisements. Most companies in The Gambia prefer not to advertise with the private media for fear government reprisals.



THE GAMBIA

In July 1994, the military overthrew the legitimately elected government of Alhagi Sir Dawda Kairaba Jawara. The new Armed Forces Provisional Ruling Council (AFPRC) was quick to label themselves as “soldiers with a difference” and urged the public to criticize their missteps. But this was short-lived; within a very short period they swallowed their words and revealed their true colors. The AFPRC wasted no time in suppressing the media with the introduction of Newspaper Decree 70 and 71.

The AFPRC regime metamorphosed into a civilian regime and rechristened itself the Alliance for Patriotic Reorientation and Construction (APRC). Despite its promises to uphold and safeguard the democratic principles that were embedded in the country, it instead eroded and flouted them. Journalists became the regime’s greatest victims, despite the fact that the regime had established the first television station in the country, as well as gave operating licenses to a number of media outlets. This period witnessed the advent of legislations that were specifically aimed at crippling the media. The Media Commission Bill, which empowered a “kangaroo” commission to try and imprison journalists without any form of appeal, was challenged in court by the Gambia Press Union (GPU).

Economically, The Gambia is very weak, with the majority of the population living on less than one dollar a day. Tourism is the country’s major income earner. Groundnuts and exports have declined over the years because of poor rainfall. The national currency, the dalasi, had seriously depreciated against major international foreign currencies over the years, creating a negative impact on the media and other institutions.

In the past few years, there has been a tremendous boom in the business sector with many investments coming into the country. However, this has not had much impact on the media, especially in relation to advertisements. Most companies in The Gambia prefer not to advertise with the private media for fear government reprisals. Those who have dared to do so have been labeled as supporters or sympathizers of the opposition. Similarly, the private press do not receive much advertising revenue from the government. However, government departments are quick to fill the pages of private media with propagandistic congratulatory messages for the president on special occasions, such as his birthday or the anniversary of the day he came to power.

The panelists’ scores resulted in little overall change for the Gambia compared to last year, and individual objective scores did not change greatly, either. The leading objective is Objective 2, Professional Journalism, with a score of 1.96; Objective 1, Freedom of Speech, received the lowest score of any objective with a 1.38.

THE GAMBIA AT A GLANCE

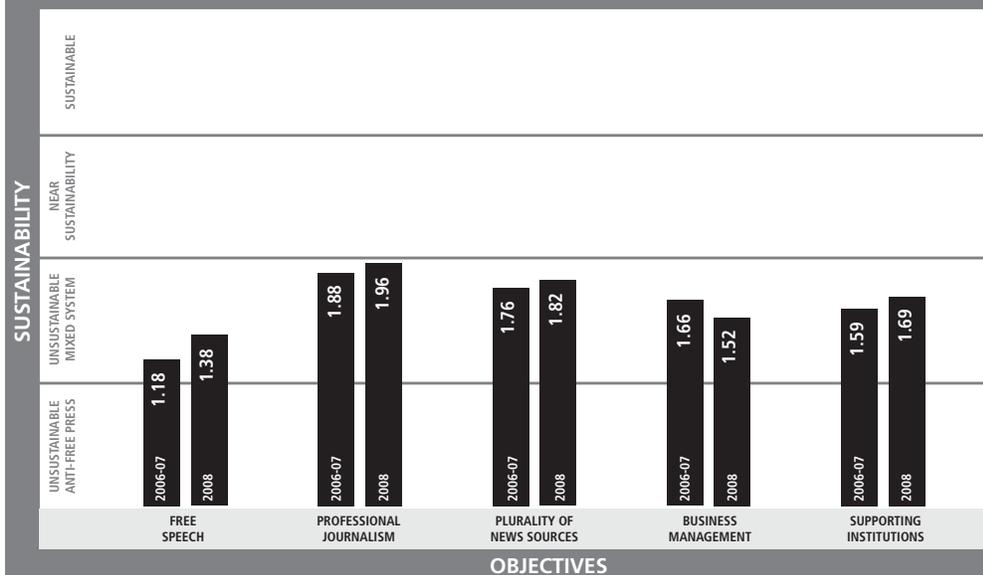
GENERAL

- > **Population:** 1,782,893 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Banjul
- > **Ethnic groups (% of population):** Mandinka 42%, Fula 18%, Wolof 16%, Jola 10%, Sarahule 9%, other 4%, non-African 1% (2003 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 90%, Christian 8%, indigenous beliefs 2% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), Mandinka, Wolof, Fula; Jola; Sarahule and Krio (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$541 million (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$1,140 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 40.1% (male 47.8%, female 32.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Yahya A. J. J. Jammeh (since October 18, 1996)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 8 newspapers; Radio: 9; 3 community radios and Television: 1
- > **Newspaper circulation statistics:** Top two by circulation: *The Point, Daily Observer*, and *Foroyaa*
- > **Broadcast ratings:** N/A
- > **News agencies:** Gambia News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 100,200 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: THE GAMBIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Gambia Objective Score: 1.38

The constitution states explicitly in Section 25 that “every person has the right to freedom of expression” and, in Section 207, that “the freedom and independence of the media is guaranteed.” But there is no provision for freedom of information in the constitution or any law. The closest to this is the responsibility given to the media by Section 207 of the constitution to scrutinize the executive.

The right to freedom of expression is not respected by the executive, as exemplified by disappearances, threats, arrests, trials, and conviction of journalists and others for what they say or publish. One panelist said, “In relation to the Gambian constitution, there are provisions that guarantee freedom of expression. However, there are legislations passed by the parliament that run contrary to the freedom of expression provisions. The Criminal Code Amendment Act and the Newspaper Amendment Act are examples of such legislations.” The Newspaper Amendment Act and the Criminal Code Amendment Act of 2004 continue to be the two most negative pieces of legislation that affect the work of the media. Further, said another panelist, “In relation to the international conventions that The Gambia has signed and ratified, the harmonization of these laws are not reflected in practice. The government does not respect the existence of such conventions.”

In short, criminal laws that are inimical to the constitution and were introduced in this decade or during the colonial era are still being actively applied. They include the law on sedition, false publication, publication of false rumors, and libel. Penalties may be as high as \$12,500 in some instances. In a libel case, the prosecution need not prove the falsity of the allegation. The defenses open to the defendant are truth, public interest, good faith, and privilege.

Fatou Jaw Manneh was convicted of sedition this year because she expressed an opinion critical of the president in an interview that was published in a newspaper. She was fined GMD 250,000 (\$12,500). In late October, three people were convicted of spreading false rumors because they told their colleagues that the president said people should not wash their hands, which was found to be untrue. At least on three occasions journalists have been charged for “publishing false information” under the Criminal Amendment Code. Both Lamin Fatty and Manneh were found guilty under this code on very dubious terms by the Kanifing Magistrate Court under Magistrate Buba Jawo. They were fined very heavily or were required to serve a period of at least six months in jail.

The editor of *Today Newspaper*, Adul Hamid Adiamoh, was arrested and charged with sedition. Most recently, in February 2009, the editor of *The Point Newspaper*, Pap Saine, was charged for “false publication and broadcast.” The government dropped the charges on April 7, but Saine still faces other charges, questioning his citizenship. The authorities also charged him with obtaining Gambian documents by “false pretense and declaration” while accusing him of being a noncitizen of The Gambia. Ironically, prior to being charged, he was awarded an honor in recognition of his work as a Gambian journalist.

The general situation concerning the media remains very fragile, as the authorities have continued to be very intolerant when it comes to issues concerning the private media. Journalists are continuously arrested without being charged and are forcefully held in detention beyond the stipulated period of 72 hours. The government has launched a serious intimidation tactic against the media, through the use of brute force on journalists who criticize the government. Journalists have been tortured, held incommunicado, and received threatening messages through their phones simply for reporting the news. Those who perpetrate these crimes against journalists are never brought to justice.

Panelists described the judiciary as having lost all its independence and integrity. The president has randomly fired judges on his own will without consulting the Judiciary Commission. These acts, though unconstitutional, remain unchallenged by the chief justice. Amie Sillah, executive

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Sam Sarr, editor of Foroyaa newspaper, summed up the government's motives: "Broadcasting is too important for the executive to let someone with dissenting political views have access to electronic media."

director of Women for Democracy and Development, said, "The president has eroded all the arms of government that should have provided checks and balances. The judiciary is compromised, and the Chief Justice is not efficient."

Very few lawyers are willing to defend journalists when they find themselves in conflict with the law, even if they are wrongfully accused. The majority of lawyers shy away from such cases for fear of government backlash. In this regard, though the Gambian court provides the necessary means for individuals to seek redress when wronged, the majority of the population has lost faith in the courts. While the courts remain the last resort for those whose rights have been violated, it is difficult to obtain justice in the courts. Indeed, while violation of the law is resented, it hardly causes any outrage in society, due mainly to the fact that the people are not adequately knowledgeable about legal issues.

All nongovernmental media houses must be registered, but starting a media house is full of problems. The licensing of broadcast media houses is the prerogative of the Department of State for Information, Communication, and Technology and is supported by the Public Utilities Regulatory Authority. However, it is evident that all applications for any broadcasting outfit are strictly vetted by the president himself, and his word remains final. Recently, one of those granted a license to operate an FM radio station was required to take up part-time appointment with the Gambia Radio & Television Service (GRTS), even though he had resigned from this institution earlier on.

The process does not have any checks and balances. There is no transparency or independent body one can appeal to or even a provision to appeal. The law relied on was enacted before the First World War. Cases for redress when fundamental rights are violated can be filed at the high court, but ignorance and lack of confidence in the judiciary deter many from exercising this entitlement. Sam Sarr, editor of *Foroyaa* newspaper, summed up the government's motives: "Broadcasting is too important for the executive to let someone with dissenting political views have access to electronic media."

Market entry for the media is particularly stricter than for the rest of private business. It is neither fair nor transparent, both for the print and broadcast media. For instance, the Newspaper Act, which was recently amended to include broadcast media, requires all private media to enter into a bond of GMD 500,000 (approximately US\$22,000) for the registration of a media house. Administrative bottlenecks unnecessarily prolong registration for months. For the print media, newsprint is often quite expensive because of the heavy taxation levied on it by the government. This poses a serious question of their viability. The price of newsprint is much higher than in other countries in the sub-region. In addition, sales tax and import duty on newsprint are also paid. Sarr said, "There should be no import duty/sales tax on newsprints. This is a battle that needs to be fought. Once import duties and sales tax on newsprints are free, the whole landscape for the print media will change, because newsprint constitutes about 50 percent of expenditures."

With regard to crimes against journalists in The Gambia, for the past few years private journalists and their media houses have been subjected to numerous forms of intimidation and harassment with hardly anything being done about it by the authorities. These harassments include the burning down of media facilities as well as the houses of journalists, culminating in the killing of Deyda Hydara, managing editor of *The Point* newspaper, in 2004 by yet unknown assailants. Speaking about this case, Sarr said, "I am not impressed with the way the government is handling the case. I have not seen any interest shown in bringing the perpetrators to justice."

In July 2006, a journalist with the *Daily Observer* newspaper, Ebrima "Chief" Manneh, was arrested from the premises of the *Daily Observer* by people believed to be members of the security forces. He has not been seen since, and the authorities have denied holding him. The matter has been taken to the Economic Community of West African States (ECOWAS) Community Court. In July 2008, the court delivered its verdict, calling for Manneh's "immediate release." The court also ordered the Gambian government to pay Manneh as compensation for arbitrary arrest and detention the sum of \$100,000. However, the Gambian government defied the court order.

On April 6, 2009, The Gambia's Justice Minister and Attorney General, Marie Saine Firdaus, admitted the court's ruling before The Gambia's parliament. "It is true ECOWAS court ruled in favor of journalist Chief Ebrima Manneh against the Republic of The Gambia in suit number ECW/APP/04/07." However, she quickly added that government agents never arrested Manneh.

"I have enquired from the Director General of the National Intelligence Agency (NIA), the Inspector General of Police,

and the Commissioner of Prisons, and to the best of their knowledge, information, and belief, Chief Manneh is not in their custody. The state can only release a person from custody if he or she is, in fact, in the custody of the state." She reportedly went on to add: "As far as my office is concerned, the family members of Chief Manneh and their cohorts did not take legal action against the government in the High Court in accordance with legal procedure against the alleged unlawful detention of Chief Ebrima Manneh by agents of the state security apparatus."

The Justice Minister said the ECOWAS court is created by treaty and is subject to application of certain rules and procedures, one of which is the exhaustion of local remedies. She further expressed the government's grievance over the case. According to her, the Gambian government has "set in motion some political steps" in a bid to take the matter to another level and get "the decision set aside."

While crimes against journalists cause some public outcry, it is just for a short period and people tend to forget about it, apparently knowing that nothing would ever come of it.

The state media have no editorial independence and are tightly controlled by the ruling party. This is despite section 208 of the constitution, which specifically guarantees that "all state-owned newspapers, journals, radio, and television shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinion."

Due to the harsh laws and attitude of the executive, journalists at the state media tend to engage in self-censorship. The state media are not impartial and independent and have completely submitted themselves to the dictates of the ruling party, hardly carrying any divergent views. The management and even some of its journalists are appointed by the minister of information and treated as civil servants instead of journalists.

Another distinction between the state and private media is that the state media do not require any license to operate, and neither do they sign such a bond. Therefore, there is clear discrimination in favor of the state media.

In The Gambia, libel is a criminal offense. While no journalist in the recent past has been imprisoned for libel, the threat is always hanging over their heads. In Gambian law, the proof of guilt for libel always rests with the accused. Cases of corruption against judges and prosecutors are hardly pursued. Public officials are hardly held accountable to the public for their actions, but instead their fate rests entirely with the head of state, who usually hires and fires public officials at will.

Access to public information is not guaranteed to journalists and media houses. There is no access-to-information law,

One panelist said, "In relation to the Gambian constitution, there are provisions that guarantee freedom of expression. However, there are legislations passed by the parliament that run contrary to the freedom of expression provisions. The Criminal Code Amendment Act and the Newspaper Amendment Act are examples of such legislations."

therefore nothing compels a public official to divulge any information to a journalist. As such, journalists of the private media find it extremely difficult to access official information. There was even a time when journalists of the private media were banned from coverage of official functions at the state house. The private media still cannot attend the president's press conferences.

For the past few years, the government has been very jittery about news items on the Internet. Thus, the government has always attempted to block certain sites, especially *Freedom Newspaper*, which is very critical of the government. Presently, reports emerging from Banjul state that the IP address of *Freedom Newspaper* has been blocked in The Gambia. Even though there is officially no restriction on using the Internet, occasionally those living in The Gambia can not access certain online newspapers.

While foreign journalists require some official accreditation to report from the country, no special license is needed to report on any particular area. There is no restriction in reproducing or reprinting international news.

Entry into the journalism field is quite free, and there are no government restrictions. While journalists are free to organize themselves into unions and associations, those working for the state media are restricted by law from belonging to trade unions, and there are also attempts to prevent them from interacting with the local journalists' union.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Gambia Objective Score: 1.96

The main problem with many reporters is lack of training. Reporters are normally recruited directly from high school. This is why their professional standards are low. Up until this year, there has been no institution offering courses

The president has made several statements in which he categorically intimidated journalists: "Journalists must have it right or face the music. We cannot allow a few cockroaches to tarnish the image of our good country and its hard-working citizens. They are agents of the West and are seeking political asylum. Let them go and leave us in peace."

in journalism. One college is now offering certificate and diploma courses in mass communication, while another institution is offering certificate and diploma courses in journalism. Professional bodies are also making an effort to start a certificate course in journalism. These are signs that things may improve.

Generally, reports that appear in the Gambian private media are quite objective and fair. Despite their lack of training, most journalists are still very objective and carry out their work based on public interest. News sources are almost drying out due to fear of government reprisal, however. Only very few people working with the government will give information to the private media, and this is often done under strict terms of anonymity. However, this is quite the opposite in the state media. Objectivity has ceased to exist here in the past decade.

Meanwhile, it is the exception rather than the rule for reporters to check as many and varied sources as possible. They

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- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

sometimes even publish a one-sided comment without seeing the need to get the other side to comment. Getting experts to comment on issues is not a habit, but it is done occasionally. However, getting experts to comment is sometimes a problem because of the lack of freedom of speech. For example, not a single doctor was willing to comment on the president's HIV/AIDS program. Even the Bar Association never uttered a word when some judges were unlawfully dismissed.

The Gambia Press Union has developed its own code of conduct, but it is hardly used by journalists. Therefore, many journalists do not strictly adhere to accepted ethics and norms. There have been no serious violations of internationally accepted journalistic ethics, but there are always some problems with adherence to ethics. In certain instances, journalists accept incentives for coverage in the form of fares and per diems. The practice is accepted as a norm in the country. Therefore, the only instrument in place for the profession is the Code of Conduct of the Gambia Press Union (GPU), which the GPU has developed for its membership. This code reflects the ideals of the Code of Ethics of the International Federation of Journalists (IFJ), of which the GPU is an affiliate. In most instances, journalists have great respect for the ethics of the profession, and it is rare to hear of journalists who accept gifts in order to write stories.

Efforts are being made toward self-regulation and the establishment of an independent complaints body for the profession.

According to some panelists, some businesspersons or politicians do offer incentives to reporters to write articles that favor them. This is partly due to reporters' low pay. Within the private media, the pay is more or less the same. But there is a significant difference in pay between those in the privately owned media houses and the state-owned media houses.

Self-censorship is rampant, and it is due mainly to fear of the consequence of offending the president and finding oneself arrested or one's media house closed. Many Gambian journalists are in self-imposed exile abroad because of fear of persecution. The president has made several statements in which he categorically intimidated journalists: "Journalists must have it right or face the music. We cannot allow a few cockroaches to tarnish the image of our good country and its hard-working citizens. They are agents of the West and are seeking political asylum. Let them go and leave us in peace." Very few newspapers, such as *Foroyaa*, have the confidence to write and make objective analysis on most issues.

Sometimes business interests lead to self-censorship. If the president or those close to him have an interest in certain businesses, they become untouchable to journalists.

Government intolerance of the media has definitely limited what the media can cover. Issues concerning security or the military in general cannot be covered very well. The state media are strictly controlled in what they can report; as a result, they mostly carry press releases from the government and cover only official functions. There have been instances when journalists have tried to cover such issues and were strictly warned to desist from such reporting. A case in point is that of the *Foroyaa* reporter, Modou Jonga, who reported on the landmines around particular villages in the Western Region, where at least one child was killed.

As a survival strategy, most journalists tend to report on workshops and conferences conducted in the country, state visits, press conferences, court proceedings, or stories that have been covered by the state media. Due to the risks involved in broadcasting news, especially by the private radio stations, there are more entertainment programs than news items. To play it safe the private stations do not produce their own news; the few stations that do broadcast news simply link with the state media (Gambia Radio and Television Services) or other international news stations, such as the BBC, RFI, or VOA. Recently, three privately owned FM stations opened up, but almost 90 percent of their programs are entertainment-based.

Journalists in The Gambia are very poorly paid, especially those who work within the private media. The average journalist earns about \$50 a month. Those just entering the profession receive far less. Journalists working for the state media receive more or less the same salary, but it is based on a government pay scale. The only difference is that journalists working with the government also receive some benefits, including transport allowances.

Journalists, especially those working in the private media, lack basic tools to help them to deliver news efficiently. Most journalists in The Gambia cannot boast of a personal laptop. Newspaper houses lack adequate computers, which to a large extent delays production work, as four to five journalists might line up to use one computer to file in their reports. This is also true of the printing facilities. Most newspaper houses do not have their own printing press. On the other hand, the state media can boast of modern equipment that can facilitate their work, especially at the national television station.

As Sam Sarr put it: “Lack of equipment is a headache for media houses. Sometimes even the computers are lacking or are far below capacity. Servers are rarely seen. In some instances, networks are not available. Fast and more reliable Internet services are expensive—at least \$250 a month. Situations like this make life a hell for media houses. Efficiency becomes a problem. A UN project is to equip three media houses very soon. The project covers the national radio and

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two privately owned media houses. This will go a long way in solving the problems of media houses as far as equipment is concerned. Efforts are under way to establish a press house that will meet the printing needs of all the media houses.”

Panelists argued that Gambian journalism, especially in the print media, still revolves around reporting the news and simply ending there. Most news stories by the papers, both state and private, do not have any follow-up reports unless there is a new development, which is also reported only as news. What is lacking is interpretative analysis of the news that will shed more light on what is said in the news. In the same vein, only a very slight attempt has been made in relation to investigative journalism. Very few papers dare to venture into this area because of fear of government reprisal. During the past year, the *Foroyaa* newspaper has been instrumental in this area and was able to report on the conditions of numerous detainees, including Chief Manneh, whom many now fear dead.

Amie Sillah feels that to some extent the newspapers try to separate the issues: “Some media do it better than others. The print media cover issues deeper than the electronic media. The private broadcasters are more into social issues than politico-economic sensitive ones. That is left to the state media, which is engaged in propaganda. Capacity-building training is inadequate to produce that type of specialized reporting.”

OBJECTIVE 3: PLURALITY OF NEWS

Gambia Objective Score: 1.82

The majority of the panelists stated that sources of news and information in the country include radio, television, print media, and the Internet. Radio is the cheapest and most accessible source; there is hardly any village without at least one radio set, which is normally placed at the village center for whoever cares to listen. It is unfortunate that even the

As one anonymous panelist puts it: "Access to the Internet is still low, and its use is expensive for the average Gambian. Access has generally improved, especially in the Greater Banjul area. The advent of GPRS Internet services is also facilitating access to the Net. For instance, I can now read my e-mails and access all Gambian online newspapers using my mobile phone."

state-owned radio, which is the most accessible, does not cover the entire country. It is believed that efforts are under way to address this situation, but it has been such for a long time.

Privately owned radio stations provide local coverage. Those in urban areas are mostly commercial and serve as a source of entertainment. But a few carry programs (including phone-in programs) in the local languages on health and safety, youth, gender, and sports. They do not broadcast news, although one of them relays a BBC news program daily.

"Community-based" radio stations cover rural areas. Their coverage on health, agriculture, education, gender, and sports is limited, as they tend to follow the footpath of the commercial radio stations. None of them produce their own local news. However, some do hook up to the national media at specific hours to broadcast the national news. Most of the

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

community radio stations have diverted from their original mandate and have delved into politics.

The state-owned television station is the only television station in the country. It does not cover the entire country. Electricity outages also restricts accessibility. Though accessibility is on the increase, it is still below the 50 percent, even in the urban area.

News and information on the Internet are available to those who have access in their offices and to some individuals at home. There are several Internet cafés, but most people use them to access their e-mail rather than news and information. In short, those who access news and information from the Internet form a tiny minority. However, it is important to note that news from websites operated by Gambians abroad is always big news in the country because of an internal lack of freedom of expression and access to information. These online papers serve as an alternative news source for Gambians at home, although the government has blocked them on numerous occasions.

As one anonymous panelist puts it: "Access to the Internet is still low, and its use is expensive for the average Gambian. Access has generally improved, especially in the Greater Banjul area. The advent of GPRS Internet services is also facilitating access to the Net. For instance, I can now read my e-mails and access all Gambian online newspapers using my mobile phone. These services are available to thousands of Gambians, who are increasingly relying on online newspapers, especially the ones in the diaspora. In the absence of reliable news stories on relevant issues in the country, the online newspapers are becoming more popular, even though the people are not comfortable reading and discussing their stories in public."

In addition to the Internet, there is access to satellite news in The Gambia. As in the case of the Internet, these facilities are mainly concentrated in the Greater Banjul area, where many people can access international news stations, such as the BBC, CNN, Al Jazeera, RFI, France 24, and so on. Apart from homes, most banks and businesses have satellite facilities and thus contribute in providing access to diverse news sources. In fact, some of these news reports are broadcast by local FM radio stations, which link up with these foreign media houses. The same applies for the foreign print media. A lot of these items are sold at different spots in and around the capital. But some panelists observed that foreign print editions, cable television, and satellite television are not generally affordable.

The state media are not independent and impartial. National news carried by the state media—including the monopoly state television—is generally biased material prepared to please the president and his administration. Opposition

parties or candidates are rarely given the opportunity to express their views on the state media. Journalists in the state media, particularly television, outdo each other in promoting the ruling party and slamming the opposition. Educational programs are limited, and cultural programs are tinted with politics.

One example is the issue of the president's HIV/AIDS treatment. The president claimed to be able to treat HIV/AIDS and had pictures of people living with HIV shown on national television to prove his assertion. It is now clear that the president cannot treat HIV/AIDS, as those who attended his treatment program have returned to the clinics for antiretroviral treatment. Since the president made his claim, all HIV/AIDS programs on the radio and television by health experts and other civil-society organizations have been stopped, thus denying Gambians the right to accurate information. Once again, for fear of prosecution and being tortured and/or killed, everyone is silent.

The only news agency in The Gambia is Effective Communication. It provides sports news exclusively to West Coast Radio, which is managed by the proprietor of Effective Communication. Local media houses do not buy news items from international news agencies.

The disclosure of media ownership in the country is very questionable. Newspapers are mostly owned by partnerships or sole proprietors. Some of the owners are known, while some remain in doubt. Today, there are at least three newspapers whose ownership has raised serious concerns. These are the *Daily Observer*, *Today Newspaper*, and the *Daily Express*. Most people still believe the president owns the *Daily Observer*. However, business tycoon Amadou Samba has often been seen publicly demonstrating the mantle of ownership. This puzzle can only be solved by the Attorney General's office, where these papers have made some form of registration.

Second, a bizarre trend has emerged in the ownership of newspapers in The Gambia within the past year or so. Nigerian immigrants claim to own *Today Newspaper* and the *Daily Express*. Considering the age of these owners and their earlier engagements with the media, one doubts whether they are the real owners. Most likely they have been used as fronts.

Some panelists feel that gender issues and children are getting growing coverage and interest. However, Sillah said, "A lot of broadcasting outfits have mushroomed in The Gambia, but what are they telling the public? They are not taking women's views. Radio stations should help in liberating the minds of the people in The Gambia."

Most media houses pay little attention to persons with disabilities. There is increasing use of minority languages by broadcasting media houses, but a lot more must be

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done. The print media use English, the official language. On rare occasions, French, Arabic, or a major local language is used. However, some panelists pointed out that even though minority issues have never been of concern in The Gambia, unprofessionalism has weighed heavily on the state media, where journalists trying to win some favor from the president have often engaged in highlighting the issues of a particular tribe.

OBJECTIVE 4: BUSINESS MANAGEMENT

Gambia Objective Score: 1.52

MSI panelists revealed that most managers of media houses are not well trained in management, and as such, their management is not always efficient. Media houses in The Gambia can be categorized as small-scale businesses, and it

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

The private media try to operate as commercial ventures, but because of their poor capital base and lack of managerial skills, they make little profit. Most often, very little is made from the sale of newspapers, while advertising revenue has yet to yield the desired effect.

is common to see family members or friends manning the positions of accountant, marketing manager, and human resource manager. However, they usually lack the required qualifications. Two hurdles need to be overcome—the meager income of the media houses and the culture of abiding to strict business principles. Editorial independence is often compromised because of business interests.

The private media try to operate as commercial ventures, but because of their poor capital base and lack of managerial skills, they make little profit. Most often, very little is made from the sale of newspapers, while advertising revenue has yet to yield the desired effect. Community media operate on the basis of sponsorship. The business is donor-driven, which is not sustainable.

The state media are operated purely as part of the civil service, with its operating budget being provided by the government and some revenue through advertisements. The state media are therefore subsidized by the government. However, state media are poorly funded by the government, and they are secretive about how they use their funds.

The private media are mostly financed through the revenues they raise from advertising and the sale of newspapers. It is very possible that some of the private media may receive some form of funding from outside or multiple sources, but this cannot be proved. Media outlets and supporting firms in the country are at a formative stage.

The private media have many problems. They pay sales tax and income tax. The sales tax is enormous. Business at the print level is not lucrative. Companies, the government, and other institutions owe arrears and do not regularly pay on time. Business plans for the print media have yet to be developed. Some are beginning to put their accounting and finance practices in line with international standards.

Revenue sources for the state-owned television and radio stations are sponsorship, taxation, subsidies, and commercials. Advertising comprises a substantial part of air time—up to 30 minutes before the news, during intervals at news time, and for about 15 minutes after the news. The privately

owned commercial radio stations rely on commercials and sponsorship. Community radio stations rely more on sponsorship and less on commercials.

The privately owned print media outlets rely mainly on sales and advertisements and less on sponsorship. For the print media, the percentage of revenue from advertisements is higher than accepted standards. Unless sales increase or operational costs decrease, the need for more advertisements will rise. Two print media houses and the two dailies—the *Daily Observer* and the *Point*—operate websites. This is a potential source of revenue.

Advertising agencies are few, inexperienced, and weak. Most advertising arrangements are done directly through locally based agencies. However, advertising is playing an increasingly important role. For the time being, the focus is on billboards and television. Radio, the print media, and flyers also have some share. Advertising is concentrated in the urban areas.

The big companies that give out a large part of the advertisements do sometimes succeed in influencing reports concerning them.

Some panelists pointed out that advertising alone cannot give the media the funds required to survive. Perhaps this also explains why the media industry in The Gambia is still very poor. Despite the fact that the country has made some gains in relation to the financial sector, some companies have yet to realize the benefits of advertising, while at the same time the media have failed to convince the business community that advertising can help their businesses grow. Most companies feel that by advertising in a particular paper, they are doing a favor for that paper. In other words, the benefits of advertising are not yet fully realized in The Gambia.

The Gambian government does not provide any form of subsidy to the private press. Most of the panelists are skeptical of government subsidies to the media out of fear that the government will not implement them fairly and will expect favorable reports. Considering the economic state of the country and the situation of the private media houses, it would be worthwhile for the government to at least grant tax rebates on materials like newsprint, which cannot be produced locally. Instead, the government has placed heavy taxes on the importation of such materials. One panelist strongly believes that the government should be able to give subsidies to the private media, but without any form of intimidation to compromise their independence.

Market research is not the norm in The Gambia. It is mostly conducted under projects and not by the media houses. It may become apparent in call-in shows, but these are not done purposefully for research. Certain newspapers have readers' columns, and some radio stations do enquire about

their listeners' geographic locations; however, these are not done in a strategic way. In other words, media programming is not based on the needs of the people.

There is no regular collection of statistics, and the figures obtained in any survey cannot always be said to be accurate. The data are usually collected by surveys conducted by projects funded by international agencies.

The level of circulation is the prerogative of the newspaper publishers, and this can rise or fall at any time. There are no audited circulation figures to verify those presented by publishers. Newspapers in The Gambia are still very much concentrated around the capital and its environs, with few papers penetrating the hinterland. Despite the small size of the country, these papers often arrive in the hinterland at least 24 hours after publication. This is partly due to the poor road network.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Gambia Objective Score: 1.69

In The Gambia, there is no association of proprietors of media houses for either the electronic or print media. There was an attempt some years ago to form an association of newspaper publishers, but this did not succeed. There is hope that one may be set up one in the not too distant future.

The GPU, an association of journalists from all media houses, is the strongest and most active of organizations fighting for the rights and protection of journalists in the country. It has members from both the state and private media. Despite the fact that journalists in the state media shy away from the association, its membership has been growing over the years. It now has new leadership and is currently reorganizing itself so that it can better represent the interest of its members.

There are other associations with specific interests, such as the Health Journalists' Association, the Sports Journalists' Association, the Network of Human-Rights Journalists, and the Association of Young Journalists. These associations are affiliate members of the GPU, which remains the parent body of all journalists' associations in the country. An editors' forum is being established, and it is expected to endorse its constitution soon.

For the past two years, there have been suggestions that the GPU needs to put in place a regulatory body that will professionally monitor the work of journalists in The Gambia. This has yet to be fully realized.

Panelists noted that the GPU has for the past two years been keenly involved in attempts to train young journalists locally.

Due to the government's hostile behavior toward journalists, the GPU has also found itself in and out of court, trying to defend members who found themselves in conflict with the law. At least on two occasions (Lamin Fatty and Fatou Jaw Manneh), the GPU had to pay heavy fines to protect its members from being sent to jail.

To some extent, this has been successful, and there is a need for such training to continue in order to improve journalism standards in The Gambia.

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It is common for human-rights NGOs to condemn human-rights abuses in general terms or in other countries but not in The Gambia. NGOs tend to sit on the sidelines while journalists are being persecuted. They do not even issue statements condemning the act.

An NGO has just completed a review of all media and human-rights-related laws in The Gambia and is expected to hold a validation workshop on the issue. Recommendations will be forwarded to the executive, and a plan of action will be worked out.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Professionals with journalism degrees acquired them abroad and they are rarely employed by media outlets because they cannot afford to pay them, so they find their way into other institutions.

According to Sarr, human-rights NGOs in The Gambia have failed on numerous occasions to condemn the flagrant violation of the freedom of expression and of the press. These include the arbitrary arrest and detention of journalists, detention incommunicado, torture of journalists, arson attacks on journalists and media houses, and the shooting and killing of at least two journalists. The entire NGO community has not issued any statement on this, including the Gambia Bar Association. However, there are some associations, like Action Aid, who, despite not being able to issue statements, have supported the journalists' union financially in times of need.

The NGOs do work with international free-speech organizations, which are concentrated around the capital. There is currently no local organization that funds the defense of journalists on trial. Only the GPU has been active in pursuing cases of unlawful detention and supporting its members morally and financially in their defense. One NGO has occasionally accompanied the GPU leadership in meeting the authorities in pursuit of cases of journalists who have been murdered, assaulted, or detained, or who have disappeared or encountered arson attacks. An NGO is being founded that will promote the profession and set up a defense fund. The GPU has similar plans. However, organizations such as IFJ, the Media Foundation for West Africa, the Media Defense Program of the Open Society Initiative, and the Doha Centre have helped to pay legal fees for some court cases concerning journalists.

The availability of training institutions offering journalism or mass communication is still a serious concern in The Gambia. Recently, one or two institutions have surfaced, including one that claims to be affiliated with Stanford University. Most of the panelists expressed concern that there is currently no school of journalism and no degree course on journalism offered in The Gambia. Two institutions now offer training on journalism at the certificate and diploma levels. Professionals with journalism degrees acquired them abroad and they are rarely employed by media outlets because they cannot afford to pay them, so they find their way into other institutions. The University of The Gambia has not yet started any program on journalism despite repeated calls. There are also

indications that Insight Training Institute, in collaboration with the Media Agenda, will soon start a training program. Opportunities exist for students to study journalism abroad; however, these are hard to come by, as scholarships are largely politicized.

Short-term training of journalists range from one- or two-week workshops to courses that last up to three months. There have been one or two one-week workshops on basic journalism, but many of these deal with health (particularly HIV/AIDS), youth, children, gender, and human rights. Some media houses also conduct in-house training. All these forms of training, though inadequate, have been very useful and have affected the performance of journalists. Journalists at the state-owned media do have the opportunity for short-term training that lasts for three months or more.

The importation and sale of newsprint are in the hands of private businesses. They are nonpolitical and not directly restricted. The problem is that the importers sell at forbidding prices because of the desire to maximize profits. This impinges on the viability of the print media. Taxation on imported newsprint is another problem.

Independent media are discriminated against when it comes to printing. Some printers are afraid to print for them. The state-owned printing press refuses to print for the private media, which was a bigger problem before privatization.

Each of the four leading newspapers has its own printing machine and prints its own newspaper. They also rely on each other as backup in cases of breakdown. The newspapers with lesser circulation rely on these press houses to print their newspapers.

Channels of newspaper distribution are in private hands—vendors who roam the streets or stand at strategic points to sell newspapers. Distribution is handled by individuals who see it as a business that provides them their daily bread. They flock to the media houses to collect their supply of newspapers at a reduced price, which they sell themselves for the cover price. Supermarkets, bookshops, hotels, and other shops also sell newspapers. In smaller towns and cities, individual distributors and some shops sell newspapers. However, due to the fact that all the newspapers are based in the greater Banjul area, coupled with the poor transportation system, low readership and the financial constraints of the media houses, distribution of newspapers is very limited. There are no distribution firms. One or two attempts have been made to establish them, but without success.

Each radio station has its own transmitter. Internet service providers channel their data through the state-owned service provider. One service provider claims that it has a direct satellite link with that bypasses the state provider.

List of Panel Participants

Due to the repressive environment in The Gambia, most panelists agreed to participate in the MSI panel on condition of anonymity. A partial list of participants is included below.

Amie Sillah, executive director, Women for Democracy and Development, Serrekunda

Samuel Sarr, editor, *Foroyaa* newspaper, Serrekunda

Demba Jawo, editor, African Press Agency, Dakar, Senegal

Moderator

Amie Joof, executive director, FAMEDEV= Inter Africa Network for Women, Media, Gender, and Development; coordinator, Radio Alternative Voice for Gambians, Dakar, Senegal

Assistants

Momodou Lamin Jaiteh and Sheriff Bojang Jr., producers/reporters, Radio Alternative Voice for Gambians, Dakar, Senegal

The Gambia study was coordinated by, and conducted in partnership with, FAMEDEV the Inter Africa Network for Women, Media, Gender, and Development, Dakar, Senegal.

Spurred by the December 2008 presidential and parliamentary elections, there was a blitz of media fare. Perennial newspapers that had long gone into hibernation came into bloom and joined the partisan cacophony. Broadcast stations abandoned all normal programming for political talk and “serial caller” phone-ins.



GHANA

The return to multiparty democracy in 1993 has been auspicious for the media, both as a harbinger of their role in the free marketplace of ideas and of their own business prospects. Before then, the state-owned Graphic Communications Group (the *Daily Graphic* and weekly *Mirror*) and the New Times Corporation (the daily *Ghanaian Times* and *Weekly Spectator*) owned the only newspapers guaranteed to appear on newsstands. The remaining dozen or so private newspapers made only sporadic appearances, depending on the goodwill of the government in power. There also were the state-owned Ghana Broadcasting Corporation's (GBC) three national shortwave networks (Radio 1 and Radio 2 and the External Radio Service), three FM stations (Radio GAR in Accra, URA Radio in Bolgatanga, and the Apam Community FM station), and one television station, Ghana Television (GTV).

Since 1993, however, there has been a burgeoning of print and broadcast media outlets. According to a combined listing by the Ghana Journalists Association (GJA), the National Media Commission (NMC), and the National Communications Authority (NCA), by 2007 there were some 60 newspapers, 120 radio stations, and six free-to-air television stations in the country. There were also about 151 Internet Service Providers (ISPs).

The year under review was particularly eventful for media activity. Spurred by the December 2008 presidential and parliamentary elections, there was a blitz of media fare. Perennial newspapers that had long gone into hibernation came into bloom and joined the partisan cacophony. Broadcast stations abandoned all normal programming for political talk and "serial caller" phone-ins. Politics, particularly of the tart-tongued stripe, made for a good sales pitch. But while the media may have profited from the seasonal windfall, professional standards and ethical norms were severely tested and often compromised by blatant propaganda and scurrilous attack ads.

In spite of this, the MSI panel assessment on Ghana testified to a consolidation of democracy and its underpinnings of free speech and supporting institutions. This is largely due to the far-reaching constitutional and legislative provisions that acknowledge the pivotal role of a free and pluralistic media in securing Ghana's democracy. Specifically, Article 162 (3) of the 1992 constitution and the National Communications Authority legislation (Act 524:45 (1)) swept away restrictions on media ownership and control (PNDCL 211), repealed the restrictive 1971 decree on telecommunications regulation and control, and encouraged private interest and investment in the media.

Ghana's overall score of 2.45 is down slightly from last year's 2.58. As with last year, Objectives 2 (professional journalism) and 4 (business management) received the lowest scores—although still within the lower bounds of "near sustainability"—while the other three objective fared better, even if none achieved a score to place them within the "sustainable" range. None of the objective scores changed radically, although the scores for Objectives 3 (plurality of news), 4, and 5 (supporting institutions) did receive modestly lower scores.

GHANA AT A GLANCE

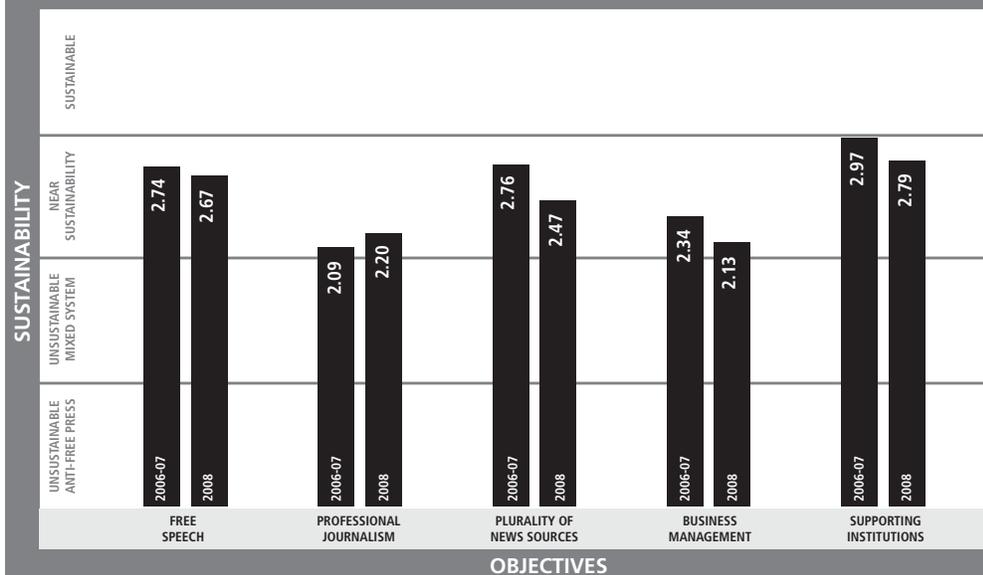
GENERAL

- > **Population:** 23,832,495 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Accra
- > **Ethnic groups (% of population):** Akan 45.3%, Mole-Dagbon 15.2%, Ewe 11.7%, Ga-Dangme 7.3%, Guan 4%, Gurma 3.6%, Grusi 2.6%, Mande-Busanga 1%, other tribes 1.4%, other 7.8% (2000 census, *CIA World Factbook*)
- > **Religions (% of population):** Christian 68.8%, Muslim 15.9%, traditional 8.5%, other 0.7%, none 6.1% (2000 census, *CIA World Factbook*)
- > **Languages (% of population):** Asante 14.8%, Ewe 12.7%, Fante 9.9%, Boron 4.6%, Dagomba 4.3%, Dangme 4.3%, Dagarte 3.7%, Akyem 3.4%, Ga 3.4%, Akuapem 2.9%, other 36.1% (includes English (official)) (2000 census, *CIA World Factbook*)
- > **GNI (2008-Atlas):** \$13.82 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$1,320 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 57.9% (male 66.4%, female 49.8%) (2000 census, *CIA World Factbook*)
- > **President or top authority:** President John Agyekum Kufuor (since January 7, 2001)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 466 total publications, including 11 national daily newspapers (National Media Commission, December, 2006; BBC World Service Trust-AMDI 2006); Radio 166 licensed, 122 on air (National Communications Authority, January, 2007); Television stations: 25 (10 on air, National Communications Authority, January, 2007)
- > **Newspaper circulation statistics:** Top three daily newspapers: *Daily Graphic* (state-owned), *Daily Guide* (private), *The Chronicle* (private) (BBC World Service Trust-AMDI 2006)
- > **Broadcast ratings:** N/A
- > **News agencies:** Ghana News Agency (state-owned since 1957)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 650,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: GHANA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Ghana Objective Score: 2.67

Panelists again awarded a relatively impressive score for free speech, and this objective showed little change compared with last year. Only Indicators 8 and 9 (media access to foreign news sources and entry into the journalism profession) received noticeably lower scores than last year. All indicators scored within a half-point of the overall objective score except Indicator 7, access to information, which fell behind the others. This is hardly surprising, considering that a civil-society-initiated right-to-information law still had not received executive-branch support.

The fundamental rights to free speech and expression, and of plurality of views and media, are guaranteed under the constitution. In particular, Article 21 (1) (a) provides for all persons the right to “freedom of speech and expression, which shall include freedom of the press and other media.” Article 162 (3) stipulates, “There shall be no impediments to the establishment of private press or media...” Article 162 (4) seeks to insulate “publishers of newspapers and other institutions of the mass media” against editorial influence or control, while Article 163 imposes an obligation on the state media to “afford fair opportunities for the presentation of divergent views and dissenting opinions.”

According to the MSI panel, these constitutional protections, together with the indulgence of a media-friendly government, have provided impetus for the free, even sometimes strident, expression of divergent viewpoints and ideas. As panelist Hamida Maalim Harrison, a women’s NGO advocate, noted, “The pluralization of the media, especially the airwaves, has strengthened people’s freedom to use channels like live phone-ins to speak freely and openly, even sometimes offensively.” The veteran broadcaster and radio/television trainer, Charlie Sam, concurred: “Listening to any of the several radio stations in Accra in the morning, or reading the private press, I become amazed at the scope of issues discussed, and the near irreverence and gusto with which it is done.”

These observations must be qualified, however. The panel was, for instance, unanimous on the view that although the combined effect of the various laws makes the legal environment for media in Ghana one of the loftiest and most forward-looking, some socio-cultural constraints continued to inhibit the expression of critical views, particularly of the elderly and persons in authority. As Sam himself noted, “The situation is a little different in rural settings, where we notice social restrictions on free speech.” Rejoice Esi Asante, regional news editor of the state-owned *Ghanaian Times* newspaper, echoed the concerns about social sanctions for speaking

bluntly: “Social norms, socialization processes, and culture hold many people back. They cannot talk back or challenge issues or comments made by people in authority because they hold the view and perception that it shows lack of respect.” George Sarpong, executive secretary of the National Media Commission (the media oversight body in Ghana) summed it up as follows: “I believe the constitutional provisions of freedom and independence of the media represent formal declarations of national aspirations rather than a codification of existing social realities.”

The panel also lamented that although civil-society and media-rights advocacy organizations had, since 1991, spearheaded a campaign for a right-to-information law, the initiative had not yet received legislative approval. This, the panel argued, undermines the constitutional obligation on the media to promote “the responsibility and accountability of the Government to the people of Ghana” (Article 162(5)) and places access to public information and documents pretty much at the discretion of the government. As Sam remarked, “In the absence of the freedom of information act, the ease or difficulty with which public information is obtained depends on the reputation of the journalist, their personal contacts, or the media organization to which they belong.”

Panelists were also concerned that the apparent ambivalence in ratifying the right-to-information bill was an insidious betrayal of the government’s self-professed credentials as an open, media-friendly regime. Sarpong was particularly adamant that the current assortment of legal provisions

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

on civil libel, which imposed the burden of proof on the journalist, "makes the defense of justification a tough grind and the promulgation of a right to information law a non-negotiable imperative."

There was also a prevailing concern about the insidious role of political or financial influence in determining the content and nature of media output. Eric E. Aday, a partner at Evolve Limited, a brand development and communications consultancy, observed: "Theoretically, editors have a high degree of independence. However, greed and the need to sustain media outlets as going concerns have threatened to erode editorial independence. Most media vehicles now find themselves pandering to the whims of business interests, governments, or advertisers. This finds expression in the type of programming and reportage" they produce.

In spite of the institutional mandate of the NCA to oversee the equitable allocation of the country's broadcast frequencies, the panel was concerned that the processes for obtaining a broadcast license were heavily prejudiced by political patronage. Godfred Dame, private legal practitioner and media-rights advocate, explained, "To the extent that the allocation of frequencies for the operation of a radio station is left in the bosom of a government-controlled NCA, there is really a concern for freedom of expression since the NCA board can exercise its discretion arbitrarily." Accordingly, they assigned a relatively low rating to that indicator. Godfred suggested that greater transparency might be assured if the NCA were required to allocate frequencies in consultation with the NMC.

Serious injury or death for journalists in Ghana is extremely rare. However, low-level harassment and limited physical violence is unfortunately a somewhat common occurrence. The Media Foundation for West Africa reported a laundry list of threats, beatings, and other interference in the work of journalists over the past year. These incidents were perpetrated by private individuals, the police, and various officials. Public outrage over such incidents is limited, and, as reported last year, to some degree public sympathy may favor the party supposedly damaged by reporting who then resorts to violence.

Access to international news and information is unencumbered, the only potential limitations being those imposed by availability and affordability. Similarly, entry into the profession is free, except that the GJA, the professional association of journalists, has defined prerequisites for recognition. Specifically, the GJA constitution defines a journalist as "someone who by training or qualification in journalism and job specification collects and disseminates news and information for public consumption." However, the panel expressed dismay that some charlatans and impersonators were not infrequently found parading journalistic credentials and gaining access to media events or accessing services.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Ghana Objective Score: 2.20

The panel's outlook on this objective was optimistic, though not exuberant; the objective scored marginally higher than last year. All of the indicators remained more or less the same as last year, and all scored within a half-point of the overall objective score except Indicator 5 (pay levels for journalists), which was slightly more than a half-point lower. The assessment by Sam encapsulates the panel's verdict: "Though we are now training more journalists every year than we did in the past, professional standards still leave much to be desired."

The panel blamed the lack of niche reporting partially on the lack of professional training for specialized beats. As media-rights lawyer Dame pointed out, "Most [journalists] do not have specialized training in particular areas; they are generalists with no particular orientation in any field." But the lack of niche reporting is also partially because politics has become the staple beat of all media output, according to Aday. "There is skewed coverage in favor of political issues, to the sad neglect of other social developmental dimensions, including culture, arts, entrepreneurship, etc.," he said. Samuel A. Bartels, host of the morning program on Citi FM radio, corroborated Aday's view thus: "Even ordinarily apolitical subjects, such as religion and soccer, are examined from the rose-colored glasses" of partisan politics. Dame added: "Reporting generally is colored by the political orientation of a particular media entity. It affects the perspective from which news is presented."

In the opinion of panel members, the blatant political partisanship of Ghanaian media is also partially responsible for the institutional and professional mediocrity that have continued to plague the country's media nearly 20 years into the new age of media plurality. As Aday noted bluntly, "It is easy to tell that a particular journalist is in the pocket of a politician. A political opponent becomes his abiding target, and he [the journalist] makes it his unrepentant duty to routinely publish scurrilous and very one-sided stories about the person." Sarpong added that "often, they hide behind the tenuous disclaimer that 'all attempts to reach XYZ for his side of the story proved futile.'"

The low score for pay levels for journalists, the lowest of all the indicators for professional journalistic standards, lends ample support to Asante's view that "remuneration for journalists in Ghana is nothing to write home about." According to Quarshie Kakraba, program producer for Radio Peace in Winneba, the situation has made journalists unwitting pawns in the hands of politicians: "Certain vital news may be held back, especially where it affects the

integrity of a public official. The journalist concerned is invited behind closed doors and convinced or influenced with monetary considerations to abandon the matter.”

Egbert Faibille, editor-in-chief and publisher of *The Ghanaian Observer*, affirmed this view: “Because of low wages and general economic challenges, journalists are generally not paid well, thereby depriving journalism of qualified brains. This has resulted in a situation where half-baked journalists, especially in the private media, dominate the media landscape with implications for quality.”

It is also common to find stories in the press in which no identifiable source is named and no byline or attribution is provided. “At best, it is given the nebulous epithet ‘By a Special Correspondent’ or ‘a news desk report,’” Sarpong noted. Women’s NGO advocate Harrison blamed this in part on the failure to pass the right-to-information bill, which, she said, “allows for the speculation of news items, usage of anonymous sources, and subjective presentation” of news. In effect, some journalists routinely dishonor the most elementary professional ethics for cash inducements—what Faibille called “soli,” industry jargon for “solidarity”—a payment made to reporters in consideration for favorable coverage. Asante agreed, adding, “It is now termed ‘transportation’ or ‘lunch package.’”

This greasing of the journalist’s or editor’s palms in order to get a particular version of facts reported poses credibility challenges for media practitioners. As panelist Adae noted, “Owing to the loss of professional independence, many media practitioners have lost their integrity.” Broadcaster Bartels added that, “No wonder journalists are now leaving their calling and taking up jobs in marketing and advertising, and as communication directors of firms.”

The outlook on economic viability is mixed. Broadcast stations (with the notable exception of rural-based FM radio) require a relatively higher capital outlay to establish, but they are also the industry cash cows. Newspapers, with the possible exception of the state-owned *Daily Graphic* and *Ghanaian Times*, operate on a shoestring. They are generally poorly capitalized, single-person proprietorships that operate with the very barest of newsgathering and production resources. Broadcaster Quarshie and news editor Asante agreed on the obsolescent state of their working tools. “Some newspaper houses still write reports on sheets of paper before typing due to lack of computers, recorders, and even cameras for photography,” Asante said.

Quarshie noted that rural media were most lacking in resources. “The absence of modern facilities like Internet dearly affects the performance of journalists,” he said, adding that is accountable for much of the mediocre broadcast

production and inelegant page layouts. Accordingly, the panel lamented that the numerical increases in print publications and broadcast outlets were still not being matched by improvements in format and content in both media.

Although, as stated earlier, the GJA has a code of ethics, the panel noted the limitation that membership is optional. Accordingly, there seems to be no sense of obligation on the part of some practitioners to comply with ethical injunctions. Adae, the consultant, encapsulated this sentiment: “Although there is a widely promoted code of ethics for the GJA, its precepts are not widely adhered to. This is partly because many practitioners are not members of the GJA.” The panel noted that even for members of the association, ethics violations attracted no more than the moral sanction of a public condemnation, a rare occurrence in the first place, and not of sufficient deterrent value in any case. “Unethical behavior, unprofessional output, and corrupt conduct abound,” Adae said.

The wide range of print and broadcast outlets means that there is always an avenue for issues to receive media attention and gain public visibility. Therefore, panelists did not hold that editors were necessarily coerced into self-censorship. Moreover, the constitution provides under Article 162 (4) that “editors and publishers of newspapers and other institutions of the mass media shall not be subject to control or interference by Government, nor shall they be penalized or harassed for their editorial opinions and views, or the content of their publications.” And yet, as Sam pointed out, journalists with “the state broadcaster [GTV and GBC radio] seem to practice self-censorship. They hardly ever go beyond merely reporting events. They traditionally stay clear of controversial issues lest they rock the boat and offend the powers that be.”

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

According to the panel, journalists have also tended to emphasize sleaze and trivia over serious, well-sourced, and contextually backgrounded events and issues. "Sensationalism, emphasis on trivialities for the sake of boosting sales...are some of the drawbacks," said women's NGO advocate Harrison. Adae added that "the TV networks clog their airwaves with telenovellas [soap operas]" and that "too many programs on radio and TV are promotional rather than editorially relevant." This pandering of the commercial media to bottom-line considerations rather than to airing important issues is probably understandable since, as panel members conceded, he who pays the piper calls the tune. In fact, Radio Peace's Quarshie argued a spirited exception for his station, pointing out that "the greater proportion of airtime for community radios is geared toward education and information, with only a small percentage allotted to entertainment."

OBJECTIVE 3: PLURALITY OF NEWS

Ghana Objective Score: 2.47

The score for this objective received a modestly lower score from the panelists this year. All indicators dropped very slightly, but Indicator 2 (citizen access to media) showed a much larger decrease in score. Most of the indicators scored close to the overall average, although Indicator 4 (news agencies) scored slightly more than a half-point lower.

The panelists observed that the sheer number of outlets suggests a plurality—"or the facade" of one, Sarpong interjected—of news sources. This is largely attributable to the fact that, since the return to constitutional democratic governance in 1992, the media sector in Ghana has been quite laissez-faire. Thus, as the panel noted, while in some countries there are quotas on foreign direct broadcast feeds, no such limitations seem to stand in the way of foreign broadcast entry in Ghana. Accordingly, there is a significant presence of international broadcast media organizations, including the BBC, CNN, RFI, VOA, C-Span, DW, Al-Jazeera, and CFI.

There is also a significant representation of international mainstream news magazines, including *Newsweek*, *Time*, *The Economist*, *Financial Times*, *Mirror*, and even French-language publications such as *Le Monde*. The panel attributed the popularity of the foreign media to their superior quality of production and output, in contrast to the local newspapers, which, they lamented, are essentially political-party tract sheets. "Regrettably, Ghanaian journalists have not considered these flagship examples of media as a teaching aid," Bright Blewu, general secretary of the GJA, said with tongue in cheek.

Availability does not amount to affordability, however. As Adae pointed out, "Access to foreign media is unfettered. However, access to cable satellite media is unaffordable." Sam added unapologetically: "I gave up *Time* and *Newsweek* long ago because of the cost."

Besides, from an egalitarian perspective, the numbers of news outlets would seem to belie the lack of real diversity. Sarpong insisted that "while there are many media outlets, there is no real variety." For one thing, commercial newspapers and broadcast stations have tended to cluster within the capital cities of Accra and Kumasi, to the relative exclusion of the majority rural population. And as Asante acknowledged: "Urban dwellers have more access to the various media than rural dwellers. The Internet and other new media facilities abound and are widely used in the urban areas, but this is affected by income levels, illiteracy, and unreliability of the telecommunication networks." Added Adae: "Even in the urban areas, the Internet is used mainly for entertainment and social networking, and not for news sources." Indeed, blogging is still a highly under-utilized genre in Ghana.

The following anecdote recounted by broadcaster Sam provides a poignant illustration of the lack of sufficient breadth in the population served by the media: "I recently spent five weeks at Tumu, a town 18 kilometers from the southern border of Burkina Faso. Though this town is the second largest in the Upper West Region of Ghana, I was astonished at the almost complete lack of newspapers. If you were lucky, you had the national dailies a day or two after publication." He went on that this exclusion was not limited to newspapers. "Apart from GTV, none of the Accra-based TV

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

stations could be received without the aid of a satellite dish. And how many people can have that?"

In terms of news agencies, there is only one official indigenous wire service, the Ghana News Agency (GNA), which was established in 1957 and which has struggled to survive because of financial pressures. A few international newsgathering services, such as Reuters and AP, are, however, available on subscription by broadcast and print outlets in the country.

The ownership of media outlets is a matter of public record, accessible both at the Registrar General's department, where all business registrations are filed, and at the two regulatory institutions in the country, the NMC and the NCA. As newspaper editor Faibille explained, "Any citizen who is desirous of knowing who owns what media can easily find out." Indeed, media owners have little reason to disguise their stakeholder interests since Article 162 (3) of the constitution provides that "there shall be no impediments to the establishment of private press or media."

The panel noted that the media have tended to reflect the views and promote the interests of the minority elite. Consequently, while in theory there may be no conglomerates, the owners, as Sarpong argued, "tend to reflect the same social and political views." Furthermore, the panel noted that the owners of most of the private tabloids are friends; they share the same broad perspective; and they sometimes even share office premises and equipment. Not surprisingly, there is, not infrequently, a curious coincidence in their news scoops and even headlines.

Most media, both public and private, generally produce their own news programs. There are, however, more than 20 independent production companies that principally produce sponsored television infomercials, documentaries, and live shows. Notable among them are Charterhouse Productions, Channel 2 Productions, Sparrow Productions, Eagle Productions, Village Communication, Premier Productions, Point Blank Media Concept, Deltrack, and Bullseye. Further, the panel noted the growing trend of multiple ownerships and affiliations in FM radio, in which urban fringe and rural FM stations often form "network partnerships" to expand their audience and market presence. A number of FM radio stations, and literally all television stations, also rebroadcast international news from networks such as the BBC and VOA.

There is only one local-language newspaper, the *Graphic Nsempra*. However, the majority of FM radio stations provide substantial avenues for broadcasting in Akan, the dominant local language in Ghana. This situation is, in the opinion of media lawyer Dame, inauspicious for the preservation and development of the cultural and linguistic identity of minority ethnic groups. He recommended the formulation of state

guidelines on the use of minority languages. "Such a policy will provide guidelines on how minority languages should be used in promoting cultural diversity, religious tolerance, and democratic participation," he said. Harrison, of the ABANTU NGO, further pointed out that "programming does not often promote the welfare of certain groups, such as women."

OBJECTIVE 4: BUSINESS MANAGEMENT

Ghana Objective Score: 2.13

Of the five broad measures of the sustainability of the media in Ghana, the business outlook evoked the least enthusiasm of panel members, who awarded it a score somewhat lower than last year. Most of the indicators remained more or less unchanged or dropped slightly; however, Indicator 5 (government subsidies for commercial media) did receive a noticeably lower evaluation. All indicators scored within a half-point of the overall objective score.

"The media industry in Ghana is an anemic infant," Sarpong summed up. And, in the face of the bleak reality of dwindling newsstand sales and increasing production costs, the panel again flagged the threat of political patronage. Blewu, of the journalists' association, explained that "many are one-man businesses—struggling to pay their workers" and therefore are "easy prey to being commandeered for political propaganda ends." In effect, the lack of autonomous revenue capacity makes the private press vulnerable to manipulation by political financiers.

The liberalization of the market and media has also led to the growth of large and small advertising outlets that

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

serve multilateral and local advertising needs and cater to different types of client needs and sizes. Consequently, the panel observed an increase in the amount and variety of advertising and concluded that relative to what prevailed in the past, this should bode well for the media industry as a whole. Unfortunately, the overbearing influence of advertising power has also tended to compromise the editorial independence of the commercial media. As Faibille recounted, "Multinationals and other big companies withdraw ads when they are criticized."

Dame was concerned about the prospect of government advertising's being so selectively deployed as to produce "soft censorship." "The government could reward a particular media for staying on the straight and narrow way by nourishing it with sumptuous servings of government advertising budgets, and on the other hand, [deprive] another media house of any advertising as punishment for stepping out of line," he said. Furthermore, as broadcaster Bartels added, some nongovernment advertisers might be wary of advertising in some newspapers for fear of being earmarked as pro-government or pro-opposition.

The independent media in Ghana do not benefit from any state or parliamentary subsidy. Sam suggested there be one. "In view of their acknowledged role in sustaining democracy and good governance, it would help considerably if some kind of newspaper fund were established by the government, from which newspapers could access loans to enlarge their operations."

There are no independent nationwide distribution services, and with the possible exception of the state-owned press, newspapers hardly reach beyond the regional administrative capitals.

Few big media houses can afford the prohibitive costs of independently generated market research to guide their output and scheduling. Other media outlets occasionally make unverifiable ratings claims, and the credibility of their figures is compromised by their vested interests.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Ghana Objective Score: 2.79

The relatively high score for supporting institutions provides ample evidence of how zealously Ghanaians cherish and guard the liberties guaranteed to the media under the 1992 constitution. However, the panelists did score this objective slightly lower than last year. Most indicators showed little fluctuation, although Indicator 1 (trade associations) did

suffer a noticeable decline. All indicators did score rather close to the overall objective score, however.

"Ghanaians recognize the pivotal role the independent media play in ensuring the entrenchment of democratic principles and good governance in the country," Sam observed. The burgeoning of media institutions and facilities, coupled with the enabling democratic conditions for freedom of association, have led to journalists and media operators organizing themselves around associations of common interests to promote their goals and aspirations. Thus, in addition to the GJA, other associations and affiliations include the Ghana Independent Broadcasters Association, the Ghana Community Radio Network, the Institute of Public Relations, the Advertisers Association of Ghana, the Film Makers Guild, the Association of Women in the Media, and Women in Broadcasting.

Add to these the Internet Society of Ghana, West Africa Journalists Association, Sports Writers Association of Ghana, Sports Broadcasters Association, Environmental Club of Journalists, Economic and Financial News Reporters Association, the Association of Past Broadcasters, Communication Workers Union, and the Ghana Association of Writers. All these unions and associations work to preserve their professional integrity and to advocate for their members.

As Sam noted, however, "What clout these bodies wield over their members and how they are able to ensure ethical and professional practice is another matter." Faibille was more blunt: "Most of these professional associations do not support journalism practice. They are mostly empty shells." In Harrison's view, however, the GJA must be singled out for playing a vanguard role in safeguarding the rights of journalists. "At the same time, it has spoken publicly against members who overstep the boundaries of professionalism," she said.

A number of media and advocacy NGOs work with the media to support press freedom, freedom of expression, and professional development. Notable among them are the Media Foundation for West Africa (MFWA), the Commonwealth Human Rights Initiative, the Frederick Ebert Foundation (FES), the GJA, and the other associations of media practitioners. Sam cited, for example, the financial and technical assistance of the MFWA and FES to associations of journalists and rural/deprived media, which have resulted in a number of workshops and orientation programs as well as publications on media-rights violations and standards of professional and ethical practice.

NGOs and civil society were also instrumental in the successful abolition of the criminal libel and sedition law in Ghana. They have also initiated the drafting of a right-to-information bill and since 2001 have been lobbying for its passage. And as Sarpong pointed out, the constitution has established the

NMC to promote freedom and independence of the media. "The commission's work is, however, hampered by lack of resources," he noted.

There are also at least a dozen accredited media/communications and journalism training institutions in the country. These include the graduate School of Communication Studies at the University of Ghana, the Ghana Institute of Journalism, African Institute of Journalism and Mass Communication, National Film and Television Institute, Manifold Academy, Jayee Professional Institute, Ghana Telecom University College, and GBC Training School. And the numbers continue to increase. Access to these training institutions is open. The only conditions for entry are similar to the general requirements for admission into other secondary or tertiary institutions in the country.

In terms of quality training, however, the panel was less enthusiastic. They blamed some journalistic mediocrity on what they considered to be the low standards of training institutions in the country. "The professional standards of journalists produced by training institutions in the country do not seem to be satisfactory," Dame, the media-rights lawyer, said. The panel's assessment was that there must be more in-service training and workshops to provide continuous professional development and skills training to practitioners.

The availability of newsprint and printing and distribution facilities is very much driven by economic imperatives and is free from political interferences or restrictions. Harrison noted that this is partially why urban commercial centers are inundated with media production and distribution facilities, while few entities locate within, or address the media needs of rural populations. Thus, newspapers often take more than 24 hours to reach some parts of the country. What's more,

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

limited television coverage excludes a large number of citizens from being well informed and participating fully in decisions affecting national governance. Sam called for state subsidies, tax rebates, or logistic support to private investors who might be interested in serving deprived rural communities. This, he insisted, would be the government's way of putting into practice the constitutionally guaranteed rights of all citizens to freedom of expression and access to the media.

List of Panel Participants

Samuel A Bartels, morning show host, Citi FM, Accra

Kakraba Quarshie, program producer, Radio Peace, Winneba

Rejoice Esi Asante, regional news editor, *Ghanaian Times* newspaper, Accra

Egbert Faibille, lawyer, publisher and editor-in-chief, *The Ghanaian Observer* newspaper, Accra

Hamida Maalim Harrison, program officer, ABANTU for Development, Accra

Godfred Yeboah Dame, legal practitioner media rights advocate, Akuffo Addo Prempeh & Co, Accra

Charlie Sam, lecturer, radio trainer, Accra

Eric K Adae, partner, Evolve Limited, Accra

George Sarpong, executive secretary, National Media Commission, Accra

Bright Blewu, general secretary, Ghana Journalists Association, Accra

Moderator

Gilbert Tietaah, lecturer, graduate School of Communications Studies, University of Ghana, Legon

Observers

Beatrice Amoah, program officer, Research & Publications, Media Foundation for West Africa, Accra

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The Ghana study was coordinated by, and conducted in partnership with, the Media Foundation for West Africa, Accra

Even if the country's new leaders make good on their promises, the media will still face many of the same problems that plagued them during Conte's rule: instability, a failed economy, and a legal environment characterized by often contradictory press laws.



GUINEA

Over the past year, Guinea's media struggled to work in an unstable environment, as their country was rocked by a series of crises that included a military mutiny, a strike by police and customs officers, demands by professionals such as teachers and doctors, street protests in favor of bringing water and electricity to neighborhoods, and the existence of a drug trafficking network. Then, in December 2008—shortly after MSI panelists met to discuss the media situation—something even more cataclysmic happened: President Lansana Conte, Guinea's autocratic military ruler since 1984, died. A group of junior military officers seized power, installing a civilian prime minister and initially promising to bring democracy to Guinea within two years.

While the passing of Conte appears to herald major changes for Guinea, the future of the media is unclear. Even if the country's new leaders make good on their promises, the media will still face many of the same problems that plagued them during Conte's rule: instability, a failed economy, and a legal environment characterized by often contradictory press laws.

At the same time, there are promising signs. After Conte liberalized the airwaves in September 2005, several independent radio stations appeared, and Guineans were able to receive international channels such as RFI and the BBC. Guinea now has 17 private radio stations, at least five which are community stations. Government-run and private broadcast media both have interactive programs that give citizens and opposition parties the opportunity to speak. Media professional associations and other NGOs are more and more active in protecting their members' interests.

GUINEA AT A GLANCE

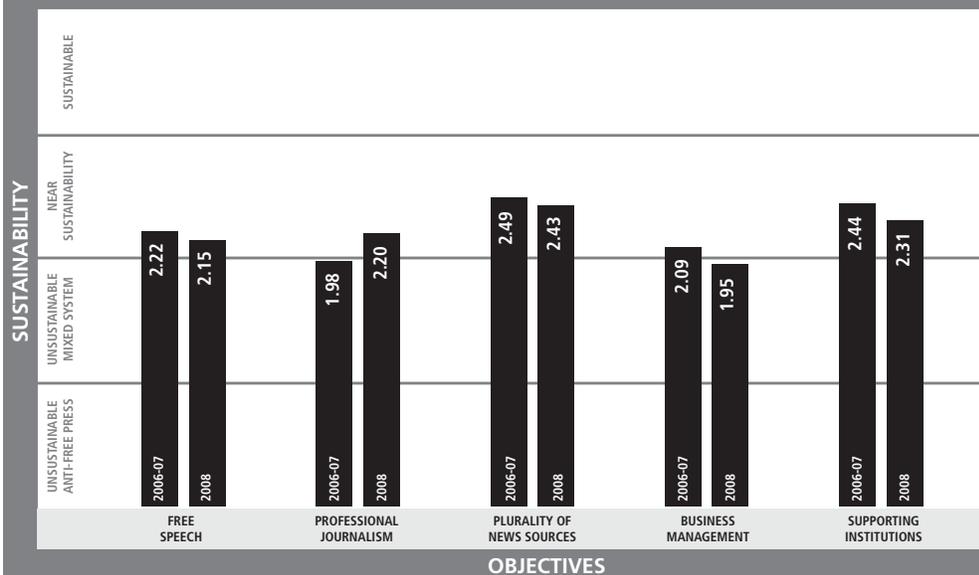
GENERAL

- > **Population:** 10,057,975 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Conakry
- > **Ethnic groups (% of population):** Peuhl 40%, Malinke 30%, Soussou 20%, smaller ethnic groups 10% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 85%, Christian 8%, indigenous beliefs 7% (*CIA World Factbook*)
- > **Languages (% of population):** French (official); note - each ethnic group has its own language (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$3.722 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$1,190 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 29.5% (male 42.6%, female 18.1%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Lansana Conte (since April 5, 1984)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 250+; Radio: 28, 6 of which are large commercial stations; Television stations: one public channel
- > **Newspaper circulation statistics:** Top four by circulation: *Le Lynx*, *L'Indépendant*, *L'Observateur*, *Le Diplomate*
- > **Broadcast ratings:** Top three radio stations: FAMILIA FM (independent community radio), Espace FM (commercial), Nostalgie (commercial)
- > **News agencies:** Guinean Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 50,000 (2006 estimate, *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: GUINEA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Guinea Objective Score: 2.15

Article 7 of Guinea's constitution recognizes every citizen's right to the freedom of speech. In addition, organic law L005 is concerned with promoting freedom of the press and the creation of private media outlets. In its first version, this law still had many restrictions. "While it allowed Guineans to create press outlets, it restricted the creation of private radio and television stations," said Amara Camara, a journalist with Radio-Television Guinea (RTG).

Other factors work against a permissive legal framework for the media. The judiciary is controlled by the government. At a political level, the National Communication Council (NCC) balances freedom of speech against laws prohibiting "comments that may incite revolt or any other form of violence." A few cases of violations of the freedom of the press were recorded during the past year, including the NCC's closing of the newspapers *La Vérité*, *L'Observateur*, and *Las Croisade* for, according to the Committee to Protect Journalists, "continually publishing insulting, contemptuous, and defamatory articles" of a nature to "manipulate public opinion." As for the broadcast media, the community radio station Familia FM was sanctioned by the NCC for, among other things, spreading information deemed "harmful to the national security."

The granting of operating licenses to the electronic media is controlled by the Ministry of Communication and New Information Technologies, the NCC, and the National Department of Homeland Surveillance. Despite existing telecommunications legislation and Decree No. 037/PRG/SGG issued on August 20, 2005, which established a competitive process for the granting of broadcast licenses, for political reasons it is complicated for some and simple for others. Private radio stations close to the authorities do not have much trouble getting licensed. According to Mamady Yaya Cissé, a professor at the Higher Institute of Information and Communications, "favoritism exists and is due to political reasons. Some owners are kept waiting for years, while others receive their license immediately although their applications are not well put together." The law is not preferential; the process depends on the mood of the license-granting officers. There is no appeal or other resort if the authorities deny a licensing application.

To start a private commercial radio station, an owner is required to pay up to GNF 45 million (GNF 20 million (\$3600) for the license and GNF 25 million (\$4550) for the frequency), while a community radio owner must pay GNF 2 million (\$350). Commercial and community radio stations must also

According to Mamady Yaya Cissé, a professor at the Higher Institute of Information and Communications, "favoritism exists and is due to political reasons. Some owners are kept waiting for years, while others receive their license immediately although their applications are not well put together."

pay annual license fees of GNF 15 million (\$2700) and GNF 2 million, respectively.

Newspapers have no such restrictions. Whoever wishes to start a print media company must apply to the Trade Registry and the Ministry of Commerce and Competition, but the only requirement is that a publication be created by a press group in order to be registered. Ismail Kabiné Camara, of the newspaper *Le Diplomate*, pointed out that "things are much easier for the written press, as it is as simple as sending an initial letter to the attorney general of the republic to have your newspaper approved and published immediately."

Unlike other businesses, the Guinean media are not subject to taxation. Alpha Abdoulaye Diallo, with the Guinean Independent Press Association, said that "you will never find a situation where they come and close a newspaper for not having paid its taxes."

Journalists were victims of beatings and violent acts by the police in the past year. In one such incident, police attacked journalists with the private radio station *Familia FM* while they were reporting a story. "They were ill-treated, and their equipment was confiscated," said Chaickou Balde, a government broadcaster and member of the Guinean Human Rights Organization. Attacks by private citizens are less frequent. A few rare disputes may arise between journalists and people who feel that they were victims of slander and who react by attacking the article's author with sticks. Threats of violence against reporters have also been made, usually by members of the police or security services or by individuals who wish to settle personal issues. For example, anonymous, intimidating text messages were sent to the news manager of *Familia FM* and to local correspondents of BBC and RFI. Journalists have no recourse when attacked, according to Cherif Diallo, with the community radio station of Bissikrima. "When people are attacked, I do not know what happens next," Diallo said.

Generally, the government keeps a close eye on the functioning of the public media, according to Amara

“When you contact an office...you will be sent from one official to the other, and eventually you will not get reliable information. So then we must use euphemisms and rely on rumors, because we still need to write something,” said Ismail Kabiné Camara, of the newspaper Le Diplomate.

Camara, a journalist with RTG, the public broadcaster. “News managers in the public press are under political control,” Camara said. “In the public media, managers are appointed by decree or ministerial order, so they take orders from those who appointed them.” Despite this influence, in recent months, RTG has covered sensitive subjects and given the ruling party and opposition parties balanced treatment, which is closer to the tone that prevails in the private media.

Some private newspapers are believed to be linked to political leaders, though issues of ownership are so cloudy that there is no tangible evidence.

There are several laws that cover libel. If the government brings a libel case against a media outlet, the outlet can be compelled to pay a fine. Recently, the newspapers *La Vérité* and *La Libération* were subpoenaed by the Ministry of Urbanism for allegedly spreading false news about the

ministry. “They went to court and there was a trial. The two newspapers were sentenced to pay a fee of GNF 500 million [\$91,000],” said Makalé Soumah, a television journalist with RTG. When the government was judged to be in the wrong, however, President Lansana Conte often went to the aid of the media. Alpha Abdoulaye Diallo said that “when journalists are victims of police blunder—as in the case of the former publication manager of *L’Observateur*, who was imprisoned without going to trial—the president intervened, and he has also done so for others.”

In addition, any citizen has the right to file a complaint against the author of a slanderous article. Citizens also have the right to reply, but if highly placed state officials are involved they often go to court without waiting for the right to reply to be published. Much more often, people file complaints with the NCC requesting the closing of the newspaper or compensation.

Gaining access to official information is extremely difficult, especially when a scandal is involved, because the government will not give out information. “When you contact an office...you will be sent from one official to the other, and eventually you will not get reliable information. So then we must use euphemisms and rely on rumors, because we still need to write something,” said Ismail Kabiné Camara, of the newspaper *Le Diplomate*.

Journalists in different media do not have equal access to information because there are no guidelines on this point. Sometimes even government journalists are denied access to information at certain levels of government. As a result of all this, journalists do not really know how to obtain public information. Panelists suggested that one solution might be creation of a press club to which journalists could invite newsmakers and let them speak freely.

There are no restrictions on the ability of Guinea’s public or private media to access international news sources. However, the government is sensitive to the news released on foreign stations, and transmissions are frequently interrupted. Internet access has improved significantly. Many newsrooms now have computers with Internet connections, making many journalists’ work easier. A partnership between the media, some cyber café owners, website owners, and radio stations has been created to find an Internet subscription solution.

The government neither restricts entry into the journalism profession nor requires individuals to be licensed. Getting hired depends entirely on the editor in chief—a process that should be made more rigorous, according to Ismail Kabiné Camara. “As long as one is qualified to practice this profession, and in order to minimize any damage, one should be qualified as a journalist and observe the ethical standards and responsibilities,” Camara said. “These elements are important.”

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Guinea Objective Score: 2.20

Guinean journalists do not report fairly and accurately, a number of panelists said. "Reports are biased and favor one aspect to the detriment of others, thus ruining the balance," Balde said.

In general, journalists working for public media rely on information handed out by government institutions instead of checking it personally in the field. "People sit in newsrooms all day long, waiting for reports made to order; they have no initiative to go search for the news themselves. And when they do go out in the field they are paid off by event organizers," said RTG radio's Amara Camara. This attitude is often reflected in the quality and reliability, if not the credibility, of the news. Camara added: "This means that we are only acting as intermediaries between the authorities and the public. So there is no quality standard."

Guinean media do not invest in production. The very few shows produced by the public radio stations and television channels are the responsibility of the show managers, whose funding must come from individuals and institutions requesting their services. Therefore, one cannot really speak of quality shows and reports. "Show quality is a resource problem," Cissé said. "There is no production budget, no logistics for news gathering. The only means journalists have is the compensation reporters may receive from report backers. And the resulting articles or pieces will be influenced by the backers' interests."

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Despite all this, RTG recently has begun to provide news coming from all over the spectrum. It even-handedly covers events involving political parties and approaches subjects that used to be considered taboo, such as national security.

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The Journalists Association of Guinea, the Guinean Media Observatory and other journalists' organizations have established ethical rules and responsibilities. But the codes have not been well publicized, and are not at all known by media practitioners. On the contrary, very few Guinean journalists have the professional conscience that lets them refuse money or any other off-the-books compensation for their professional services. "All the expenses incurred by RTG reporters, for example, such as transportation, per diem allowances, accommodation, and food, are paid for by event organizers," Cissé said. "This situation limits their freedom in reporting."

Experienced journalists will eventually observe ethical rules, said Alpha Abdoulaye Diallo, but "when we are rookies, we are tempted to cover events and report to order."

Guineans have widely varied perceptions of journalists' ethics. Many believe that journalists who work in the public media belong to the presidential circle of influence and those who work in the private press are part of the opposition. The presence of a journalist from the private press in a ceremony that high officials also attend is very badly seen. Another category of journalists whose behavior generates anger is those who are manipulated by pressure groups.

Self-censorship is common in the Guinean media, particularly the public media. Sometimes public media managers are under pressure from the authorities and force journalists to ignore particularly thorny issues. These managers are often afraid of losing their job if they allow certain kinds of news to go out.

Self-censorship can also be voluntarily, particularly in the broadcast media. "We are building our own fences, barriers, things we can say, things we cannot say," said Makalé Soumah, of RTG television. "When your report is done, you think: If I submit this, my editor will censor it anyway, so I'd better do it myself."

Familia FM, a community radio station, is one outlet that does address all kinds of subjects, particularly in its show called Société—débat. At the time this survey was conducted, however, the station was about to be closed because of this show, which was very popular with Guinean and foreign listeners.

Familia FM, a community radio station, is one outlet that does address all kinds of subjects, particularly in its show called *Société—débat*. At the time this survey was conducted, however, the station was about to be closed because of this show, which was very popular with Guinean and foreign listeners.¹

In general, key event coverage by the media is not restricted. Big events sell newspapers, though for the private media, some events are more important than others. In very rare cases, newspaper managers forbid journalists to address news such as disputes between companies. Certain events are covered selectively.

On average, journalists working in the public media currently earn GNF 400,000 (\$72) per month, which represents a fifth of what their counterparts in countries such as Senegal, Mali, and Cote d'Ivoire make.² Some journalists working in the private media are relatively better paid than their counterparts in the public media. Most members of the private written press are in fact freelance contributors and are paid by the piece. Journalists are not protected by a collective contract, and managers seem content with this situation.

When journalists are, in effect, practicing rent-paying journalism—working just to get by—this leaves them vulnerable to corruption. Soumah said that “interns who work for newspapers are perpetual interns, because their status will not change. They have no salary, not even stipends. These people live off of their reporting, especially since they are given transportation to do it. So it is impossible not to become corrupt.”

Public broadcast media maintain a balance between entertainment and news programs. Private radio stations, however, occasionally allow entertainment to predominate

¹ On November 11, 2008, NCC suspended Familia FM indefinitely for broadcasting information that it characterized as likely to “disturb the public peace.”

² Editor’s note: panelists in some of the countries listed as an example did not provide specific salary levels; however, in Senegal panelists reported a minimum monthly salary of \$400 for journalists.

for lack of financial resources. “When you listen to Radio Soleil, you’ll find that they only play music all day long, because the station’s owner simply refuses to hire professionals,” Cissé said. Amara Camara went further, saying that “80 to 90 percent of the air time is covered by music. The listeners will have trouble finding a station that airs a program they may like or landing upon a news bulletin. There are no production budgets, and if there are any, they are not given to producers.”

As a result of a panel study, RTG recently implemented a plan to reorganize its programming to meet the expectations of an increasingly demanding audience. The panel also recommended recruitment of journalism school graduates, allocation of a production budget, supporting freedom of speech by encouraging differing opinions, and development of broadcast archives.

In addition, RTG radio recently moved from analog to digital broadcasting, and efforts are being made to obtain new equipment. For example, there are computers with Internet connections in their offices. But the network is still crippled by a lack of transmitters. Efforts are also being made for the technical improvement of RTG television; technical maintenance by professionals is non-existent.

Some private radio stations, such as Familia FM, Espace FM, and Djigui FM, have modern, state-of-the-art equipment. As a result, all outlying areas of the capital can receive them.

In the print media, lack of resources hinders quality. Ismail Camara, with *Le Diplomate*, said that “there are newspapers without an office, computer, and camera. They still manage to get the papers out, week after week, just trying to get by.” In addition, many print journalists are not skilled at using word-processing or publication software.

With rare exceptions, such as with the newspaper *Le Lynx*, few Guinean media practice investigative journalism. Media managers must do more about helping journalists to specialize, for example by creating pools of journalists specializing in specific subjects. There is a need for journalist networks in fields such as the environment, the fight against corruption, AIDS, the fight against poverty, gender, and education.

OBJECTIVE 3: PLURALITY OF NEWS

Guinea Objective Score: 2.43

Not all citizens have equal access to the news. Newspapers are not accessible to all for a variety of reasons, including communication problems, the weak purchasing power of the population, and the high level of illiteracy. Newspapers are

primarily located in Conakry, the coastal capital city, but some parts of the interior are also covered by the private press. For example, the mining fields of Lower Guinea and the border cities of Koundara and Kissidougou have more press consumers than commercial cities such as Labe and Kankan. Distribution is often a problem for the private press.

Most radio stations are also based in Conakry. In the rest of the country, people receive news from rural radio stations but not from the RTG, which is known for its frequent technical problems. "A large part of the population is uninformed," said Cherif Diallo, with the community radio station of Bissikrima. "It must be said that local populations have access to community radio where they live if full coverage is available, but there are some silent areas." The number of community radio stations is increasing, reducing these constraints for the people. Community radio stations have a well shaped editorial policy and programs that are adapted to local realities, but they are not on the air all day long.

As a general rule, the government does not restrict citizens' access to news from local or international media. Access to the international press is difficult, as the costs are unaffordable. Access to television, in rural as well as urban areas, is limited by factors such as electricity and the people's purchasing power.

The public media have three goals: preserve peace and national unity; promote social, economic, and political development, and; improve the president's public image. RTG radio has been making efforts in recent months to cover events concerning all political parties and other news with no limitations. The coming months will show if this trend

"A large part of the population is uninformed," said Cherif Diallo, with the community radio station of Bissikrima. "It must be said that local populations have access to community radio where they live if full coverage is available, but there are some silent areas."

continues. "I believe that circumstances have changed," RTG's Amara Camara said. "There is competition now. Whether we like it or not, we must go down this road. We must just think: if we refuse to say something, others will say it. There are international stations that broadcast in FM; the audience rating is good. We now have private radio stations, and soon there will be private television channels. We are forced to go with the competition."

There are no independent or foreign press agencies in Guinea. The only national news service, government-run Guinean Press Agency (AGP), faces huge technical and financial problems and cannot meet the expectations of the other media in the country. The news that it produces is sent online to private media outlets and international entities. No Guinean media subscribe to this press agency regularly, but all press outlets receive official documents through AGP.

Private commercial radio stations are independent, and produce their own programs and air them with no external interference. Rural and community stations are gaining experience that has earned them a good deal of appreciation. They produce quality programs, have substantial newscasts, and are well managed. "They develop very interesting programs," Cissé said. "If you go out to the villages, you will understand how much the people love the hosts' performance." Their programming is based on local realities, explained Cherif Diallo of Bissikrima community radio. "We interview local farmers. We speak their language and only about their activities... If we are rebroadcast on national radio, we have the reports translated. So the people understand that we work for them," he said.

Individuals possibly acting on behalf of highly influential political parties or businesses control some private media. Guinea's media laws and regulations clearly state that religious groups and political parties cannot run private radio or television stations, but panelists said they really do not know who owns some private radio stations. Private newspapers are sometimes managed by an individual acting as a front for the real owners. Foreign investment in the

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

RTG radio has been making efforts in recent months to cover events concerning all political parties and other news with no limitations. The coming months will show if this trend continues.

Guinean media is directed towards online media, whose owners usually live abroad.

The media report fairly on the social concerns of even the most remote communities. Problems such as blocked traffic on forest roads or flooding in a prefecture in upper Guinea, fires in villages or cases of cholera epidemics are covered by the media. This thorough coverage prompts the authorities to react to high-profile stories as quickly as possible.

Panelists noted that there are religious groups (mostly Christian) that sometimes accuse private newspapers of prejudice in covering events.

OBJECTIVE 4: BUSINESS MANAGEMENT

Guinea Objective Score: 1.95

The written media were initially created to provide jobs and also to encourage self-employment as a way to build a real business. As far as job opportunities created by media businesses are concerned, very few well-managed newspapers work with accountants and an annual balance sheet. "Many newspapers want shareholders to interfere with

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

the newspapers' functioning and make contributions to the social security fund to prepare for their retirement," Alpha Abdoulaye Diallo pointed out.

There is no collective contract, and so no press union.

Funds for public media come directly from the government's budget and are not well managed. The public media receive all their revenue from the government but do not have enough resources to carry out their public service mission. The private media are financed by their owners and receive an annual state subsidy. Among print outlets, most funding comes from advertising, sales, and sponsors. There is no subscription system.

These income sources influence editorial policies, panelists said. Soumah said that "many newspapers are under the control of economic factors; this applies not only to newly created outlets but also to others." "This phenomenon is visible. Articles are being written and published to order, and they are not marked as advertising or editorial advertising," said Ismail Kabiné Camara.

The Guinean media are always in need of advertising because this is the only reliable source of income. Unfortunately, the advertising market is scarce, which is why newspapers often lose money. The advertising sector is handicapped by the weaknesses of Guinea's economic and financial system. In the written press, advertising agencies make a profit, to the detriment of the public and private media. The lack of professionalism in the area is prevalent.

In the public media, advertising is regulated by the Guinean Advertising Office. There is no regulatory body for advertising in the private media. Many companies appoint an agent to negotiate with press owners over advertising.

Newspapers promote advertising to an outrageously larger extent than news. "Advertising is their main income source," said Soumah. "They are putting in two or three pages worth of advertising to the detriment of news just to get through the week or the month."

The government provides an annual subsidy to private print media, which owners consider insufficient because it does not solve all the problems that newspapers face. The subsidy has enabled some publications, as in the case of *Le Diplomate*, to purchase and update their equipment and ensure the welfare of their employees. The NCC requires that recipients of the subsidy provide evidence that the money has been spent properly.

Private radio stations also receive an annual state subsidy. The subsidy for 2008 was GNF 18 million (\$3300) for commercial stations and GNF 10 million (\$1800) for community stations.

This subsidy is subject to conditions that affect the freedom of the recipient. One such condition is that any outlet that has been sanctioned even once by the NCC automatically loses the subsidy for the year. Some private media have disappeared because they were deprived of this subsidy.

Subsidies do not affect the editorial content of media outlets. Panelists felt that the subsidy is a sign that the government understands that private media are essential to democracy.

In Guinea, there is no institution that that conducts market research. Audience response to interactive shows can give broadcast media a general idea about ratings. Newspapers rely on the amount of advertising and the number of copies sold for market data. This shortcoming needs to be addressed in the future, panelists said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Guinea Objective Score: 2.31

There are no business associations, but there are publishers' associations, such as the Association of Independent Newspaper Publishers of Guinea (AGEPI), which is in fact a publisher-owners' association, and the Guinean Online Press Association.

AGEPI is the oldest publishers' association, dating to 1991, and has contributed over the years to implementing legislation relevant to the media in Guinea. Alpha Abdoulaye Diallo, a member of AGEPI, noted that the association was involved in working out the language of the law that established the NCC.

Today AGEPI works closely with the on-line association to protect the interests of their members. "When the last subsidy was granted, the written press lost funds in the distribution process. Journalists appealed to these two organizations to reinstate the rights that had been infringed. Negotiations with NCC are currently under way," Ismail Kabiné Camara said.

Professional groups such as the Journalists Association of Guinea (JAG) work with other African associations such as the West African Journalists Association to strengthen the professional skills of journalists through seminars and workshop on subjects such as collective bargaining and the fundamentals of journalism. JAG also works to protect the rights of its members when they fall victim to arbitrary decisions. "When someone is arrested, we pressure the police to set them free in collaboration with AGEPI and the newspaper manager, if the written press is involved," said Kadiatou Diallo, a member of JAG.

"Every time journalists are bothered or threatened or their freedom is violated as they exercise their profession, OGDDH reacts immediately and tries to alert the appropriate authorities, makes statements, and takes the podium to condemn all aggressions against journalists," Balde said.

JAG has already started discussions with the NCC on putting together a collective contract for media workers.

NGOs, such as the Guinean Journalists' Anti-Corruption Network, also are involved in helping journalists obtain training and become aware of ethics rules. In collaboration with the Syfia agency, this NGO organized a training session focusing on the protection of journalists' interests and the coverage of news related to the development of good governance in Guinea. The Journalists Network on Population and Development often organizes workshops that focus on subjects such as reproductive health.

The Guinean Organization for the Defense of Human and Civil Rights (known by its French acronym OGDDH) protects journalists in difficulty. "Every time journalists are bothered or threatened or their freedom is violated as they exercise their profession, OGDDH reacts immediately and tries to alert the appropriate authorities, makes statements, and takes the podium to condemn all aggressions against journalists," Balde said.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

The programs offered by the Journalism Department at HIIC focus on theoretical and practical aspects. Soumah, a graduate of the institute, recalled, "They were constantly sending us out in the field for practice. Each of us used to go through a two-month internship at RTG and private newspapers. We would write reports on our experience."

Journalism education in Guinea dates to 1993, when a degree program was created at the University of Conakry. In 2003, the government established this program in the Higher Institute of Information and Communication (HIIC). There are also institutions such as Mercure University, Kofi Annan University, the Aboubacar Camara Foundation, and Cheick Modibo Diarra University.

The only credible degree in journalism is offered by HIIC, which provides higher education programs in journalism and communication. HIIC's capacity, however, is too limited to handle the high number of applicants each year. Balde said that the admissions process for the institute is not selective enough: "Not everyone should get into the...institute," he said. "A selective exam should be put in place in order to have very competitive and professional graduates."

The HIIC Communication Department program provides a concentration in business or institutional communication and one in social communication. Their Journalism Department offers a print concentration that trains journalists who will work at newspapers, press agencies, and online media; a broadcast concentration trains those who will work in radio and television. For the broadcast concentration, a digital studio with coverage of six kilometers is available on campus. Partnership with a French project to develop professionalism in the Guinean media involves the installation of a complete radio and television studio and providing equipment for the written press.

The programs offered by the Journalism Department at HIIC focus on theoretical and practical aspects. Soumah, a graduate of the institute, recalled, "They were constantly sending us out in the field for practice. Each of us used to go through a two-month internship at RTG and private newspapers. We would write reports on our experience."

HIIC has partnerships with the Information Science and Techniques Research Center in Dakar, Senegal, and the Communications Institute at Lumière University Lyon 2 in

France. These two partners accept exchange students and professors from HIIC.

HIIC tracks the performance of its graduates, many of whom have created their own businesses. "The problem is that hiring a professional is expensive. We do not lack professionals at this time; we send out good products," said Mamady Yaya Cissé, a HIIC professor.

One of HIIC's concerns is the lack of short-term training opportunities for journalists. The institution plans to implement as of 2009 a retraining program for mid-career journalists. The French partnership will provide help. "We will organize short-term practical courses for our fellow journalists who need to hone their skills," Cissé said.

HIIC's lack of capacity has spurred measures to develop the professional skills of trainers by offering post-graduate study opportunities in other countries.

Printing establishments in Guinea are owned by private businesspeople that often discriminate between newspapers for financial reasons. In general, printing plants favor newspapers that print many copies, threatening the survival of those with smaller print runs. "There are important, older newspapers that may have at some point high print runs. Medium-sized or small newspapers that order 2,500 copies will automatically disappear," Alpha Abdoulaye Diallo said.

Two newspapers—*Lynx* and *Indépendant*—own their own printing plants, which often suffer from technical problems, forcing them to turn to other local printing companies.

Distribution and printing businesses have no connections with media outlets. Business owners or sponsors do not manage distribution; independent contractors are the main distributors in the capital, and newspaper companies take care of their own distribution in the provinces.

Newsstands are owned by private businesspeople. The Guinean Press Distribution Society has put a 30 percent tax on the selling price, which newspapers find exorbitant. In general, if owners have easy access to bank loans or subsidies, they will have no problems distributing their newspapers on a large scale.

GIPA is now completing market research that will help in implementing a less cumbersome and less expensive press distribution system.

The government does not control or limit Internet use. The Internet is generally accessible in larger cities, thanks to USAID support. Outside the cities, however, there are not many connection solutions. "To check your e-mail, you have to travel 7 km and go back to the city," Alpha Abdoulaye Diallo said.

The government does not control the transmitters of private and community radio stations.

List of Panel Participants

Kadiatou Thierno Diallo, reporter, Journalists Association of Guinea, Conakry

Amara Camara, radio journalist, Radio-Television Guinea, Conakry

Makalé Soumah, television journalist, Radio-Television Guinea, Conakry

Cherif Diallo, manager, community radio of Bissikrima, Dabola

Ismail Kabiné Camara, reporter, *Le Diplomate*, Conakry

Chaïckou Balde, journalist, Guinean Radio Television, Guinean Human Rights Organization, Conakry

Delphine Ouendeno, jurist, Conakry

Mamady Yaya Cissé, professor, Institute for the Science of Information and Communication, Conakry

Mamady Camara, technician, rural radio of Kankan

Lancine Camara, reporter, national newspaper *Horoya*, Conakry

Alpha Abdoulaye Diallo, journalist, Guinean Association of Independent Press, Conakry

Iboun Conte, reporter, *Le Populaire*, Conakry

Ibrahima Sow, on-air host, community radio of Mamou, Mamou

Moderator & Author

Marcel Sow, independent consultant, Guinean Rural Radio and Magazine Network, Conakry

The recent unity among politicians against the media is a real threat that served as an eye opener to Kenyan journalists, who fear hard times ahead.



KENYA

The Media in Kenya is under threat after the National Parliament enacted the Communications Amendment Bill 2008 into law, with several draconian clauses. The law contains provisions that empower the minister of Internal Security to raid media outlets and seize equipment in “emergency” situations; authorizing the Communications Commission of Kenya (CCK) to devise a Programming Code for all broadcasters and monitoring its implementation; forced disclosure of news sources by journalists, and; licensing of individual media practitioners. President Mwai Kibaki initially intervened to block the law in August 2007 after it sparked nationwide protests. This was widely seen as a move to strengthen political support, since the bill was reintroduced and passed a year later.

During consideration of this law, the media, led by media owners and civil society organizations, protested and asked the government to send it back to parliament to remove the repressive provisions. A number of journalists and members of civil society who participated in these protests were arrested and detained, but later released. Due to pressure from both local media stakeholders and international donors, President Kibaki has directed his attorney general to amend this law in consultation with all media stakeholders. This united action by media outlets and supporting institutions has helped to heal previous divisions amongst them and give purpose to the leadership of—what have been in the past—weak associations.

Nonetheless, the state has continued with arrests, intimidation, and harassment of the media. The recent unity among politicians against the media is a real threat that served as an eye opener to Kenyan journalists, who fear hard times ahead.

This new law came at a time when the media was recovering from the violence they experienced during the December 2007 elections, which were sharply contested by the incumbent president, Kibaki, and the main opposition candidate Raila Odinga. Between 1200 and 1500 people lost their lives, property was damaged, and several thousand Kenyans were displaced. During this turmoil a number of journalists were beaten, harassed, and arrested by security apparatus and without any intervention from the civilian authorities. Peace prevailed after the two parties formed a government of national unity with the help of regional and international efforts.

Most of the media was commended by the public for standing up to the challenge by doing their work without taking sides and campaigning and promoting peace until the violence was over. Panelists said, however, that there were a few of their colleagues who betrayed the media and took sides during the election coverage, but added that these were isolated cases.

Despite the above situation, investment in the media sector has grown since the opening of the broadcast sector in 1992, with new media outlets, both print and electronic, starting up in major cities and rural areas.

KENYA AT A GLANCE

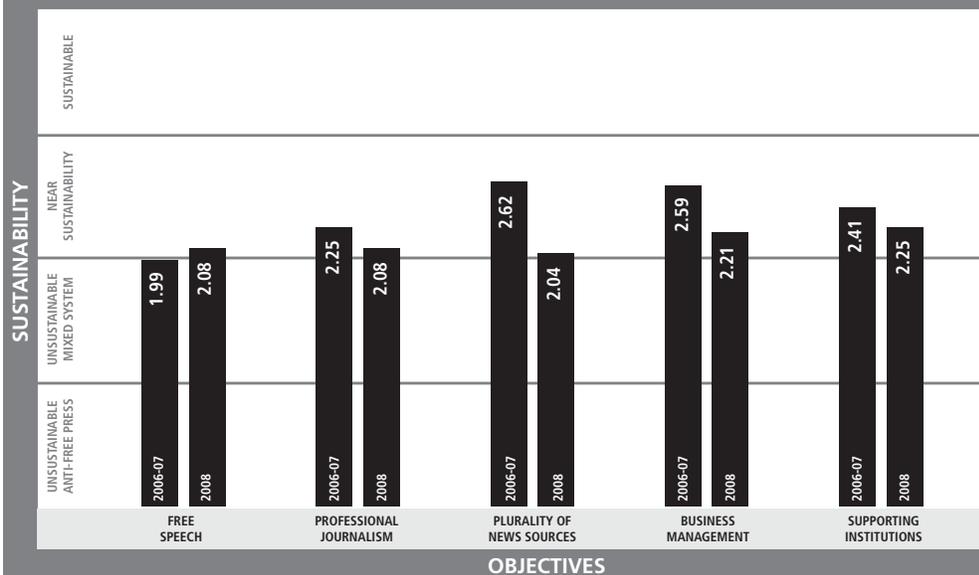
GENERAL

- > **Population:** 39,002,772 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Nairobi
- > **Ethnic groups (% of population):** Kikuyu 22%, Luhya 14%, Luo 13%, Kalenjin 12%, Kamba 11%, Kisii 6%, Meru 6%, other African 15%, non-African 1% (*CIA World Factbook*)
- > **Religions (% of population):** Protestant 45%, Roman Catholic 33%, Muslim 10%, indigenous beliefs 10%, other 2% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), Kiswahili (official), numerous indigenous languages (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$23.99 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$1,550 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 85.1% (male 90.6%, female 79.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Mwai Kibaki (since December 30, 2002)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 13; Radio Stations: 63; Television Stations: 17
- > **Newspaper circulation statistics: Top three by circulation:** *Daily Nation* (private, circulation 250,000), *Standard* (private, circulation 120,000), *People* (private, circulation 45,000)
- > **Broadcast ratings:** Top three radio stations: Citizen Radio FM (private), Classic FM (private), Kiss FM (private)
- > **News agencies:** Kenya News Agency (state-owned)
- > **Annual advertising revenue in media sector:** KES 17.4 billion (2007)
- > **Internet usage:** 3 million (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: KENYA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Kenya Objective Score: 2.08

Despite the legislative changes, panelists' scores showed little effective change overall compared to last year, although most indicators did change. Panelists gave better assessments of Indicators 2 (broadcast licensing), 3 (market entry), and 6 (libel laws). They gave lower scores for Indicators 4 (attacks on journalists), 8 (media access to international news sources), and 9 (free entry into the journalism profession). Further, several indicator scores varied compared to the overall objective score: Indicators 3 and 8 both scored more than a half-point higher than the average, while Indicators 4, 5 (legal guarantees of editorial independence for state media), and 7 (access to information) all scored more than a half-point lower.

Much as there are clear Constitutional provisions that guarantee press freedom and freedom of speech, contradictory laws have continued to exist on the books and are used by the state and its operatives to violate these freedoms. Among these laws are the Newspaper Act, Public Security Act, Books and Publishing Act, Official Secrecy Act, and many others. As reported in the 2007 MSI survey, which revealed that the media had been left out of the constitutional review process that is still on, the outcome of not working in conjunction with the media is the bad media laws that have been enacted. Panelists said there is an urgent need for journalists to fight for their rights before it is too late.

The panel said that government officials, on top of these laws, have sometimes made "roadside declarations" that further repress the media and are quickly implemented by security organs.

"There is need to harmonize all these laws and abolish all the bad ones if the media is to achieve the total freedom we deserve," said Khamis Ramadthan, a freelance photo journalist. Moderator David Matende, chairman of the Kenya Union of Journalists, added that under such a situation, the media is at the mercy of the security minister who can wake up one day and use the law to intimidate the media and even close down some media houses.

The panel gave the example of John Muchuki, security minister in 2006 and now in charge of the Environment Ministry, who used the police to raid The Standard Media Group offices on a tip off that they were going to run a story about the first family. The raid destroyed and confiscated some equipment and copies of its publications. "We have

fears that the same thing may reoccur under the new media law that empowers the security minister to carry out raids on media houses any time he wants," added one panelist.

In a similar vein, the government banned live broadcasts in January and February 2008 in order to better control content.

However, Kwamboka Oyaro, correspondent for Inter Press Service, accused some journalists of abusing the freedom the media in Kenya has enjoyed, which, he said, has forced government to come up with bad laws in order to contain them. He added that some media houses were exploited by politicians to promote violence during the election period, which was very unfortunate.

The media has attracted public support and on two occasions (in 2007 and 2008) it joined the media in protests and demonstrations against oppressive laws and violations of press freedom.

With the appointment of new judges in Kenya, the judiciary's independence has been negatively affected. Chances of judgments that work in favor of the government over the media have increased. One panelist added that "This is not the strong judiciary that Kenya had that used to be fair to everybody, media inclusive; it only favors those in power, the rich and politically powerful."

The laws on registration of media houses, both print and electronic, remain unchanged compared to last year. Newspapers are required to execute a KES 1 million (\$15,000) bond with the Registrar General; electronic media apply for a license from the Ministry of Information and a frequency from the CCK (under the same ministry) for a fee of KES 20,000 (\$300).

The CCK is headed by a director who is appointed by the president, through his minister of information, and all its members are directly answerable to him or her. The CCK experiences regular political interference and, said panel members, will never be independent as it is presumed to be as long as this structure remains unreformed.

Therefore, political considerations can block an applicant from getting a license. Those denied, however, may petition the high court for its issuance, the panel said. They cited the example of Royal Media Services, which owns several FM stations in different parts of the country. Royal Media Services had been denied licenses but got them later after going to court.

The panel noted that although entry into the media industry is—apart from the licensing—free, there are unofficial hurdles in starting a media business. Further, the government

charges VAT on newsprint and other materials for newspaper production. In the year under review no business, media inclusive, received any tax waiver from the state, and the media continued paying the high taxes despite the difficult economic situation.

Crimes against journalists went up over the year, with security agents blocking the media—especially photographers—from doing their work, confiscating cameras and beating up journalists without intervention by the state. The panelists stated that journalists have continued to be targets of politicians, who hire “thugs” to follow them. Threatening messages have been sent by unknown people to several journalists.

In an extreme example, noted photojournalist Trent Keegan was found murdered, although the motives in the case were unclear. Another, more common, example given by the panelists was the case of Rebecca Nduguna, whose camera was confiscated while trying to take some pictures and was detained for some days but later released without any charge.

Ibrahim Oruko, a researcher for Kenya Media Institute, added that these crimes, though not given much publicity by the media, attract a lot of public outcry because such things happen in broad daylight and the victims involved have relatives who take up their cause.

The panel concluded that in all these cases government has remained tight-lipped and very few have ever been charged for such offenses—and even these are typically described

by the authorities as common crimes and not in retaliation for the work of the journalist—despite the fact that many instances have been reported to the police.

Oyaro said that although the media laws are written to be enforced equally across the board, custom favors state media because it is used by the government for self-promotion. He added that despite the fact state media are supposed to be independent by law, in practice this is not observed.

Libel has remained in the realm of both civil and criminal courts and the venue depends on the person the media reports about. For politicians, libel is treated as a criminal matter; it is a civil case for others. “I was charged for civil, because I had written about a businessman, but my colleague Mburwa Muthoki, was jailed for six months when he wrote a story on the minister of justice and constitutional affairs,” said Matende. The panel suggested that these laws should be amended in order to conform to modern standards of press freedom.

Accessing public information has become more difficult than in 2007, and the panel suspects that it is because of increased corruption in the government and lack of a specific law that guarantees media access to all information in the hands of the state. The freedom of information bill has been pending for three years now. Sarah Nkatha, lecturer at the Kenya Institute of Mass Communication, added that laws like the Public Order Act and the Official Secrecy Act, which stop government officials in charge of certain information from giving it out to the media, should be abolished.

There are no restrictions on accessing international news sources or the Internet. Media outlets easily access international news on the Internet and from news agencies like Reuters, AFP, and others. In general, these sources are affordable.

Entry into the journalism profession has remained free, but the government, through the CCK, will be issuing official press cards to every journalist recommended by his or her employer under the new law.

Journalists can access and cover most events without any problem or restrictions, but only those with official press cards are allowed to cover state functions. Photographers have, in some cases, had a hard time getting the cards, and those without them have at times been stopped from covering big events.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kenya Objective Score: 2.08

The score for this objective fell slightly this year as four indicators received lower scores compared to last year: Indicator 1 (well-sourced and fair reporting), Indicator 4 (journalists cover key events), Indicator 6 (balance of entertainment and news), and 7 (modern equipment). Indicator 8 (niche and investigative reporting) improved in score, while the rest remained unchanged. Most of the indicators received scores close to the overall objective score, except for Indicator 5 (pay levels for journalists), which was again the lowest-scoring indicator with a score about half a point lower, and Indicator 8, which scored about two-thirds of a point higher.

The panel agreed that most journalists are well trained and they do their work of collecting information professionally, but how they write their stories is where they go wrong. However, the panel added that some journalists are influenced by their sources of news when it comes to reporting, while others are too lazy in that they rarely cross check their facts.

A code of conduct was developed by the Kenya Union of Journalists (KUJ), but most journalists neither follow it nor appear to be aware of its contents. However, more organizations have come on board to assist in its implementation. Recently, the CCK began to complement media houses who had been taking the lead in enforcing this code.

Efforts have also been directed toward bringing together all practicing journalists under one organization, as there has been a split in KUJ between followers of the two contenders for chairman after the last election. The panel believes that once unity is achieved, the leadership of KUJ and other media stakeholders should assist in raising awareness of the code and the need to implement it.

Self-censorship continues to be practiced at all levels. Stories are killed in exchange for gifts and negative stories on big advertisers are not run in order to protect revenue. Others fear to lose their jobs and decide to sit on certain stories.

Key political events and issues are generally well covered. The panel agreed that covering security issues is risky. The media tend to concentrate a lot on political issues at the expense of other issues, such those having to do with development, because they sell.

Pay levels for full-time staff are better than journalists on contract or freelancers who are poorly paid. This has

promoted corruption in the media. Nkatha added that some television presenters are paid three times the money paid to reporters; a strong journalists union could address this. Most editors are comfortable with their pay, but this does not prevent them from being corrupt, too.

News and educational programs are given less space and time on broadcast stations than entertainment. This is because of the economic interests of the media owners who want to get maximum profits out of their media outlets, and panelists noted that entertainment sells advertising. On television, news takes up 30 percent of time while entertainment and commercials take the remaining 70 percent. On the radio news covers only five percent and the remaining 95 percent goes for entertainment and commercials.

Most media outlets in Kenya—print and broadcast—have good facilities and produce technically sound work. In urban areas, newsrooms are equipped with computers and their reporters and photographers have digital cameras and recorders. At rural outlets typewriters and film cameras are still in use.

Investigative reporting and specialized reporting exists at big media outlets. Such assignments are, in most cases, given to skilled reporters, although at times—mostly at small media outlets—they are handed out to any available reporter. Experts are consulted by journalists on certain stories, but not all the time. The media have also been very helpful by promoting community issues, e.g. development.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

OBJECTIVE 3: PLURALITY OF NEWS

Kenya Objective Score: 2.04

The overall score for this objective fell due to lower scores for all indicators, except for Indicator 4 (news agencies), which improved slightly. Most of the indicators scored close to, and higher than, the overall objective score, the highest being Indicator 5 (independent broadcasters produce their own news programming), which scored slightly more than half a point higher. The score was dragged down by two indicators in particular, however: Indicator 3 (objectivity of state media), which scored about three-quarters of a point lower, and Indicator 7 (coverage of minority issues), which was a little more than half a point lower.

All issues; national and local are well covered in print and electronic media, but most of this benefits people residing in urban areas, cities, and small towns. In rural areas the majority of people depend on broadcast media because it is more affordable than buying a newspaper. Radio sets are very cheap and even poor families can afford to buy small sets, which cost KES 200 (\$3). Buying batteries can be a problem, though still a number of people can afford those too. Newspapers cost between KES 30 and KES 100 (between \$.50 and \$1.50).

The panel agreed that Internet charges have fallen drastically, and more Internet cafés have sprung up even in small towns, resulting in an increased number of people who access this service for news and information. Satellite and pay channels on television, however, are affordable only for a few.

There is no restriction on accessing international print and broadcast media. Some publications are imported from neighboring countries and outside Africa. The Internet is often used by citizens in the cities to access foreign news sources.

The panel noted that there are about 63 radio stations today, 17 television stations, seven daily newspapers, six weeklies (four newspapers and two magazines), and several monthlies. Among newspapers, those published by the Nation Media Group, The East African Standard, and Citizen Media are the leaders, with a total circulation of over 400,000 copies daily.

The three highest-ranked radio stations are all private and include Citizen Radio, Classic, and Kiss. The top three television stations are NTV (private), KTN (private), and KBC (state-run).

More new community radio stations have been started and these have been very useful to their communities, where they address developmental issues and local problems faced by the people. The most recent entrants are; KOCH FM,

Radio Pamoja, Korokocho FM, Geto FM, and Mangelete FM targeted to women. There are other radio stations that serve local communities, but they are not purely "community."

One is required to pay a fee of KES 2000 (\$30) to start a community radio station and such stations are tax exempt. Most community radio stations are owned by NGOs and religious organizations, who have managed to acquire modern equipment using funds raised from donors, members of these religious organizations, and from community sources.

State media both, radio and television, is fully controlled by the state. Although its employees are professional, these media are neither independent nor objective, said the panel. However, under the government of National Unity, state media cover politicians of both sides.

There is only one local news agency, Kenya News Agency, which is state owned but provides news to all media for an annual fee of KES 250,000 (\$3700). This agency used to have good stories, but its increased partisanship has reached the point that many media houses have lost interest in it, said the panel. The media also depend on foreign news agencies, like AFP, AP, and Reuters for information. Panel members say these sources give little coverage to African issues, therefore much of the information is not useful to the average Kenyan; it is also expensive.

Private broadcasters produce their own news programs and they have continued with improvement in terms of quality, although at times some outlets purchase programs to supplement what they produce.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

The panel agreed that media ownership may not share the same interests as the average citizen. Some media owners like the Nation Media Group, Royal Media Services and others are known since they are listed on the stock exchange. But the country has no disclosure policy on ownership.

Although politically affiliated media exist, private independent media outlets are run purely to generate profit. With the existing competition among media outlets, people choose sources they think provide good information for them.

However, much of the media in Kenya is in the hands of a few people or groups. The three main media owners are: the Nation Media Group, with a television and radio station and several newspapers; The Standard Group with newspapers and a planned television and radio station, and; Royal Media Services with 12 FM radio stations, a television station, and newspapers.

There are no minority language media outlets, but all Kenyans use Swahili as their national language. To cover niche topics and interests there are specific pull-out sections in newspapers covering issues relating to women, business, and the environment. Broadcasters also include niche programming in their news and in documentaries.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kenya Objective Score: 2.21

The score for this objective fell moderately as panelists gave lower scores for several indicators: Indicator 2 (media receive revenue from multiple sources), Indicator 3 (the advertising market), Indicator 4 (ration of advertising revenue to other revenue sources), and Indicator 5 (government subsidies for private media). Most indicators scored close to the overall objective score, with the exception of Indicator 5, which was about a point lower.

Private independent media are managed purely as profit making businesses and some companies hire professionals among their management. Most media houses have proper management structures in place with boards of director, advisory boards, etc. Examples of well managed private media companies include the Nation Media Group and The Standard Media Group, both of which make good profits. Despite this, some media houses have good policies in place but they are not enforced, which negatively affects the company.

Panelists were in agreement that private media are better managed than the public media.

Small media outlets where you find owners doing everything still exist. In such media houses you find the owner playing the roles of managing director, advertising manager, and finance officer as well as editor and reporter. Several such media outlets have collapsed due to poor management. Other media outlets that have closed down were employing relatives of the owner who lacked proper qualifications and skills. Similarly, panelists noted that community media is hard to sustain because of lack of funding.

Private media have a multitude of funding sources, the major one being advertising followed by sales of copies; some media houses are engaged in commercial printing as a source of revenue. Financial institutions also help in funding the media through loans at fair interest rates.

The panel put the revenue from advertising to roughly 75 percent and 25 percent from sale of copies for newspapers. Advertising space in newspapers is about 40 percent. For electronic media almost 95 percent of revenue comes from advertising.

The panel agreed that although advertising contributes a lot of revenue, clients at times interfere and influence the editorial line of certain media houses, resulting in killing some good stories seen as negative by advertisers.

Advertising is a well-developed industry in Nairobi, with a number of advertising firms that work for different media outlets. They solicit advertisements for media outlets as well as manage billboard and street pole advertising in cities and towns. Their staff is made up of well-trained professionals. Both locals and foreigners own these firms. They also work in other cities such Kisumu, Mombasa, Nakuru, Eldoret, and other small towns.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

State media depend on the government for funding, with a specific budget allocated annually. Managers of state media appear before parliament to defend their organizations' interests. However, budget allocations are not enough to meet all their costs. State media air advertisements for additional revenue. Community media also depend on sponsorship, which is not easy to get. Donations are obtained from local governments and NGOs in exchange for programs they run. A little money comes from the central government for community media.

The government does not grant subsidies to private media, but is an advertiser. The government has used its advertising power against media it claimed were overly critical by denying them business.

The panel stated that some media outlets use questionnaires, commissioned groups, and phone-in talk shows to carry out research and surveys. However, most of the time the media do not use the findings to generate strategic plans. Nonetheless there are some media outlets that follow up on these findings with changes such as re-launching their products, making new designs, and adding new products on the market; these changes often bring about positive changes in sales.

In most cases circulation figures as determined by such research methods are higher than in reality in order to better attract advertisers. Audience research is carried out by media outlet owners themselves or commissioned agents like Steadman, but panelists said their figures are not trusted in the industry because the work is influenced or dictated by the media outlets that hire them.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kenya Objective Score: 2.25

Panelists' scores reflected little change in the situation facing supporting institutions, and the score was only slightly different than last year. The score ended up lower as a result of slippage by Indicator 4 (academic journalism programs) and Indicator 7 (apolitical distribution of media). Most of the indicators scored close to the overall score, but Indicator 1 (trade associations) and Indicator 2 (professional associations) both scored a half-point lower, while Indicator 6 (unrestricted access to printing and newsprint) scored a point higher.

Kenya has several media-related professional associations, but some of them exist in name only with no evidence of real work. However, a change in the management of some media associations took place recently as most of them had their elections in 2008. Also, new media laws have also acted as a catalyst in bringing journalists together for a common goal.

Efforts have been underway by both regional and international media bodies to reunite the leadership of the Kenya Union of Journalists (KUJ), which has started paying off. A recruitment drive for membership of KUJ was launched by the leadership and there are hopes that with the help of the International Federation of Journalists and other regional bodies, the goal will be achieved.

Other small professional associations like the Business Writers Association, Kenya Sports Writers Association, and the Environmental Journalists Association have started working with national media associations like KUJ. Other associations include the Parliamentary Press Association of Kenya, Children's Rights Association, Association of Media Women of Kenya, Media Owners Association, and others. Panel members agree that most of these associations have not been helpful to members, but there is hope that the situation has started changing.

There are several NGOs that support the media. Among these are the Media Council of Kenya and Media Institute. Foreign donors include the Friedrich Ebert Stiftung, American Center for International Labor Solidarity, USAID, and others.

There are more than 20 universities, both private and state, that offer quality degree and diploma courses in journalism and mass communication. State universities offering degree courses include Nairobi University, Maseno, Moi, and Kenyatta, while private ones include Dayster, United States International University, and Nazarene Catholic University. The course content is very good, according to the panelists, and most graduates get jobs in the existing media outlets, although some end up in related fields such as public relations. The panel said that new media training institutions

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

that offer diploma courses in journalism have opened up and the total number is now more than 80.

The panel noted one problem: two government ministries, Education and Information, currently have a disagreement over which should be the one in charge of formal media education.

Many options exist for short-term training. Some outlets offer in-house training for new recruits. Opportunities for those who were recruited before going through journalism colleges exist and nominal fees are charged. While often this training is individually funded, some media outlets also sponsor mid-career training for their staff. A few lucky journalists have also snatched opportunities of foreign sponsorship. Training for those without formal journalism education mainly focuses on the basics, but others receive specialized training like investigative journalism.

International donors organize and fund short term training workshops, mainly in the areas of skills development and ethical issues. These organizations hire professional people mainly from abroad to conduct these courses. Panel members said that such courses could be improved upon by extending the length of time to one month and hiring local professionals who understand local needs.

Private individuals or companies manage printing and distribution of private media and the government has no hand in it. The panel noted that there are many printing facilities in Kenya that efficiently and effectively support the media and, as such, there are no printing delays affecting newspapers. This situation has kept on improving over time. Newsprint is imported by businesses that sell it to media outlets without prejudice. Media distribution channels and kiosks are in private hands and the government does not interfere with them.

List of Panel Participants

Kwamboka Oyaro, correspondent, Inter Press Service, Nairobi

Abadnego J. Mwangiza, media researcher, Steadman, Nairobi

Kihu Irimu, journalists, Rights of Children, Kisumu

Ibrahim Oruko, researcher, Kenya Media Institute, Eldoret

Judy Amunga Shiraku, journalist, lawyer, Association of Professional Journalists of Kenya, Nairobi City

Khamis Ramadthan, freelance photo journalist, Mombasa City

Sarah Nkatha, lecturer, Kenya Institute of Mass Communication, Nairobi City

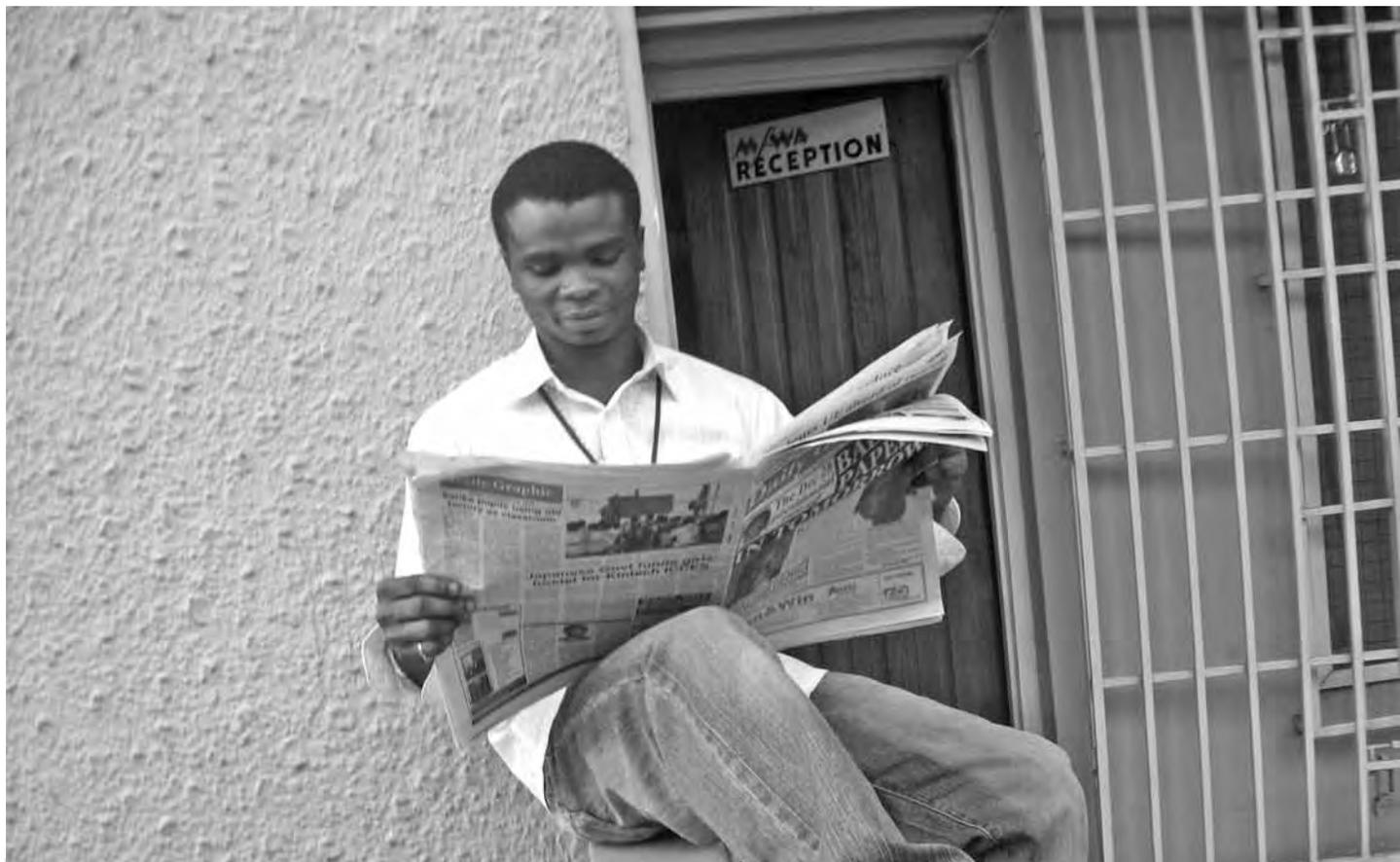
Moderator and Author

David Matende, chairman, Kenya Union of Journalists, Nairobi

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda in cooperation with the Kenya Union of Journalists

With the advent of democratic rule, the general media status in Liberia has improved somewhat appreciably, especially within the context of state interference and control. This relative tolerance notwithstanding, there remain huge challenges facing the sector, including business and professional development, which require a sustained period of development and resuscitation.



LIBERIA

Liberia enjoyed relative stability and modest progress until the 1970s, when political strife developed into full-scale civil upheaval in late 1989. The brutal civil war lasted 14 years and resulted in massive loss of lives and destruction of property. A peace deal was signed by the belligerent parties in August, 2003 and retired banker and economist Ellen Johnson Sirleaf won a run-off election in November of 2005 to become Liberia's, and Africa's, first elected female head of state.

For nearly all of the country's history prior to this brutal civil conflict, successive autocratic administrations succeeded in stifling fundamental human rights, including the right to freedom of expression. These excesses were far more profound in the last 25 years when ordinary citizens and journalists were routinely harassed, intimidated, jailed, and sometimes killed for their views and criticisms of government policies and actions.

With the advent of democratic rule, the general media status in Liberia has improved somewhat appreciably, especially within the context of state interference and control. This relative tolerance notwithstanding, there remain huge challenges facing the sector, including business and professional development, which require a sustained period of development and resuscitation. Primary among these challenges is the state of the legal and regulatory frameworks governing the sector. It was only recently, in 2004, that efforts were initiated to reform the laws and statutes used in regulating the media to engender a free and conducive environment, leading to the drafting and submission of three bills on media sector reform.

This assessment by the panelists, the first time the MSI has studied Liberia, indicates that the country has seen a marked improvement compared to observations of the past. The overall average of 2.04 places Liberia in the early stages of "near sustainability," which attests to the level of investment that has been made in the sector by a host of donors and media development institutions since the return to democratic rule. Nonetheless, this overall score should be viewed with cautious optimism given the history of repression and economic stagnation. Further, the objective scores varied greatly: the highest score was 2.44 in Objective 5, Supporting Institutions, while the lowest score was 1.55 in Objective 4, Business Management. Others such as Freedom of Speech and Plurality of News Sources recorded promising ratings of 2.24 and 2.02, respectively, showing signs of stability and potential for growth in the sector. However, there are genuine fears that most of the gains might be overturned soon if immediate steps are not taken to redress issues of ethics and professional conduct: Objective 2 recorded a disappointing 1.95; deficiencies in this area have been used repeatedly in the past as a pretext for state control and undue regulation of the media.

LIBERIA AT A GLANCE

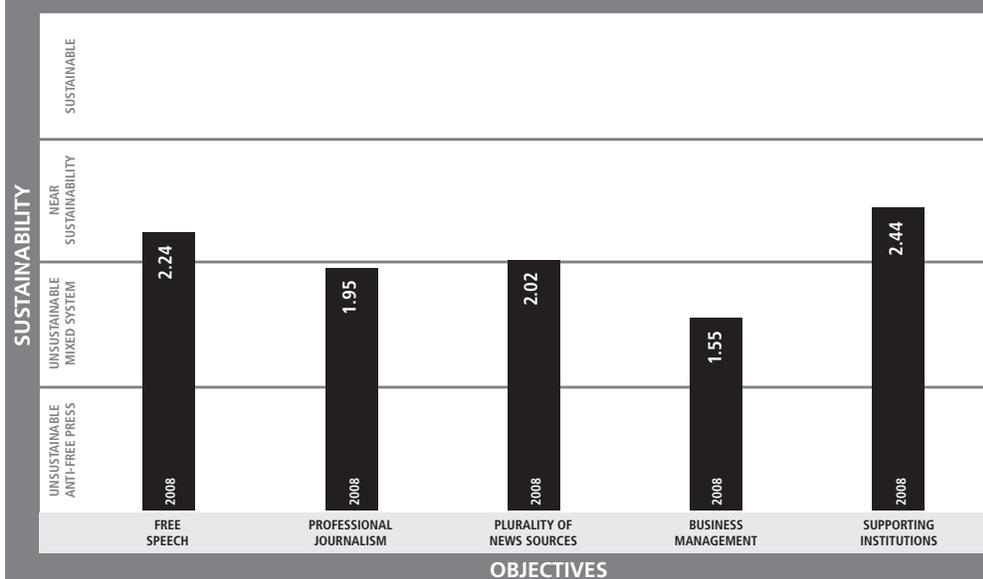
GENERAL

- > **Population:** 3,334,587 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Monrovia
- > **Ethnic groups (% of population):** indigenous African 95%, other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 40%, Muslim 20%, indigenous beliefs 40% (*CIA World Factbook*)
- > **Languages (% of population):** English 20% (official), some 20 ethnic group languages, of which a few can be written and are used in correspondence (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$554 million (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$290 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 57.5% (male 73.3%, female 41.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Ellen Johnson Sirleaf (since January 16, 2006)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 18 newspapers 8 of which are daily; Radio Stations: 16, 2 of which are nationwide; Television Stations: 6
- > **Newspaper circulation statistics:** Top three by circulation: *Daily Observer* (circulation 3,000), *New Democrat* (circulation 3,000), *Inquirer* (circulation 1,000) (Media Reach and Penetration Study, Liberia Media Center)
- > **Broadcast ratings:** Top radio station: United Nations Mission in Liberia (UNMIL) Radio Station (Media Reach and Penetration Study, Liberia Media Center)
- > **News agencies:** Liberia News Agency (LINA) (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1,000 (2002 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: LIBERIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Liberia Objective Score: 2.24

The panelists returned an average score of 2.24 for this objective. Most indicators received scores close to the objective average. Indicators 8 and 9, access to international news and entry into the journalism profession received scores roughly a point higher than the average. However, Indicator 5, preferential legal treatment for state media, received a score slightly more than half a point lower than the average; Indicator 7, access to public information, received a score nearly a point-and-a-half lower. The two extremes illustrate the paradox of a media sector that enjoys the freedom to report but lacks the access to obtain vital information about the performance of the government.

When Liberia was founded in 1822 by ex-slaves from the United States, they imputed to the country's laws and customs the values of freedom and liberty that they experienced in their former country. As a consequence, Liberia's first constitution adopted in 1847, in article I, section 15, provided for freedom of the press. Further, in a landmark freedom of expression case in 1861 (*Dennis v. Bowser*, 1 Liberian Law Review, p.5) the Liberian Supreme Court ruled that the "right to speak freely, write and print on any subject is a constitutional right which all may fairly exercise, but if the motive for so doing should appear to be malicious, a responsibility attaches for the abuse thereof."

The country's current constitution, adopted in 1986, provides the basic safeguards for the protection of journalists and the promotion of press freedom in Article 15. While the usual suspects of press freedom violations in the past have been state agencies and their proxies, Philip Ramah, president of SKY Choice printing house, noted signs of improvement. "The present government is not doing badly as it relates to the protection of media institutions and the rights of journalists, though in some cases politicians always cry foul when negative reports are carried about them in the media, resulting in threats of lawsuits," he said. Othello Garblah, news editor of *New Democrat*, one of Liberia's leading local dailies, was of the view that journalists and media institutions operate under an atmosphere of press freedom. "No journalist has been arrested or imprisoned for stories or pronouncements they have made or written while investigating corruption related issues," he said.

Alphonsus Zeon of the BBC World Service Trust noted a Liberian tradition of free speech. "[Although] numerous other laws that cramp free speech had been legislated during different periods of the country's political development, Liberians are used to speaking out and occasionally

individuals have been held for speaking out," he said. "It needs to be pointed out that while these draconian laws exist, there is reluctance on the part of most administrations to vigorously enforce them."

Olive Thomas, from the independent Star Radio, was cautious. "Article 15 of the Liberia Constitution certainly talks about free speech, which is being upheld, but sometimes people tend to abuse it, forgetting their responsibilities," she said.

On the question of licensing for broadcast media, the panelists generally agreed that the procedure for granting licenses has largely been liberalized since the 2003 establishment of the national transitional government of Liberia, the predecessor of the current government. More than 10 new radio stations have emerged in the last five years.

Some rights activists have questioned the policy of granting newspaper licenses and community radio permits. They have argued for some measure of preferential treatment in helping the newspaper and community radio sectors survive the high cost of operations. There have been a number of proposals, including reduction in tax levies on newsprint for newspapers and provision of tax breaks for fuel purchases for community radio stations.

Entry into the media market since the removal from office of the dictatorial Taylor regime has been easy and generally accessible to all. Once a fully registered company desires to run a media business, it must simply follow the procedures for establishing a newspaper, radio, or television station by referring to the appropriate authorities. There are also similar procedures for starting community radio stations.

The panel agreed that crimes against journalists are rare, most especially since the existence of a government with democratic credentials over the past three years. But panelists also agreed that while there have been a few excesses against members of the media since the inception of the current government, little if nothing has ever been done to bring to justice the perpetrators of these crimes against the media and journalists.¹

Nevertheless, the panel held the view that unless the authorities demonstrate the political will to bring perpetrators to justice, there will be tendencies for these acts of humiliation to continue, thereby eroding trust and confidence in government's commitment to respect its obligation under regional and international statutes and the Liberian Constitution.

Article 15 (d) of the constitution states: "Access to state owned media shall not be denied because of any disagreement with or dislike of the ideas express(cq). Denial

¹ Liberia Media Center. Media Reach and Penetration Study. February, 2008.

of such access may be challenged in a court of competent jurisdiction.” Despite this, the reality is that state media are not open to all political viewpoints.

There are no laws or regulations that give the state-run media any preference in the media market, though in practice state media do enjoy some advantages. Private and commercial media do not generally have access to import duty exemptions that their state-owned counterparts have. This makes running private media outlets relatively more expensive.

One example of a law that tends to undermine the freedom of the press provisions is “Criminal Malevolence,” which can be brought by a public official who feels defamed by a publication. Despite this, the statute provides that the publisher “must have maliciously and knowingly published the false information with the intent to defame,” Zeon said. Fortunately, as indicated above, the current government has shown restraint in resorting to these laws. However, they remain ominously on the books.

To guarantee access to information, the constitution in article 15 (c) states: “In pursuance of this right [freedom of expression], there shall be no limitation on the public right to be informed about the government and its functionaries.” However, the panel’s view was that there exists a culture of perennial denial by government authorities as witnessed by their usual refusal to provide the media and the general public information that they seek, especially as it relates to the financial operations of the government.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

But more interesting to some of the panelists is that, despite constitutional guarantees, no attempts have ever been made to challenge state authorities who deny journalists or citizens access to information. However, it should be noted that, the basic constitutional provision guaranteeing access to information aside, there is no legal framework to compel information from state agencies and private institutions acting on behalf of state agencies. The panelists agreed that the only hope of redressing the current challenges facing access to public information is the passage of the Freedom of Information Act.

Patmillia Doe of the Media Women Center for Development and Democracy said that government officials often refuse to disclose public information. She cited as an example the oil deal negotiated between the Liberia Petroleum Refining Corporation (LPRC) and a Nigeria based company. “The LPRC managing director failed to publish the full content of the agreement in spite of pressure from human rights, media and pro-democracy organizations,” she said. “Access to public information is a serious problem for journalists in Liberia and this situation would only improve if the current bill on access to information is passed by the legislature.”

In a study conducted by the Center for Transparency and Accountability in late 2007, the group cited corruption as the overriding impediment to accessing public information after a survey of 13 government ministries and agencies and three corporate entities. It also indicated literacy, the lack of institutional will, and disinclination to transparency and openness as factors working against access to information.²

Liberian news media freely make use of international news sources, especially their coverage of international news items. As Internet resources are widely available at the majority of media outlets and are commercially available around Monrovia, Liberian media have very little difficulty accessing international news sources. Local electronic media in Liberia usually rely on international radio and television, while print outlets largely rely on the Internet. No local media outlets have been harassed by the government or other parties because of news that they published from an international source since the end of despotism in Liberia.

Becoming a journalist in Liberia is largely free, perhaps too free in the views of many journalists. There are no educational requirements and largely no mandatory registration done by government or another public or private body. According to a survey of nine media outlets done by the Liberia Media Center (LMC) at the end of 2007, just 19.6 percent of all media workers in the print sector (editors, reporters, managers,

² Center for Transparency and Accountability in Liberia. Access to Information Monitoring Report: Piercing the Veil of Secrecy. 2007.

accountants, business managers, etc.) are college graduates, while nine percent of the 199 staff of seven electronic media outlets surveyed were college graduates. As a result of this low educational profile, the professional standard of journalism in the country has greatly suffered.

As Peter Quaqua, secretary general of the Press Union of Liberia (PUL) put it, entry into the profession is loose. "There has to be minimum benchmarks erected on how one can become a journalist," he suggested, but reckoned later that "regulating entry into the journalism profession would be counter-productive to the principles of freedom of expression and the press."

However, the office of the president does accredit journalists who are allowed to cover presidential activities; others may not do so directly.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Liberia Objective Score: 1.95

The indicators in this objective scored close to the overall objective average, with a few exceptions. Indicator 5, pay levels for journalists, scored more than a point lower than the average. Also faring poorly was Indicator 7, technical facilities, which scored more than a half-point lower. However, panelists returned a score of more than a point higher than the average for Indicator 4, journalists cover key events.

The panelists' assessment of the quality of reporting comes against a backdrop of a barrage of public criticisms over the professional and ethical conduct of journalists and some media outlets, especially the print media. For a long time the issue of adhering to proper professional standards has dogged the Liberian media and cost the media severely with respect to public confidence in its work. This situation has largely been blamed by the public on lack of training and, at times, the poor wage levels of journalists.

Some panelists observed that journalists were making little effort to produce quality reports, in most instances failing to follow up and provide multiple dimensions to their stories. Nyahn Flomo, station manager of Radio Kergheamahn community radio, remarked, "Most reporters do not follow up their stories either due to lack of resources or lack of will. As a result, most of these reports end up with the much over-used phrase 'efforts to contact Mr. X or Mrs. Y proved futile.' Additionally, most stories are not well researched. There is no media house with a technical expert on its staff payroll."

Ramah, of Sky Choice Printing House, thought that the professional standards of Liberian journalists are severely

compromised. "The media houses do not make enough money to hire and maintain reporters who will cover events," he said. "This pushes most of the reporters or even editors to doing public relations when serious issues are at stake. Journalists are selected to cover events out of the capital city by the organizers of the events, thereby limiting the competitive reportage."

For his part, Philip Wesseh, managing editor of the *Inquirer* newspaper, thinks the situation can be redeemed. "Journalism in Liberia is gradually progressing in terms of standards and quality, but there is a need for more training opportunities to help move the media to higher standards," he said.

However, Tete Karneh, a veteran broadcaster from state-run Liberia Broadcasting System (LBS), was not optimistic and very critical of the media's performance. He said reporting is not fair, objective, or well sourced, and that reporters seldom have access to facts. Ethical standards and professional attributes are often compromised because of low pay, he added. "Often because they want money or gratuity, journalists have to dance to the tune of the news makers or sometimes fine tune their stories to the detriment of the larger society," he said.

The Press Union of Liberia, an association of Liberian journalists, uses an international code of ethics to govern the affairs of journalists. While all journalists in the country are expected to be conversant with this code, there is little evidence that it is widely circulated. There is also widespread abuse of ethical standards among practicing journalists.

Self-censorship is evident in the media sector, though this is not, in recent years, attributable to fear of state interference or retribution. Journalists in Liberia have been free to cover

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

pretty much any news issue since the departure of former president Taylor, the subsequent disarmament of the warring factions, and the holding of widely acclaimed democratic elections between October 2003 and October 2005. Nevertheless, some media houses and journalists have been practicing "civic journalism," ensuring that conflict-sensitive issues are treated with a reasonable measure of care. This was especially noticeable during the coverage of public hearings of the Liberia Truth and Reconciliation Commission.

Another rationale behind this form of cautious reporting is the need for Liberians to consolidate the gains recorded over the last few years of transition to a stable environment; the country's peace is still viewed as fragile. Other journalists have to practice self-censorship because of the tight economic realities in which they have to operate.

The Liberian media largely follow stories and issues that help them sell papers. Because political news is responsible for selling the most copies, such issues usually receive more coverage in the local print media. Development, environmental and other reporting do not usually get the kind of sustained reporting that they deserve.

Panelists agreed that journalists receive low wages insufficient to discourage them from being corrupt. An average reporter in Liberia earns between \$30 and \$40 per month, while a 50 kilogram bag of rice, the country's staple food, costs that much or even more.

Broadcast outlets in Liberia are mostly saturated with entertainment-based programming. Entertainment, especially music, accounts for more than 60 percent of the airtime of four radio stations currently being monitored daily by the LMC. This situation is even more acute among rural based community radio stations. Conversely, the media center has established that there is a preference among audiences for news and feature programs over entertainment. In a study covering eight radio stations in two of the country's provincial cities and Monrovia, 48.5 percent of respondents said they listened mostly to news; while 31 percent said they tuned in for entertainment.³

Most local radio stations, a few community-based media, and all newspapers have moved to embrace technological advances but, notwithstanding these modest strides, most of the equipment available is still relatively old, thus impacting the quality of print and broadcast products.

Niche reporting is rare, due in large measure to the low institutional and professional capacity of the media. Most media outlets do not have the resources to invest in content generation and almost all practicing journalists follow

political and government news, eroding any serious prospects of specializing in thematic reporting. Quaqua pointed to both the lack of training and assignment inertia. He said media outlets usually fail to allow their reporters to remain on one assignment long enough to develop a measure of expertise for that area.

While a number of NGOs⁴ have embarked on developing journalists' expertise in a range of reporting areas like transitional justice, huge deficits abound and the media will require a sustained period of engagement to fully adapt to this brand of reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Liberia Objective Score: 2.02

In this objective the panel scored an overall average of 2.02. The highest score was for Indicator 5, media produce their own news programs, which scored more than a point higher than the average. Citizens' access to both domestic and international media also received a positive review by the panelists, and Indicator 2 scored nearly a point higher than the average. The panel was of the view that there is still a lot to be desired for the work of independent news agencies in the country, and Indicator 4 received a score more than one-and-a-half points lower than the average. The panel also thought that state media do not do a good job reflecting the views of the political spectrum, giving Indicator 3 a score more than half a point lower than the average.

Since the end of the country's civil crisis in 2003, there has been an explosion of privately owned media institutions across the media spectrum. According to figures contained in an April 2007 report "Strengthening Liberia's Media: A Review of Media Support in the Post-Transitional Period and Recommendations for Future Actions" by the Partnership for Media and Conflict Prevention in West Africa, there are roughly 38 newspapers in Liberia, although only about 15 publish with some degree of regularity. In addition, there are close to 50 registered radio stations, including community radios, currently broadcasting, representing almost four times the pre-war figure. There is no national public service broadcaster, though a number of stations strive to fill this void. They include UNMIL Radio, Star Radio and the Catholic-run Radio Veritas. The national radio service owned and managed by the government is currently being resuscitated along with its television component, largely through Chinese direct investment. There are four commercial

³ Liberia Media Center. Daily Broadcast Monitoring and Tracking. 2008.

⁴ The BBC World Service Trust and the International Center for Transitional Justice, through their "Communicating Justice" project seek to develop a cadre of professional Liberian journalist on transitional justice issues

television stations and none provide national coverage, although the television channel of LBS hopes to provide national coverage in the future.

Ramah said that while the public has a variety of choices of information outlets, not all facets of the media are “well-represented” outside the capital. “The print media for instance do not circulate out of Monrovia either due to the cost of transportation or because there is a complete absence of printing presses in the hinterland,” he said. Flomo, of Radio Kergheamahn, told the panel that newspapers are equally poorly distributed. He said Nimba County, the second-most populated county in Liberia,, has no newsstand for any of the print media. “Newspapers arriving in the county are always at least a day old,” he said. Research by the LMC showed that newspaper circulation is quite low; the leading papers do not exceed 3,000 copies. Many other popular newspapers only carry sports reporting.

Because there is no newspaper distribution network and most papers only circulate in the capital, a large majority of the population access radio more than other media. Radio Veritas, ELWA and Star Radio are the only stations to operate both on FM and shortwave, while just one station—the United Nations Mission’s UNMI Radio—has a national FM network able to reach nearly the whole country. The state-run ELBC is testing its national FM capacity.

The most listened to radio station in most of the country is UNMIL Radio. UNMIL provides news in simple Liberian English and the various vernaculars. Competitors including Star Radio and Radio Veritas depend on designated hours of shortwave broadcast to reach other parts of the country

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

and are faced with difficulty in signal reception due to problems associated with shortwave signals. The rural population of Liberia is thus extremely dependent on these four Monrovia-based outlets or their local community radio station for their information needs.

Ade Wede Kerkulah, station manager of Radio Veritas, said that access to local and foreign media is largely a function of consumers’ purchasing power, especially with regards to print materials like magazines and use of the Internet, than it is of political or state restrictions. Television access follows the same rule, she said. “The only hindrance is that most Liberians cannot afford local television or cable television,” she said. “The supply of electricity to most parts of Monrovia, not to mention other parts of Liberia, is non-existent.”

The Internet is freely accessible in Liberia but penetration levels beyond Monrovia are extremely low. A recent LMC survey shows that less than one percent of respondents in two of the country’s busiest provincial cities (Kakata and Buchanan) have access to the Internet. On the whole, far fewer people access the Internet in Liberia. However, strides are being taken to establish commercial cyber cafés in other parts of the country. In this regard, the country has made progress since the introduction of Internet technology around a decade ago. Today the Internet is available on the country’s two biggest mobile telephone networks, which means it is now available nearly throughout Liberia.

There is no direct data on the actual number of Liberian Internet news Web sites in existence. But a cursory search of the Internet identifies roughly 21 Web-based news outlets that target the Liberian Diaspora. While a lot of these sites are based outside the country, several are domestically located. Notably, all the major Liberian daily newspapers maintain Web versions of their daily editions. There are also government-owned Web sites to put out news-related information targeted at the country’s diaspora. Three local radio stations, UNMIL, the state owned LBC and Star Radio maintain Web sites and provide some form of their contents online.

Blogging is a relatively new phenomenon in Liberia and very few members of the population participate; there are also no statistics on Liberian blogging.

The LMC survey further noted that the more people have to pay for the Internet, the less they access it. The survey also indicated that people use the Internet more for intellectual reasons than for any other. This is significant, considering the fact that the majority of people in Liberia are illiterate. This may mean that the Internet remains the exclusive preserve of the intellectual class.

The state-owned media in Liberia—LBS and one newspaper—have perennially served to propagate the views of the

government in power. In times past, especially prior to the civil war, LBS had a virtual monopoly over access to the general population since it was basically the only broadcaster that provided coverage on domestic and international events and issues. With the liberalization of the industry following the conflict, there exists a host of alternatives, although the state-run radio station has continued to largely propagate the views of the government with limited coverage of dissenting political opinions, especially coverage of opposition events.

At present, there exists no independent news agency serving the media. The state-run Liberia News Agency has been derelict since the beginning of the civil conflict and requires solid investment to be resuscitated. As things stand, various local and international projects are trying to fill this void. An example is the BBC World Service Trust transitional justice reporting project. This project has deployed Liberian and Sierra Leonean journalists to cover the trial of former president Taylor and syndicates their news content and feature stories on several commercial and community radio stations.

All independent media institutions, the state-owned broadcaster and UNMIL Radio produce their own news programs. Some of them produce just a few news broadcasts of their own, while most of the time they either only play music or relay news from foreign sources, such as the BBC, VOA, and Deutsche Welle Radio.

Media ownership in Liberia is open to anyone who meets the standard requirements and procedures of registration stipulated by the government. Ownership is not concentrated in the hands of a few people. Most newspaper institutions are sole proprietorships, owned and operated by journalists themselves. Broadcast institutions on the other hand are predominately owned by business people, politicians or partnerships. As indicated above, newspaper ownership is largely known to the public, but the financiers behind many of the country's media organizations are often kept as closely guarded secrets, especially if there is a political interest.

Liberian society is not predisposed to give any one group an advantage over another, not at least since the coming into being of the present government. As a result of this, no one group has a monopoly over the media. Radio and television stations in the country include daily news programs in different vernaculars. All of the major stations employ presenters knowledgeable in various languages. However, Liberia has a small but influential Lebanese population that receives very little media coverage and does not possess its own media.

There is a lot of coverage of women and children's issues since sex crimes have become a major issue in the country, but activities relating to people who are physically challenged receive little coverage.

OBJECTIVE 4: BUSINESS MANAGEMENT

Liberia Objective Score: 1.55

This objective received the lowest overall average, 1.55, from the panel. This is largely due to mismanagement of media businesses and under-capitalization of the sector. Most indicators scored close to the average, with only Indicator 4, the proportion of advertising revenue to other sources of revenue, distinguishing itself with a score a half-point higher than the average.

Garblah, a news editor, said not all media institutions are well managed, citing as examples the seasonal appearances of some newspapers on the newsstand and the closures of radio stations such as Ducor Radio, a local FM station which closed down just before the 2005 general elections. "Most media houses, on the other hand, are not vibrant in terms of running as well-established business entities," he said. "Some are run as a one-man show, thereby hindering their viability considering best practices." This last sentiment is particularly true of newspapers, most of which are sole proprietorships, owned and operated by the journalists themselves. A lot of media outlets in the country operate at break-even.

Quaqua of PUL said that management is "a huge challenge" for the Liberian media. Though it is generally accepted that the media is a business, he said, most media managers devote little or no attention to the substance of their operations through an effective business plan. "Most of them lack basic accounting and management principles, which accounts for the sporadic appearance of, especially, newspapers on the newsstand," he said. "Some newspapers go to press only after securing advertising funds. The electronic media have made a mark of improvement in the area of management, notwithstanding."

To develop, the print and broadcast sectors require solid investment to address a number of business expansion opportunities. Impeding such investment is that lending procedures have a history of being quite cumbersome and are often entrenched in bureaucratic malaise. Where opportunities existed, collateral requirements were colossal and rules stringent, preventing small businesses from accessing these facilities. Further, practicing journalists operating sole proprietorships often lack the full managerial and business skills necessary to attract huge capital investments and have limited access to loans from banks and lending institutions. However, while capital infusion could bolster the industry, it is poised to make nominal impact if underlying market issues are unresolved.

For example, Zeon thought the problem is not just the result of a lack of proper management. He said Liberia's poor media

market environment mirrors the national economy, in that major investment is lacking and that the small media market is not characterized by vigorous competition and is drained of cash. Under the circumstances, getting business to advertise is difficult, he said.

"The handful of businesses that do advertise use their revenue power to weaken editorial content," he continued. "They threaten to withdraw advertising revenue from papers that tend to launch a critical pattern of reporting. Many highly critical papers have collapsed after advertising revenues were withdrawn on the basis of lack of cooperation from editors. Critical news organs face the danger of economic reprisal from state institutions and politicians as the government remains the major advertiser for now. A comparative analysis of revenue flow for a few papers will find a grossly disproportionate[ly low] share to those of the critical papers. So the question is how one balances reporting the news and doing business?"

The private media do receive revenue from multiple, if limited, sources. Funding comes in the form of advertisements, sales, and sponsorship. A few outlets, like Star Radio, Radio Veritas, and the *New Democrat* newspaper receive grants and other funding from foreign sources. Political and economic interests also fund some outlets. During the election of 2005, it was widely believed that politicians funded the media either for promotional purposes or to influence stories. The panel was in agreement that dependence on a few private ventures and the state was unhealthy for the growth and independence of the sector.

The advertising market on which the industry relies is relatively small. Often, scrambling for advertisements denied the industry the real market value of their space, leaving advertisers to ultimately determine and impose low prices. This market largely revolves around the four mobile phone companies and the national government. Research conducted by LMC suggests that a number of these cellular phone companies were fixing advertising prices for the media outlets. The advertisers had threatened to deal with media offering larger coverage if smaller radio stations refused the offer. A combined price proposal from the stations was reportedly rejected, resulting in individual stations offering concessions in their price lists. A more compact media industry could effectively deal with this and promote healthier and more productive competition. There is also a need for a market survey aimed at developing supplementary services to media, including advertisements.

The media is making strides tapping into existing markets; however the absence of viable advertising agencies has impacted the media's penetration of the vast array of medium and small businesses in the market. Further, the rise

of tabloids has served to make advertising by print media even more difficult. In an interview with radio and television stations as part of the LMC research, most of the respondents concurred that proliferation of media outlets was affecting unified negotiating power within the industry.

Newspapers depend heavily on advertisements despite their limited availability and low sales returns. This situation, as is widely agreed, has served to lower standards and principles. There are more advertisements than news. A recent desk review randomly checked three copies per month from eight newspapers, including five dailies and three weeklies, in order to evaluate the papers' news content compared to advertising space. The results showed that the ratio of news content to advertisements ranged from as low as 0.91 to as high as 3.39. The review also showed that these ratios were inconsistent. Flomo had observed such irregularity as well: "In an instance where some [newspapers] are lucky to receive more ads on a day, far less pages will be devoted to information and other stories," he said.

It is worth adding that advertising has become a weapon to suffocate critical newspapers. It is difficult to establish and authenticate reports that some private media entities receive money from the government to serve as pro-government papers. However, at the end of 2006 there developed a major split among the country's media as to how to respond to a Christmas gift given the country's media by President Sirleaf. While some opted to return the money because in their view it would compromise their independence, others gladly accepted it. Otherwise there are no provisions for government subsidy of the media, and there are no laws or regulations governing the placement of government advertising.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Media support institutions lack the requisite expertise to provide business advice and development strategies for the media sector, though a number of NGOs, including the LMC, have produced research reports on consumer attitudes and perceptions of media products. However, skills development and investment will be required over time to enhance the media support sector's capacity to fill the existing void.

There are no sustained efforts to measure broadcast audiences or circulation of print media. However, research of print media in three cities has been conducted by the LMC and the results were made public in their publication *Media Reach and Penetration Study*. Panelists reported that the circulation claims made by newspapers are more or less realistic and generally accepted.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Liberia Objective Score: 2.44

The panel was of the general view that supporting institutions are working within the country to help build the capacity of the local media. Most indicators scored similarly well, although two were clear laggards. Indicators 1 and 4, trade associations and academic journalism programs, both scored a half-point below the average.

There are a few trade associations that work in the interests of media owners, including the Publishers Association and Broadcasters Association. These have attempted in times past to serve as a collective bargaining forum for the business interests of their constituent members, but have made little progress. Most initiatives have usually faltered since the few major business ventures operating in the country have usually

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

just ignored or circumvented such initiatives and dealt directly with individual media and received self imposed cutthroat rates. Many associations are largely inactive.

There are at least two organizations that represent the interests of the community media: the Liberia Community Radio Broadcasters Association and the Association of Liberian Community Radios (ALICOR). ALICOR seems to be the bigger of the two. Flomo was critical of ALICOR, of which he is a member. He said it is "a rather weak association" of community radio stations which since its formation in 2005, has yet to make a "significant impact" in advocacy for its member stations. "It has no offices or a functional secretariat," he said.

The PUL is the main umbrella organization for the media in Liberia. It has both institutional and individual members. However, the PUL, which has been in existence for 44 years, is not a trade union. It accredits Liberian journalists. There is also an Editors Association and a Reporters Association.

Flomo was also critical of how the PUL is run. He noted that while its presence is felt in the capital, its advocacy role for media organizations in rural areas is limited. "A case in point was in February of this year: the superintendent of Grand Gedeh County dismissed the entire management team of a local FM station, Smile FM, and replaced it with his own people. The PUL response was the issuance of a mere press release."

Over the past few years several international organizations have made positive contributions that have helped improve the media. Significant among them is the establishment of the independent Star Radio and International Alert's investment in community radio development. In recent years the Radio Netherlands Training Center, through a Dutch Foreign Ministry grant, provided support to community radio. The project, which is being implemented by the LMC, is providing support to 10 community radio stations that reach approximately 1.5 million people. Open Society Initiative for West Africa invested in Lux Radio, owned and operated by the University of Liberia's mass communications department.

There are a few local NGOs involved in working to improve the media sector. The LMC is the largest of the local ones, established under an initiative of the Partnership for Media and Conflict Prevention in West Africa⁵ and the PUL. Other organizations include the Center for Media Studies and Peace Building (CEMESP), the Liberia Women Media Action Committee (LIWOMAC), and the Media Women Center for Development and Democracy (MEWOCEDE). CEMESP is largely focused on press freedom and journalism training

⁵ The Partnership for Media and Conflict Prevention in West Africa is a loose network of media development and free expression organizations that work collaboratively on issues of media development, media law reform, media safety, and press freedom.

activities. With support from the National Endowment for Democracy, CEMESP produces an annual publication on press freedom and conducts a series of intensive journalism training workshops. LIWOMAC and MEWOCEDE are involved with mainstreaming gender in media development activities but focus also on gender-related subjects.

There are three recognized degree-granting departments of journalism in the country. These are offered by the University of Liberia (UL), African Methodist Episcopal University and the United Methodist University. In spite of this seemingly robust media training infrastructure, standards of journalism have been considerably low, underscoring the effects of the prolonged civil conflict. Most of the curricula of these institutions are outdated and instructors are in dire need of professional development opportunities. There is also a lack of equipment and on-the-job training. Only UL has a radio station for practical training for broadcast students.

A lot of short-term training programs exist in the country. These programs, which are usually supported by international development organizations, are implemented by local partners. The themes of these workshops and training sessions usually cut across the journalism profession. There are also a few short-term refresher training programs available to Liberian journalists in foreign countries. These programs are largely supported by a number of local NGOs, most notably the LMC and Center for Media Studies and Peace Building.

Printing facilities are private and they serve everyone who can pay. The *Daily Observer* and the *New Democrat* are the only newspapers that have their own printing facilities. Unlike during the reign of Charles Taylor, there are a lot more options available to the print media for printing their newspapers. Newspaper headlines are no longer unilaterally changed at the printing presses by government agents simply because they seemed to be antigovernment.

The government does not interfere with or subsidize the importation of newsprint. However, the high tariff in place on imports into the country has contributed to make the cost of printing astronomical. The importers of newsprint, usually foreign or Lebanese businesses, are routinely accused of creating artificial shortages to justify the prices they charge.

It is widely accepted that the means of media distribution are private and devoid of political consideration or favoritism.

List of Panel Participants

Patmillia Doe, executive director, Media Women Center for Development and Democracy, Monrovia

K. Samuel Duworko, instructor, University of Liberia, Monrovia

Nyahn Flomo, station manager, Radio Kergheamahn, Ganta

Othello Garblah, news editor, *New Democrat*, Monrovia

Emmanuel Johnson, station manager, Peace FM, Harbel

Tete Karneh, senior newscaster, Liberia Broadcasting System, Monrovia

Ade Wede Kerkulah, station manager, Radio Veritas, Monrovia

Quaqua Miller, station manager, Radio Zorzor, Zorzor

Philip Ramah, president, SKY Choice Incorporated, Monrovia

Peter Quaqua, secretary general, Press Union of Liberia, Monrovia

Olive Thomas, senior producer, Star Radio, Monrovia

Aloysius Toe, executive director, Foundation for Human Rights and Democracy, Monrovia

Philip Wesseh, managing editor, *Inquirer*, Monrovia

Alphonsus Zeon, journalist, BBC World Service Trust; former secretary general, Press Union of Liberia, Monrovia

Moderator and Author

Lamii Kpargoi, coordinator, Liberia Media Center, Monrovia

The Liberia study was coordinated by, and conducted in partnership with, the Liberia Media Center, Monrovia.

Finally, the most significant and most covered event at the end of 2008 was the closing by the government of private Viva TV, owned by Rajoelina... This is one of the main causes of the unrest that led to the installation of Rajoelina as president in March 2009.



MADAGASCAR

In December 2007, President Ravalomanana organized the “Presidential Dialogue,” a participatory event bringing policymakers and others together to discuss the lessons learned during the first year of implementation of the Madagascar Action Plan (a strategic and operational framework for the development of the country). Accordingly, in early 2008, the government set a goal of increasing the growth rate to 8 percent by enhancing rural development and making security and education a priority. Improving governance, particularly in the judicial sector, was also prioritized.

One event that fueled reporting in 2008 was the loss of control of the capital, Antananarivo, by the ruling party, *Tiako I Madagasikara* (I Love Madagascar); this benefited the young mayor, Andry Rajoelina, from the *Tanora Malagasy Vonona* (Determined Malagasy Youth) party. This development, viewed as a warning to the regime, gradually evolved into a challenge between the two sides, creating tension and power conflicts. Toward the end of 2008, Rajoelina was seen as the most popular opposition figure and became the natural leader of the opposition platform.

In mid-2008, reform of the education sector—the extension of primary education from five years to seven years and the use of Malagasy as the principal language of instruction in primary schools—also featured prominently in the Malagasy media. According to many professionals, the lack of communication and dialogue were the main causes of controversy and suspicion surrounding this initiative.

Other major stories included Madagascar’s organization of the African Union summit in 2009. To promote media coverage of such an important international event, and the upcoming International Organization of the Francophonie in 2010, a press center was built inside the Ivato International Conference Center.

The end of 2008 was marked by the reform of the law governing political parties, an outcome of the 2008 presidential dialogue. A broad consultation involving some political parties was conducted to debate, refine, and validate the new law. For the government, the implementation of this law was proof they promoted free speech and equal treatment of political parties. But the opposition political parties did not attend this meeting, arguing that this reform was tailored to defend the interests of the ruling party.

Finally, the most significant and most covered event at the end of 2008 was the closing by the government of private Viva TV, owned by Rajoelina. The government claimed an interview with former president Didier Ratsiraka raised public security concerns. The decision to shut down the station was widely considered an infringement of the opposition’s freedom of speech and the freedom of media outlets not aligned with the regime. This is one of the main causes of the unrest that led to the installation of Rajoelina as president in March 2009.

MADAGASCAR AT A GLANCE

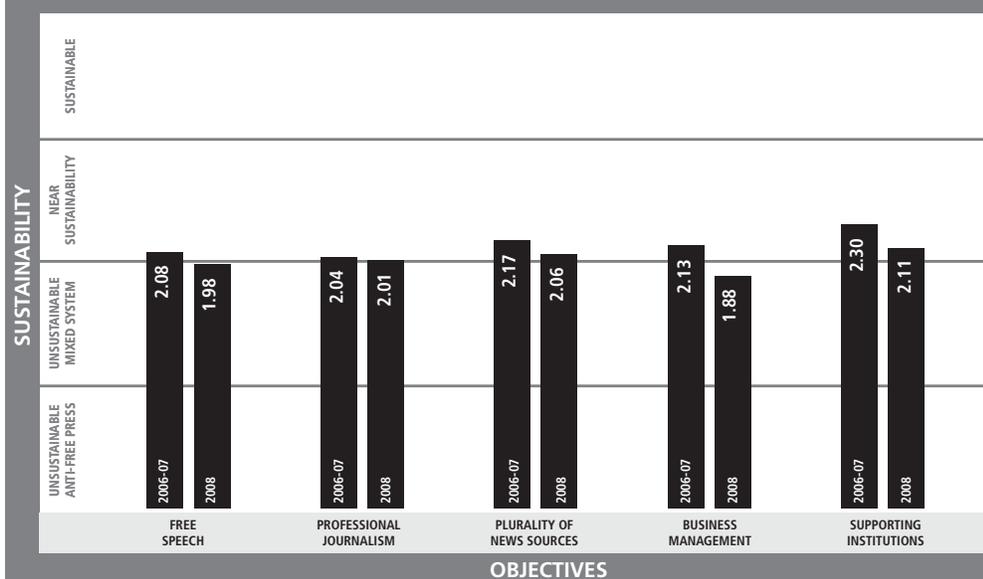
GENERAL

- > **Population:** 20,653,556 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Antananarivo
- > **Ethnic groups (% of population):** Malayo-Indonesian, Cotiers, French, Indian, Creole, Comoran (*CIA World Factbook*)
- > **Religions (% of population):** indigenous beliefs 52%, Christian 41%, Muslim 7% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), French (official), Malagasy (official) (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$6.361 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$930 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 68.9% (male 75.5%, female 62.5%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Andry Rajoelina (since 18 March 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 254 radio stations, with 26 state stations (including the central and regional levels), 37 television channels, with 6 state channels (including the central and regional levels), 12 daily newspapers (with 5 partially in French and 1 entirely in French), 19 bi-weekly, 20 weekly, 12 bi-monthly, 21 monthly, 4 bimonthly and 14 quarterly. (http://www.ambafrance-mada.org/article.php3?id_article=269)
- > **Newspaper circulation statistics:** top three by circulation: *Midi-Madagascar* (30,511), *Tribune Madagascar* (15,000), *Express de Madagascar* (15,000); about 200,000 daily copies total for entire country (sources: various local newspapers)
- > **Broadcast ratings:** highest-rated television outlets: Télévision Nationale Malagasy (state-owned), Radio Nationale Malagasy (state-owned), Madagascar Broadcasting System (private television and radio stations)
- > **News agencies:** ANTA (state), MADA (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 110,000 (2006, *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MADAGASCAR



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Madagascar Objective Score: 1.98

Panelists believed that legal and social standards promote freedom of speech but agreed that implementation was impeded in practice. The legal provisions in the 2007 constitution, especially Article 11 and Laws 90-031 and 92-032 on communication, are true guarantees of freedom of speech, according to Ruffin Rakotomaharo, chair of Madagascar Journalists Association (OJM) and journalist at Malagasy National Radio (RNM). However, implementation is inconsistent and limited.

The main reason for the problems of implementation is the lack of political commitment, whatever the government in place. Indirect pressures, including threat of administrative or penal actions, hang over journalists' heads. Rakotomaharo thinks the ban on radio talk shows like *Ny Marina* on Radio Antsiva and *Karajia* on Radio Don Bosco is unfortunate. There has been no improvement, and, according to James Ramarosaona, chief editor of *La Gazette de la Grande Ile*, reprimanding or admonishing Radio Don Bosco, rather than forcing the cancellation of the program, would have been sufficient.

Jean Eric Rakotoarisoa, a journalist at *Dan les Médias de Demain*, said that nationwide broadcasting for private radio stations is not permitted by law, but this is not equally enforced. Likewise, decriminalizing violations of the press laws and removal of prison sentences has never been implemented.

According to Jemima Rakotoasimbola, a reporter with M3TV in Mahajanga, journalists' inability to process information also affects freedom of speech. The resignation of a senior government official was, for instance, construed by journalists as desertion. This increases authorities' mistrust of journalists.

Rakotoarisoa said there is a difference facing regional journalists compared to those working in the capital. The authorities in the capital have a better understanding of the principles of freedom of speech, unlike those in the regions, who put a lot of pressure on the journalists.

Establishing a radio station is relatively free. A license is issued through open competitive bidding, and anyone can bid. This is reflected in the range of radio frequencies in Antananarivo, which is largely saturated. One has to comply only with the specifications available from the Office of Professional Regulation and Telecommunications (OMERT), and conditions for approval are open and clear, said Rakotomaharo.

However, panelists did not entirely rule out the possibility of political bias, as the OMERT and the Directorate for

Rakotoarisoa said there is a difference facing regional journalists compared to those working in the capital. The authorities in the capital have a better understanding of the principles of freedom of speech, unlike those in the regions, who put a lot of pressure on the journalists.

Information and Media are both under the Ministry of Communication and Telecommunications. The permitting commission will always do as the ministry likes. For example, as set forth in the order on free broadcast, the specifications should be discussed and finalized collaboratively by the commission and press organizations. In reality, the commission makes unilateral decisions.

The Florence Convention provides for customs exemptions for equipment and materials used by the media. Ramarosaona noted that according to the appropriation law, press organizations should benefit from tax incentives: the law states likewise that communication equipment should be, in principle, tax exempt. However, no implementing decree has been issued. This leads to corruption and/or nepotism, as only those who have acquaintances in the ministry can benefit from the tax break.

Rakotoarisoa offered a slightly different view. Generally, benefits are provided to the media but obstacles exist at the practical level. The law should state accurately what the tax relief is to avoid discrimination among the media.

According to James Ratsimandresy, consultant and former journalist at RNM, criminal actions against journalists are not frequent, but they do exist. Such actions have largely decreased in the past six years. The most dangerous situations arise during political disturbances. Rakotomaharo said that when a journalist receives a threat or is affected by physical violence or intimidation, he is hardly given any protection. The press organization does not take legal action when journalists are affected: even they shirk their responsibilities. The Journalists' Association merely raises objections or questions but remains passive due to lack of protection, according to Romule Raterazoelison, journalist at Radio Quartz.

Malagasy journalists are not covered by life insurance when performing their duties, except in very rare cases when they collaborate with international organizations. Only a few private journalists are insured, said Ratsimandresy.

A law that guarantees the media's independence exists, but is not fully respected. Further, there is supposed parity

In some regions, access to information at the level of regional public services is quite easy. There is a problem when the information involves the central level and requires the approval of a senior officer, said Romule.

regarding access to sources of information. However, there is a slight imbalance in the treatment of private journalists and state-media journalists. The latter are more often called on by government authorities to cover major events. The reasons are twofold: state media cover the whole country and reach a wider audience. According to Rakotomaharo, state-media journalists also have to abide by a clear-cut editorial line laid down by the government and, by extension, the ruling party.

In cases of libel, administrative or penal actions may be taken with possible prison sentences. In principle, an administrative action is taken prior to a penal action. Alleged victims can defend themselves in court. To date, no journalist has been given a prison sentence for libel against public officials or other actors.

From a legal viewpoint, access to any type of unclassified information is free and guaranteed by the constitution. Laudable efforts have been initiated, including the establishment of government portals accessible on the Internet and the holding of press conferences to speak about

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

important events. The problem lies with who holds the information, said Rakotomaharo. Some public officials are reluctant to provide information, and the figures provided by these authorities are often unreliable. The people's right to information is not always respected.

In some regions, access to information at the level of regional public services is quite easy. There is a problem when the information involves the central level and requires the approval of a senior officer, said Romule.

Sometimes, the approach to treatment and inclusion of the media is colored by past experience. There are times when a journalist distorted the statements made in an interview and is not given other interviews or information.

Access to international news sources is free in Madagascar. However, many journalists do not use them for want of means, particularly outside of Antananarivo, or out of laziness.

The government does not have a say on the hiring of journalists. The OJM issues membership cards through an independent commission whose members are elected or designated by each type of organization. In principle, one is given a card after at least three years of service. Actually, a card is issued in an almost fluid fashion, according to Ratsimandresy, and therefore joining the trade is free. One has only to meet the technical requirements for training and experience.

Most panelists agreed that there should be stricter criteria for practicing journalism. Many claim to be journalists but lack the needed skills. Press bosses are mainly concerned with earning profits, even if this means employing unqualified people. According to Nanou Fiankinana, UNDP Communication Coordinator, economic rationales prevail over qualifications. One becomes a journalist out of idleness, and the trade therefore loses its value. For example, at the regional level, a person was hired to broadcast songs, and afterward he became a de facto journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Madagascar Objective Score: 2.01

Panelists said the environment in Madagascar is not yet conducive to the emergence of professional journalism. Conditions to foster good reporting do exist in the country; research can be done, and access to information is relatively easy to obtain. Journalists can get information and make in-depth assessments of any event or subject to improve the quality of their work. The problem lies at the level of the approach, means, and capacity to do it. Laziness and inadequate knowledge on the part of some journalists make the situation worse.

Generally, the perspective in reporting depends on the editorial line laid down by the press bosses at private media, and by the government for state media. Hardly any media process information impartially to produce quality reporting. Journalists often state facts as they are, without exploring the issue. For example, when opposition leader Henri Lecacheur received a three-month suspended sentence for holding an “unauthorized” rally in Antananarivo in August, state-run Television Malagasy (TVM) stated only plain facts, whereas TV Plus tried to investigate the actual reasons behind the case. In the situation surrounding the City of Antananarivo public washhouses (access to water by many in the capital is limited), Ravalomanana’s Malagasy Broadcasting System (MBS), both radio and television, only made general criticisms, while *le Quotidien*, also controlled by Ravalomanana, addressed the issue only from a perspective of promoting a clean Antananarivo.

Problems with means and infrastructure remain. Though journalists wish to double-check information and get all necessary advice, they lack the means to do so. For example, Raterazoelison said that during an accident that occurred in Ihosy, the media gave differing numbers of casualties. It is impossible to carry out investigations on the spot.

Sometimes, there is no way to have access to sufficient information. For example, when the former director of a ministry was arrested at Ivato International Airport, the media reported the facts differently. Some reported he was arrested with one gold bar in his possession, while others said three. According to Fabiola Raharijaona, journalist at *le Quotidien*, some information is not accessible at all to some journalists but is accessible to others. One may just as well wonder whether they have “bought” the information.

According to Ramarosaona, petty events are given to novice journalists to cover because of their lack of skills and experience. This leads to problems, however, as Rakotoarisoa noted that in covering crimes, suspects identified by the police are essentially reported to be guilty by these journalists before any court judgment has been handed down.

Ethical standards exist; conditions are conducive to their observance, but great efforts are required of the journalists to adhere to them. The Code of Ethics was issued and distributed to journalists, but most of them have not even read it. For example, when one speaks of a colleague, one has to quote his name or at least the organization he works for. But the phrase often used is “a local journalist,” said Rakotoarisoa. Violations of standards, even a deliberate violation out of an inclination toward sensationalism, occur almost every day. These include showing gruesome pictures for more than three seconds on television, raising issues that

Hardly any media process information impartially to produce quality reporting. Journalists often state facts as they are, without exploring the issue.

may jeopardize national solidarity, or not observing copyright on use of images.

Panelists felt that a quality journalist should comply with ethics codes and should never go beyond libelous limits. Unfortunately, some people without the appropriate training and capacity claim to be journalists and are unable to successfully perform their job. As a result, they subject the media world to brickbats, threats, and even violence. In some regions, anyone who works at a radio/television station claims to be a journalist.

Self-censorship means that the journalist analyzes all possible effects of disseminating the information. This should be done by all press organizations, according to Rakotoasimbola. It should also be well-suited to the context. For example, during the local religious rite of Fitampoha, reporting should respect tradition. It should be noted, however, that too much self-censorship may lead to withholding of information.

Self-censorship often depends on the news outlet’s editorial line. State media are often accused of distorting information, and yet they report facts devoid of comments or analyses, in conformity with the government’s editorial line, said Rakotomaharo. At TVM, any statement that goes against the government’s position might lead to a suspension of the journalist. However, when a piece of news has been made

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

According to Ramarosaona, petty events are given to novice journalists to cover because of their lack of skills and experience. This leads to problems, however, as Rakotoarisoa noted that in covering crimes, suspects identified by the police are essentially reported to be guilty by these journalists before any court judgment has been handed down.

public by other media or at press conferences, it can no longer be suppressed. In the Ambalamanasy Tamatave issue, for example, the government did not want a land issue to be reported upon, but TVM disregarded the instructions because the news had already been made public at a press conference.

Private press organizations also resort to self-censorship based on the owners' interests and political leanings. But self-censorship may also be due to external pressure. For instance, there are cases when one must carefully handle advertisers—particularly large telecommunication or mining companies (e.g., Sherritt or Rio Tinto's QIT Madagascar Minerals)—so that advertising revenues do not decrease, some panelists said.

Generally, journalists strive to cover key events and issues, but problems lie in making in-depth analyses of the news and establishing their importance compared with other issues. For example, to observe the government editorial line, state media just recount the facts without making comments or analyses even with respect to sensitive issues.

According to Fiankinana, some subjects do not even deserve reporting in the press. Rather, issues like the global financial crisis or tainted Chinese milk scandal (Chinese dairy products have been widely distributed in Africa) should be discussed and analyzed. For commercial reasons, these are hardly analyzed because top editors feel these stories do not interest readers and viewers. Sometimes, crucial information is not addressed at all.

Additionally, in the absence of any press agency in Madagascar, all the information in the print media focuses on Antananarivo and surrounding areas due to the high cost of transportation to provinces.

Journalists' salaries are inadequate. Many work out of simple dedication. To make up for low salaries journalists receive allowances from press event organizers during field trips. Therefore, journalists go hunting for stories that are likely to

pay such allowances, including per diem, cocktails, etc., said Raharijaona. Some journalists "have a good nose" and cover only these events or ask organizers what benefit they will get out of covering it before deciding to do so. According to Ramarosaona, journalists like to report on international organizations' activities just to get such benefits. Sometimes, these international organizations select them by name. Media outlet policies reinforce this behavior: for example, state-media journalists who go on field trips are not given any allowances by their employer, and reimbursement of expenses is a lengthy process.

Because journalists are badly paid—a state-station journalist's monthly salary is no more than €150—many accept bribes in cash or kind. This is more glaring for private-station journalists who are paid through advertisement revenues, according to Rakotomaharo. Such "kickbacks" from advertisers and politicians affect the good work of journalists. A report loses quality when, for example, only the picture, shot close-up, of an elected representative or other authority who wants praise for his or her achievement is broadcast. Some people pay journalists on a contract basis, and only their point of view will be conveyed.

In Madagascar, there is more entertainment than information in the media, as the perception of media managers is that people have lost interest in news and politics. A stations' primary goal is to secure the largest audience, said Fiankinana. Seventy percent of programs on the national RNM channel are entertainment programs.

Panelists felt that a standard should be set for the print media, i.e., the proportion of advertisements should not exceed the share of news. Rakotoarisoa said that the *Midi Madagasikara* newspaper format looks like that of a free sheet, as it contains too many advertisements.

For media at the national level, a real "technological revolution" has taken place and modern equipment is available and in use. At the regional level, quality varies. In Mahajanga, the M3TV channel's facilities and equipment are fairly good. In Moramanga, according to Romule, there is a lack of modern technological equipment. Further, some radio frequencies overlap due to the nonobservance of technical criteria, said Ratsimandresy.

Hardly any media outlets provide niche programs and reporting. A limiting factor is the inadequacy of means. Reporting is only possible when it is supported by a NGO or other private institution that directly derives the benefits of coverage. Many newspapers cannot afford to make in-depth analyses or pay for journalists qualified to be specialists in a particular field.

OBJECTIVE 3: PLURALITY OF NEWS

Madagascar Objective Score: 2.06

Information sources are many and relatively affordable. However, one should make a distinction between rural and urban populations. Urban dwellers benefit from the availability of several media (Internet, television, radio stations, newspapers). In the rural areas, access is rather limited, as only a few radio stations are available, and the high cost of living and absence of electricity make the situation worse. In the past, attempts have been made to improve radio coverage of rural areas.

The national Anosy station has been rehabilitated through bilateral cooperation. Rakotomaharo said that private stations have entered into contracts with international channels, including TV Plus, RFI/RFO, and Alliance FM. These collaborations are often aimed at building capacities in technical equipment, training, and program broadcasting. These still have somewhat limited coverage.

At the national level and in provincial capitals, access to world news is possible and free. Cybercafés are growing in number, and a lot of information is available through the Internet. Access to satellite-based information is also free but is limited due to subscription costs.

In a few regional towns, some information centers with high-speed Internet connections exist, such as in Ranomafana, Moramanga, and Fenerive Est. However, the efforts made to raise farmers' awareness of information and

Rakotomaharo said that RNM and TVM must comply with the government's editorial line and will never criticize government programs. The views of government dignitaries and ruling party leaders prevail; those of opposition parties are not covered.

communications technologies stumble because of relatively lower levels of education.

According to Rakotoasimbola, the establishment of a press center in Mahajanga is under consideration. To make it sustainable, however, organizational or financial problems must be overcome. The first press center, established in Diego, is virtually nonoperational due to such problems, said Rakotomaharo.

From 1998 until the present, the state media have not served the public interest, but have become a government media that primarily serves the interests of the ruling party. Rakotomaharo said that RNM and TVM must comply with the government's editorial line and will never criticize government programs. The views of government dignitaries and ruling party leaders prevail; those of opposition parties are not covered. However, keenly journalists and editors there want to work for the public interest, they cannot disregard the instructions; otherwise, actions would be taken against them. This is why chief editors at state media outlets change when there is a change in government.

State media are somewhat reluctant to address a few social issues, including the power outage problem, which is an easy subject to broach but difficult to discuss. "Censorship" exists but is not written in black and white, according to Rakotomaharo. One example is the issue of reforming national education. It is difficult to explain to the public that this effort is not "Malagasification," but rather the promotion of the mother tongue when debate shows cannot even be held in the state media. However, debates were held at private stations like TV Plus.

The absence of press agencies is a shameful aspect of the Madagascar media. The state-run *Agence Nationale d'information Taratra* (ANTA) is no longer operational. The main sources of information include AFP and BBC, especially for international news.

Independent broadcasters produce their own news programs. Information sources include the Internet or international channels like Euro News, TPS, and others. Independent

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Overall, the slant on news depends on the group that owns the press organization. For private media, it is easy to make a distinction between the perspective of MBS or le Quotidien newspaper, which are owned by the Ravalomanana, and other press organizations including La Gazette de la Grande Ile and Viva TV, which represent the opposition.

stations located in Antananarivo regularly collect information based on national events. Radio stations in the regions use the newspapers as a source for national news.

Though it is difficult to identify the majority shareholders in press businesses, their political leanings and affinities are easily known. Overall, the slant on news depends on the group that owns the press organization. For private media, it is easy to make a distinction between the perspective of MBS or le Quotidien newspaper, which are owned by the Ravalomanana, and other press organizations including La Gazette de la Grande Ile and Viva TV, which represent the opposition. This gives the public the opportunity to analyze the provided information, said Rakotomaharo.

Minority languages are not an issue in Madagascar, as all citizens understand the official Malagasy language. Radio and television stations in the regions produce programs in local/ethnic languages to remain closer to their audience. Rakotoasimbola said that in Mahajanga, an intern translated the news to an Indian language, which the Indian community appreciated.

OBJECTIVE 4: BUSINESS MANAGEMENT

Madagascar Objective Score: 1.88

Media outlets and supporting businesses at the national level are quite profitable, particularly commercial broadcasters, and fairly professionally managed, according to Ramaholimihaso. There are professional and modern media, such as Midi Madagasikara and RTA, but such profitability can be felt only in the fifth or sixth year of operation.

Distinctions should be made between the national and regional or local press. Radio stations in rural and isolated areas have severely limited revenues. Their owners, entrepreneurs or politicians, help to run them to convey their

views and defend their interests. Apart from these privately owned radio stations, there are also community-based state media, including Radio Antsiva Fianarantsoa, or associative radio stations like Radio Akonambanivolo in Beforona, whose goal is to control environmentally threatening slash-and-burn practices. These stations should be subsidized by the government, since the law prohibits selling advertising, but they are not. So, for want of means, their employees work only on a voluntary basis, and these media collect advertisement revenues nonetheless, said Rakotomaharo. Evangelical radio stations, which broadcast some news, likewise do not receive much revenue.

State media do not necessarily make funding decisions that are in line with public needs. However, most management personnel are professional. At the national broadcaster, for example, the financial chief is an expert in the field. On the other hand, the marketing person used to be a journalist. According to Rakotoasimbola, it is not necessary for journalism professionals to address these tasks. However, notions of journalism are needed.

Many revenue sources contribute to the operation of media. For the print press, there are a couple of major funding sources: subscription and sales per copy, and advertisements, said Ramaholimihaso; advertisements are the main revenue source for the print press. Rakotomaharo said that sometimes more advertisements are needed than news in order to provide sufficient funding. Most print-press organizations own their printing presses, which can be a source of additional revenue.

For radio and television stations, funding sources include commercials, awareness and communication campaigns, and special programs sponsored by NGOs and/or the government and aired for payment.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Advertisements come mainly from enterprises, international organizations, or national programs. They hire advertising agencies that contract with the media for the broadcasting; e.g., the broadcasting contract between M3TV and Tam Tam agency. According to Ratsimandresy, in some areas where enterprises are few (e.g., Upper Matsiatra), advertisements are mainly for upcoming concerts.

Estimates of the ratio of advertisement revenues to total revenues are sketchy. Although subscriptions and sales are important, today, advertisements account for about 60 percent of revenues. This is a source of problems, as advertisements have become a means of pressure for advertisers, said Rakotoarisoa. It is a real threat to the media's viability.

Generally, the government does subsidize independent media.

There are hardly any survey and research agencies that conduct polls, surveys, or solicit feedback on the media. ATW Consulting is one such company operating in Madagascar, however. Survey findings are accessible but are relatively expensive. Therefore, surveys are conducted only at the launch of a media outlet or occasionally specific market research is conducted to lay down strategic plans and customize content based on the public's needs and interests. Nonetheless, press organizations need to identify items of interest for the people.

No regular survey is conducted to determine program ratings, circulation, and Internet user statistics. Based on needs, communication agencies call on consulting firms to conduct analyses related to the media. These figures are not available to all, and when they are, their use is limited due to the doubtful reliability of data and findings. Radio games help the stations to assess their program ratings. For the print media, circulation statistics are published, but this is done mostly for the benefit of advertisers. A newspaper may provide erroneous figures to lure them.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Madagascar Objective Score: 2.11

Supporting institutions have started to invest in media capacity-building and provide training to journalists. However, criticisms are made about such support: some say that it is provided to the benefit certain sector-specific development programs and not to address the actual needs of media and/or journalists.

There are not many operational trade associations in Madagascar. The ones that do exist include the Association of

One pressing problem that stronger associations could tackle is in the area of legal reform. A draft code of communication has been under review since 2001, but problems remain that keep it in abeyance, including conditions for ensuring national coverage and actions to be taken in the event of press law violations.

News Editors of Madagascar (GEPIM) and Union of Authors, Publishers, and Booksellers, which defend the interests of their members.

The journalists' association OJM was established during the socialist government with a view to controlling journalism (at that time, nobody could do the job unless he or she was a member of the association). As such, a member was likely to be struck off the list at any time for critical reporting. Today, the association's grounds for existence are not clear. According to Ramaholimihaso, the association exists only to issue membership cards to journalists. The association should be able to protect journalists and defend their interests with third parties, said Ramarosaona.

Ratsimandresy said OJM has currently become more or less a government instrument. The association's executive committee has not been renewed since 2006, and the election was held with the authorization of the ministry. For Ramaholimihaso, the only entity that can provide protection to journalists would be a union, but this has yet to be established.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Many other associations have also been put in place (private journalists, environmental journalists, women journalists, etc.) with foreign support. These were established to address the needs of thematic programs and donors. For example, an association of environmental journalists was established to champion a cause but not to protect its members, said Ramaholimihaso. Rakotoarisoa said that no protection is provided and no lobbying is done by these associations.

Journalists in some regions also attempt to set up associations. For instance, in Fianarantsoa, the Association of Journalists as Communicators has been established, said Ratsimandresy.

One pressing problem that stronger associations could tackle is in the area of legal reform. A draft code of communication has been under review since 2001, but problems remain that keep it in abeyance, including conditions for ensuring national coverage and actions to be taken in the event of press law violations. However, until now, the supporting institutions have been unable to resolve the situation, said Ramaholimihaso.

According to Ramarosaona, no NGO works for and specifically supports freedom of speech and independence of the media. International NGOs like the Friedrich Ebert Stiftung strengthen journalists' capacities in areas such as election monitoring. Others include the French Embassy, EU, USAID, UNDP, Pact, etc. The panelists believe, however, that they work only to achieve the objectives of their respective programs. They provide journalists with certain skills but do not support the wider use of these skills.

However, some entities have started to champion freedom of speech and independence of the media, including the local civil society organization Observatory of Public Life. After the establishment of the Human Rights Platform, some protection of the media's freedom of speech has been noted because all the cases were reported.

Fiankinana thinks that journalism training has proliferated. About 10 institutions claim to be "government approved," but the panelists said that of these only three are quality ones, including Saint Michel, ESVA, and the University. Others are very inadequate, and this shows itself in the quality of the students' dissertations. Students at these institutions will have problems finding jobs because press organizations will use the institution they attended as a yardstick. The Education Ministry should more strictly monitor these institutions and issue a list of non-approved institutions.

A reform of the University's journalism and communication department is ongoing. There will be a true journalism college that will be fully independent of the Communications

Department. The goal is to produce quality media through optimum education supported by practical exercises. It will provide multiple-level training, i.e., a common-core syllabus in journalism along with courses in different subjects, such as radio or television, explained Rakotoarisoa.

Foreign scholarships are also available for journalism training (recently in Egypt), but very few people benefit from them.

Short-term training is often held, although less so since OJM and other associations became less active. Most of it relates to basic journalism skills for a period of five days or so, with supporting documents, practical exercises, and evaluations. About one hundred journalists from the provinces have benefited from this free training conducted by international organizations, including UNICEF, said Rakotoasimbola. This training has been very useful, but unfortunately, not all journalists can participate.

GEPIM and "Ouest France" send trainers to press organizations. This is a positive practice for the media, as the trainers go to the training site and analyze the problems specific to each press organization. It should be noted, however, that many training sessions were not monitored and evaluated. Thus, their role in improving media's ability to provide quality information can not be measured.

Many newspapers have their own printing houses, such as the MBS Group with Blue Print. Others, including *La Vérité* and *Malaza*, do not have their own printing houses and use the services of private printing houses, which are profit driven and not influenced in choosing clients by political or commercial interests. The government no longer owns a printing house for the press and cannot place any restrictions on production at private printing houses.

Distribution is in private hands but not well organized. Independent workers at the printing companies in the capital city and major towns earn, in principle, 15 percent of the cover price of newspapers sold; there are also a few operational newspaper kiosks. According to Ramaholimihaso, no system is available to disseminate newspapers in small towns or villages. Newspapers reach the regions by taxi brousse (rural buses) on the same day or no later than the day after, based on distance and trip frequency. Air shipment via Air Madagascar is no longer affordable to print media.

Broadcast transmitters used by the private media are in private hands, as are Internet service providers. The companies that are responsible for these services are generally apolitical, but are sometimes vulnerable to the pressures of politics and the state.

List of Panel Participants

Nanou Fiankinana, journalist and communication coordinator, UNDP, Antananarivo

Jean Eric Rakotoarisoa, editorial director, *Dan les Médias de Demain*, Antananarivo

Jemima Rakotoasimbola, journalist, M3TV, Mahajanga

Ruffin Rakotomaharo, chair, Madagascar Journalist Association, Antananarivo

Rahaga Ramaholimihaso, president and chief executive officer, Societe Malgache d'Édition, Antananarivo

James Ramarosaona, chief editor, *La Gazette de la Grande Ile*, Antananarivo

Romule Raterazoelison, journalist, Radio Quartz, Moramanga

James Ratsimandresy, consultant and former journalist, Radio Nationale Malagasy, Antananarivo

Moderator and Author

Harijaona Andriamoraniaina, executive director, Multi-Service Information Systems, Antananarivo

The Madagascar study was coordinated by, and conducted in partnership with, Multi-Service Information Systems, Antananarivo.

When former president Bakili Muluzi, who ruled for two terms between 1994 and 2004, entered the campaign, the nominally independent Malawi Communications Regulatory Authority (MACRA) revoked a license it had issued Joy TV, owned by Atupele Properties, of which Muluzi is a shareholder.



MALAWI

F

Fourteen years after the fall of dictator Hastings Kamuzu Banda brought multi-party government and independent media to Malawi, the country was still fighting to realize the ideals of democracy. The media play a key role in the fight, striving to hold those in authority accountable. Yet a stalemate in Parliament and repeated interference by government agencies have prevented the media from becoming fully free.

Introduction of the Access to Information Bill has been blocked since a constitutional dispute over party representation brought Parliament almost to a standstill two years ago. In addition, parliamentary action on budget matters—the only business lawmakers have conducted during the standstill—has resulted in two successive defeats of the financing for the state broadcasters: Malawi Broadcasting Corporation Radio 1 and Radio 2, and Television Malawi.

The run-up to Malawi's May 2009 presidential election also sparked a battle over press freedom. When former president Bakili Muluzi, who ruled for two terms between 1994 and 2004, entered the campaign, the nominally independent Malawi Communications Regulatory Authority (MACRA) revoked a license it had issued Joy TV, owned by Atupele Properties, of which Muluzi is a shareholder. MACRA also closed down Joy Radio, another Atupele outlet, several times. While the ruling party aired propaganda against Muluzi on state broadcasting stations, MACRA justified its action against Atupele Properties on the grounds that its stations were in the hands of politicians, which is contrary to the Communications Act.

MACRA also changed the procedure for applying for broadcasting licenses. The agency said it would announce when there was room for a new radio station rather than allow applications at any time, as the previous system had allowed.

Despite these challenges, Malawi's media—especially private outlets—registered a number of successes, notably providing coverage that affected governance, corruption, and other issues. Nation Publications Limited published articles about the clerk of Parliament's company being awarded a contract to provide printing services for Parliament. Parliament launched an investigation that established that the articles were true and that procurement procedures had been compromised. As a result, the contract was canceled. Blantyre Newspapers Limited, meanwhile, reported that copies of questions contained on the test for the Malawi School Certificate of Education had been leaked. Authorities initially dismissed the reports, but after more articles provided evidence, the government canceled examinations in the subjects that were leaked and students had to rewrite papers. On the legal front, the Media Council of Malawi spent much of the year revising the journalists' code of conduct, while the National Media Institute of Southern Africa and other stakeholders lobbied members of Parliament to pass the Access to Information Bill, if it is ever introduced.

MALAWI AT A GLANCE

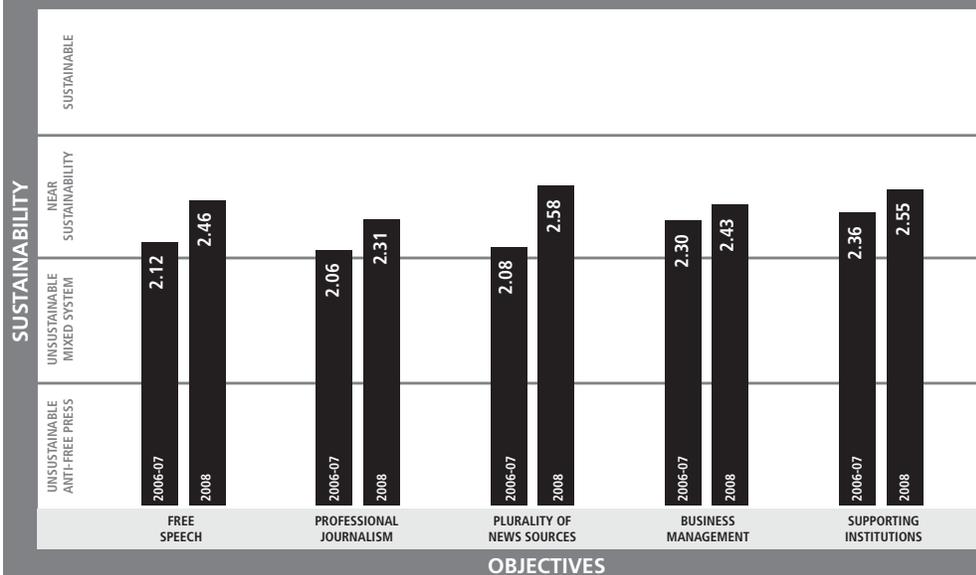
GENERAL

- > **Population:** 14,268,711 (July 2009 est., *CIA World Factbook*)
- > **Capital City:** Lilongwe
- > **Ethnic groups (% of population):** Chewa, Nyanja, Tumbuka, Yao, Lomwe, Sena, Tonga, Ngoni, Ngonde, Asian, European (*CIA World Factbook*)
- > **Religions (% of population):** Christian 79.9%, Muslim 12.8%, other 3%, none 4.3% (1998 census, *CIA World Factbook*)
- > **Languages (% of population):** Chichewa 57.2% (official), Chinyanja 12.8%, Chiyao 10.1%, Chitumbuka 9.5%, Chisena 2.7%, Chilomwe 2.4%, Chitonga 1.7%, other 3.6% (1998 census, *CIA World Factbook*)
- > **GNI (2008-Atlas):** \$3.524 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$760 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 62.7% (male 76.1%, female 49.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Bingu wa Mutharika (since May 24, 2004)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 13 newspapers, including 2 dailies and 1 state-owned weekly; Radio: 18 stations including 4 community owned, 12 privately owned, and 2 public broadcast services; Television stations: 2, including 1 privately owned, and 1 public broadcaster.
- > **Newspaper circulation statistics:** Top two by circulation: *The Daily Times* (privately-owned), *The Nation* (privately owned).
- > **Broadcast ratings:** N/A
- > **News agencies:** Malawi News Agency (MANA) (State-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 139,500 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MALAWI



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Malawi Objective Score: 2.46

Section 35 of Malawi's 1994 constitution guarantees freedom of expression to every person, and Section 36 provides "freedom of the press to report and publish freely, within Malawi and abroad, and to be accorded the fullest possible facilities for access to public information." The right to free expression is not absolute, however, but limited by the constitution's Sections 44 (2) (3), 45 (3) a, and 45 (2), all of which can be applied as the judiciary deems appropriate. The constitutional provisions are also limited by laws such as the Protected Names and Emblems Act, as well as by the absence of an access-to-information policy.

Malawi has several statutes—some of them passed before independence from Britain in 1964—that pose a threat to freedom of expression and editorial independence. According to the SADC Media Law Handbook, 2003, they include the Communications Act (1998) which provides for the regulation of telecommunications, posts, and broadcasting in Malawi; the Printed Publications Act (1947), which governs the print media and provides for the registration of newspapers with the Government Archives; the Censorship and Control of Entertainment Act (1968), which regulates the pre-approval of content that is distributed to the public and provides for the regulation of entertainment productions; the Official Secrets Act (1913), which protects state secrets against disclosure; and, the Commercial Advertising (Traditional Music) Control Act (1978), which regulates the use of traditional music in advertisements.

In theory, freedom of expression encourages journalists to report without fear as long as what they are reporting is factual. In practice, some journalists, especially in the state media, cannot report anything bad about the ruling party. The constitutional guarantees are also sometimes ignored, and the media are stopped from expressing their views. For instance, in 2007 Capital Radio was stopped from airing a conversation believed to involve the president and the director of the Anti-Corruption Bureau. The president purportedly was instructing the director to plan to arrest opposition leaders.

Panelists said the archaic laws that affect the media need to be updated, but that there unfortunately seems to be no impetus by the powers-that-be to change or repeal them. The lack of a policy on access to information leaves journalists legally disadvantaged and unprotected. One panelist said bureaucrats in various government departments limit access to information. Another panelist, Grace Kadzakanja, lecturer at the University of Malawi, said that "access to

information is not restricted, but its publication is highly monitored by the Ministry of Information." Even in the absence of a freedom of information law, the constitution provides for access to information, she said, and "Malawi is a sovereign state and is a signatory to a number of international instruments that do promote freedom of speech."

"Although there are small hitches, overall the government allows freedom of speech. It is not common here to have somebody answering charges for having dissenting views, even when some people have gone to the extremes in the quest of exercising their right to free speech," said Archibald Kasalura, a student at the Malawi Institute of Journalism (MIJ). "In a nutshell, Malawi is making great strides in as far as freedom of speech is concerned."

Panelists said licensing of broadcasting companies is not fair because the regulatory body, MACRA, is under direct government control (1.2). The Communications Act of 1998, which established MACRA and gave it the power to regulate the postal, broadcasting, and telecommunication sector and to grant licenses, said the agency should be open, independent of government interference, and should operate transparently. Panelists agreed, however, that MACRA is largely controlled by the government through appointment of its board members. MACRA also answers to the minister of information and civic education, further compromising its independence. In 2007, a lawyer, Ralph Kasambara, challenged the government over the way the directors of MACRA were appointed. This led to the dissolution of the board in 2007; at the time this report was written, the president had not appointed another board.

Panelists were of the view that market entry and the tax structure for media firms are comparable to other industries. For instance, radio stations pay license fees and other usual taxes such as Pay As You Earn (PAYE) for their employees. "The requirements for entering the market by those intending to open a media-related type of business are not different from the rest of business entities," said Eric Mcheka, program officer for the Media Council of Malawi (MCM). "There are no tax breaks for media either. With regard to print media, the market is open to new entrants in spite of stiff competition, as long as one fulfills all the obligations demanded by the registrar of companies when establishing a business in Malawi. However, there is a need for a big capital injection for that media house to survive (whether print or electronic) because of competition on the market," he said.

Crimes against journalists were not common in the year under review. There were times when reporters were detained for a few hours, but not much was done thereafter. For instance, a journalist was arrested for taking pictures of the presidential convoy and his camera was destroyed.

Panelists agreed that political influence threatens editorial independence in state broadcasting and that legal guarantees are weak. There was consensus during the panel discussion that the state media are not independent from government influence and that their stories are not balanced and lack fairness. Panelists attributed the lack of independence to the fact that the heads of Malawi Broadcasting Corporation (MBC) and Television Malawi (TVM) are appointed by and answer to the government. Mcheka said that “the heads of MBC and TVM are appointed by the government, and the public media is not independent. There are reports of the public media being biased towards the government of the day. The outcry tends to rise especially when getting close to the elections.” One panelist said the state media fail to balance their coverage because they have limited resources and opposition leaders shun them.

In Malawi, libel can be either a criminal or civil issue. Panelists said criminal libel is punishable by two years’ imprisonment. Some panelists said the judiciary offers journalists hope by treating cases against them as misdemeanors. According to the panelists, most libel cases are treated as civil cases and settled out of court. Journalists are rarely sued for publishing defamatory stories; when they are sued, the case is usually settled out of court. Panelists explained that some politicians use the threat of a defamation suit as a lever against critical reportage. In libel cases, journalists—not plaintiffs—have to prove that there is no falsity or malice intended. Panelists appreciated the support journalists enjoy from the public. “Thanks to the general public, each and every time a

journalist seems to be in conflict with the law there is always a public outcry, a sign that the general public is well aware of its right to freedom of speech,” one panelist said.

Access to information is still a challenge for the media, according to panelists. Section 37 of the constitution states that “subject to any Act of Parliament, every person shall have the right to access to all information held by the State. Or any of its organs at any level of Government in so far as such information is required for the exercise of his rights.” Yet, there has not been any legislation to enforce this right. Hopes for a more open environment were shattered with Parliament’s failure to successfully introduce the Access to Information Bill. According to the panelists, the bill was presented to Parliament in June 2007, during the parliamentary budget session, but it was shot down. The National Media Institute of Southern Africa (NAMISA), in partnership with human rights movements in Malawi, continued to lobby and advocate for passage of the bill. It was expected that the bill would be introduced again. According to Mcheka, most public officials “fear to release information for fear of reprisals from their superiors. Other public officers say that they cannot release the information because it is ‘classified information.’” Until the Access to Information Bill is passed, journalists in Malawi will continue to meet challenges in getting information from public officials.

All the panelists said the media have unrestricted access to international news and news sources. They said the lack of resources in some media organizations and what one called “exorbitant Internet fees” are the only limiting factors. Most international news stories are acquired through the Internet.

There also was consensus that entry into the journalism profession is unrestricted; the government imposes no licensing, restrictions, or special rights for journalists. The country has a number of training institutions, such as the University of Malawi, Malawi Institute of Journalism (MIJ), and ShareWorld Open University, that anyone can attend as long as they meet entrance requirements. Panelists stated that if licensing were adopted, it would distinguish between different levels of professionalism based on experience and qualification. This sentiment comes amid complaints of some journalists’ conduct, especially during public functions. There have been cases where when journalists falsely identify themselves or their organizations to sources or event organizers, usually in an effort to gain money or transportation.

Accreditation of journalists happens when one is covering high profile government events, although this is not as prevalent anymore. According to panelists, the government has been issuing press cards to journalists for security purposes as a standard procedure when one is covering high

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

profile government events. Journalists working together with the MCM stopped government from issuing these “press cards.” Nonetheless, media houses continue to print their own press cards for their journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Malawi Objective Score: 2.31

Some panelists said journalists in the country are trying their best to meet professional standards by reporting in a fair and balanced way but that reporters often make sure they are covering events in a way that is going to please their managers and owners. For instance, journalists in state media cannot say bad things about the ruling party, nor can those who work for some private firms. Other panelists said most journalists do not report their stories fairly. “We see a lot of mistakes in the newspapers, and in some cases sources are not well identified, which diminishes credibility,” said Rhoda Masasula, a journalism student at MIJ. Others argued that evidence of poor quality can be found in the mistakes and corrections seen in both print and electronic media. This problem, they said, arises from lack of proper training. “There are a few accredited colleges, which are expensive. Of course, the University of Malawi program is affordable, but their intake is limited,” Masasula said. Some panelists said, however, that corrections show that a media company is being accountable.

Most panelists shared the view that some stories are not fully researched. “Balancing of facts is sometimes a problem due to lack of resources to travel and meet different sources, and to time constraints,” said Deus Sandram, an assistant broadcaster at MIJ Radio. Balancing of information is also a problem because sources sometimes are reluctant to talk to certain journalists or media outlets. While some sources are simply difficult, many have been misquoted in the past or are only contacted to comment on something negative. For instance, most politicians from opposition parties refuse to grant interviews to MBC and TVM because they claim that these stations are biased against them.

There is little diversity among sources, as “most journalists rely on regular or preferred sources depending on their leanings, political or otherwise,” Kadzakumanja said. Some panelists shared the sentiment that journalists over-report political issues and are therefore prone to corruption, especially with the approach of the 2009 general elections. “Lack of balance is apparent in most media houses. Those claiming to be independent still have leanings towards either government or otherwise,” Kadzakumanja said. It was also said that most reporters do not include background information in their stories.

With regard to ethics, the panelists’ discussion identified two key issues: they noted huge disparities in pay levels, and they differed over whether there is a direct relationship between pay and corruption.

The general understanding was that journalists with some private companies, especially newspapers, are paid higher than those in government institutions; journalists in most private radio companies are paid the least; and there are huge disparities between the salaries of managers and those of reporters and other staff. Monthly salaries, according to the panelists, range from MWK 14,000 (\$100) to more than MWK 500,000 (\$3,600). Some panelists said journalists are not well paid compared to people in other professions. “The pay is also not enough to compensate the hard work that journalists do,” argued one of the panelists, Talumba Mhango, a student at MIJ.

There was debate over whether pay levels are linked to corruption. Panelists, notably those working as reporters, were of the view that journalists take bribes to increase their income because their salaries are low. Other panelists disagreed. Edward Chitsulo, editor at Nations Publications Limited, said, “I don’t think people are corrupt because they are underpaid, but I think they are just corrupt by nature. It is genetic.” Some panelists noted that some journalists earn good money but still take bribes.

It should be noted that, in Malawi, bribes generally take two forms. One is when a journalist and a source agree on a bribe to deliberately influence coverage; the second, and most common, is when organizers of an event offer journalists money, gifts, and transport for attending. In the latter case, often referred to as the passing of the “brown envelope,”

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

independence is compromised but not as much as in the first case. However, panelists said, not all journalists in Malawi accept brown envelopes; there are others who hold the integrity of the profession in high esteem.

The panel discussion showed that reporting has improved, reflecting the democratic dispensation; journalists have been uncovering high-level corruption through investigative journalism.

The discussion made clear that many journalists in Malawi are not aware of existing codes of conduct. The Malawi Code of Ethics and Professional Conduct, adopted in 1994, is a self-regulatory regime for all media; broadcasters must also adhere to the codes of conduct stipulated in the Communications Act and their respective licenses. It was not until Chitsulo mentioned that there was a code launched in 1994 that most of the participants knew of its existence. Chitsulo, one of the drafters of the code, said he did not think it had been promoted adequately. MCM has revised the code and will distribute it soon. Panelists also mentioned that some individual media outlets have their own codes of conduct, though most of their employees are not aware of them. Even if they are, they sometimes do not follow them.

Regarding self-censorship, one of the panelists said that “Malawi is a small country, and self-censorship is evident in many forms. Journalists want to protect themselves against making enemies in the community, and they act in the interest of the owners and employers.” Most of the panelists agreed and said political stories are the ones that suffer most from self-censorship. In the state-owned media, journalists have learned to censor their stories because of political and other interference. They seem to write more positively about government and the ruling party and negatively about opposition parties and politicians. Reporters and editors sometimes practice self-censorship because of fear of intimidation from government departments like MACRA, according to one of the panelists. Some panelists thought of censorship in a positive way, as in cases where editors decide not to use gruesome pictures.

The panelists felt that Malawian journalists cover key events and issues that involve both government and the private sector, and this indicator got the highest score of any under Objective 2. However, Chitsulo noted that this is largely because budget cuts at MBC and TVM pose “constraints on journalists’ ability to go out and cover stories, and they will definitely go for those who will provide transport to ferry them to the venue of the function, which is mostly the government.”

There was a general view that state media balance their information and entertainment programs. Some private radio stations have more entertainment than information, while

the print media have more information than entertainment coverage. “Educational and cultural reporting is mainly done by the state broadcasters, while entertainment (music), news briefs, phone-in programs characterize private radio,” said Talumba Mhango, a student at MIJ.

The panelists said media personnel lack adequate and modern equipment to gather and produce news. “For example, very few journalists own recorders, and most recorders are outdated manual recorders. Because of lack of prioritizing, most media bosses do not see any reason to purchase the latest equipment,” Sandram said. Panelists noted that this issue needs to be addressed at a policy level. While big newspapers have equipment for their journalists, there is a need for better gear at smaller outlets, particularly among private media but also at TVM. One panelist commended MBC for having good equipment and for having shifted to digital technology. Some panelists even suggested that the government should provide equipment even to private media. “This lack of equipment and the use of outdated equipment contribute to poor quality of programs,” Sandram said.

Quality niche reporting exists in Malawi but is constrained by limited resources, according to the panelists. The panelists said media outlets cannot afford to allow their staff to specialize; they would rather have a general assignment reporter covering several beats. Some panelists said journalists need specialized training to be effective at niche reporting. Some were of the view that journalists tend to concentrate on political stories, ignoring issues of the environment and only occasionally featuring gender, education, and agriculture.

OBJECTIVE 3: PLURALITY OF NEWS

Malawi Objective Score: 2.58

Malawi has more private media outlets than state-run ones. At the time this report was written, the country had one state television station, two state radio stations, 12 private radio stations, four community radio stations, and 13 newspapers. All the private media outlets are based in urban areas, and there are a few community radio stations in the rural areas. Even though most of the private radio stations have licenses to broadcast nationwide, some cannot reach all parts of the country. The newspapers are published in English and circulate mainly in urban areas. Most of the radio stations broadcast in English and the Chichewa language. MBC Radio 1 broadcasts in almost all of Malawi’s major languages. People also get news from international radio stations such as BBC and VOA on specific local channels or through relays on the radio stations.

Though Internet penetration in Malawi is extremely low, people in urban areas also get news from Internet cafés. The Internet is popular among youths, the working class, and academics, and it serves as a good news source for Malawians in the diaspora and other stakeholders. Journalists also use the Internet to source international news. It was noted that some traditional media outlets extended their operations to the Internet during the past year. For instance, MBC started its own web site, joining Capital FM and some print outlets that were already on the web.

Foreign publications are available in Malawi but are not affordable to the majority of citizens. Cable television is also accessed by few since subscriptions are relatively expensive. A few people in Malawi get international news through their mobile phones.

Although there are no legal or government restrictions on access to news from domestic or international sources, panelists noted that people in rural areas have fewer sources of news than those in urban areas because of access, language, and income barriers.

Panelists said that, in some cases, ownership can determine content of media outlets. "There is a high level of bias in reporting especially at the public broadcasters and some private radio stations. For example, MBC is pro-government and Joy Radio is pro-opposition," Kadzakumanja said. Other media outlets use a variety of news sources in their news items, providing citizens with reliable, objective, and diverse news coverage. Some panelists were of the view that most people find the media to be credible, as evidenced by the fact that they rarely question information that the media provide.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

The panelists agreed that the state media are biased in their coverage, serving the interests of the government of the day and rarely covering the opposition positively. This has been the trend since the first multi-party elections in 1994. "The bias tends to become more pronounced each and every time Malawi goes to the polls," said Mcheka. "Like currently, as we are drawing closer to elections, political parties in the opposition are already complaining of bias by the state media. Opposition parties have accused the MBC and TVM of having a bias, favoring coverage of the ruling party." Some panelists said the state media are biased because they get funding from government, though it could be argued that MBC and TVM should have been more independent since they have not gotten their budgetary allocation for two consecutive years.

It was clear that politicians are reluctant to open up the state media and turn them into true public service broadcasters. For the past four years, Malawi has had strong opposition parties with more legislators in Parliament than the ruling party. If the opposition parties wanted to liberate MBC they could have voted on policies to remove direct government control on the public broadcasters.

However, panelists praised the state broadcasters for meeting professional standards when reporting on issues such as the environment and HIV/AIDS.

Media outlets get international news from agencies such as Reuters and the Associated Press. The only domestic news agency, state-run Malawi News Agency (MANA), has a sizeable infrastructure, with offices in almost every district in Malawi, but no longer provides a wide variety of news because it is under-funded, according to some panelists. However, one panelist said that if a particular outlet feeds stories to MANA, it gets regular and good stories in return.

Panelists said private broadcast media produce their own programming and that most private radio stations also have relays from international media such as BBC, VOA, and Channel Africa. Panelists noted that if one station has a program that is doing well, chances are others will copy the format. "What is happening with most of the broadcasting houses is that they are copying from each other, especially the content of the program; the only thing that changes is the name of the program and producers," Mcheka said.

Panelists said that even though there are no laws requiring disclosure of ownership, many people in the country know who owns the different private media outlets. Media ownership in Malawi is widely spread, but most of the newspapers have links with politicians. For instance, Nation Publication Ltd. belongs to Aleke Banda, a politician. Blantyre Newspapers Ltd. is a subsidiary of a group of

companies owned by Chayamba Trust, which oversees all the businesses that were owned by the late Hastings Kamuzu Banda, Malawi's longtime dictator. There is also Guardian Publication Ltd., publishers of the *Guardian* newspaper, which has links with President Bingu wa Mutharika. In most of the newspaper companies, content is not directly influenced by the interests of the owners. The panel was not aware of any foreign investment in the media in Malawi.

The panelists said social interests are reflected and presented in the media, especially electronic media. The state broadcasters and other stations have programs produced from rural areas, and some are in local languages. "In terms of packaging programs, media in Malawi produce programs that cover many issues that cut across all the spectrum of issues affecting the society. We have programs that focus on AIDS, agriculture, environment, human rights, economic development," Mcheka said. Panelists noted that daily newspapers do not accommodate local languages, but that weekend papers have supplements in Chichewa.

OBJECTIVE 4: BUSINESS MANAGEMENT

Malawi Objective Score: 2.43

Panelists said most independent media outlets are well managed as businesses. They generate income from such sources as advertising and sponsorships and do not rely on the government for funding. Their major challenge is that editors serve the interests of advertisers, compromising editorial independence. "For instance, some editors cannot say anything bad about an organization sponsoring their programs for fear of hurting the advertiser and in turn losing business," Masasula said.

The print media are better managed as sustainable businesses than electronic media, according to panelists. Other panelists argued that there are very few media outlets of any kind that are operating as efficient and successful businesses. "Most of them are finding it difficult to survive, as they lack good marketing teams. Community media are either poorly funded or not funded at all," according to Rogers Siula, senior broadcaster at MIJ Radio. It was also noted that human resource management needs improvement, as evidenced by high staff turnover, especially in newsrooms. Other media managers were of the view that some media outlets deliberately poach staff from competitors.

The state media were commended for having strong marketing departments with aggressive professionals. "Strong marketing teams are also found at the Nation Publications Ltd. [NPL]

and Blantyre Newspapers Ltd. [BNL]. Both NPL and BNL are run just like any other business entity. In most of the private radio stations like Capital FM, FM101, and Zodiac Broadcasting Corporation, one is bound to find marketing departments with staff and accounts officers as well," Mcheka stated.

Some panelists said that while most of the radio stations are profit-driven, community and religious radio stations' main motive is to serve their communities. Because they rely on volunteers, they often lack funds and management skills. Hence their marketing and financial departments are not well developed. The panelists also noted that more radio stations have begun seeking business in rural areas, where people advertise by announcing their business on the air. Such programs include "Vendors' Bargain," aired every day on MBC, and MIJ Radio's "Pamsika" ("At the Market"), which is also aired every day.

One panelist said some print media houses generate revenue from advertising, newspaper sales, consultancies, producing publications for other organizations, and other streams. The Malawian government is the biggest advertiser, and some panelists said it tends to pull strings from behind the scenes. Media houses supporting the government of the day tend to enjoy a lot of advertising from the government, unlike those who are deemed to be supporting opposition parties. One panelist was of the view that some businesses shun some media houses because they fear that if they advertise on certain stations they will be perceived by the government as supporting the opposition and will lose out on government businesses.

Some panelists said that despite most media companies being well managed, editorial independence has not reached impressive levels.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Panelists noted that there has been a proliferation of advertising agencies that provide support to the advertising market, though few have been as vibrant as expected. Panelists agreed that advertising is growing, adding that it is well developed—mainly in the urban areas—with major companies such as Zain Company, Unilever, and TNM increasing advertisement buys. Radio and print are the most frequently utilized media.

Panelists said that most media outlets are driven to run more advertisements in their programs, as advertising is the only substantial source of revenue. “There is a deliberate need for more programs to be sponsored, including news bulletins, for example, on MBC. Ads take up a lot of time, and managers encourage more ads in almost all programs to maximize revenue,” Kadzakumanja noted.

Panelists said the fact that independent media do not get government subsidies means that they are able to carry out their activities without pressure from government. They said that accepting advertising from the government cannot be equated to a subsidy. However, the fact that the government is such an important advertiser likely means that media with a large share of government advertising do consider their editorial policies carefully in this context.

Panelists observed that there is very little market research, if any, conducted in the country “because most media houses do not realize the importance of research,” as Sandram put it. Some panelists blamed the absence of research on lack of resources. MBC has a research department but does not publish many of its findings, according to one panelist. In the absence of traditional research, some media companies use other analysis methods. Chitsulo said that “what is happening now in the private media is that we are going into strategic planning, to look at the markets: we do SWOT analyses, assess the markets, and come up with our plans; that’s how we have survived. We also have editorial retreats and other activities to make sure that our product is okay and we deliver in good time.” Panelists, however, expressed concern over the ad hoc manner in which research is done, including relying on experience and common practice to draw conclusions and form strategic plans. Unable to do audience research because they lack funds, some broadcasters rely on phone-in programs to gather feedback from their listeners about programming and other issues.

Panelists agreed that at present there are no independent institutions producing circulation figures, broadcast ratings and Internet statistics. Media organizations use their marketing and sales sections to produce their own circulation figures based on estimates from printed copies and sales figures, or broadcast ratings based on popularity of programs. “There are very few ratings available, and circulation figures

are not reliable as they just culminate from guesswork,” Chitsulo said. It was noted that the Media Council of Malawi is exploring ways of tapping into research expertise to produce independent circulation figures.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Malawi Objective Score: 2.55

Panelists singled out NAMISA as the most active organization striving to protect journalists’ rights. However, one panelist stated that NAMISA “only speaks whenever something has gone wrong. They are more reactive than proactive—they only react when a person has been arrested. I have never heard of them going to different media houses to find out how journalists are surviving, how they are treated by their employers.” Panelists also noted that NAMISA is not a union, and they said that what journalists need is an active union to look into such issues as staff welfare.

It was also noted that many journalists do not know how to get help from NAMISA. One panelist said: “I heard from someone that you have to be a member, and I don’t know how you become a member.” Other organizations include the Journalists Union of Malawi (JUMA), Editors Forum, and the resuscitated MCM. The MCM is mandated to promote professionalism in the media through training. The organization is also responsible for mediating cases between the media and the general public and accrediting all journalists in Malawi. Panelists said that NAMISA has been trying to resuscitate the Journalists Association of Malawi (JAMA).

It was also mentioned that there used to be a Publishers Association and National Broadcasters Association but, according to one panelist, the broadcasters association “didn’t stay on the scene for a long time... because broadcasters are very busy people and there was a lot of competition amongst the broadcasters.”

The Malawi Human Rights Resource Centre and other NGOs support media freedom in the country, and during the year under review they were actively involved in championing the drafting and adoption of the Access to Information Bill. They also serve as watchdogs and react to violations of media freedoms. Coverage of issues with which NGOs are involved has improved, though some NGOs criticize the media for not reporting cases of domestic violence and other issues.

Journalism degree, diploma, and certificate programs are offered at the University of Malawi and other private institutions, such as MIJ, ShareWorld Open University, and African Bible College. But because the course fees in the private institutions are very high, some people resort to

studying at unaccredited institutions, which are cheaper. Kadzakumanja said that “the programs appear to be quality... The makeup of the courses shows that there is really some movement in that direction.” However, she noted that the University of Malawi “is really incapacitated... because of lack of resources, lack of equipment... This year is even worse and [it] is resulting in many of our graduates being unable to perform. They are unable to really work on the ground, they are unable to work unsupervised because they just know most of the theory but they really cannot practice.” In addition, there are private colleges outside Malawi that offer diplomas and certificates in journalism, such as ABMA and ICM in the United Kingdom.

Some panelists said that graduates need more interaction with working media during their training and that their frustrations with the profession lead them to careers in public relations. However, some of the colleges offer internships as part of the curriculum so that students can have practical experience. One panelist suggested that journalism students should be given longer attachments than the situation currently allows. For instance, students in the four-year degree program at the University of Malawi go for a mandatory internship of only three months.

Short-term training opportunities exist both locally and internationally and are available to everyone in the profession, allowing journalists to upgrade their skills or acquire new ones. Most media outlets provide short-term training as well as in-house training to members of their staff. But while media outlets routinely send staff to take part in professional development whenever such opportunities arise, they rarely do so for long-term training. Some panelists were of the view that short-term training sessions are not held frequently enough.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Panelists said most of the media workers are in need of training, including technicians, cameramen, producers, sports reporters, and other categories. “Currently Media Council of Malawi has taken the responsibility of conducting such short courses for journalists. MCM writes proposals to different donors for support towards such training. Embassies are also approached for scholarships and short trainings that take place from time to time abroad,” Mcheka said. The major challenge, one panelist said, is that well-trained graduates tend to leave the media for greener pastures.

Panelists complained that there are no media management training programs in Malawi. Journalists in Malawi have to rely on training conducted by organizations elsewhere in Southern Africa such as the NSJ and the Sol Plaatje Institute for Media Leadership.

Most sources of newsprint and printing facilities are in private hands and are not restricted in any way by the government. However, newsprint must be imported, and its supply and price are affected by economic trends at the national and international levels. In the past year, Malawi performed well economically, so there was not much negative impact. Most of the printing facilities are run as business entities. Blantry Printing and Publishing is one of the main printing presses in Malawi. The other printing presses are under Nation Publications Ltd. and Montfort Press, a Catholic institution. The government also has printing presses.

As indicated above, panelists felt that channels of distribution for print media and Internet are not restricted, as government has no direct control. Internet cafés, or kiosks, as they are popularly called in Malawi, are in private hands and are run like other private businesses. Once an individual gets a license from MACRA, they can set their business wherever they want as stipulated in the license. But since customers determine where one can set a business, most Internet cafés are in cities like Lilongwe, Blantyre, Zomba, and Mzuzu, according to panelists. In rural areas, one is bound to find an Internet café at most district headquarters, but the fee is relatively high.

It was noted, however, that most radio stations do not have their own transmitters and instead use those of state media. Some panelists said it would be better if all broadcast stations owned their transmitters. However, there are issues of cost, feasibility, and effectiveness that must be considered.

List of Panel Participants

Grace Kadzakumanja, senior lecturer, University of Malawi, Polytechnic, Blantyre

Eric Mcheka, program officer, Media Council of Malawi, Lilongwe

Evanse Masamba, editor, Malawi Institute of Journalism Radio, Blantyre

Edward Chitsulo, chief editor, Nation Publication Limited, Blantyre

Rodgers Siula, senior broadcaster, Malawi Institute of Journalism Radio, Blantyre

Josephine Semu, producer, Malawi Broadcasting Corporation, Blantyre

Beauty Mbewe, course manager, Malawi Institute of Journalism, Blantyre

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The Malawi study was coordinated by, and conducted in partnership with, the Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown, South Africa

Mali's media legislation is officially favorable, although in reality the political will to keep it so is less and less tangible. Media operate in a difficult economic environment, and well-trained professionals are the exception rather than the rule.



MALI

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Situated in the heart of the semi-arid grasslands of the Sahel, Mali was led from 1968 to 1991 by Moussa Traoré, who was brought to power by a military coup ending the so-called socialist regime of Modibo Keita. After Traoré's overthrow on March 26, 1991, a democratic regime was put in place in the northwest African nation and the first free elections were organized.

With this opening to pluralism, freedom of the press and of expression within the Malian media landscape has steadily improved. Today there are more than 200 independent newspapers, about 40 of which appear more or less regularly. However, with the exception of *L'Essor*, which has national coverage, the other newspapers are distributed only in Bamako. Almost 220 radio stations broadcast in FM throughout the nation. There are 17 radio stations in the Bamako district alone, while the rest of them are in the inland territory. The region of Segou enjoys the widest variety, with 26 stations. Other than the national television channel, urban Malians also receive almost 150 cable channels offered by rebroadcast organizations.

Despite the media proliferation in Mali, there are still problems. Mali's media legislation is officially favorable, although in reality the political will to keep it so is less and less tangible. Media operate in a difficult economic environment, and well-trained professionals are the exception rather than the rule. These problems greatly influence the quality of newspapers and radio programming, which in the latter case appears to favor entertainment.

Panelists provided a moderately lower assessment of the overall media picture this year, as the score dropped from 2.16 to 1.97. Objective 1, Freedom of Speech, led all objectives with a score of 2.37, despite a loss of 0.28 compared to last year. Objective 4, Business Management, again scored the lowest of the five objectives, but gained slightly to achieve a score of 1.62. The other three objectives scored near the overall country score, but of note is the fact that Objective 3, Plurality of News, and Objective 5, Supporting Institutions, both suffered moderate losses.

MALI AT A GLANCE

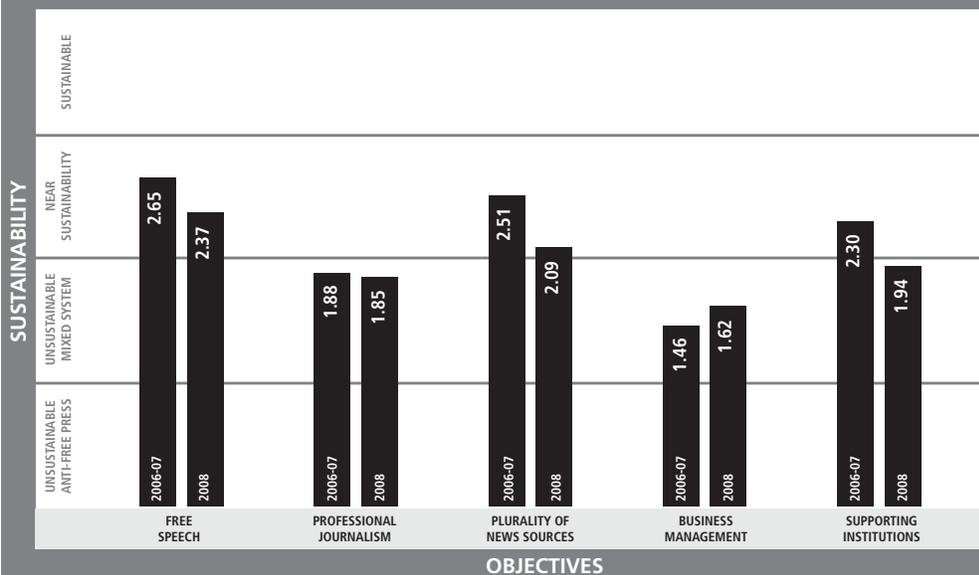
GENERAL

- > **Population:** 12,666,987 (July 2009 2008 est., *CIA World Factbook*)
- > **Capital city:** Bamako
- > **Ethnic groups (% of population):** Mandingo 50% (Bambara, Malinke, Soninke), Fulani 17%, Voltaic (Minianka, Sénoufo, Bobo, etc.) 12%, Songhoi 6%, Tuareg and Moor 10%, other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 90%, Christian 1%, indigenous beliefs 9% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Bambara 80%, numerous African languages (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$7.360 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$1,090 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 46.4% (male 53.5%, female 39.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Amadou Toumani Toure (since June 8, 2002, re-elected in 2007 for a second term).

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 8 daily newspapers, 40 periodicals; Radio stations: 220; Television stations: 2
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** The Malian Press and Advertisement Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 100,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MALI



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Mali Objective Score: 2.37

Objective 1 experienced a noticeably worse assessment from the panelists compared to last year, falling from 2.65 to 2.37. Four indicators accounted for much of the loss: Indicator 3 (market entry), Indicator 4 (attacks on journalists), Indicator 8 (media access to foreign news reports), and Indicator 9 (free entry into the journalism profession). However, Indicator 7 (access to public information) improved somewhat. Most of the indicators ended up with scores near the overall objective score, with the exceptions of Indicator 4, which was just more than a half-point lower, and Indicator 9, which—despite its loss this year—received a score slightly more than a half-point higher.

The Malian constitution formally guarantees freedom of expression, including freedom of the media. Article 4 declares: “Every person has the right to freedom of thought, conscience, religion, belief, opinion, expression, and creation within the confines of the law.” Article 7 states: “The freedom of the press is recognized and guaranteed. It is exercised under the conditions provided for by the law. An independent institution regulated by organic law ensures equal access for all to the state media.” These freedoms are exercised within limits set by legislation and regulations.

Mali’s media law—Number 00-46/AN-RM of 2000—addresses the nature of the press and regulates freedom of expression. The law does not protect speech inciting racial, national, or religious hatred or murder.

The MSI panelists recognized that recently there have been setbacks to freedom of the press in Mali. Overzealous or insensitive public officials have assaulted journalists as they were doing their work. There are means to appeal such acts but in general victims do not use them. There are also social and cultural prohibitions which limit free speech.

While there are some 220 radio stations broadcasting throughout the country, the commission that awards broadcast frequencies lacks diverse membership. Because of this, some panelists accused it of preferential treatment for some applicants as a result of political pressure. Among other requirements, the applicant must be a Malian national who is committed to using the license within the national territory and who must observe a set of terms and conditions. Frequencies are granted according to a planning logic that is unclear to many. Isaie Somboro, the permanent secretary of the Union of Independent Radio and Television Stations of Mali, said the committee meets just twice a year to decide on applications, which is too infrequent. That being the case,

While there are some 220 radio stations broadcasting throughout the country, the commission that awards broadcast frequencies lacks diverse membership. Because of this, some panelists accused it of preferential treatment for some applicants as a result of political pressure.

politicians with connections find other means to obtain their broadcast licenses. The government has determined that laws concerning broadcast licensing must be revised.

Officially, the media have no specific tax advantages. In reality, some media outlets are not taxed like other businesses. Sometimes the authorities use taxation to blackmail newspapers that are considered too critical. There are no restrictions on incorporating a media company. But media supplies and equipment are subject to taxes imposed by importers and often paid out of ignorance. Media executives would prefer to work with an investment code and a tax system that relate to their specific businesses.

In terms of the safety, Seydou Baba Traoré, the director of the national radio station, said journalists are citizens just like any other and are protected by the law against criminal offenses. Malian journalists work and live in a safe environment where they can feel confident. Although, as mentioned above, there

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

is the odd harassment of journalists, they are seldom victims of serious assaults, and when it happens they can always count on the support of the public.

The Office of Radio-Television Mali (ORTM), the public broadcaster, and the Malian Press and Publicity Agency, the government news service, were created by the state and granted “public institution” status with administrative functions. No law guarantees their independence.

Officially, the public media are relatively free from excessive political interference, though they do receive a state subsidy. Their boards of trustees are chaired by the minister of communications, who represents certain political interests. Their directors are appointed by government decree upon the recommendation of the minister of communications. These media have privileged access to government information.

Under the nation’s press law, libel is a criminal offense. It is up to the journalist to prove they did not commit libel, rather than it being the plaintiff’s burden to prove it. It is rare for Malian journalists to go to prison, as cases rarely come before a judge. When that does happen, the case is usually settled by mutual consent.

Law 98-012 of 1998 sets out legal limits to public access to government information. Administrative documents such as files, reports, studies, statistical reports, guidelines, or fliers are freely accessible. Documents that cannot be accessed include those that may be damaging to secret governmental proceedings, national defense or foreign political secrets, or to state security and public safety. Also exempt from disclosure are secrets of private lives, medical files, or, in general, information that is protected by law.

The existence of this law is not widely known, which is why journalists usually do not go through official channels, but rather contact the administration informally. According to Traoré, first-hand information is initially provided to international, rather than local, media. Aware of these shortcomings, the government’s institutional development committee is now conducting an awareness-raising campaign regarding this law to ensure it is better applied.

Access to international news is free. The Malian media have access to the Internet, which has become an important source of free, diverse news. The Internet is a relatively affordable urban phenomenon. That is not the case in the rural areas, where it is a luxury.

The media law defines a journalist as “a person who has a journalism degree or other university degree augmented by one year of professional experience, and whose main paid activity is the gathering, processing, and distribution of news and information within a public or private, written or

audio-visual media outlet.” A government decree created a press card committee that is in charge of issuing and withdrawing press cards. The government does not influence access to the profession, and journalists are free to organize themselves to protect their interests.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mali Objective Score: 1.85

Objective 2 showed no overall change this year, although a few indicators received different scores from the panelists compared to last year. Indicator 1 (fair and well-sourced reporting) edged upward, while Indicator 3 (self-censorship) and Indicator 4 (coverage of key events) both lost some ground. Most indicators scored near the overall objective score. However, Indicator 5 (pay levels for journalists) remained the lowest scoring indicator, trailing by more than three-quarters of a point, while Indicator 8 (niche and investigative reporting) was slightly more than half a point higher. Indicator 4, despite slipping, was again the highest-scoring indicator, beating the average by nearly a point.

Journalists working in the private press in particular do not check for accuracy of the news they print or broadcast. Ramata Dia, director of the women’s radio station Guintan, believes that things are improving, as some journalists have started to check facts with whatever means are available to them.

The lack of professionalism, which leads to politicians trying to manipulate journalists, is apparent in the quality of the stories. The angle for stories is often slanted to accommodate

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

outside influences. Despite such defects, efforts are made to cover every field of interest in order to produce news.

Malian journalists created their own rules of behavior and code of ethics in 1991, during the first information and communication convention in Bamako, where almost 500 Malian and other African journalists gathered. The Observatory for Deontology and Ethics in the Press was created in 2002 for self-regulation. Journalists do not observe this ethical code, mainly because they do not know it and thereby commit all sorts of abuses. Many go as far as breaching the journalistic *esprit de corps* by attacking other journalists in order to defend politicians.

In general, Malian journalists practice self-censorship for social, cultural, and economic reasons. Journalists who are subjected to social pressure as a result of a story may be forced to suppress it. Often managers censor a news item they deem to not be in keeping with their editorial policy.

News coverage decisions are made according to the interests of the respective media. Also, journalists cannot disclose information protected by law Number 98-012 of 1998, which regulates the release of government information to the public. Some social issues do not get addressed in the media. “I am not *persona non grata* in Menaka,¹ but I am not welcome there either, because I did several reports on slavery, which is a flourishing phenomenon in the area,” said Gamer Dicko, a reporter with *L’Essor*, the state-owned national daily newspaper.

On the issue of adequacy of pay, journalists are tempted by corruption due to low salaries that fall short of the cost of living as well as social and cultural practices. “Granted that salaries are small, that still does not justify the instructions [on how to cover the matter] that journalists are handed during press conferences and other meetings in order to receive per diem allowances,” said Diaby Makoro Camara, managing director of the news-in-brief weekly *Kabako*. Many young journalists enter the profession expecting to move on to better things once they have gained some experience.

The balance between entertainment and news and information depends on the individual media outlet. For example, the national radio station, ORTM, tries to offer diverse programs with its limited means, but it is not able to meet the demands of listeners and viewers. Local radio stations program cultural shows for 70 percent of their air time. Despite the scarceness of qualified on-air talent, some media make efforts to host political debates and address other topics of interest.

¹ Menaka is part of Gao, situated approximately 1,500 kilometers from Bamako. Its population is mostly Tuareg.

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The Mali media do not have adequate equipment and technical facilities. They use obsolete installations, with the exception of the national radio and a few other private radio stations in the capital that have state-of-the-art technology. The inland stations still work with obsolete analog and rudimentary equipment. This impacts both production and efficiency.

In terms of niche reporting and programming, a few journalists produce good work in an environment where the needs of minority populations are often lost. Efforts are made to produce quality work. Malian journalists are generalists, and typically only the print media can focus on field reports and investigations. There is, however, an increasing number of journalist specialists providing quality reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Mali Objective Score: 2.09

Objective 3 suffered the largest drop of the five objectives, down from 2.51 last year. Much of the loss came from three indicators receiving lower scores: Indicator 2 (citizen access to media), Indicator 5 (private broadcasters produce their own news), and Indicator 7 (coverage of minority issues). Regarding Indicator 2, despite its lower score it still finished nearly three-quarters of a point higher than the overall objective score; all other indicators scored close to the overall score.

There are a variety of news sources, but they are concentrated in large urban centers. In the rural areas, the main news source is the radio, given the difficulty of access to other media. Mali is covered by 220 private radio stations, plus the national radio network and its seven regional stations. The written press is largely in French and concentrated in urban areas, with some 40 newspapers, among them the national daily newspaper and other publications, some in local languages, including Bamanan, Peul, Soninke, and others for the rural areas. The government

There are a variety of news sources, but they are concentrated in large urban centers. In the rural areas, the main news source is the radio, given the difficulty of access to other media. Mali is covered by 220 private radio stations, plus the national radio network and its seven regional stations.

has not yet enforced its monopoly with respect to television as Africable, a private television station, is up and running.

The relay of foreign radio and television programs is still unregulated and unrestricted in Mali. Three relaying companies, MaliVision, Canal+, and Canal Horizon, offer encrypted foreign television channel packages. There are also three foreign radio programs fully or partially relayed. The Internet is quickly developing as an urban phenomenon, but access to the Internet is still limited. In the rural areas, lack of electricity is a major impediment.

The public media often look more like governmental media due to the strong influence of the executive branch. However, efforts are being made to ensure the public media reflect all social and political interests in the country. In general, the public media are open to alternative points of view. The national committee for free access to state media is in charge of making that happen. The terms and

conditions of ORTM force the national radio station to meet its public service mission. The public media have their own programming initiatives, but they are often accused of favoring institutional information.

The Malian Press and Publicity Agency (known by its French acronym AMAP) is the only news agency in Mali. It is a public agency and the main provider of national news for various publications. AMAP covers the entire country. Other agencies used by newspapers are international agencies such as Pana, AFP, or Reuters.

Despite not having top-notch personnel, community radio stations do air their own news productions that address the needs of local populations. More established commercial stations work with professionals to produce high-quality national programs

As to transparency of ownership, the press law does not force media owners to disclose their identities. As a result, the financial sources of the private press are shielded from view. Some newspapers are suspected of being mere businesses for politicians. There are, of course, radio networks or press holdings here and there, but they are far from being a part of financial conglomerates.

In the programs and pages of the Malian press, a large spectrum of social interests is represented. The community radio shows reflect the social, economic, and cultural realities of the various localities they serve. The shows of ORTM are broadcast in both local and national languages.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mali Objective Score: 1.62

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

The score for business management improved slightly this year but still falls within the "unsustainable mixed system" category. Most indicator scores showed little change, except for Indicator 6 (use of market research). Further, only Indicator 5 (government subsidy of private media) scored noticeably apart from the overall objective score, exceeding it by more than three-quarters of a point.

In Mali the media function more as small-scale, traditional businesses rather than efficient, professional companies. They have been created by private individuals with very few resources. The government has not developed an investment code tailored to the media's specific niche.

Generally the media are not profitable, their accounting is poorly done, and they lack qualified personnel. With no external funding and a very slim financial base, they can hardly manage a profit while paying their bills. The

distribution network for print media is inefficient, as print runs are insignificant. And printing is uncertain, as publishers do not always have the means to pay for print runs.

The Malian government provides direct public support to the media. However, it is considered insufficient. Street sales and advertising are additional revenue sources, but they do not earn as much profit as other sources. "A self-funding source such as a license fee is not accepted by politicians," Traoré said.

There is no advertising market apart from the state, because business people usually do not advertise due to fear or ignorance, said Tiégoum Boubèye Maïga, general manager of Algaïta Communication agency. AMAP has the state advertising monopoly, but it allows the functioning of private communication and advertising agencies outside the boundaries of the law.

In general, the advertising market depends on interpersonal relations. There are cases in which representatives of the state, which is the most important advertiser given its financial engagement, negotiate individually with outlets of their choice. This influences media content. The media do not have a culture of advertising, so they seldom recruit sales agents to build advertising revenue.

Although it has potential, the advertising sector is very limited. There are but a few advertisers, and they are always the same ones. The national daily newspaper *L'Essor* (a subsidiary of AMAP) grabs most of the advertising, legal notices, and subscriptions. All the state agencies subscribe to *L'Essor*, and all their announcements and advertisements are automatically published in the state-run newspaper.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

In general, the advertising market depends on interpersonal relations. There are cases in which representatives of the state, which is the most important advertiser given its financial engagement, negotiate individually with outlets of their choice. This influences media content.

The Malian government grants direct aid of XOF 200 million (\$450,000) to the press. In order to be eligible for this subsidy, media outlets must meet requirements of Decree Number 03-264/P-RM, of 2003, which spells out the conditions of eligibility and governs the granting and management of public aid to the press. All media are considered for subsidies based on the same criteria. Given the increasing number of press outlets, the share that comes back to each of them is shrinking.

The distribution of this subsidy is entrusted to a committee presided over by the minister of communications. Press outlets also compete for indirect aid, such as tax relief, among other assistance.

No market research precedes the creation of a press outlet in Mali. The existing conditions attract sponsors who often do it for the prestige or simply wish to settle some score. There are no reliable statistics on media activities. The published print runs do not reflect reality.

Calculating audience ratings has not yet become a part of broadcasters' tactics. No organization is in charge of measuring audience ratings and media distribution. The existing polling institutes occasionally conduct research on behalf of some newspapers, radio, and/or television stations.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mali Objective Score: 1.94

Lower scores in three indicators accounted for most of the overall loss in score for this objective. Panelists gave much lower scores this year for Indicator 1 (trade associations), Indicator 2 (professional associations), and Indicator 3 (supporting work by NGOs). On the other hand, Indicator 7 (apolitical channels of media distribution) received a slightly improved score. Indicator scores also showed some diversity in developments within this objective. Indicator 3 scored about a point lower than the overall score, while Indicator

Mali does not have a school of journalism, but there are schools offering communications and marketing training programs. These programs send insufficiently qualified persons out into the job market. "The curricula of these schools do not meet the required academic standards. Usually course instructors develop their own programs as they please," Dicko, of L'Essor, said.

5 (short-term training) and Indicator 7 scored more than a half-point and three-quarters of a point higher, respectively.

Two owners' associations exist in Mali: the Private Press Publishers Association and the Union of Free Radio and Television Stations of Mali. These relatively well-structured associations represent the interests of their members in negotiations with authorities for advertising and in other issues. However, they need more funding to expand their influence in protecting the interests of the media.

The numerous existing professional associations are not efficient. There are some 60 specialized media associations and professional networks representing their members' interests. They are also very involved in training their members. Many agree that there are too many associations for Mali's young and small media industry. Almost all of the associations are in Bamako, and few have representatives in the rest of the country. They all are part of the Press House, a

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

federal structure. That is not the case with unions, just one of which is specifically concerned with the public media.

The level of civil society involvement in protecting freedom of the press is seen as insufficient, although associations and NGOs such as the International Human Rights League and the Malian Human Rights Association do support freedom of expression and the independent media.

Mali does not have a school of journalism, but there are schools offering communications and marketing training programs. These programs send insufficiently qualified persons out into the job market. "The curricula of these schools do not meet the required academic standards. Usually course instructors develop their own programs as they please," Dicko, of *L'Essor*, said. However, the Malian authorities are ready to create a school of journalism to respond to the urgent need for a more professional media corps.

The Press House offers advanced training for media professionals. Created in 1996, the Press House receives XOF 30 million (\$67,000) annually, of the total XOF 200 million subsidy granted by the state. These funds are destined for continuous professional training at media outlets. For the same capacity-building purpose, the Press House also receives financial support from non-governmental national and international partners. Based on the specific needs of the media, the supporting associations also organize additional training seminars.

With the exception of the national daily paper *L'Essor* and other public newspapers in local languages published by AMAP, most printing houses are private. AMAP is state-financed and has its own printing house, just like the daily newspapers *L'Indépendant* and *Les Echos*.

Officially, there is no political interference in the private-run printing houses in Mali. But the state is also the biggest advertising client, and many publishers deal carefully with it so that they do not lose the public advertising markets.

Distribution channels are apolitical and free. However, distribution of the print media is a bottleneck for businesses that sell their product exclusively in the capital. The few newspapers that reach other areas are delayed. There are regional newspapers such as the bi-monthly *Le Ségovien*, distributed in the region of Ségou, 200 kilometers from Bamako. Due to the lack of a distribution system, newspapers are sold individually in the street.

At one time, Internet access was a monopoly of the government-owned telecommunications company, Sotelma; it is now an open and competitive industry.

List of Panel Participants

Alexis Kalambry, journalist and managing editor, *Les Echos*, Bamako

Ramata Dia, journalist and general coordinator, Community Radio Network of Guintan, Bamako

Diaby Makoro Camara, publisher and managing editor, *Kabako*, Bamako

Gamer Dicko, journalist, *L'Essor*; member, National Labor Union of the Information, the Press, and the Book Industry, Bamako

Ibrahim Labass Keita, journalist; vice-president, Observatory for Deontology and Ethics in the Press, Bamako

Haby Diallo Touré, director, Belekan Community Radio, Kati

Seydou Baba Traoré, director, national radio station, National Service of Broadcasting and Television of Mali, Bamako

Tiégonoum Boubèye Maïga, journalist; chief executive officer, Algaïta Com, Bamako

Moustaph Maïga, founder, *Le Ségovien*, Ségou

Sékouba Samaké, journalist; general secretary, Journalists Association for the Promotion of Professionalism, Bamako

Isaïe Somboro, permanent secretary, Union of Independent Radio and Television Stations of Mali, Bamako

Nouhoum Kéïta, journalist, editor-in-chief, and columnist, Kayira Associative Radio, Bamako

Moderator and Author

Mahamadou Talata Maïga, journalist, specialist in freedom of the press, and trainer, Bamako

The Mali study was coordinated by, and conducted in partnership with, Media Foundation West Africa, Accra, Ghana.

Mauritanians elected a new president, Sidi Ould Cheikh Abdallahi, in March 2007. These elections were considered to be transparent by international observers. However, he was overthrown by a military coup on August 6, 2008 after only 15 months in office.



MAURITANIA

Ruled by a single party regime from 1965 to 1978, Mauritania has been through multiple coups and dubious elections especially under the regime of Colonel Maouyaa Ould Sid'Ahmed Taya. He took power after a coup in 1984 and was reelected three times beginning with the first pluralist elections in 1992. His overthrow on August 3, 2005 by the Conseil Militaire pour la Justice et la Démocratie¹ was a turning point for the nation. During the 19-month military transition, a series of legislative and municipal elections were organized to give the country new democratic institutions. The constitution, adopted on July 20, 1991, was amended and submitted to referendum in June 2006. The presidential term is now limited to five years and is renewable once.

Mauritanians elected a new president, Sidi Ould Cheikh Abdallahi, in March 2007. These elections were considered to be transparent by international observers. However, he was overthrown by a military coup on August 6, 2008 after only 15 months in office. Since then, General Mohamed Ould Abdel Aziz, Abdallahi's former private chief of staff, has taken on the responsibilities of president. The final report of the États généraux de la démocratie² (EGD) sent on January 5, 2009 to the junta government promised a return to constitutional order by the following semester, including new presidential elections planned for June 6, 2009.

Passage of order no. 91-023 on July 25, 1991 signaled the emergence of a truly independent Arabic- and French-speaking press. This was used by public authorities as a means of repression, however, as the ministry of the interior required that independent publications be submitted for authorization and censorship prior to publication. The transitional regime abolished this order, signaling the beginning of a new era for the press and the entire media sector. The creation of the Commission nationale consultative pour la réforme de la presse et de l'audiovisuel³ (CNCRPA) by Prime Minister Sidi Mohamed Ould Boubacar on December 15, 2005 breathed new life into this decaying sector.

CNCRPA examined Mauritania's media and proposed the creation of a legal and institutional framework favorable to the development of the press in a constitutional state. Thanks to these reforms, the Mauritanian media sector is now governed by order no. 017-2006 on freedom of the press issued in October 2006 (repealing order no. 91-023). The new, more liberal law decriminalized press offenses, abolished censorship, and authorized the publication of newspapers based on a simple statement of intent. Article 31 of this law introduced a state subsidy for the press and created a media regulatory institution, the Haute autorité de la presse et de l'audiovisuel⁴ (HAPA), in October 2006.

¹ Military Board for Justice and Democracy

² Democratic Convention

³ National Advisory Committee for the Press and Audio-Visual Reform

⁴ Higher Press and Broadcast Authority

MAURITANIA AT A GLANCE

MAURITANIA AT A GLANCE

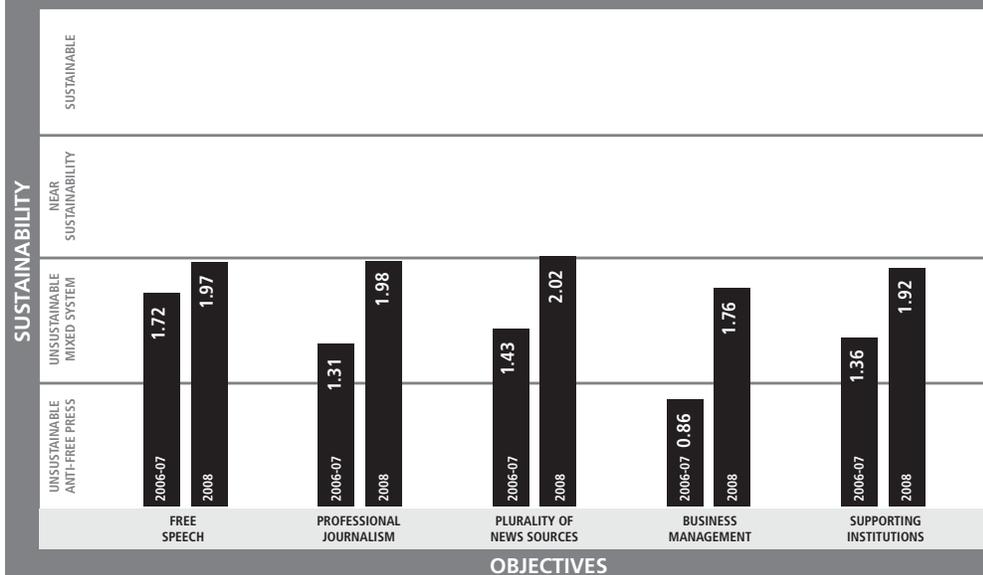
> General

- > **Population:** 3,129,486 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Nouakchott
- > **Ethnic groups (% of population):** N/A
- > **Religions (% of population):** Muslim 100% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), Pulaar, Soninke, French, Hassaniya, Wolof (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$2.636 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2008-PPP):** \$2,000 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 51.2% (male 59.5%, female 43.4%) (2000 census, *CIA World Factbook*)
- > **President or top authority:** Sidi Ould Cheikh Abdellahi (since April 19, 2007)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 42 regular titles (15 daily newspapers and twenty weekly newspapers and other periodicals); Radio: 3 (*Radio Mauritanie*, FM Nouadhibou, FM Radio Jeunes in Nouakchott). No private radio stations; Television: 2 public channels (TVM and TVM 2 Plus). No private television channel
- > **Newspaper circulation statistics:** Top four by circulation: *Le Calame*, *L'Éveil Hebdo*, *La Tribune*, *L'Authentique*,
- > **Broadcast ratings:** N/A
- > **News agencies:** Mauritanian News Agency, Agence Nouakchott d'Information
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 30,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MAURITANIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Mauritania Objective Score: 1.97

In a previously unreleased document reported in the weekly newspaper *Le Calame* (no. 667, December 17, 2008), former President Sidi Ould Cheikh Abdallahi said freedom of speech during his 15 months in office was “positive,” adding, “The right to free speech and opinion has been strengthened.”

In turn, Mohamed El Hacen Ould El Hadj, a senator close to the putschists, said in an interview published in the same newspaper (no. 668, December 24, 2008), that the former president was wrong to speak about “total freedom of the press while his own daughter (Amal Mint Cheikh Abdallahi, a member of the President’s communication office) used—and abused—every public coercion tool available to regulate editorial policies.”

According to the daily newspaper *Nouakchott Info* (no. 1640, December 31, 2008), Mauritania’s economy and the state of freedom of expression declined during the 2007-2008 period corresponding to the rise to power of Sidi Ould Cheikh Abdallahi. Media and economic organizations blamed this decline on two factors: governmental corruption and the mismanagement of public funds. In 2007, the Heritage Foundation’s economic freedom index ranked Mauritania 126th (compared to 103rd in 2006). Despite calls for freedom of speech and media liberalization, Reporters Without Borders pointed out this decline in its 2007-2008 report; in fact, Mauritania was ranked 50th in 2006 but fell to 105th in the current report.

The panelists recognized that Abdallahi’s rise to power in 2007 was itself a historical event. For the first time, the Mauritanian president met with a group of five publication managers including the managers of *Éveil Hebdo*, *Le Calame*, and *Biladi* during the first anniversary of his inauguration. The president’s communications office also implemented a rotational system designed to include independent journalists in his delegations abroad.

According to Mamoudou Sy, the MSI moderator and publication manager of *L’Éveil Hebdo*, “Progress was made but it did not always go in the direction that the media professionals expected. In 20 years, no journalist from *L’Éveil* or any other local independent publication had been invited to a political debate on public radio. This became possible again when he entered.”

Birome Guèye, a member of HAPA responded, “There are some hindrances to the freedom of speech that show the

undeclared will of the regime to conjure up the demons of the past, for example the successive arrests of journalists or the disappearance of the citizen radio station in the second half of 2007.”

“It was an auspicious time for the freedom of speech but the political will of the authorities to restrict the freedom of the press was still looming in the shadows,” said journalist Thiam Mamadou of the weekly newspaper *Le Calame*.

On August 6, 2008, the High Council of State, consisting of 11 officers and led by General Mohamed Ould Abdel Aziz, took power in Mauritania. The panelists felt that the coup halted advances in freedom of the press by overthrowing the democratically elected President Abdallahi. In the aftermath of the coup, the future of Mauritania was the main headline in a number of local newspapers. The daily *Biladi* mentioned the international isolation that Mauritania risked as well as “to appear, for the first time in its history, as a plague-stricken country,” while the European Union threatened to freeze humanitarian aid for the country.

Le Calame wrote that abandoning Mauritania to its own fate was not a good idea and denounced the “disastrous” coup. In turn, the governmental daily newspaper, *Horizons*, dedicated much of its space to cover demonstrations and movements of support for the military, interpreting them as “a sign that Mauritians back the movement for change” (August 6, 2008).

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Mauritanian Television (TVM), public radio, the Agence mauritanienne d'information (AMI) and HAPA have always been under the control of whoever is in power. This became apparent in the aftermath of the military coup by the first changes made by the military regarding the public news outlets. The managers of TVM and public radio were accused of airing a communiqué announcing that the four main army joint chiefs of staff were dismissed by the overthrown president. Because of this, the managers of Radio Mauritania and TVM, Kaber Ould Hamoudi and Hamoud Ould M'Hamed respectively, were dismissed on August 7. Less than a week later on August 11, the general manager of AMI, Dicko Soudani, also suffered the wrath of the military. Ten days later, HAPA Chairman Idoumou Ould Mohamed Lemine was replaced by former journalist, minister of communications, and ambassador Mohamed Haibetna Ould Sidi Haiba.

According to Guèye, "It has become a tradition to endorse a coup by first neutralizing the radio and television in order to air communiqués more easily. It has become almost natural for each new regime to bring in their executives and managing teams."

The panelists added, "no civil regime can blame the military for 'arbitrary' dismissals. Three months after his 2007 inauguration, the overthrown president himself had dismissed, in the cabinet meeting of June 27, the general manager of Radio Mauritania, Mohamed Yahya Ould Haye. Incomprehensible dismissal?"

Le Calame wrote: "at the last meeting on June 21, the station's board of directors had congratulated Ould Haye for his excellent work, including the improvement of the programming and his management of the public outlet. From the minutes of that meeting it can be seen that the board of directors was satisfied with the results of the budgetary audit conducted on May 31, which shows a general receipt rate of 45.92 percent and an expense rate of 19.43 percent."

The journalists also raised doubts about the independence of the managers appointed at the top of the public media outlets and institutions by the political authorities. The fact that legislation enabling HAPA's self-regulatory mission to appoint managers of the public radio and television stations was not put into practice constituted a major handicap for the media. Idoumou Ould Mohamed Lemine was appointed chairman of HAPA on July 31, 2008, one week before the coup. Lemine, a close friend and former head adviser of the overthrown president in charge of communications, did not even have time to be sworn in and fully take on his new position. The junta dismissed him for the "offense of belonging" to the same political family as Abdallahi.

"By appointing a very politically known personality to head HAPA, the political powers desired to secure the control of the public media," said Addahi Weddou, correspondent for *La Lumière du Nord*. He added, "To guarantee the independence of an institution such as HAPA it is imperative to reexamine the mechanism of appointment of its chairman and nine members."

Until now, the mechanism for appointing the chairman and members of HAPA has excluded the civil society, protection organizations, and socio-professional associations of journalists. The chairman of HAPA is appointed by presidential decree and placed under the authority of the president of the republic. Three of the nine members are chosen by the president, three by the president of the National Assembly, and three by the president of the Senate.

According to Sy, "it is hard to preserve one's independence from the political powers if one owes one's appointment to them. The president of Mauritania holds the power to appoint and revoke the managers of the public media. We are not yet with the right person in the right place type of situation!"

The way in which political authorities appoint managers of the public media strongly influences the very content of the media, the panelists contended. In the five months following the coup, the TVM programs were heavily criticized by the opposition and independent personalities who identified a return to "monolithism," i.e., showing only images of pro-junta demonstrations, conducting a media campaign against the fallen president and his family, etc. *Biladi* reported that Radio Mauritania "handpicked their invited guests, avoided any contradictory debate especially on political issues, and conducted a laudatory pro-coup discourse."

During *Tahta Dhawé (Point of Light)*, the first live political debate since the military coup hosted by TVM, former minister Isselmou Ould Abdel Kader defended a communitarian doctrine saying, "The Moorish community represents a danger for Mauritania." He also stated that Mauritania's recent military coups left 164 victims within the Moorish community. Finally, he called the Presidential Security Battalion a "militia" filled with "foreign" elements.

On October 9, 2008, three days after that debate, Imam Cheikh Ould Ely, chief executive officer of the public television, appointed 65 days earlier by the ruling military junta, was dismissed. He was replaced by Mohamed Yahya Ould Haye, a former journalist and radio manager who had been dismissed by former president Abdallahi in June 2007. The show's host, Sidi Ould Lemjab, was also fired.

No official explanation was given in justification of the government's decision.

HAPA reacted to the "Isselmou Ould Abdel Kader Affair" in a communiqué issued on October 16 stating that it would not "hesitate to deal severely with any acts of ostracism and offenses against the journalism ethics rules, while regretting the serious verbal loss of control that occurred during the live show." HAPA explained, "The public media must open up to all voices in the public life of the nation and observe the principles of pluralism and diversity of opinion." The media regulating institution issued no comment about the dismissal of the TVM manager and the show host.

Then on October 22, 2008, the TVM manager and the show host were arrested and interrogated by the national police and released. On the same day, after the minister of defense filed a complaint against Kader, the latter was accused and imprisoned for having refused to present a public apology on national television.

This affair brought to light prosecution based on personal beliefs and the aversion of the public media to public debate, and generated numerous reactions from the panelists as well as civil society. "I believe the television manager was ambushed by the special conditions of live broadcasting and perhaps a little bit by the unpredictability of his guest who is known to be a trouble-making free thinker," said Guèye.

In a communiqué made public on October 25, the Forum National des Organisations de défense des Droits de l'Homme⁵ requested "the immediate and unconditional release of Kader, whose only crime was to have expressed his point of view in a television talk show." The organization pointed out that the arrest of Kader was part of the "suppression of individual and collective liberties in Mauritania since the coup of August 6, 2008."

After public media failed to open debate, TVM's new show called *Club de la démocratie*⁶ brought together opposition representatives and people close to the ruling military junta on December 26, 2008. The panelists believed that this new overture was "dictated by the immediate political agenda" inasmuch as it coincided with the EGD held from December 27, 2008 to January 5, 2009. This meeting was designed to find a way out of the post-coup crisis, not of "a true wish to open up the public national television to a diversity of opinions."

According to Mountaga Diop, regional correspondent of *L'Éveil-Hebdo in Boghé*, "This second overture of the public media cannot really hide the intentions of the TVM

managers and the new military power in Nouakchott." Overthrown president Abdallahi, freed on December 23, 2008, was not allowed to speak on public television but was able to appear on the Pan-Arab satellite channel, Al-Arabiya, and addressed the nation saying he was still its sole legitimate representative.

Assessing the status of the freedom of speech in the first five months of the new military government, Sy said, "No major impeding of the private press and no journalist arrests were recorded. But the public media has been under strong pressure as many media managers have been dismissed and HAPA has had to issue a number of calls to order."

In February 2008, journalist and publication manager of the Arabic language newspaper *Al Aqsa* Abdel Vettah Ould Abeidna was convicted of "false accusations" by the magistrate's court of Nouakchott and sentenced to one year in prison and a 300 million UM fine. The court's decision was confirmed in an appeal on November 7, 2007 and Ould Abeidna sought refuge in Dubai. Businessman Ould Bouamatou filed a complaint. In 2007, large quantities of cocaine were seized in Nouadhibou and Nouakchott. Ould Abeidna accused Ould Bouamatou of involvement in this large-scale international trafficking through Mauritania.

According to the panelists, this case reveals uneven judicial and ethical rules as well as overlapping provisions of new press law and those of the criminal code. Ould Abeidna was initially prosecuted for libel but the Supreme Court of Mauritania changed the charge to "false accusations," punishable by five months to two years in prison based on article 348 of the criminal code, thus bypassing HAPA, the only institution authorized to deliver an initial decision on libel before going to court.

On November 30, 2008, Ould Abeidna was extradited from Dubai to Nouakchott and imprisoned based on an international arrest warrant. The panelists felt that the extradition procedure had no legal basis and "goes against every journalist protection law principle and international convention."

Sy commented, "The former minister of justice under the 2005-2007 military transitional government, Ould Bettah, tried to implement the mechanisms of an independent and fair judicial system but unfortunately we are still far from a functional solution. The majority of the journalists wished to show their lack of solidarity with their fellow journalist as they believed that in fact he was used by a business lobby that had [something] to gain from attacking a rival, namely Ould Bouamatou. It does happen that businesspeople or politicians use journalists to settle their scores with a rival, even if that means they will have to tell lies about them."

⁵ National Forum for the Human Rights Organizations

⁶ Democracy Club

The panelists unanimously agreed that libel was, unfortunately, a common occurrence in the Mauritanian private press but said, "Regardless of the legitimate emotions generated by this affair the judge was wrong to give such a disproportionate sentence and fine with respect to the offense." They also lamented the determination of the courts to take possession of the files of the accused sometimes regardless of existing press law and international conventions for the protection of journalists.

The case of journalist Mohamed Ould Abdelatif and his boss, publication manager Mohamed Nema Oumar, arrested on July 21, 2008 from a libel complaint filed by three judges of the court of criminal appeals, was evidence to the panelists of the difficult cohabitation of the press and judiciary during 2008. Mohamed Ould Abdelatif wrote in the July issue of *Al-Houriya* that the three judges received MRO 25 million (\$100,000) from a defense attorney to release a businessman and a police officer accused of drug trafficking. He then said that they "are known for their vast experience in the field of corruption."

The real or assumed connivance between the representatives of the law and financial moguls, between journalists and business lobbies and the political authorities in Mauritania has created much turmoil. This tense, ambiguous and complex relationship lies at the heart of another legal complaint filed with a Dakar court for "libel, complicity of illegal detention, false declarations" and damaging the "honorability and dignity" of the former first lady of Mauritania, Khatou Mint El Boukhary.

On August 7, 2008, in the aftermath of the coup, businessman Baba Tandian gave an interview to his newspaper *Le Matin* calling the August 6 coup a "beneficial and healthy operation." Tandian also accused the former first lady of embezzling "XOF 30 to XOF 60 billion" (\$72 million to \$144 million) through her KB Foundation.

L'Éveil Hebdo detailed the strange ramification of this affair and wrote: "Score settling or a hidden fondness for the junta? The real reasons behind the attack by the printer Tandian, who took over most of the president's deals, on the former first lady are unknown. Some blame it on the filthy rich Mauritanian businessmen of the Oulad Bousba tribe who have long had close business relations with the multi-faced printer-businessman." In a November 2008 press conference in Nouakchott, the owner of the daily newspaper *Le Matin* was, according to local newspapers, "unyielding on the remarks that were attributed to him" in the Dakar newspaper.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mauritania Objective Score: 1.98

The panelists described the state of professional journalism by using the examples of various high-profile cases from the recent past. According to Yero Amel N'Diaye, an independent cultural journalist, the Ould Abeidna affair showed not only how stringent the reform of the profession had become but also highlighted a higher responsibility towards the journalists' rights and duties as well. "We must admit that Mauritanian journalists lack professionalism and tact and fall easy prey to all sorts of manipulation," he said. "All this often leads to biased and irreverent reporting." Although HAPA never had the chance to give its expert opinion in the case, Gueye (a HAPA member) passed a categorical judgment: "To accuse someone of drug trafficking without bringing forth evidence is not only a huge professional mistake but also a most serious accusation."

In another example, on November 5, 2008, a group called The Independent Press in Support of the High Council of State announced its support for the August 6 military coup in Mauritania and called for all national and international institutions to side with the "rectification movement." "It will always be a serious, incomprehensible, and unjustified decision for a public as well as a private media journalist to get in line with the people in combat boots," said Mame Sèye Diop, a *Walf fadjri* correspondent in Mauritania.

The next day, *L'Authentique* (no. 792, November 6, 2008) attacked the lining up of some fellow journalists from the independent press. Not that this was surprising, the

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

newspaper mentioned, for this movement was constituted by “people ordinarily called Peshmergas” who “took advantage of the general’s visit” to a working-class neighborhood to “introduce himself and share his feelings for them.” Peshmergas, which means “interlopers,” is a term widely used by the entire Mauritanian media and even the Pan-African press.

After part of the private press swore allegiance to the new authorities, journalists and other professionals in the public media (AMI, Radio Mauritania, and TVM) announced their support for the “rectification movement” during a huge rally on November 10. The public media have a reputation of being well-educated, virtuous, and rigorous reporters, but smack of gratuitous propaganda in sheer dismissal of every deontological rule. According to a February 14, 1991 decree, their official mission is to “inform, educate, and entertain the Mauritanian public by broadcasting shows in compliance with the cultural, economic, and social development guidelines of the country.”

As Sy pointed out, “We must not lose sight of the fact that any type of power is corrupting! The press must act as a counter-weight and be in the vanguard and hold close its most precious asset: its freedom.”

The panelists unanimously recognized that corruption definitely existed in different forms, either as a temporary effect or a generalized practice in the Mauritanian press, but should not be considered as a symptom alone. In a communiqué made public on September 28, 2008, the Front national pour la défense de la démocratie⁷ (FNDD), a 13-party political coalition opposing the coup in Mauritania, denounced the scope and frequency of corruption and conscience-buying practices on a large scale among “politicians and journalists” in exchange for their support of the August 6 coup.

According to the communiqué, the foreign press correspondents and Mauritanian media professionals are directly concerned by this practice. Up to “MRO 15 million and luxury cars have been offered to those who agreed to side with the putschists.”

N’Diaye said, “Some people accepted this bribe quite easily, while others refused it obstinately. It is also true that some capitalize on their writings and write their articles by dictation. These serious breaches must be put in relation with the lack of a fundamental respect of deontology and professionalism but also with the precariousness of the journalists’ condition.”

⁷ National Front for the Defense of Democracy

OBJECTIVE 3: PLURALITY OF NEWS

Mauritania Objective Score: 2.02

Mauritanians receive their news from diverse media sources like most of the world: newspapers, television, radio, Internet, cellular telephone, etc. According to the panelists, however, the national languages Pulaar, Soninke, and Wolof are not nearly represented in news sources as those presented in Arabic and French.

Today there is only one private press agency in Mauritania, the Agence Nouakchott d’Information (ANI) owned by the Mauritanienne de la Presse, d’Édition, de Communication et d’Impression⁸ (MAPECI). It has no office in Mauritania outside of Nouakchott, but seems more or less well organized and functional. It has a dual Arabic- and French-speaking office and no less than 30 journalists and local correspondents.

Despite the anticipated liberalization of the sector, the national broadcast landscape only contains three public radio stations (Radio Mauritania and two FM stations, one in Nouakchott and the other in Nouadhibou) and two public television channels (TVM and TVM 2 Plus) whose official mission is to “inform, educate and entertain the Mauritanian public by broadcasting shows in compliance with the cultural, economic, and social development guidelines of the country.”

⁸ Mauritanian Press, Publishing, Communication and Printing Agency

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

These face competition from notable Arabic and other satellite channels. In 2006, *Al Jazeera* opened an office in Nouakchott. Mauritanian political parties and other personalities are not welcomed by the official media and express themselves mostly on the Arabic channels. When the public media stayed away from the overthrown Mauritanian President Abdallahi, he addressed the nation on the pan-Arab satellite channel *Al-Arabiya* on December 23, 2008 after his release.

Access to sources is difficult and hazardous for journalists. Diop Moussa with the Nouakchott newspaper *Le Quotidien* pointed out that “every information source is under lockdown. Practically everyone—political parties, trade unions, NGOs, liberal professions, public or private companies, members of the parliament, mayors, politicians, and state institutions—glorifies the role of the press in a democratic state but none of them embodies this spirit.”

The only available access to official and administrative news sources by Mauritanian media professionals is often through use of new communication technologies, which have profoundly changed the face of the independent press. For some, technology represents a doorway to a plurality of sources while for others they are a threat to editorial independence.

Offering diversified, modern, interactive, and regularly updated content in real time, the new portals and news web sites concerning Mauritania, such as Taquadoumy.com and Cridem.org, are partially responsible for the antiquating of the traditional written press, according to the panelists. Newspapers’ “circulation is in a free-fall.”

Thiam Mamadou said, “The Cridem portal is now the real threat to and rival of the independent press. It steals articles from newspapers, and the larger advertisers in the country, namely Mattel and Mauritel, are scrambling for space.”

Hosted in France, Cridem has become a limited liability company (Cridem Communication with a capital of MRO 1 million (\$3700) since it opted in March 2008 for a virtual outsourcing in Mauritania with a relatively small team of local collaborators. A cross between a giant blog, a super-powerful news search engine, and a Web 2.0 (participative, interactive, collaborative) environment, this website provides Mauritanian users not only with information but also gives them the opportunity to share their information and publish articles and comments. Cridem also continually monitors the Mauritania-related Francophone news throughout the web.

Currently, most of the Mauritanian independent publications do not have websites. Cridem is controversial because it selects newspaper-made content without requesting prior authorization or providing financial compensation. N’Diaye

said, “The website does not help to develop the country, quite the contrary, it is a regular carry-all with no systems of value or news processing, no truth/false distinction. For Cridem, everything is the same: media-produced news, sites and Internet users. The consequence is that very often the deontology is overridden.”

The panelists unanimously admitted that newspapers still have a long life ahead of them considering the high price of local telephone calls, expensive installation costs for Internet connections, and the absence of an infrastructure. A survey conducted in October 2008 on the availability of DSL (256Kb) connections in 13 Arab countries showed that Mauritania provided the most expensive services, followed by Iraq.

Traditional newspaper companies have reacted not by creating commercial strategies but by calling for intervention by public authorities. Newspapers such as *Nouakchott Info* (www.nouakchottinfo.com) and *Le Calame* (www.lecalame.net) do not allow Cridem to republish their articles on their websites.

Thiam Mamadou with *Le Calame* explained, “Our newspaper would not sell so well if our major articles were published online by Cridem. We have finally decided to e-mail the newspaper in PDF format to our subscribers who request it.”

“The Regroupement de la Presse mauritanienne⁹ (RPM) should request that the public authorities provide the appropriate legislation on this matter,” Sy responded. “Cridem is successful because it takes advantage of a legislative vacuum in the online press area. It is time that the Mauritanian ministry of communications and lawmakers quickly and clearly define the condition of online press publishers and of the respective safeguards.”

Telecom operators Mattel, Mauritel, and Chinguittel will join Cridem to compete with traditional newspapers. Since 2006, AMI has offered a cell phone compatible “Ami Mobiles” service that keeps users informed of the latest national news. Mattel and Mauritel provide a similar 24-hour news service in partnership with the satellite channel Al Jazeera.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mauritania Objective Score: 1.76

A report drafted in 2006 during the military transition by the national advisory committee for the press and broadcast reform stated: “Strictly speaking there are no private press companies. The written press companies are purely informal organizations. Very few newspapers are officially published

⁹ Mauritanian Press Assembly

by established business companies (less than 10 titles). Most of them are not officially incorporated.”

The report went on to say that there is an “absence of a legislated definition of a press company, its collective responsibilities as a corporation and its commitment for its personnel. The lack of categorization [of press companies in] medium-sized or small companies entitling them to preferential loans from banks and credit companies” further deepens their precariousness.

According to a survey conducted by HAPA in January 2008, the situation of the private press is different with respect to many press outlets. The survey pointed out several weaknesses: “The lack of work contracts for the employees, no accounting departments, no shareholding system, no CNSS affiliation, lack of equipment, etc.”

Sy believed that the informal nature of the management and organization of press companies could be explainable by their relatively young age. “This press is less than 20 years old. The first newspapers appeared more out of personal ambitions than as a result of dedicated market research or feasibility.” Therefore, to pull the press out of its own precarious state entails, above all, to take up the challenge of dealing with the lack of true professionals. “New communication businesses or small press groups keep springing up but their business management is hiding in the shadows. And that management dictates their point of view.”

The panelists pointed out that other factors are at play: copy prices (MRO 200 (\$.75) for a weekly newspaper and MRO 100 (\$.35) for a daily newspaper) are still relatively high; the number of readers (only about half the population is literate) and the newspaper circulation are quite low. According to a

HAPA survey, the circulation varies between 500 and 1,500 copies in total for regular Arabic and French newspapers. In 2007 there were 200 titles, including about 40 regular ones (13 daily newspapers and more than 20 weekly newspapers and other periodicals). The lack of real distribution networks and the insignificant annual advertising receipts complete the list of handicaps for press outlets.

The Mauritanian independent press does not receive state subsidies. Financing and material support had been obtained through United Nations, French, German, and European Union partners. “The only form of subsidy was printing aid made possible by the German Cooperation Agency [GTZ] in 1992 to alleviate the newspaper printing costs,” Sy remarked.

Nevertheless, in February 2008, the minister of communications selected 40 newspapers to receive a state subsidy of MRO 95 million (\$350,000). On June 9, 2008, the European Union and Mauritania signed a financing contract in the amount of €1.5 million as part of a media support plan to help the written press and radio. The house of representatives was preparing to pass a law subsidizing the state press but “postponed” it due to the coming to power of the military junta on August 6.

The panelists believed that the status and situation of the public news outlets were in many ways not any better than those of the written private press. Articles appearing in private press often denounced the “disaffection of the public.” The propagandistic nature of these outlets was sometimes accused of “lack of innovation and adaptation” in the new global and commercial context of broadcast products; other times they were simply accused of blatant “bad management.”

Once a public industrial and commercial institution, Radio Mauritania has become a “public administrative institution” under the ministry of communications along with its sister organization, TVM. Decrees nos. 91-021 and 91-026 of February 14, 1991 stripped them of all commercial and industrial purpose and are now officially meant to “inform, educate and entertain the Mauritanian public by broadcasting shows in compliance with the cultural, economic, and social development guidelines of the country.” Each has an annual budget of almost MRO 1 billion (\$3.7 million) but they are fraught with difficulties.

Decree no. 91-028 defined AMI as a press agency and publisher of the governmental daily newspapers *Chaab* and *Horizons*. The report of the national advisory committee for the press and broadcast reform said it is vulnerable to many of the same challenges as those incurred by public radio and television.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mauritania Objective Score: 1.92

On December 27, 2007, 20 owners of the Mauritanian private press (including the owners of *L'Éveil Hebdo*, *Le Calame*, *L'Authentique*, etc.) threatened to suspend publication due to rising costs from the national (government) printing house. After meeting with the minister of communications and the manager of the national printing house, the owners decided to put off their "press-free day." This led to the creation of an organization designed to protect the interests of publishers, the RPM.

Similar organizations such as the Association Nationale pour la Presse indépendante,¹⁰ UPPIM, API, AJM, EPI and CRED were created for the same purpose but lacked impetus and leadership. Rivalries between the different newspaper groups in a disorganized media context also slowed the development of these pioneering organizations.

Sy said, "In reaction to the creation of RPM, or as a result of them being rejected by [the RPM], a number of private newspapers (*La Presse*, *La Voix des Travailleurs*, *Nouakchott Matin*, *El Alam*, etc.) with uncertain periodicity, created their own grouping in June 2008, called the Regroupement des Éditeurs de Mauritanie."¹¹ The panelists pointed out that due to the precariousness of their working conditions, journalists and publishers often could not find their place within such corporate or union-type associations.

¹⁰ National Association for an Independent Press

¹¹ Mauritanian Publishers' Assembly

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

The panelists also noted that the private press faces numerous obstacles to their growth and unification. First, they do not own their own printing presses. The only existing press is the national (governmental) printing house. It prints the two governmental daily newspapers, *Horizons* and *Chaab*, as well as the majority of the independent newspapers. Second, the only existing distribution network is owned by MAPECI, publisher of the daily newspapers *Nouakchott Info* (French) and *Akbar Nouakchott* (Arabic). Finally, supporting infrastructure such as stores, newsstands and other methods of distribution are also poorly organized or lacking altogether.

Alassane Sow, head of distribution and sales at the weekly *L'Éveil-Hebdo*, said, "The lack of quality printing houses does not encourage advertisers and the lack of appropriate distribution resources makes it impossible for newspapers to reach remote or isolated areas of the country, and all these factors are part of the overall collapse of the press."

The panelists agreed that 10 years after the appearance of the independent press the status and basic training of journalists are some of the recurring issues in the trade. According to the report of the national advisory committee for the press and broadcast reform, "There are no journalism programs in the Mauritanian schools. From its very beginning, the Mauritanian television has consisted primarily of radio people. In most cases, they were trained on the job. And their competencies are extremely heterogeneous.

"The status of the journalist still needs a proper definition. The profession is not governed by a collective contract. Most journalists in the private press work in the main office in the capital of Nouakchott. Not all newspapers can afford local correspondents, only in the larger cities or regions."

Weddou said, "Most local media continue to be characterized by amateurism masquerading as professionalism." Few journalists, regardless of whether they work for private or public media, attended journalism school. Instead, most learned the trade on the job despite the call for the creation of a training center or institute for the written and broadcast press by the 2006 report of the national advisory committee for the press and broadcast reform.

Moulaye Ould Mohamed Laghdaf, the prime minister of the military junta that came to power on August 6, presented the global report of the EGD on January 2, 2009. The prime minister announced the creation of a journalism training institute but according to journalist Moussa Diop in *Le Quotidien de Nouakchott*, "When will these declarations trumpeted *urbi et orbi*, just like many others, become realities?"

List of Panel Participants

Thiam Mamadou, journalist, *Le Calame*, Nouakchott

Yero Amel N'Diaye, independent journalist, Nouakchott

Kissima Diagana, journalist, *La Tribune*, Nouakchott

Mountagua Diop, regional correspondent, *L'Éveil-Hebdo*,
Boghé

Addahi Weddou, journalist, *La Lumière du Nord*, Nouadhibou

Alassane Sow, head of Distribution and Sales, *L'Éveil-Hebdo*,
Nouakchott

Samba Camara, regional correspondent, *Biladi*, Sélibaby

Birome Guèye, member, Haute autorité de la presse et de
l'audiovisuel, Nouakchott

Mame Sèye Diop, correspondent, Senegalese daily newspaper
Walf fadjri, Nouakchott

Khalilou Diagana, journalist, *Mauritanian News Portal*, Cridem

Moderator

Mamoudou Sy, publication manager, *L'Eveil-Hebdo*,
Nouakchott

Assistant Moderator

Dewa Dianifaba, supervisor, IEC—Nutrition Department,
Support Project for the Health and Nutrition Sector,
Nouakchott.

Panelists said the media showed in 2008 that they were capable of tackling, more boldly and in greater depth, subjects that had previously been taboo.



MIOZAMBIQUE

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Since the adoption of a new constitution in 1990 and the end of a brutal civil war two years later, Mozambique has seen its media sector grow both broad and deep. Private media outlets have proliferated, state-run media have worked to adopt a public service format, and community radio stations serve rural areas. As a result, this year's MSI panelists declared the status of press freedom to be satisfactory, but with room for improvement.

While there are no direct legal restrictions on media freedoms, the legal framework for facilitating the business of the media and for its economic sustainability have not improved. In addition, press laws need updating. Access to higher education, particularly to communication and journalism courses, has increased, but the quality of instruction has not kept pace.

On the positive side, several relatively new newspapers have established themselves in the market, including *O Escorpião*, *O Magazine Independente*, and the first free newspaper, *A Verdade*. Private broadcast companies—Miramar Communication Network and SOICO TV (STV)—have been gaining in economic strength and visibility, and are beginning the process of setting up offices and repeaters in the provinces. The STV group converted its weekly newspaper *O País* into a daily, making it the third-largest national daily after *Notícias*, Mozambique's principal newspaper of record, and *Diário de Moçambique*.

Panelists said the media showed in 2008 that they were capable of tackling, more boldly and in greater depth, subjects that had previously been taboo. Their investigations and coverage of important stories, including questions surrounding the prime minister's nationality, showed progress not only among the media, but also on the part of the government, which did not take extralegal action against journalists.

In the area of ethics and self-regulation, the editorial directors of the national media took a major step by adopting a code of conduct for covering municipal elections in November 2008. The media code and one agreed to by the country's political parties looked set to have a positive effect on media coverage, both day-to-day and during the campaigns for presidential, legislative and provincial elections in 2009.

MOZAMBIQUE AT A GLANCE

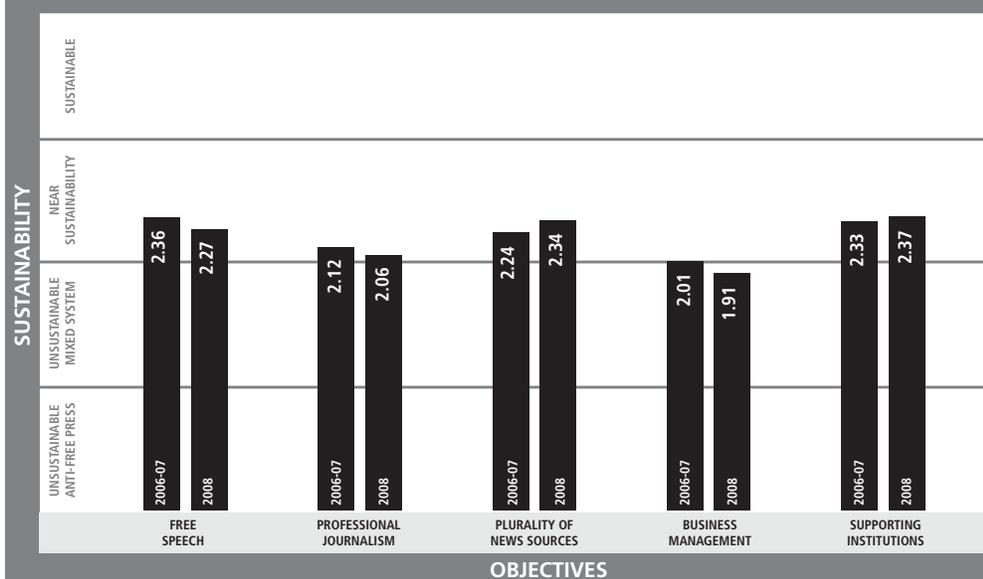
GENERAL

- > **Population:** 21,669,278 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Maputo
- > **Ethnic groups (% of population):** African 99.66% (Makhuwa, Tsonga, Lomwe, Sena, and others), others 0.34% (*CIA World Factbook*)
- > **Religions (% of population):** Catholic 23.8%, Muslim 17.8%, Zionist Christian 17.5%, other 17.8%, none 23.1% (1997 census, *CIA World Factbook*)
- > **Languages (% of population):** Emakhuwa 26.1%, Xichangana 11.3%, Portuguese 8.8% (official; spoken by 27% of population as a second language), Elomwe 7.6%, Cisena 6.8%, Echuwabo 5.8%, other Mozambican languages 32%, other foreign languages 0.3%, unspecified 1.3% (1997 census, *CIA World Factbook*)
- > **GNI (2007-Atlas):** \$7.140 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$730 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 47.8% (male 63.5%, female 32.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Armando Guebuza (since February 2, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 263 total; Radio: 88, including community stations; Television stations: 5
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Agência de Informação de Moçambique (Mozambique News Agency)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 200,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MOZAMBIQUE



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Mozambique Objective Score: 2.27

Mozambique's constitution and Law 18/91, known as the Press Law, of August 10, 1991, made explicit the intention of promoting and legally protecting free speech and access to public information. The existing legislation conforms to international standards, particularly the instruments of the African Union¹ and the Southern African Development Community.² Mozambique has a High Media Council (*Conselho Superior da Comunicação Social*), a state body that guarantees, among other things, freedom of expression, the independence of information organs and their professional staff, and the exercise of rights to broadcasting time and of reply.

A close analysis, however, shows that Mozambique's laws continue to be insufficient and out of date, and their implementation has been unsatisfactory to the point where some citizens have been reluctant to exercise their rights. Generally speaking, the panelists concurred with the view expressed by Glória Muianga, a journalist, producer, presenter, and member of the board of state-run Radio Mozambique, that freedom of expression must improve as democracy grows and the country develops economically and politically. She said that a crucial problem was that the judiciary is still not treating matters to do with free speech in an independent manner.

Delfina Mugabe, assistant chief editor of *Notícias*, Mozambique's largest daily newspaper, said that even if Mozambique is moving forward in terms of legislation, freedoms are not being taken advantage of by citizens, who fear possible reprisals for expressing their opinions. Free speech is being exercised by citizens in major urban centers, said Alfredo Libombo, executive director of MISA-Mozambique, but it is an alien notion in rural areas, particularly when it comes to questioning leaders.

Fernando Bilal, an economist and executive director of Kambeny Ltd., said that the Press Law is vague and ill adapted to emerging technologies, because its framing was based on incorrect premises that did not take into account the technological changes that were already occurring. The law, he said, is crucially important to radio and television if digitalization is to be accomplished by the 2015 target date.

¹ African Charter on Broadcasting, International Seminar "Ten Years On: Assessment, Challenges, and Prospects," Windhoek, May 3–5, 2001; Declaration of Principles on Freedom of Expression in Africa (Banjul Declaration), African Commission on Human and Peoples' Rights, 32nd session, Banjul, October 17–23, 2002.

² The most important being the Protocol on Culture, Information and Sport, Blantyre, August 14, 2000 and the Declaration on Information and Communications Technology (ICT), Blantyre, August 14, 2001.

To date, there is no record of any license request being refused, but some panelists said the bureaucratic process and the time it takes to obtain a license to operate a radio or television station are excessive, since each case has to be evaluated by the Council of Ministers.

Licensing is easier for the written press than for radio and television stations, which must contend with several institutions that have overlapping jurisdiction. These include the Council of Ministers, which approves the issuance of licenses for radio and television operators; the Mozambique National Communications Institute, which controls allocation of frequencies and technological aspects of their use, in addition to other powers and authority; the Prime Minister's Information Office (known by its Portuguese acronym, GABINFO), which oversees public-sector radio and television operators and issues licenses for all media operators once they are approved by the Council of Ministers; the High Media Council, which monitors ethics and professional conduct in the media and acts in cases of abuse of press freedom and violations of the Press Law, but lacks any powers to impose sanctions and is supposed to be heard before approval and issuance of licenses; and the Ministry of Industry and Commerce, which approves and issues business licenses.

To date, there is no record of any license request being refused, but some panelists said the bureaucratic process and the time it takes to obtain a license to operate a radio or television station are excessive, since each case has to be evaluated by the Council of Ministers. Libombo said Mozambique urgently needs an independent regulatory body and a broadcasting law.

Elisa Martins, advisor for international relations and cooperation and head of the department of sales and client management for state-run Mozambique Television (TVM), expressed the view that as a means of formalizing activity, licensing was unimpeded. Muianga, however, said licensing was not a fair process in general and was linked directly to the government. Libombo went further, saying that the Mozambique National Communications Institute was not independent, as it is overseen by the Ministry of Transport and Communications.

There are no restrictions on entry into the media market. Any Mozambican citizen has the right, under existing legislation, to set up any kind of company, including media companies. Taxes on media companies, Libombo said, are

unjust because they treat media like any other business, placing no value on their contribution to reducing the high rate of illiteracy in Mozambique.

Martins said that not taking into account the specific nature of media companies had negative implications for television stations, principally the public ones. For example, she said, the tax system ought to make the importation of television programs less costly; currently, the duty surcharge is derived only from the import of the video cassette and not the nature of the content on it. Liège Vitorino, project officer of the Association of Mozambican Women in the Media and communications and image advisor to the Mozambique Tax Authority, told the panel that community media had obtained a partnership with the Mozambique Tax Authority that exempted them from duties.

There were two cases of imprisonment and three attacks on journalists in 2008, said Silvia Afonso, editorial coordinator and manager of Sussundenga Community Radio, but because crimes against journalists are rarely reported, it could not be known for sure how many violations of journalists' rights had occurred. At the local level, any individual in the district government can act as judge, and many are ignorant of the law, particularly regarding press freedoms. Afonso gave an example from Barwé District, Manica Province, where no action was taken against the secretary of a *bairro*—a political-administrative authority at the district ward level—who snatched a microphone from a community radio reporter. In addition, community radio journalists in this district,

before broadcasting a particular story, contact the district administrator to ask him if they may air it or not.

Paragraph 4 of Article 11 of the Press Law stipulates that public-sector media must carry out their obligations free of interference from any external interest or influence that might compromise their independence, and that they must be guided by standards of high technical and professional quality. In practice, however, their objective is to highlight government programs. The board chairmen or directors-general of public media companies are appointed by the government and invested before the prime minister. In many cases, members of the government and the principal political parties have seats on the boards of the large private media companies operating in Mozambique, and there are no mechanisms or procedures for monitoring the independence of these companies or their journalists.

It is clear that government representatives are given privileged treatment in the pro-government press and on public radio and television programs. On the other hand, the independent press tends to take a critical attitude toward representatives of the state, ostensibly to act as the watchdog of good governance. However, for commercial reasons—and the need to survive—that critical posture has not been consistent, and members of the government and the ruling party are often given prominent coverage.

Isaias Natal, a correspondent for the weekly *O Magazine Independente* and a Media Institute of Southern Africa-Mozambique delegate, said that when a journalist stands out for writing the truth, he is ostracized not only by those in power, but also by his colleagues and superiors.

Defamation cases are being handled by the criminal courts under the Penal Code, not under the civil law, Libombo said, which is a problem for journalists. The panelists acknowledged that journalists are citizens with the same rights and obligations as others and are not above the law. In a break with the past, the courts heard cases in 2008 that concerned abuses of the freedom of the press—some of which resulted in large fines—but the media did not publicize them. Instead, they focused on the judgment against the *Zambeze* newspaper for questioning the nationality of the prime minister, and the prosecution of the same paper for publishing information accusing the attorney general of embezzling public money—an allegation that was ruled groundless after an investigation.

All the panelists concurred with the view that the country is fragile insofar as access to public information is concerned. Mugabe said access to such information is practically non-existent and that there are no legal enforcement instruments to make officials pass it on to whoever needs

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

it. Afonso said that the public's ignorance of laws regarding access to public sources of information remain a cause for concern. Also, she said, loopholes remain in the Press Law, particularly in relation to the legal framework for community multimedia centers, which are important for access to information.

The Press Law stipulates that journalists must be given access to official sources of information. However, journalists in the public, private, and community sectors still run into difficulty acquiring official information because of the government's culture of secrecy regarding some kinds of material. The situation is aggravated by the fact that the national legislature has not taken action on a proposed Law on Access to Sources of Information.

All the panelists concurred that there is unrestricted access to international news, whether through foreign television stations on cable, foreign newspapers and magazines, or via Internet.

In Mozambique, journalism is still viewed as a profession for the less qualified who could not get jobs in other sectors, lamented José Guerra, chairman of the board of Miramar Communication Network. Some people even say that all one needs to be a journalist is to know how to read and write. The absence of an official system of accrediting journalists bodes ill for regulation of the profession.

There are no restrictions on anyone's embarking on a career in journalism. To be hired, applicants for jobs in the media typically need to have 12 years of primary and secondary education, or intermediate-level journalism college. Over the past three years, however, media outlets have taken on more highly educated staff who graduated from universities or other higher education institutes.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mozambique Objective Score: 2.06

Panelists blamed many of the shortcomings of journalism quality on the absence of a set minimum salary and the lack of investment in training. Mugabe said that journalists in the private sector are still not concerned about quality for two reasons: first, the low level of training among private journalists, and second, production for immediate consumption, which does not leave time for such concerns as quality. Other panelists characterized this as a kind of "journalism-to-order," producing stories so rapidly that quality suffers.

However, some panelists expressed cautious optimism. Libombo said that there had been a visible effort by a few

media outlets and their staffs, but that there are also those who do not care about raising their standards. In his view, everything has to do with the managerial capacity and financial sustainability of the companies in question. Mugabe qualified her earlier comment, saying that the best journalists are beginning to produce quality work, particularly in the state media, although still not at the highest level.

Although some reporting is well grounded, with proven facts, Muianga said, the independent press often presents information that is not proven and not impartial. In her view, the public press takes care to carry out research and sound out the parties involved and, whenever possible, to consult specialists. Guerra agreed: for him, sensationalism and incitements to disorder could not be found in the public media.

Despite the shortcomings of the private media, the panel recognized the positive effects of pluralism and diversity. Even so, Miquidade said, that journalists are increasingly showing themselves to be unprepared to engage and follow up on subjects within the principles and rules of the profession.

Ofélia Madeira, journalist and director of information for the Miramar Communication Network, said she was concerned by the lack of role models at most media outlets. In her view, many journalists are relatively young and inexperienced, and need guidance from experienced journalists in order to develop professionally. That is why there are so many violations of professional ethics, she said.

There continues to be no charter and professional code for journalists. The government does not define journalists' rights and restrictions beyond those set forth in the Press Law, which, however, are in line with those established internationally.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Although some reporting is well grounded, with proven facts, Muianga said, the independent press often presents information that is not proven and not impartial.

Nurat Dalila Miquidade, a producer and presenter with Radio Mozambique, said there are gaps and a lack of professional ethics in Mozambican journalism because many journalists are untrained and draw low salaries.

Nonetheless, Libombo noted that journalists are becoming more likely to be guided by universally accepted ethical principles, through there are a few breaches, such as journalists who carry out functions that are incompatible with the profession, such as acting as press advisors to companies or political parties. The situation had, however, improved a great deal overall, he said, noting that in the run-up to the 2008 municipal elections, editors adopted a Code of Conduct for Electoral Coverage, an important self-regulatory instrument.

Self-censorship is a fact of journalistic life in Mozambique, Libombo said, whether on the part of reporters or editors. This might be prompted by the ambitions of the journalists themselves, he said, who often try to write or report in a way that pleases those with political or economic power. Likewise, there are leaders of governmental, public, and private institutions who grant journalists privileges of access or other favors so as not to be attacked in the media.

The panelists agreed that journalists have an interest in trying to cover every kind of event, and that when they did not do so it was because they did not have sufficient transportation, equipment, personnel, accommodations, and so forth. Normally, when governmental, public, private and other institutions organize events, they set up the right conditions for journalists to be present.

Afonso said, however, that when journalists travel outside the capital on government-paid trips, their independence is limited. Covering visits by the president or a provincial governor, she said, journalists are watched over and controlled in what they cover and in the interviews they conduct. Natal recalled that once when journalists went to investigate disturbances in Sofala province, they were called into the office of a member of the provincial government who instructed them on how they should report the events they had seen.

The panelists agreed that there are problems of pay and corruption in all the media. Natal said that there are media

outlets, particularly in the private sector, that pay their journalists very badly, paying by the piece, and that many articles are written to order. He further contended that corruption abounds in both the public and private sectors, and that that helped many journalists get rich unlawfully.

Vitorino said that without a decent salary and working conditions, it is difficult to stay honest. Muianga said it was clear that journalists were not paid well enough to be totally independent, and Guerra mentioned the old proverb that one did not set a hungry man to guard the larder. There should be a minimum salary, he said, which would reduce sensational and irresponsible journalism and enhance quality.

The difference in pay between the private and the public sector media is large, Muianga said. The public sector pays better, she said, and Radio Mozambique pays best.

Libombo pointed out that while journalists' salaries are indeed very low, they are, however, a bit higher than those of teachers with intermediate-level qualifications and police below senior officer grade.

Because most of the broadcast media outlets in Mozambique have only one channel, the news industry, powerful as it is, is underrepresented on the air, especially on television stations, whether public or private.

Programming is affected by the interests and the necessities of the media. The public sector, guided by the public interest and more planned, depends entirely on the resources it can generate. Natal said bluntly that news services are shoved into the background by advertising and entertainment programs, although he recognized that those programs are a major source of revenue for media companies. The panelists concurred that entertainment, particularly soccer, is one example of how news could be relegated.

On the other hand, Libombo contended that there is in fact a balance between news and entertainment. Muianga went further, arguing that on Radio Mozambique, regardless of the program that is running, entertainment does not take precedence over news.

Equipment leaves much to be desired, Muianga said, though everyone is trying to modernize, even small stations. The desire to provide information, she said, helps to overcome that lack. Though critical of the equipment situation, Libombo expressed some optimism, saying there has been some progress at some media outlets, where the technical facilities are acceptable and journalists are working more and more on major stories and on civic and investigative journalism.

Many private media started out with donations of equipment and facilities. Equipment and facilities are the basis for

starting up and carrying out journalistic activity and that is why, when people set out to attack the media, that is the soft spot they aim for. There have been attacks on press companies' premises, including one in which computer equipment was destroyed but nothing was taken, another in which all the radio equipment was taken, and a third where the software on all the computers was sabotaged.

Hélder Maocha, a recent graduate in media sciences and executive director of Kulani Investments Ltd., pointed out that even where the technological means are available, journalists are not using them to enrich their work, as there is a lack of understanding of an information culture. For example, he said he had never seen a blog from any Mozambican media outlets or journalists. Blogs would help a great deal in expanding the debate on many subjects of interest to the public and could be a source of news and opinions, Maocha said.

Further, Maocha stressed that availability of modern equipment and facilities is of little value without investment in training people how to operate them. Many journalists still do not know how to exploit the potential of their computers properly.

Muianga agreed that training was the principal Achilles' heel, though at Radio Mozambique, at least, the reporting is of high quality, whether investigative, political, economic, or local, and there are training programs and plans being carried out both within Mozambique and abroad, although she felt that training still need strengthening.

OBJECTIVE 3: PLURALITY OF NEWS

Mozambique Objective Score: 2.34

There is a multiplicity of media in Mozambique, Libombo said, from newspapers to radio and television stations to digital media. However, their penetration rate is modest, given that the overwhelming majority of the population is poor and illiterate. In a country with a population of a little over 20 million, all the newspapers together sell no more than half a million copies a week. Television remains a luxury.

Radio, particularly public radio, is the most accessible medium, as it is relatively cheap and it broadcasts in various local languages. Much of Mozambique's territory is covered by Radio Mozambique, though rural areas are more closely tied to community radio stations. Radio Mozambique has offices in all provinces and broadcasts in all the country's principal local languages. From its Maputo headquarters it broadcasts a national channel, a sports channel, a "City Radio" channel for young people, and an English-language

Muianga said the public media have been improving, and trying not to be partisan. They are, in a stealthy sort of way, open to the opinions and comments of parties other than the ruling party.

channel, "Maputo Corridor Radio," in the direction of South Africa and southern Mozambique for promoting investment.

Radio Mozambique also broadcasts Portuguese Radio, the British Broadcasting Corporation, and Radio France International over its frequencies.

Along with pluralism has come the emergence of conglomerates, which account for a major portion of the private media sector. The Sociedade do Noticias (News Company) has three print publications: a daily, a general-interest weekly, and a sports weekly; the SOICO Group has a daily newspaper, a radio station, and a television station, and; Mediacoop has a weekly paper and daily fax and e-mail newspapers, and is preparing to launch a radio station.

In general, private media cover the provincial capitals, with the exception of private television stations, which are only beginning to set themselves up outside Maputo. The large private media companies, such as Miramar Television and STV, have provincial offices but broadcast only from their headquarters in Maputo, reaching the rest of Mozambique through repeater transmitters and fiber-optic cable. STV prefers that centralized system, because it ensures editorial control and reduces costs.³

Guerra, however, speaking as chairman of Miramar Communication Network, said that his network would have greater impact if it were authorized to set up autonomous transmission facilities so that it could produce and broadcast news locally, as with Mozambique Radio and Television.

There are no legal limits on access to the media. However, Afonso said, print and Internet media are not reaching the rural areas, mainly because of illiteracy, poverty, scarcity of electricity, and the cost and delay in expanding the broadband system. In Manica Province, broadband is available in only two of the 13 districts, and then only with problems. Muianga emphasized the usage cost aspect, saying that poverty prevents most of the population from gaining access to cable television or the Internet.

³ Personal communication from the chairman of the SOICO TV board, Daniel David.

Muianga said that, in general, control of the media is neither transparent nor independent; indeed, according to Muianga in particular, some of the media belonging to some conglomerates are not impartial.

Even though it has taken progressive steps toward democratizing the media system by transforming state media into public media, Mozambique has not completed the process. Public bodies remain heavily dependent on the government, and the public media increasingly are behaving as government information organs.

Muianga said the public media have been improving, and trying not to be partisan. They are, in a stealthy sort of way, open to the opinions and comments of parties other than the ruling party. Libombo, however, said Radio Mozambique has tried to be pluralistic and independent, but that there are strong signs that it is regressing. Miquidade expressed the view that the public media reflect the country's political opinions, but continue to benefit the ruling party.

The panel's discussion revealed some conspicuous changes for the better since the previous MSI survey. In campaign coverage, public media, particularly Radio Mozambique, were at the forefront of making information on the process itself available by announcing the results in all the cities and towns that held municipal elections on November 19, 2008.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Embracing their mission of serving the public in the most inclusive manner, the public media presented educational and cultural programs from a different perspective than that of the private media.

The panel concluded that both public and private media are spending a lot of time and devoting a lot of space to talking about the government, but from different perspectives. Whereas the public sector reports government events, achievements, and activities in a favorable light and tries to keep the public interest in mind, private media, for the most part, challenge the government in a largely prejudicial manner, and put sensationalism first in an effort to capture audiences and win profits.

Mozambique has only one domestic news agency, the Mozambique News Agency, a governmental organization under the prime minister that distributes written information to any media outlet interested in using it.

Panelists said the principal international news agencies are known to most Mozambican journalists, although rarely cited as sources of news. It is common, though, for the print media to cite public radio and television stations as sources of their news, and they sometimes use news found on the Internet.

Money is an obstacle to production of news programs, and the best-quality, objective, credible and complete news is found on the public media. The private radio sector still does not produce news programs of national and international quality and range. On the contrary, they are coming to be characterized by sensationalism. Community radio, within the limitations to which it is subject, is trying to put out local programming supplemented by programs and news received from Mozambique Radio and Television.

Muianga said that, in general, control of the media is neither transparent nor independent; indeed, according to Muianga in particular, some of the media belonging to some conglomerates are not impartial. The Sociedade do Noticias, the SOICO Group, and Mediacoop have established distinct points of view in reporting the facts.

The amount of foreign investment permitted under the law is 20 percent.

The issues that most concern minorities are not well covered by the media because they lack sources, Muianga said. Political and cultural reasons, even self-censorship, also lie behind that absence of coverage. Although the panelists did not discuss the issue in depth, they recognized that political subjects are given pride of place before social and cultural matters, and that, increasingly, the independent print media are coming closer to living up to their name.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mozambique Objective Score: 1.91

Most private media outlets are still not managed professionally, panelists said. In many, the journalists themselves manage both editorial and business operations. Vitorino said that the independent media are not profitable and this does not enable editorial independence. Nevertheless, she said, they are primarily interested in profit and often turn a blind eye to how it is obtained. Some independent media, said Natal, have the income to sustain themselves, while others are financially weak, owing to bad management and a lack of aggressiveness in the media market.

Community media live on appeals to charity; there is not one community outlet in the country that survives by selling advertising. Afonso said the community sector is the hardest hit because it depends on partnership resources and untrained volunteers. Because the remuneration they receive is insignificant or nil, they end up losing motivation, and institutional stability is adversely affected.

The public sector, on the other hand, comprises solid, well-organized companies with good managerial capacity.

Mugabe contended that, generally speaking, the independent media do not have financial autonomy because they belong to or are financed by groups of economically powerful business people. To keep afloat, they have to serve the interests of their financial backers. Otherwise, they will go bankrupt, as has already happened to some.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Muianga pointed out that Radio Mozambique is an exception. There, market research is carried out systematically to find out what listeners want to hear, what subjects should be covered, and what coverage levels should be.

Panelists agreed with Libombo's observation that the Mozambican advertising market is growing but still insignificant. Prices remain very low, which is cause for concern in a clearly growing economy. In Mozambique, a one-page advertisement in a weekly costs around \$300, compared with about \$2,000 in a South African weekly.

The panel agreed that advertising agencies are the principal pillar of the advertising market. The large-scale media have their own sales staffs and have privileged relationships with advertising agencies.

Panelists expressed concern that more space is being taken up by advertising than by information and educational material, principally on television stations. They surmised that many media outlets are not in a position to assert themselves when negotiating the amounts to be paid for advertising, given that they have no other means of surviving. Among the print media, some newspapers contain a very large volume of advertising, but others contained no mass advertising.

The panel observed that, in general terms, the volume of advertising in the media is growing in step with the rate at which businesses in Mozambique are established or consolidated, which shows there is agreement of standards among businesses, advertising agencies, and the media. However, the panelists drew attention to the predominance of misleading advertising by mobile telephone, camouflaged in entertainment programs for the most part.

The government only subsidizes the public media. Public radio and television stations receive state funding through contracts with the government, and they benefit from levies applied to electricity consumers on the public grid. Even so, Mozambique Radio and Television find themselves excessively dependent on advertising to finance their activities. On the whole, the panelists said, the government lacks a policy for financing the media, which is an obstacle to achieving the objectives of diversity and pluralism in the media.

In general, there are no market research services to guide the media's strategies, principally the independents which, with one or two exceptions, have no strategic plans. Muianga

As of the first quarter of 2009, the first higher-level public school of journalism was expected to be in operation.

pointed out that Radio Mozambique is an exception. There, market research is carried out systematically to find out what listeners want to hear, what subjects should be covered, and what coverage levels should be. Whenever possible, listener inquiries are made.

Panelists also noted that community radio stations research, create, and plan their programming. Periodically they do qualitative audience research to adapt their program profiles and adjust their schedules.

Ratings for radio are the responsibility of the National Communications Institute, a government agency with oversight over the technical conditions for broadcasting and responsibility for allocating frequencies. Newspapers declare the size of their print runs on their front pages, as required by law, but panelists pointed out that that there is no mechanism for proving that their figures are accurate.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mozambique Objective Score: 2.37

In general, the supporting organizations that do exist are not fulfilling their roles satisfactorily or completely, because they do not focus on helping the people and institutions that, in principle, should be at the center of their concerns.

There is an association of the media business heads and owners, the Association of Journalistic Companies, but it does not represent the interests of all the heads and owners and it is very weak. For example, it has been unable to negotiate low prices with the public transport company for distributing newspapers and magazines to the provinces. Although it has existed for five years, it has proven incapable of applying democratic methods to renew its governing bodies or to nominate representatives at various levels. Bilal and Libombo noted that neither this association nor owners have ever managed to reach an agreement on establishing a common printing company run along collective lines. They have not succeeded in negotiating with the government on reducing its control over licensing of the broadcast media or gaining recognition that they are not the same as any other industry and therefore require certain tax breaks or other dispensations.

Mozambique also has the National Union of Journalists (SNJ); the Association of Mozambican Women in the Media (AMMCS), which operates as an arm of SNJ for gender balance matters, and; the Mozambique chapter of MISA, an institution for the defense and promotion of the freedoms of expression and the press. But with the exception of MISA-Mozambique, these associations focus exclusively on the interests of their own managerial staffs.

Mugabe declared that SNJ, AMMCS, and MISA do not always intervene when media workers' rights are violated. Also, SNJ and AMMCS do not include in their membership all categories in the journalism profession; many journalists in the independent media are not members of those two organizations. SNJ is weak, and does not concern itself with striving to improve journalists' salaries and working conditions.

Natal, however, said MISA-Mozambique had distinguished itself in defense of journalists and other segments of civil society. Libombo agreed. MISA-Mozambique also monitors press freedom, trains journalists, and provides consultancy services.

Currently, there are degree programs in journalism available in public and private institutions of higher education. As of the first quarter of 2009, the first higher-level public school of journalism was expected to be in operation.

Muianga said that the quality of college education was, in general, poor. At Mozambique Radio and Television, new staff members have to be given supplementary training in areas that had supposedly been covered at the training centers they had come from.

Maocho said teachers who were once journalists themselves are encouraging students to follow careers in marketing and public relations rather than journalism.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Free educational and vocational training courses are given for journalists by governmental, public and private institutions and NGOs on such topics as economics, tourism, and public health; in addition, many institutions invite journalists to participate in their internal events as a way of giving them a better understanding of how they operate.

Associations such as the Forum of Community Radio Stations, MISA-Mozambique, the NSJ-Southern African Media Training Trust, and AMMCS support training in all areas of operation from administrative and financial management to newsroom skills. Ministries and international cooperation organizations also facilitate short training courses and opportunities for free training for journalists and administrative personnel from the Mozambican media.

Mozambique's printing companies have not lived up to expectations, and so the print media have turned to higher-quality, faster, and cheaper services offered by neighboring countries.

Muianga said there are no restrictions on distribution channels, given that they are covered by the freedom of trade and based on the constitutional principle of the freedoms of expression, of the press, and of creation. Media distribution channels can operate under the diverse private commercial, state, cooperative, or community property regimes.

List of Panel Participants

Silvia Afonso, editorial coordinator and manager, Sussundenga Community Radio, Sussundenga Town

Fernando Bilal, executive director, Kambeny Ltd., Maputo

José Guerra, chairman, Miramar Communication Network, Maputo

Alfredo Libomo, executive director, MISA-Mozambique, Maputo

Ofélia Madeira, director of information, Miramar Communication Network, Maputo

Hélder Maocha, executive director, Kulani Investments Ltd., Maputo

Elisa Martins, head of department and advisor, International Relations and Cooperation, Mozambique Television p.c., Maputo

Nurat Dalila Miquidade, program producer and presenter, Radio Mozambique p.c., Maputo

Delfina Hugabe, assistant chief editor, *Notícias* daily newspaper, Maputo

Glória Mulanga, board member, Radio Mozambique p.c., Maputo

Isaias Natal, delegate and journalist, MISA-Mozambique, *O Magazine Independente*, Beira

Liège Vitorino, journalist, communication, and image advisor, Association of Mozambican Women in the Media; project officer, Mozambique Tax Authority, Maputo

Moderator and Author

Julieta M. Langa, professor and head of Linguistics Section, Eduardo Mondlane University, Maputo

Logistic and Administrative Support

Aldo Mabay Arlindo Tembe, human resources manager, Kulani Investments Ltd., Maputo

Alsácia Óscar dos Reis Cuna, secretary, Kulani Investments Ltd., Maputo

Commentators suggest that the government and the ruling party have become more critical of the media now that political competition is intensifying



NAMIBIA

Namibia continues to be a relatively free country, with no significant changes in the constitutional or legislative frameworks governing freedom of speech and expression since last year's MSI study. The media remains unfettered generally, with a wide range of print and broadcast outlets and limited government interference. Media houses and journalists continue to operate without being subjected to overt censorship, threats of closure, or intimidation. No journalist was beaten, imprisoned, or killed during the year under review, continuing a positive trend that has existed since Namibia's independence in 1990.

Politically, the country remains stable, although the formation of a new political party, the Rally for Democracy and Progress (RDP), has injected a new dynamism into electoral politics. Led by a former South West African People's Organisation (SWAPO) stalwart and cabinet minister, Hidipo Hamutenya, the RDP is challenging the dominance of SWAPO in national politics.

Commentators suggest that the government and the ruling party have become more critical of the media now that political competition is intensifying. This is evident in the vigorous criticism from SWAPO organizations in a popular SMS page in *The Namibian*, which publishes readers' text messages that are often critical of the government.¹ Critics also suggest a likely connection between the RDP's rise and recent requests by the SWAPO (and later, the government) for a media council to "'police' media ethics and to provide a platform for the public to complain about media reports."²

Undercurrents of political division were also evident in a campaign to remove Namibian Broadcasting Corporation (NBC) Director General Bob Kandetu, who was perceived by SWAPO as being an RDP supporter, or at least not the party loyalist they wanted in the position. This campaign was spearheaded by the SWAPO newspaper, *Namibia Today*, which published a series of articles making various allegations against NBC and Kandetu in particular.

Panelists rated all of the MSI objectives within the category of near sustainability. However, almost all objective scores fell this year, and the overall score dropped from 2.90 to 2.50. The most serious losses came in Objective 1 (freedom of speech) and Objective 2 (professional journalism). Clearly, political competition and the resulting pressure revealed weaknesses in the robustness of the Namibian media sector. All objectives received scores in the middle range of "near sustainability," except Objective 2, which fell by .70 to 2.16.

¹ The government has continued a Cabinet-imposed ban prohibiting government departments from purchasing or advertising in this paper since December 2001.

² *The Namibian*, February 8, 2008. <http://www.namibian.com.na/2008/February/national/08E57F3EAC.html> Accessed July 30, 2008.

NAMIBIA AT A GLANCE

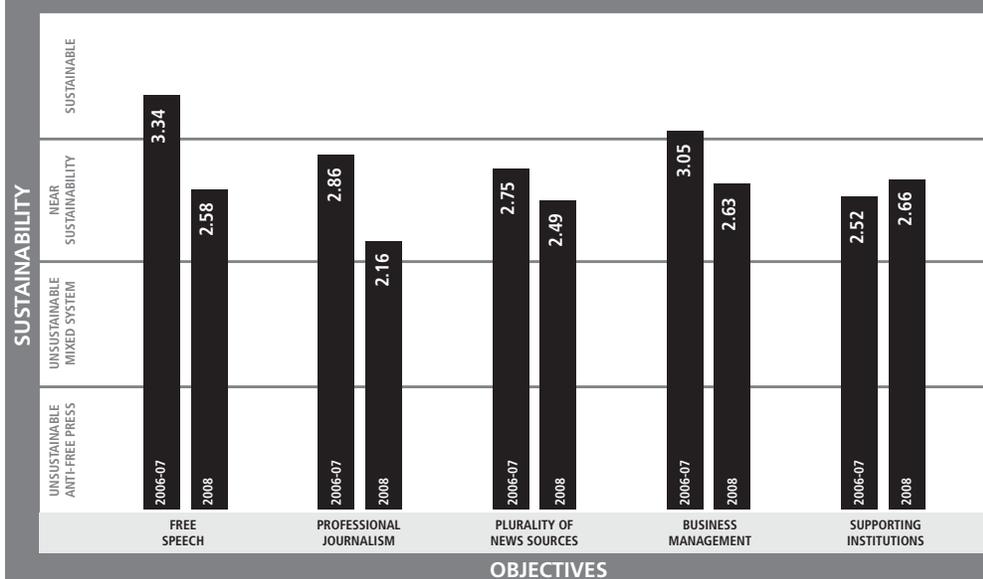
GENERAL

- > **Population:** 2,108,665 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Windhoek
- > **Ethnic groups (% of population):** black 87.5%, white 6%, mixed 6.5%. About 50% of the population belong to the Ovambo tribe and 9% to the Kavangos tribe; other ethnic groups include Herero 7%, Damara 7%, Nama 5%, Caprivian 4%, Bushmen 3%, Baster 2%, Tswana 0.5% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 80% to 90% (Lutheran 50% at least), indigenous beliefs 10% to 20% (*CIA World Factbook*)
- > **Languages (% of population):** English 7% (official), Afrikaans common language of most of the population and about 60% of the white population, German 32%, indigenous languages 1% (includes Oshivambo, Herero, Nama) (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$8.880 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$6,270 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 85% (male 86.8%, female 83.5%) (2001 census, *CIA World Factbook*)
- > **President or top authority:** President Hifikepunye Pohamba (since March 21, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 13 newspapers, including 4 daily; Radio Stations: 29; Television Stations: 3
- > **Newspaper circulation statistics:** Top two by circulation: *The Namibian* (25,900 daily), *Informanté* (70,000 weekly) (Source: Christof Maletsky, News Editor, *The Namibian*)
- > **Broadcast ratings:** Top three radio stations: National Radio (85%), Radio Energy (25%), Oshiwambo (42.8%) (AC Nielsen Namibia 2001)
- > **News agencies:** Namibia Press Agency (NAMPA)
- > **Annual advertising revenue in media sector:** Approximately \$20 million
- > **Internet usage:** 101,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NAMIBIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Namibia Objective Score: 2.58

All indicators received lower scores this year—except for Indicator 8 (media access to international news sources)—resulting in a large fall in score from 3.34 last year to 2.58. Most of the indicators stayed within a half-point of the overall objective score. The exceptions are Indicators 8 and 9 (free access to the journalism profession), both of which scored well above the overall score, and Indicators 5 (editorial independence of public media is guaranteed) and 7 (access to public information) both scored about three-quarters of a point lower.

Despite the lack of legislative changes that might threaten press freedom, panelists expressed particular concern about government proposals regarding the possible establishment of a statutory media council to regulate media ethics. Overall there seems to be a sense that the government is losing any inhibitions it might have had about trying to control information and news. The incidents described above, coupled with a bill considered by parliament—the Information and Communication Bill, which would provide for interception of electronic communications by the government—put in doubt the government’s commitment to a free speech and free press environment in Namibia.

Panelists also noted that a major inhibitor for free speech stems from rural culture and tradition, which often has a mitigating impact on freedom of expression. Selma Shipanga, a student intern at the Media Institute of Southern Africa’s (MISA) Namibia chapter, observed that in rural areas in particular, “tradition becomes a barrier to people being able to speak out on issues of the day.” The tightly controlled nature of rural communities often sees individuality and free thinking subjugated to the demands of the community as a whole. The traditions regarding women in particular often leave them in a vulnerable position and unable to express themselves freely in public.

The panelists were also outspoken against the government’s influence over the broadcast spectrum. They suggested that the state-appointed Namibia Communications Commission (NCC), the body that licenses and regulates the electronic media, might not be executing its duties fairly. Even the terms “community,” “commercial,” and “public” are not explicitly defined, contributing to a lack of transparency in the license application process.

Andre Engelbrecht, director of the coastal community radio station Ocean Wave, said that it seems as if the commission “gives licenses to the highest bidder” and that commercial

stations, which pay higher license fees, are given preference over community stations. Mathew Haikali, director of the MISA-Namibia chapter, agreed: “The licensing of media is not about issues anymore—merely about individual members. In other words, who brings in the most money. Political clout also helps.”

Aside from licensing issues, no barriers prevent media companies from entering the market. However, no measures have been taken to encourage the rise of a plurality of media voices, panelists said. No tax or financial incentives are provided to promote media; newsprint, electronic equipment, and computers are still charged full import duties as well as a sales tax. Some of the empowering telecommunications tools that can serve to bridge the digital divide (e.g., pre-paid cell phone recharging) are now “taxable items.” After taxes, customers recharging their airtime packages with NAD \$10.00 (\$1.25) received only NAD \$8.45 (\$1.04) in airtime.

The market also appears to be relatively friendly to international entrants. Panelists noted a growing South African domination of the media, including South African shareholdings of one of only two independent television stations in the country (One Africa Television and TBN, a Christian station), and major newspapers and radio stations. Panelists did not necessarily view the emergence of international competition as being negative, however, and noted that these companies are expanding citizens’ choices. For example, the introduction of a daily television news

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Namibia continues to be a safe country for media professionals to practice their profession. Panelists said that there were few reported incidents of crimes against journalists.

bulletin on One Africa Television now provides citizens with an alternative to NBC news.

Namibia continues to be a safe country for media professionals to practice their profession. Panelists said that there were few reported incidents of crimes against journalists.

However, panelists noted that constitutional and legal confusion persists regarding the exact role of government in media regulation and ownership. Through annual funding and government-appointed boards of directors, the state essentially owns and controls a major newspaper (*New Era*), the country's only news agency (Namibia Press Agency, or NAMPA), and NBC.

There are also continued concerns regarding libel laws in Namibia. Panelists felt that these were particularly onerous for investigative journalists, who are frequently exposed to civil defamation cases. Threats of lawsuits were also particularly restrictive for freelance reporters, who have little or no legal protection. In 2007, four lawsuits were filed against Namibian Journalist of the Year award winner John Grobler; one against *The Namibian* by former President Nujoma, for quoting testimony in a court hearing that referred to him as being "corrupt"; and one by Windhoek Mayor Mathew Shikongo against *Informanté*, for refusing to disclose a source that provided the paper with information about a land deal.

Panelists noted that the absence of legislation regarding access to information results in journalists frequently struggling to obtain even the most basic public information. Annual reports, for instance, are often unavailable or published very late. (The exception is the budget of the Ministry of Finance, which is readily available.) Panelists also noted that access to other forms of information varied depending on the size and influence of the media house. Smaller community radio stations are often neglected by government officials and ministers who were frequently willing to appear on national programs. There was also discussion regarding press invitations, often sent (perhaps on purpose) far too late, giving journalists no time to prepare or conduct research on the stories that they are being asked to cover.

Namibian journalists are not required to obtain accreditation in order to practice. However, panelists expressed concern that foreign nationals do need accreditation. No foreign journalist has been refused permission, but that the application process can be cumbersome, they said.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Namibia Objective Score: 2.16

Like Objective 1, panelists returned scores for Objective 2 that were much lower than last year: this objective's score fell from 2.86 to 2.16. All indicators suffered significant drops, in particular Indicator 5 (pay levels for journalists). All indicators received scores near the final objective score, except for Indicator 2 (journalism ethics), which scored slightly more than half a point higher.

Panelists said that reporting is sometimes one-sided and lacks balance. Journalists also tend to be overly reliant on a handful of sources, which limits the range of views represented in the media.

Self-censorship does happen in some media houses, panelists said, with journalists deliberately avoiding covering issues that might offend political leaders—particularly those from the ruling party. However, they suggested that self-censorship might relate more to journalists' fears of being cut off from news sources, rather than as a result of overt bias or threats. "They [the politicians] generally expect a positive interview. When you ask negative questions, they might break off the relationship, and you will find it difficult to interview them in future," said panelist Borrundu Ngula, Katutura Community Radio news director.

For the most part, journalists do follow recognized and accepted ethical standards, but the standards are not entrenched formally. Haikali noted that while MISA-Namibia has produced a code of ethics, none of the media houses have responded to the latest draft. "Most say that they conform to international standards. They use the code but don't want to acknowledge that they use it," he said. Community media are generally unaware of the existence of the code.

Citing the example of a local cell phone company giving journalists free handsets at a corporate launch, panelists noted that bribery practices continue unabated.³ Panelists also expressed concern over the sponsorship of news programs on some stations and argued that this practice placed pressure on stations to cover sponsors' activities positively.

³ Notably, the panel itself was divided on whether the example cited represented a case of outright bribery.

Panelists agreed that media houses do acknowledge mistakes when they occur and take the necessary action in terms of publishing apologies and corrections.

Explaining concerns about a lack of professionalism, panelists said that many journalists were veterans who learned their trade on the job without receiving any formal education in the profession. This was partly due to the fact that, before independence, no black journalist would have been given the opportunity to train in journalism at an institution of higher learning, and even white journalists found few institutions (none within Namibia) that could offer them such training.

Panelists said that many new journalists are being lured away from the profession by more lucrative job offers. "Students see media studies as a stepping stone to the world of public relations," said media activist Upi Ngamane from Gender and Media Southern Africa.

Panelists' views were mixed on whether pay scales are adequate to discourage corruption. They noted that substantial variations exist among institutions and among media sectors. Media practitioners in the public and commercial media sectors are "adequately paid," panelist Manfred Issacks said. However, in the community media sector salaries are either low, or else journalists are volunteers. "Extra work becomes the only way to survive as a journalist," said panelist Maureen Tatire, a Katutura Community Radio volunteer. "It is easy to bribe community radio staff because of their low salaries."

Even on commercial radio stations, some presenters might receive as little as NAD \$20 (\$2.50) per hour. Senior producers and managers at commercial stations or the NBC are comparatively well paid and receive generous benefits

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

"They [the politicians] generally expect a positive interview. When you ask negative questions, they might break off the relationship, and you will find it difficult to interview them in future," said panelist Borrundu Ngula, Katutura Community Radio news director.

that include housing allowances, pension plans, and medical coverage.

Regarding whether entertainment programming eclipses news and information, panelists noted that commercial pressure caused the state broadcaster to drop its afternoon prime-time current-affairs program (*Update Namibia*) in favor of a hip-hop music program presented by a young up-and-coming DJ. Panelists also observed that the donor community, which funds programs on some community radio stations, can have a positive impact. These sponsorships encourage stations to produce informational and educational programs in addition to those focusing primarily on entertainment. Ngamane said he believes that the media have a role to uplift and challenge their audience. "People don't want to think," he said. And Engelbrecht said that, rather than pushing listeners away, local content and local news can actually be a draw and prevent people from changing the channel.

Although commercial and state media are generally well equipped, maintenance of technical equipment remains an issue for sustainability. Panelists cited the problems that one newspaper experienced with its printing press, which could be repaired only by experts who had to be flown in from Europe. Equipment remains a stumbling block for small community stations. "Equipment is in short supply, and it is difficult to obtain access to transportation, so these are barriers for us in getting local news," Ngula said.

OBJECTIVE 3: PLURALITY OF NEWS

Namibia Objective Score: 2.49

The score for this objective fell modestly, due primarily to lower scores in three indicators: Indicator 2 (citizen access to media), Indicator 6 (transparency of media ownership), and Indicator 7 (coverage of minority affairs). However, Indicator 4 (news agencies) improved its score notably. No indicator scored more than a half-point higher or lower than the overall objective score, however.

But according to Kawana, “NBC local language services in the rural areas are doing a marvelous job” because they provide coverage of local and community events and a vital means of communication in the local language for isolated villages.

News access varies considerably across the country, with a gulf continuing to exist between the urban rich and rural poor. Coverage of rural issues tends to be very limited, and people in these areas are largely reliant on NBC news and newspapers that often arrive a day or two after publication. In Katima Mulilo, for instance, there is access only to NBC Radio, the ZNBC (from Zambia), and One Africa Television. But according to Kawana, “NBC local language services in the rural areas are doing a marvelous job” because they provide coverage of local and community events and a vital means of communication in the local language for isolated villages.

Internet access in rural areas is prohibitively expensive for many, but an empowering technology is the use of the SMS service using mobile phones. Radio stations and *The Namibian* newspaper have been making good use of this technology to stay in touch with audiences and to give citizens a voice.

There is no government restriction on the viewing of any international channels. For those who can afford the service, the subscription-based satellite broadcaster DSTV offers a sizeable number of television and radio channels, including BBC, Sky News, CNN, Voice of America, and Al-Jazeera. The package costs nearly NAD \$500 (\$40) per month, plus the additional cost for a satellite dish and decoder, and is beyond the means of many Namibians. However, new competition from the British company GTV, which took over the media rights for UK soccer matches from DSTV, has introduced cheaper packages. The lowest-priced package for DSTV is now a mere NAD \$17 (\$2.20) a month.

State media such as the NBC tend to concentrate on government activities, with the president, prime minister, and ministers taking up a large slice of the time in each news bulletin. According to Ngamane, NBC does criticize government sometimes, “but in a rather lame way.”

Opposition parties do not get sufficient coverage on the NBC, panelists said. They also questioned whether the NBC could ever be really independent as long as the board is appointed by a government minister. But they said that NBC does serve

the public interest by offering a variety of informative and educational programs.

State-owned NAMPA is the only news agency in the country, and the service is beyond the means of community media. No special rates are offered to accommodate smaller media organizations, and it provides no audio or video feeds.

The arrival of independent television news on One Africa Television was seen as progressive, because the station approaches stories from an angle different from that of the state broadcaster. Other stations have a variety of international news feeds, including CNN, CCTV (China), Voice of America, BBC World Service, Deutsche Welle, etc. One Africa Television relays BBC World News throughout the night.

Namibian media ownership is not transparent. Haikali said that media houses are reluctant to provide basic information on their shareholdings or ownership structures. Similarly, communities are often unaware of who serves on the boards of community radio stations. There are also cross-media ownerships. For instance, Trustco owns the tabloid investigative newspaper *Informanté*, as well as a 50-percent share of the press that prints *The Namibian*.

Although the media provide broad coverage of the different ethnic groups in the country (especially the various languages, all of which have an individual NBC service), panelists remained concerned about the challenges this presented. “It can create squabbles between [representative of the various linguistic groups] because they can be seen to be fighting for time allocation,” Ngamane said.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

Namibia Objective Score: 2.63

The score for this objective fell moderately from 3.05 last year as a result of all but two indicators (Indicators 3 and 6) receiving noticeably lower scores. Indicator 5 (government subsidies for commercial media) remained the leading indicator and scored about two-thirds of a point higher than the overall objective score. Indicators 6 and 7 (market research and audience measurement) both lagged behind by a half-point and a point, respectively.

Panelists said that for the most part, media outlets operate as efficient, professional, and profit-generating businesses, but they stressed that the lack of cooperation among media houses, in particular newspapers, creates inefficiencies. All newspapers have their own distribution networks, resulting in duplicated effort and expense. Panelists observed that three trucks complete the 500-kilometer journey every day to deliver newspapers from the capital, Windhoek, to Keetmanshoop, and suggested that a more cooperative approach could result in savings, increased efficiency, and timely service to rural areas.

With community media, start-up capital has been provided by national and international bodies, including UNESCO and, in the case of Katutura Community Radio, various Namibian nongovernmental organizations (NGOs). But these bodies are, in some cases, not sustainable. These stations often depend on the vision of particular individuals and collapse when these people leave.

Panelists noted that the advertising industry is growing quickly and that Namibian media are served by a multitude of agencies, most of which are linked to South African and international agencies (Ogilvy and Mather, JWG Advertising, Advantage McCann, etc.). The big agencies also tend to target the big companies and leave out the small-business people. The industry is also centered in Windhoek, and smaller media outlets can be neglected by these large agencies. "For us, self sufficiency is impossible—advertisers are shying away from community radio," Ngula said.

Few media houses have released financial reports, and there is only one outlet (*The Namibian*) whose circulation is independently audited by the Audit Bureau of Circulation.

Media houses have limited access to reliable research they can use in marketing themselves to advertisers, although corporate companies often rely on research by *Media Tenor* to assess the coverage they are receiving in the media. Media houses have also been involved in conducting their own research. Katutura Community Radio completed a survey of

Katutura Community Radio completed a survey of 1,000 households in Windhoek and found that audiences had little to choose from among radio stations. "All stations are doing the same thing—playing music all day with little else," Ngula said.

1,000 households in Windhoek and found that audiences had little to choose from among radio stations. "All stations are doing the same thing—playing music all day with little else," Ngula said. "The most popular stations remain NBC and Omulunga Radio."

The research also revealed that people from lower-income groups tend to prefer entertainment over informative programming. Katutura also draws on research conducted by the Media Monitoring Project, which focuses on how issues such as gender are covered. *The Namibian* has also conducted research in relation to its youth supplement, which has provided the paper with valuable insights into its target market.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Described as a growing organization, MISA-Namibia currently represents all media sectors (community, commercial, and public) through its board of directors and is also responsible for training of media professionals. It aims to promote conditions for a free, independent, and pluralistic media environment in the country.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Namibia Objective Score: 2.66

Although only improving slightly, this objective was the only one of the five that did increase its score this year, up by 0.14 point. Panelists improved their scores for Indicators 2 (professional associations) and 3 (supporting NGOs) but gave somewhat lower scores for Indicators 6 (access to printing facilities) and 7 (distribution networks). All indicators scored within a half-point of the overall objective score, except for Indicator 2; despite its improvement, it still lagged by about a point.

Panelists noted that Namibian media are represented by two main bodies, the Namibian Editors' Forum and MISA-Namibia. The editors' forum focuses on addressing issues relating to professionalism and functions primarily as a lobby group. It includes all print media and represents 17 media houses in total. Described as a growing organization, MISA-Namibia

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

currently represents all media sectors (community, commercial, and public) through its board of directors and is also responsible for training of media professionals. It aims to promote conditions for a free, independent, and pluralistic media environment in the country. However, neither of these organizations could be regarded as trade unions, and they are not mandated to represent individual journalists who experience conflicts with their employers. In this respect, journalists appear to have little protection. A third organization, Oruwano, was noted as representing artists, media workers, and DJs in the country.

With regard to the education of journalists, panelists noted that training institutions, including the Polytechnic of Namibia and the University of Namibia, do not have the latest equipment. As a result, students graduate with theoretical knowledge and little practical experience. Training was regarded as too theoretical and abstract, and standards were felt to be low. Katutura Community Radio produces the opposite, panelists said—candidates with a lot of practical experience but not enough theoretical knowledge.

Working professionals do get opportunities to attend international training events, but panelists said that many of these opportunities were "hijacked" by senior managers. These senior staff members, who would not normally bother to attend a domestic training, were often tempted by an invitation to be trained overseas. The Polytechnic of Namibia offers a course for media managers, but panelists said that the course is not aimed specifically at working managers but more at graduate students who have the time to attend full-time courses.

MISA-Namibia conducts training for community radio stations, and Katutura Community Radio offers exchange programs with Bush Radio in Cape Town, South Africa. Most of this training is sponsored.

Namibia has two major print presses, printing all independent media, so there is an element of competition in this field. However, as has already been noted, panelists said that in some areas the competition was unhealthy, particularly with regard to issues of distribution.

Similarly, neither the competing cell phone companies (Cell One and MTC) nor the television broadcasters (NBC TV and One Africa Television) seem to be keen on sharing facilities. The result is a massive duplication of transmitters and repeater stations. One Africa Television was refused permission by the NBC to use its existing transmitter facilities in Windhoek and Oshakati and, at great expense, had to erect its own.

List of Panel Participants

Dan Kamati, director, University of Namibia Radio, Windhoek

Maureen Tatire, presenter, Katutura Community Radio, Windhoek

Manfred Issacks, director, Nolnet Radio Project, Windhoek

Selma Shipanga, trainee, Media Institute of Southern Africa-Namibia, Windhoek

Ngamane Kauraihe-Upi, media activist, Gender and Media Southern Africa-Namibia, Windhoek

Mathew Haikali, director, Media Institute of Southern Africa-Namibia, Windhoek

Borrondou Ngula, news coordinator, Katutura Community Radio, Windhoek

Lynette Magaramombe, news presenter, Katutura Community Radio, Windhoek

Joseph Kawana, regional education officer, Caprivi Regional Office, Katima Mulilo

Andre Engelbrecht, director, Ocean Wave Community Radio, Swakopmund

Moderator

Robin Tyson, lecturer, University of Namibia, Windhoek

The Namibia study was coordinated by, and conducted in partnership with, the Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown, South Africa.

Several media outlets received harsh sanctions, ranging from formal notices to suspensions, for reporting the rebellion in ways that did not conform to the government's point of view.



NIGER

The past year was a very difficult one for Nigerien journalists, who were beset a dismal economic situation and a reappearance of government repression spurred by the resurgence of a rebellion in the north of the country. Although the establishment of new media outlets and professional organizations gave media advocates some cause for hope, violations of press freedom also multiplied as the rebellion increased in scale.

The media were placed under enormous pressure, particularly from the nominally independent Higher Communications Council (HCC), over their coverage of events in the north. Several media outlets received harsh sanctions, ranging from formal notices to suspensions, for reporting the rebellion in ways that did not conform to the government's point of view. Examples of arbitrary measures taken against the media included the suspension of Radio France International, the banning of the newspaper *Air Info*, restrictions on journalists' movements in the north, and the suppression of broadcast debates on the armed conflict.

Niger's social and economic conditions also bode ill for the media. The country has one of the world's lowest literacy rates, rendering the print media almost irrelevant outside large urban areas. And a struggling economy means that the average cost of a weekly newspaper, XOF 300 (\$.67), is more than half the daily income of an ordinary Nigerien.

On a positive note, the HCC passed a highly anticipated measure, Resolution 02-2007, on August 27, 2007, setting new conditions for creation, installation and operation of private broadcast media. The measure lifted restrictions that prevented community and associative radio stations from broadcasting news bulletins.

NIGER AT A GLANCE

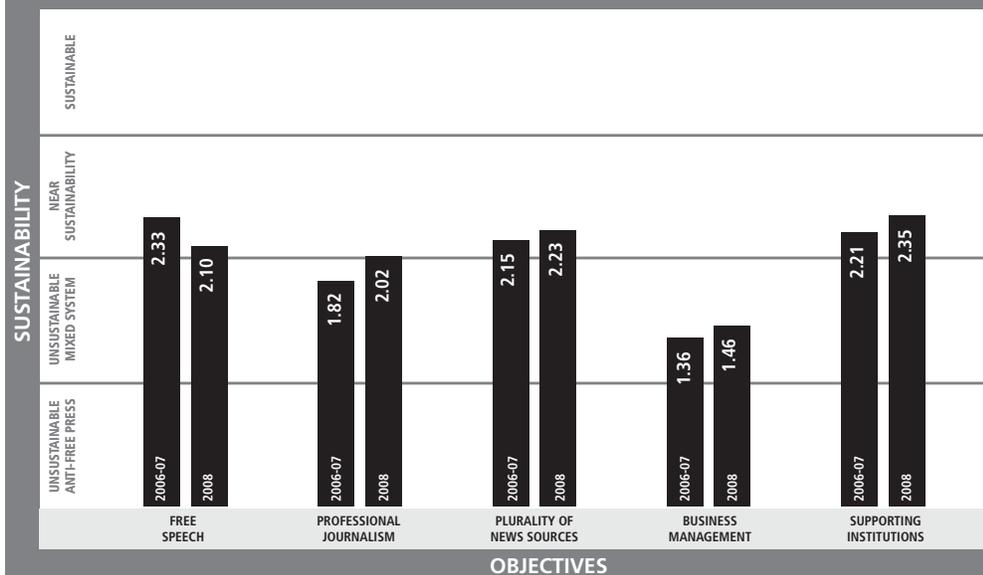
GENERAL

- > **Population:** 15,306,252 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Niamey
- > **Ethnic groups (% of population):** Haoussa 55.4%, Djerma Sonrai 21%, Tuareg 9.3%, Peuhl 8.5%, Kanouri Manga 4.7%, other 1.2% (2001 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 80%, other (includes indigenous beliefs and Christian) 20% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Hausa, Djerma (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$6.992 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$630 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 28.7% (male 42.9%, female 15.1%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** President Mamadou Tandja (since December 22, 1999)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print 2 public newspapers and 65 other publications (source: RJDH, 2007 Report); Radio: 37 stations—8 public stations and 29 private stations (source: RJDH, 2007 Report); Television stations: 2 public stations and 5 private channels (Source: RJDH, 2007 Report).
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Niger Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 40,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NIGER



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Niger Objective Score: 2.10

All of the panelists recognized that freedom of speech is very well protected in legal documents. It is explicitly established in Article 23 of Niger's 1999 constitution and is also contained in international and regional charters ratified by Niger, particularly the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights. In Nigerien law, freedom of speech is specifically laid out in Order No. 99-67, issued on December 20, 1999, which clearly states that "everyone has the right to the freedom of thought, opinion, speech, conscience, religion, and faith." Freedom of speech in the media is regulated by three main legal texts: Order No. 99-67, concerning the regime of the freedom of the press; Order No. 93-031, concerning broadcast communication; and Organic Law No. 2006-24, concerning the constitution, organization, funding allocation, and functioning of the HCC.

The HCC is an independent administrative authority whose mission is to guarantee and protect the freedom and independence of the media. Independent of the government's executive branch, it issues licenses for radio stations and television channels, monitors editorial content, and ensures that the media respect their ethical obligations and that all persons have access to the media.

But while freedom of speech is legally protected, there are still many problems in this area. The panelists pointed out that the most important pieces of legislation are often not respected, even by the HCC, the institution that is supposed to ensure that they are observed. In any event, this legislation still contains serious loopholes in terms of the sanctions that journalists risk for crimes and offenses they may commit through any form of communication. Libel, for instance, can be punished by imprisonment of up to two years and fines as high as XOF 1 million (\$2,200). Nigerien law also requires that journalists produce evidence of the truthfulness of any allegedly slanderous allegations. According to many panelists, this situation is a serious hindrance to the journalism profession in Niger.

The Nigerien government had promised in March 2007 to submit to the National Assembly a proposed amendment to the law that would decriminalize press offenses. However, this promise was quickly forgotten and the freedom of the press considerably decreased when the northern rebellion erupted. According to a list based on a report by the Journalists Network for Human Rights, in 2007 there were two serious

Albert Chaibou, editor in chief of the newspaper Alternative, stressed the hindrances in the exercise of the freedom of the press caused by the armed conflict in the north. He recounted that domestic and international journalists were banned from going to the combat zone in the Agadez region, and the ban on private radio stations organizing live debates about the rebellion.

cases of threats against journalists, not to mention the warnings, words of caution, publication bans and suspensions ordered by the HCC.

Albert Chaibou, editor in chief of the newspaper *Alternative*, stressed the hindrances in the exercise of the freedom of the press caused by the armed conflict in the north. He recounted that domestic and international journalists were banned from going to the combat zone in the Agadez region, and the ban on private radio stations organizing live debates about the rebellion. This situation reveals the limits of the HCC's independence, which had become an ally of the government in restricting the freedom of the press.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Fatchima Karimou also criticized media owners for paying journalists ridiculously low salaries. "The insignificant earnings of journalists has generated a sort of professional prostitution," she said.

According to Ibrahim Manzo Diallo, publication manager of the provincial newspapers *Air Info* and *Damagaram Info*, the HCC also has not shown respect for the law when it allocates licenses for radio services. License issuing is obviously selective and does not necessarily conform to legislation. "Many applications for frequency licenses are in limbo, somewhere between the offices of the Higher Communications Council and those of the ministry in charge of the media," Diallo said. This was confirmed by Chatou Mahamadou, manager of Alternative Radio, who complained about the "restrictions applied to truly independent outlets."

Some panelists said they believe that such infringements of the fairness principle are also manifest in the way the government limits access to official information. "Media access to information is extremely selective, particularly for the private press, which is not allowed in Cabinet meetings," said Moussa Saley, head of academic affairs at the Information and Communications Techniques Training Institute. According to Fatchima Karimou, an independent journalist and member of the Journalists' Network for Human Rights, public officials "are reluctant to give interviews and release even the smallest piece of information to journalists from the private media, with the excuse that they will use it in a biased fashion." Instead, said Diaffra Fadimou Moumouni, a journalist with national television and member of the Association of African Communications Professionals, "the public press has absolute priority with government-issued information." Babakar N'diaye Ameth, manager of the communication agency MultiCom, expressed regret that there is "no law guaranteeing access to public information, which remains the exclusive reserve of the state administration."

The panelists acknowledged, however, that the general public's access to the news remains a recognized right in Niger, even in the absence of specific legislation, and that the government does not restrict access to international news through traditional media or the Internet. "Access to international news is not supervised in Niger," said Djenaba Hima Souley, manager of the first channel of Ténéré, a private radio and television network. If they have the means, citizens can freely go on-line and access satellite media. But given Niger's narrow bandwidth and shaky Internet

connections, it is still difficult for the media to download or upload their productions.

Hima also pointed out that access to the journalism profession "is subject to no particular restriction." However, in 2007 the HCC implemented a Press Board in charge of issuing mandatory professional journalist cards.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Niger Objective Score: 2.02

Although Nigerien journalists make considerable efforts to provide the public with quality content, much remains to be done before an acceptable degree of professionalism is reached. In the opinion of many panelists, the crucial problem is journalists' failure to observe the ethical rules and responsibilities of journalism. "The great principles of journalistic ethics are greatly ignored," said Sophie Gazéré, a journalist and sales manager with the publicly-owned National Office for Editing and Publishing. Most of those who practice the profession seem to know nothing about the principles stated in the Nigerien professional journalists' charter, and efforts made by professional organizations and other supporting institutions do not seem to have changed anything.

Most of the panelists also noted that many journalists try hard to improve their performance. This nuance is particularly important because the HCC has brandished the lack of respect of ethical and deontological rules as a sufficient reason for a number of arbitrary restrictions, such as the ban on live debates on topics related to the rebellion in the north.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Hima said she believes that journalists do not respect the principle of balanced news, which she said explains the avalanche of libel trials and detentions of journalists. Boubacar Diallo, chairman of the Independent Press Publishers Association, said he agreed, but suggested that the problem arises from “the practitioners’ lack of training, their awful working conditions and the submissiveness of the public media, which have become nothing more than a propaganda and personality cult machine.”

Self-censorship is the rule in the government media, whereas in the private media subjectivity prevails with respect to the coverage of political affairs, Chaibou noted. This can be explained, he said, by “the fact that journalists in the public sector are afraid of being punished by their superiors and [by] the partisanship of those in the private sector who cut deals with politicians.” Fatchima Karimou said that in private media, “press owners are involved in politics, and their political activism makes them use censorship for the profit of their political sidekicks.”

Fatchima Karimou also criticized media owners for paying journalists ridiculously low salaries. “The insignificant earnings of journalists has generated a sort of professional prostitution,” she said. Mahamadou said that “life is not always easy for most fellow journalists working for private radios since they do not even receive the minimum wage.” Just like the volunteers in the public media, journalists and other employees in the private sector are badly paid and have no social benefits due to the lack of a collective contract. Hima agreed, and said the situation leaves journalists vulnerable to corruption: “The practice of keeping salaries low is widespread in media companies and explains why journalists are tempted to find other means to get by.” Nadia Karimou, a journalist with Ténére Television, argued that breaches of ethical rules can only be eliminated if the living and working conditions of journalists are improved.

“We have a long way to go until we reach the goal of professional quality,” said N’diaye Babacar Ameth, despite the efforts made to raise the level of professionalism among journalists. “The need to recycle is especially strong for our fellow journalists in the broadcast field,” Fatchima Karimou said; her colleague, Diaffra Fadimou Moumouni, a journalist with the public television channel and member of the Association of Nigerien Communication Professionals, pointed out that journalists are also hindered by a lack of high-performance or state-of-the-art equipment in newsrooms. But the panelists agreed that neither the lack of qualifications nor the absence of decent salaries and efficient equipment are enough to explain the low degree of professionalism in the media—particularly the government media, where journalists are well qualified, paid, and

equipped, but the public service notion is lost behind a plethora of reports and programs that only sing the praises of the country’s leaders.

OBJECTIVE 3: PLURALITY OF NEWS

Niger Objective Score: 2.23

The liberalization of Niger’s media sector has made available multiple news sources that offer information on various subjects. There are 60 private newspapers that appear more or less regularly, two government newspapers, 20 local commercial radio stations, one nationwide government radio station, six regional radio stations, two government television channels, four private television channels, and 102 community and associative radio stations. Unlike other countries in the region, Niger has no Internet-produced and published media, but most newspapers are available on-line through www.tamtaminfo.com, a news aggregation site operated from the United States.

Given Niger’s high rate of illiteracy, the written press is essentially limited to the capital, Niamey. In recent years, however, a few titles have appeared elsewhere in the country, including *Air info*, *Air Actualités*, and *Racines* in Agadez, *Le Damagaram* and *Les Échos du Damagaram* in Zinder, and *Transparence* in Maradi. *Le Sahel*, run by the government, is still the only daily newspaper in the country. The bulk of the Nigerien written press is made up of weekly opinion newspapers.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Radio is the most popular and accessible medium among ordinary citizens. While most commercial private radio stations are based in urban centers for economic reasons, there are more than 100 community and associative radios spread throughout the country. Often created with the support of international institutions and NGOs, these radio stations often cover several villages within a 70-kilometer radius.

Newspaper distribution continues to be a real headache for Nigerian publishers; there is no professional distribution system, so street selling is the main means of distribution. The development of long-haul transportation companies in recent years has made it much easier for newspapers to reach remote areas within and outside of Niger. "The biggest problem continues to be the lack of a reliable and efficient system to collect and deposit the sales receipts for the benefit of the newspapers," Diallo said.

Radio is the most popular and accessible medium among ordinary citizens. While most commercial private radio stations are based in urban centers for economic reasons, there are more than 100 community and associative radios spread throughout the country. Often created with the support of international institutions and NGOs, these radio stations often cover several villages within a 70-kilometer radius. Community stations are generally ill-equipped, their volunteer personnel are not qualified, and their programs can be appallingly bad. Despite the HCC's move to allow community and associative radio stations to air news bulletins, these stations obviously lack the financial and human resources to accomplish this mission.

Panelists noted that these stations have to survive in a precarious and unstable environment, as their financing seems to depend on the good will of their sponsors. Essentially derived from notices, communiqués, and selling listener cards, their income is insignificant and cannot cover all operational expenses, such as hosts' bonuses, office and equipment maintenance, and buying fungibles. Nigerian legislation forbids these stations from selling advertising as a means of financing, but they are also excluded from the legally stipulated subsidy for the media.

There is only one national news service, the state-run Nigerien Press Agency (NPA), which has been in a state of stagnation for years due to financial and logistic difficulties. Its dispatches are essentially used to feed the government media. The NPA owes money to its partner agencies and is merely a shadow of what it once was. Several foreign news services are available, including the Pan-African News Agency, Agence France-Presse, the African Press Agency, Inter Press Service, Reuters, and the Associated Press. Several international broadcasters (including RFI, BBC, VOA, Deutsche Welle, Radio Canada and Radio Tehran) have local correspondents and are often allowed to broadcast shows dedicated to the Nigerien public in FM.

The main issue for broadcast media is improving their capability to produce their own programs. Nigerian law requires that the majority of media content be produced locally and in the national languages, but most media outlets, particularly television stations, cannot produce their own news programs. The state-run media are also unable to observe the quotas set by the law, in addition to not correctly reflecting the diversity of opinions and interests within Nigerian society. The panelists agreed that the public media cannot carry out their public service mission for, as Chaibou put it, "they are in the exclusive service of whoever is in power." The content of the public media focuses essentially on governmental activities, Ameth said. At the same time, partisan reporting also occurs with the private media.

Ali Idrissa, deputy general manager of Dounia Radio-Television, called speculation around owners' identity absurd. Anyone, he said, can easily access ownership information, which is available and verifiable in the dossiers submitted by the owners to the Attorney General's Office or the HCC. However, many other panelists disagreed and said that since the identity of the *real* owners of these media is unknown, readers and listeners can only speculate about the objectivity of productions.

OBJECTIVE 4: BUSINESS MANAGEMENT

Niger Objective Score: 1.46

The panel debates around this objective were particularly stormy and passionate, ending with a clear consensus that the economic situation of the media is extremely bleak, particularly for private media. "The media activity in Niger is not at all profitable," said Diallo, despite the availability of multiple revenue sources including street sales, advertising, and various other services.

In the general opinion of the panelists, Nigerien media outlets cannot be considered well managed or profitable. In fact, Nadia Karimou said, “the media are the most ill-managed businesses in Niger.” Most outlets, particularly newspapers, have no reliable accounting departments and no business plans. Most outlets do not have the means to implement a rigorous management system and recruit qualified personnel, said Gazéré. And most owners and publishers lack even the spirit of enterprise.

Hima said that “the revenue taken in by the media is negligible,” and Diallo said revenue does not even cover operational expenses. The weekly opinion newspapers that make up the bulk of the Nigerien written press print 500 to 2,000 copies and sell them for an average of XOF 300 (\$.67), which partially explains the general drop in sales that has been recorded in recent years.

Because of the poor economy, only about 10 newspapers manage to consistently publish on schedule. In 2007, newspapers were able to significantly improve this due to advertising from cellular telephone companies.

The advertising market is weak, said Idrissa. “The main problem is the lack of appropriate regulation of the advertising market,” said Abdourahmane Ousmane, chairman of the Journalists’ Network for Human Rights.

Osmane complained that most advertisers like to think of themselves as media benefactors. He said the advertising market is dominated by amateurs who provide advertising based on completely subjective criteria, while in other countries the market is regulated by advertising agencies and departments. The current anarchy in this market is only profitable for advertisers who place their own prices on the

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Because of the poor economy, only about 10 newspapers manage to consistently publish on schedule. In 2007, newspapers were able to significantly improve this due to advertising from cellular telephone companies.

media, Hima said. Idrissa condemned what he called “the misappropriation of advertising funds by local agents of some companies.”

The panel discussion made clear that media managers do not make the necessary effort to put an end to the current situation. While it is the HCC’s responsibility to regulate the advertising market, media managers can also take collective initiatives. On this point, Ameth, the manager of Multi-Com advertising agency, tried to show the panelists that the situation could change very easily if media managers should agree to negotiate with communication agencies and advertising departments. But his proposition was not considered appropriate by some of the panelists, who did not hide their distrust of go-betweens. According to Ousmane, there would not be a lack of trust between media managers and advertising agencies if a regulatory system were in place: the roles of each actor would be clearly defined and all interests would be taken into account in order to avoid conflicts and protect jobs.

That crisis of trust would also be overcome if reliable statistical data concerning the media—such as audience ratings, print runs, and sales figures—were regularly processed and made available to the public. But such data is unavailable, making it difficult even for advertisers to decide wisely which media outlets they should choose as carriers for their messages.

The panelists agreed that the authorities, through the HCC, have an important role to play in the creation of a favorable economic environment for media. The most important national documents governing the communication sector are very clear on the matter: they stress the duty of the state to support the development of the media and guarantee their independence by implementing direct and indirect public mechanisms to aid the media. A press fund was effectively created in 2007, and the government made available XOF 80 million (\$180,000), distributing part of it to 41 independent press outlets. But this amount was deemed insufficient to counter the enormous problems facing the media. Hima said she believes that the government money received by the media simply returns to state coffers in the form of taxes and other fees.

Panelists agreed that continuous training opportunities for journalists are scarce, although a few media-support organizations and NGOs offer training sessions. Not many journalists have access to retraining or improvement workshops, and employers very rarely share the costs of those workshops.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Niger Objective Score: 2.35

There are several socio-professional media organizations in Niger, including unions, associations, and thematic networks. In 2007, three new media-related organizations were approved by the state: the National Information and Communication Workers Union, the National Joint Committee of Community Radio, and the Journalists Network on Questions of Security and Peace. In the same year, the Media House, with its 14 socio-professional organizations as members, was given a new boost.

Generally, these organizations make great efforts to improve the skills of journalists, clean up the profession and develop a fraternal spirit. The panelists recognized that the private press groups constitute a very efficient opposition force. These associations proved their independence and capacity to pressure the government on many occasions by issuing statements, denouncing violations of freedom of the press,

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

and organizing demonstrations in support of imprisoned journalists. In their struggle, the Nigerien organizations are backed by national and global human rights associations.

Ousmane said it was important to point out that international organizations have become much more active than national ones when Nigerien journalists are arbitrary victims of government action. At the same time, the owners' associations in the broadcast sector do not make as much effort on behalf of their members as the Nigerien Independent Press Publishers' Association. This remark was seconded by Oumarou Narey, a teacher-researcher at the University of Niamey, who confessed that he was not even aware of the existence of owners' organizations in the broadcast sector, and by Idrissa, who confirmed that these organizations are inactive when compared to the independent publishers group. Based on personal experience, Idrissa added that "Nigerien non-governmental organizations often act according to their affinities against violations of the freedom of speech."

Regarding journalism education, panelists agreed that the Information and Communications Techniques Training Institute has an excellent reputation throughout Africa. But some of the panelists were critical of the training offered there. The degrees the school offers do not prepare graduates to work in the written press, said Ousmane, who recognized that "students with broadcast training are qualified to start working immediately." According to Saley, the institute's head of academic affairs, it does try to improve its programs but that the number of graduates who found jobs in the written press has never been higher than 10. Gazéré said that expecting the print-media graduates to be immediately as efficient as their broadcasting counterparts is not realistic.

Panelists agreed that continuous training opportunities for journalists are scarce, although a few media-support organizations and NGOs offer training sessions. Not many journalists have access to retraining or improvement workshops, and employers very rarely share the costs of those workshops. Noting that the choice of topics for training is in the hands of the media-support groups, Narey noted that "one may wonder if the programs proposed really correspond to the needs and expectations of the beneficiaries."

Panelists said they were pleased that there are many small, private printing plants for newspapers. The government does not supervise this sector, and printers are apolitical. In the telecommunications sector, private or semi-private companies tend to act more according to market laws than based on partisan criteria. However, Idrissa, deputy manager of Dounia Radio-Television, said that SONITEL, a semi-private company, refused to offer his outlet a service it had requested.

List of Panel Participants

Abdourahamane Ousmane, journalist and chairman,
Journalist Network for Human Rights, Niamey

Albert Chaibou, journalist and editor-in-chief, *Alternative*
newspaper; chairman, International Union of Francophone
Press-Niger, Niamey

Ali Idrissa, deputy general manager, Dounia Radio Television,
Niamey

Boubacar Diallo, journalist, manager, *Libération* newspaper;
chairman, Association of Nigerien Independent Press Editors,
Niamey

Chatou Mahamadou, manager, Alternative FM, Niamey

Diaffra Fadimou Moumouni, journalist, secretary-general,
Association of Nigerien Communication Professionals; former
secretary-general, ORTN, Niamey

Djenebou Hima Souley, manager, Ténéré Radio Television,
Niamey

Fatchima Karimou, independent journalist, member,
Journalists Network for Human Rights, Niamey

Gazéré Sophie Ledru, journalist, sales manager, National
Office for Editing and Publishing, Niamey

Manzo Diallo Ibrahim, journalist; publisher, *Air Info* (Agadez)
and *Damagaram Info* (Zinder)

Moussa Saley, head of academic affairs, Institute for Training
in Information and Communication, Niamey

Nadia Karimou, journalist, editor in chief, Ténéré private
television, Niamey

Narey Oumarou, teacher and researcher, Department of
Economic and Juridic Sciences, Abdou Moumouni University
of Niamey, Niamey

N'Diaye Babacar Ameth, manager, MultiCom (marketing and
advertising agency), Niamey

Moderator

A.T. Moussa Tchangari, director, Alternative Communication
Group, Niamey

Assistant Moderator

Hamadou Boulama, journalist, Alternative Communication
Group, Niamey

There are already numerous instances of a return to the tactics of security agents under Obasanjo's regime and during the period of military rule, including the closure of broadcast facilities and the arrest and detention of journalists.



NIGERIA



Only two years after Umaru Yar'Adua won the presidency of Nigeria based on promises of a democratic state, the media sector appears to be on a downward slide. The overall country average score fell from 2.21 in 2007 to 2.04 in 2008.

President Yar'Adua was sworn in on May 29, 2007, after eight years of rule by President Olusegun Obasanjo. A former army general, Obasanjo had ruled Nigeria as a military head of state from 1976 to 1979, then as a two-term civilian president from 1999 to 2007. Although Obasanjo came to power as the first democratically elected president after more than 15 years of continuous military rule, it was frequently difficult to tell the difference between the military government and the democratic government, given the frequent attacks on the media using the same tactics of the military.

President Yar'Adua came to power through the controversial elections of April 2007, which were roundly condemned as fraudulent by domestic and international observers. "The 2007 election process was not credible, and in view of the lack of transparency and evidence of fraud, there can be no confidence in the results," said EU's chief election observer.

Early in his administration, Yar'Adua indicated that he intended to govern the country on strong principles of respect for the rule of law and due process. Expectations were high that freedom of speech, and particularly media freedom, would be better protected under his administration than during the regime of his predecessor.

But less than two years after he took office, the commitment of the Yar'Adua administration to these principles and his sincerity have come into question. There are already numerous instances of a return to the tactics of security agents under Obasanjo's regime and during the period of military rule, including the closure of broadcast facilities and the arrest and detention of journalists. Some of these attacks on the media have resulted from intense media coverage of the president's medical condition, fueling widespread speculations that he is in very poor health. This situation has apparently impacted negatively on perceptions of the state of the media.

The slide in score is mostly due to a lower valuation of the legal framework (Objective 1) and efficacy of supporting institutions (Objective 5). Objective 5 fell from 2.76 to 2.38, but remained the highest scoring of the five objectives. Objective 1 fell from 1.80 to 1.58 and received the lowest score of the objectives again this year. Objective 4, business management, also lost some ground but remained comparatively strong at 2.24. That score is fifth highest in Sub-Saharan Africa. Scores for the other two objectives remained largely unchanged.

NIGERIA AT A GLANCE

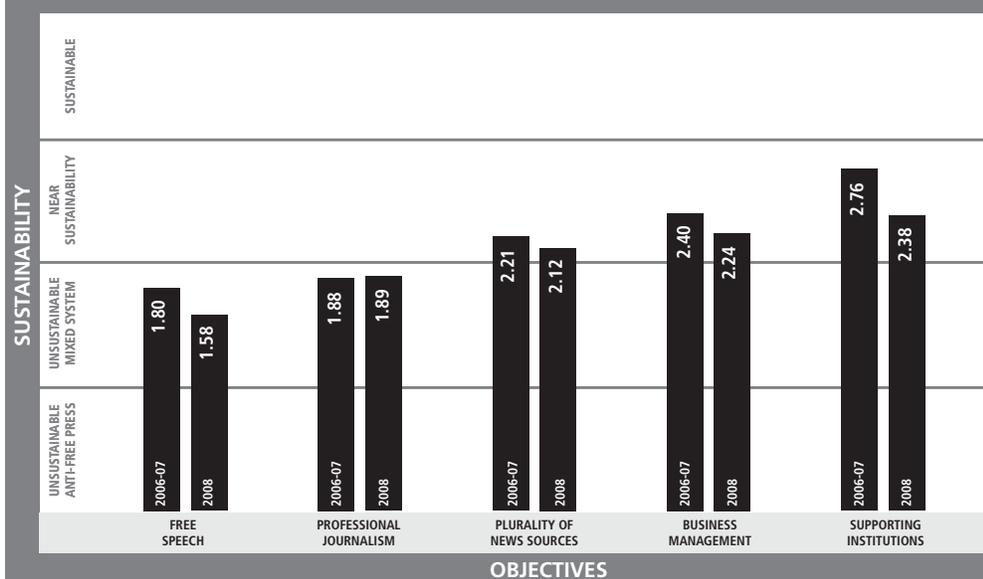
GENERAL

- > **Population:** 149,229,090 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Abuja
- > **Ethnic groups (% of population):** Hausa and Fulani 29%, Yoruba 21%, Igbo 18%, Ijaw 10%, Kanuri 4%, Ibibio 3.5%, Tiv 2.5% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 50%, Christian 40%, indigenous beliefs 10% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), Hausa, Yoruba, Igbo, Fulani (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$136.3 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$1,760 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 68.0% (male 75.7%, female 60.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Umaru Musa Yar'adua (since May 29, 2007)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 95 reasonably regular newspapers (20 national dailies, 23 national weeklies, 10 regional dailies, 19 regional weeklies, 6 provincial or local dailies, and 17 provincial or local weeklies). 100 radio stations (16 privately owned, 1 not-for-profit campus radio station, 45 owned by the federal government, and 38 owned by various state governments). 144 television stations (14 privately owned, 98 owned by the federal government, and 32 are owned by various state governments). (Sources: *Media World Yearbook 2004—A Resource Guide to the Nigerian Media*, and *National Broadcasting Commission: A Handbook*)
- > **Newspaper circulation statistics:** No verifiable statistics exist; anecdotally *The Sun*, *The Punch*, *ThisDay*, and *The Guardian* (all privately owned) are regarded as the widest circulating newspapers
- > **Broadcast ratings:** N/A
- > **News agencies:** Agency of Nigeria (state-owned)
- > **Annual advertising revenue in media sector:** Internet usage: N/A
- > **Internet usage:** 8,000,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NIGERIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Nigeria Objective Score: 1.58

The overall score for this objective fell to 1.58 from 1.80, primarily because of lower scores in Indicator 1 (the supporting legal framework), Indicator 4 (attacks on journalists), and Indicator 6 (libel laws). Indicator 4 also scored about two-thirds of a point lower than the overall score and was the lowest of all indicators. However, indicators 8 (media access to international news) and 9 (free entry into the media profession) both scored a point or more higher.

The dominant view among the panelists was that free speech is guaranteed theoretically by the 1999 constitution, but in reality, free speech is not adequately protected because the constitutional guarantee is neither effective nor vigorously enforced. Panelist Lanre Arogundade, coordinator of the International Press Centre in Lagos, noted that only Section 39 of the 1999 constitution guarantees free speech and no other law attempts to do so. He said also that no law regarding access to information is in place. He illustrated the lack of access to information with a recent incident in which political appointees of the president were made to publicly take an oath of secrecy.

Panelist Yewande Iwuoha, a news editor at privately-owned RayPower 100.5 FM, observed that the constitutional guarantee of freedom of speech is not effective in light of other laws such as the Public Order Act. She said that police use the act an excuse to harass Nigerians attempting to publicly express their views, journalists are still being attacked, and the judiciary has much work ahead to protect the right of free speech.

Most panelists agreed that professional bodies within the media have not been very helpful in fighting for a better legal and policy environment for journalists. Tony Iyare, publisher of www.gleanernews.com and an editorial manager at the privately-owned *Nigerian Compass* newspaper, introduced a new dimension to the discussion when he observed that on a daily basis, ordinary Nigerians are harassed and arrested for airing their personal views in public. He noted that security agents are everywhere in the country, overzealously making arrests at the slightest opportunity. He cited the case of Jonathan Elendu, the U.S.-based Nigerian publisher of www.elendureports.com. Elendu was detained on October 18, 2008, when he came to Nigeria, and arrested initially on charges of breaching national security and later on allegations of sedition.

There was a consensus among the panelists that Nigerians value freedom of speech and frequently display outrage at attacks on free speech.

Panelist Lawson Eselebor, a reporter with the Federal Radio Corporation of Nigeria in Abuja, said that cultural perspective on age and gender affects freedom of expression. Nigerian cultures place a premium on respect for elders, and frequently put age above the right to freedom of expression. Women face pressure and harassment when they express themselves, as they are expected to be seen and not heard, Eselebor said. Although the suppression of women is more apparent in northern Nigeria than in other parts of the country, it is becoming a norm for women to defer to men while they are expressing themselves.

The panelists identified social class as another factor that affects an individual's right to free speech.

The National Broadcasting Commission (NBC) controls licensing procedures for the broadcast media. Its processes are not fair, competitive, or apolitical, panelists said. Although the NBC processes applications, the actual issuance of broadcast licenses is done by the president, as required under Section 39 of the 1999 constitution. Political considerations, albeit unspoken, often come into play in the granting of licenses.

Only the state-owned Nigerian Television Authority and the Federal Radio Corporation of Nigeria are allowed to operate national network services. The National Broadcasting

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Commission Act No. 38 of 1992 does not provide for national network licenses for private stations. Those stations are instead required by the NBC to obtain separate licenses to cover the country's different geographical areas, according to Iwuoha. This process effectively limits the reach of private radio and television stations and denies Nigerians access to adequate alternative voices and opinions.

The governors in some of the 36 states are reported to have established private radio and television stations to cover their activities. This development impacts negatively on the content of supposedly private stations.

In addition, the staff of the NBC are either civil employees or political appointees and so appear to have loyalty to their appointing authority—usually the president or the minister of information and communications. Their bias is evident in the performance of their functions: There are no procedures laid down in law, no regulations, and no policies for appeal if a broadcast license application is denied.

With regard to market entry and tax structure for the media, panelist agreed that the print media market is free and fair, although a multiplicity of taxes weighs down their operations.

Panelist Pius Mordi, deputy news editor of *BusinessDay*, said that new companies, especially in the media sector, are not given tax breaks, which makes survival difficult. He recounted an experience in which he and other colleagues started a magazine specializing in the maritime industry. The moment they put up a sign in front of the magazine's rented premises, officials from the Lagos State government swooped in and demanded receipts for the various taxes that Mordi's company was required to pay before commencing operations. He and his colleagues were only able to appease the officials when they pointed out that they were operating a media house and could report negatively on the government.

Iwuoha agreed that taxes are an issue for the media. She said that members of the Independent Broadcasters Association of Nigeria frequently complain that the fees required for operating stations are too high, and that there is a discrepancy between fees paid by private stations and government-owned stations. Other industries do not need to pay the start-up fees that the broadcast media are required to pay, she said, and such an operating environment makes running a broadcast station cost-prohibitive.

The panelists agreed that crimes against journalists are numerous, not vigorously prosecuted, and hardly ever investigated. Common rights violations include arrest, detention, death threats, and assault. There are also frequent cases of oppressive criminal prosecution of journalists to intimidate or harass them.

Panelists described the Nigerian media as operating in an atmosphere of little protection of media rights, especially in the states where local governments maintain rigid control of state-owned media. However, they noted that Nigerian society is so inundated with reports of widespread violations of human rights that people have become numbed to such news, and reactions to attacks on journalists and the media are becoming more muted. Journalists and media outlets themselves do not respond adequately or publicize attacks against them, and even pro-media organizations often do not pursue cases to their conclusion, panelists said.

The panelists agreed that publicly funded or state-owned media are not editorially independent by law or in practice. By virtue of the laws establishing them, state media have better access to government information than private media. Although state media editors and managers are highly subject to political party or government influence, powerful businesses are less able to interfere with editorial content and management of state-owned media, given the government funding.

Libel is regulated by both civil and criminal law in Nigeria. Libel is criminalized under the Criminal Code and the Criminal Defamation Act. Arogundade noted that public officials are not held to higher standards, and in libel cases, journalists are made to prove the authenticity of their reports. In the cases in which journalists are found culpable, damages awarded to public officials are always higher than would likely be awarded to ordinary citizens in similar circumstances.

The panelists noted that public information is not easily accessible to journalists. Nigeria has no law on access to information and therefore no basis for enforcing the media's right to access information.

There was consensus among the panelists that Nigerian media have unrestricted access to international news and news sources both through wire services and the Internet, although access is expensive. The Internet is not generally available outside the main urban centers, and citizen access is dependent on levels of income and education. The government does not block access to any Internet site and media outlets are allowed to reprint or broadcast foreign news programming and news agency information subject to copyright laws. However, the NBC requires radio or television stations to obtain special licenses before they can do live rebroadcasts of news and programs from foreign stations.

Entry into the journalism profession is free. The Nigeria Press Council (or NPC, a statutory regulatory body) passed the Amendment Decree No. 60 of 1999, which empowers the council to maintain a register of journalists qualified to practice and requires journalists to renew their registration

annually. The decree applies to all reporters and editors, and as such assigns no special privileges or restrictions for any specific group. Although the decree is not rigorously enforced and the NPC is currently non-functional, the effect is that anyone not registered as a journalist cannot practice either as a reporter or an editor.

Special accreditation is required to cover such sensitive beats as the presidency and the governors' offices. The process of obtaining accreditation is usually time-consuming and difficult. Individual journalists or media organizations that are perceived to be critical of government have been denied accreditation in the past, although there are no reported recent examples.

Entrance to journalism schools is subject to the candidate meeting minimum educational requirements specified by the institutions. Otherwise, entrance to journalism schools is not controlled by government or any government agency. Journalists are free to organize to protect their rights and interests. Most journalists in Nigeria belong to the Nigeria Union of Journalists, although its membership is reported to be dwindling. Editors belong to the Nigerian Guild of Editors.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Nigeria Objective Score: 1.89

The overall score remained unchanged for this objective and consistent with the views of most panelists that professional standards are relatively low. There was some movement in indicator scores, as panelists gave somewhat better ratings to indicators 3 (professional ethics) and 4 (coverage of key events), while lowering their scores a bit for Indicator 6 (entertainment-news balance) and Indicator 8 (niche and investigative reporting). Nearly all indicators scored close to the objective score, except for Indicator 5 (pay levels for journalists), which scored slightly more than a half-point lower.

Most of the panelists agreed that journalists do not always verify and fact-check the information that they present to the public, because of the pressure of deadlines and the difficulty in obtaining information. Reporting is not always fair, objective, or well-sourced, often because of the influence of political interests, panelists said.

In theory, the Nigerian media is guided by the Code of Ethics for Nigerian Journalists, developed in 1998 by the Nigerian Press Organization (NPO) in collaboration with the Nigeria Press Council. The NPO is made up three principal media bodies: the Nigeria Union of Journalists, the Nigerian Guild of Editors, and the Newspaper Proprietors Association of

Nigeria. The provisions of the code conform substantially to international standards. Although the code of ethics is accepted by media organizations, it is not widely available to media professionals, they are not generally familiar with its content, and they do not strictly adhere to its provisions.

Many Nigerian journalists still accept gifts from their sources and the individuals that they cover, and the practice is reported to be widespread and cuts across all cadres of media practitioners. "Some journalists have commercialized news gathering and event coverage, as they are seen hovering around venues of an event even after the event is over, hoping that the public relations person of the organization or the organizer of such event would show some form of gratitude," Eselebor said.

Members of the Nigerian media do practice self-censorship. Reporters and editors in the state and private media alike are compelled to censor themselves for various reasons: fear of losing their jobs, fear of losing advertising patronage, and personal safety.

On the whole, Nigerian media cover all key events. But interest in particular events and issues depends on factors such as the editorial policy or orientation of the media organization, political leanings or affiliations, business interests, and the ethnic and religious groups to which the owners and/or managers belong.

Nigeria has special interest publications that focus on specific issues or sections. Minority media focus on issues that affect their regions, while the national media focus more on wider issues. Journalists are sometimes guarded in their reporting on certain subjects. Religion is a very sensitive issue in Nigeria and results in more carefulness by journalists than any other

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

issue. Government-owned media are also highly cautious when writing about security matters. The panelists agreed that journalists do not have enough freedom to report on security issues, due to threats both from government security agencies and ethnic militias.

Journalists are poorly paid compared to other Nigerian professionals, particularly in the banking and oil sectors, but many journalists are also better paid than workers in some other sectors, such as civil service or education. The pay levels for journalists and other media professionals result in rampant corruption, according to the panelists. "The poor remuneration of journalists has critically affected the level of application of ethical standards," Mordi said. "The search for additional income to make ends meet has made many journalists compromise their ethical convictions."

There are pay disparities within the media, but not in a formally structured way. Although journalists working in the broadcast sector tend to be better paid than those working in the print sector, the differences are more a function of media ownership. The disparities are also not as stark between state or public ownership and private or independent ownership.

Nigerian citizens are generally able to access news and information when needed. However, news is now being eclipsed by a preponderance of entertainment reports and programs, especially in the broadcast sector.

The facilities available to the media for gathering, producing, and distributing news are neither modern nor efficient. There is a deficiency in all aspects of the process, and aid could be channeled beneficially into every aspect. From her perspective as a radio news editor, Iwuoha noted that technological deficiencies affect the quality of production, particularly audio output.

Although there is niche reporting in Nigeria, the quality is still very poor in most media establishments. Private media cover minority issues more than state-owned media. Weekly news magazines also carry out more investigative reporting than daily newspapers and the broadcast media. There are also media organizations with some focus on fashion, maritime issues, business, information technology, etc.

Panelists said that quality niche reporting suffers from obsolete equipment; inadequate training; trying to satisfy the inclinations and interests of owners; the economic conditions of media organizations; the political environment; and cultural, ethnic, and social considerations. Many reporters and editors still lack adequate professional education and experience to produce specialized reports.

OBJECTIVE 3: PLURALITY OF NEWS

Nigeria Objective Score: 2.12

The score for this objective remained nearly unchanged compared to last year and only a few indicators received notably different scores. Panelists did award a higher score to Indicator 4 (news agencies), while lowering their scores for indicators 1 (plurality of news sources) and 3 (objectivity of state media). Most of the indicators received scores close to the overall score, but indicators 3 and 6 (transparency of media ownership) received the lowest scores, which were well more than half a point lower than the overall score. Indicator 2 (citizen access to media) scored more than a half-point higher.

Panelists agreed that Nigeria has a pluralistic media sector. Private media outlets in both the print and broadcast sectors provide local and national coverage, depending on their financial strength. Many media outlets are not readily affordable for ordinary citizens. People living and working in major cities have better access to all forms of media than those in rural areas, who have good access to radio but poor access to television and print media.

Nigeria has no community radio stations, although a few community newspapers exist. NBC has licensed a number of radio stations in journalism and mass communication departments of universities, and characterizes these campus outlets as community radio stations.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Many Nigerians use the Internet for news and information, where they have access. Blogs, mobile phone SMS text messaging, and similar new technologies are not relied upon as regular news sources or news platforms, although many people use them to get newsworthy information sporadically.

There are no legal or other restrictions on access to international news media. Foreign news media are available, though not affordable for average citizens. As with domestic media, foreign sources are more widely available in the urban areas than in rural communities. Cable and satellite television are also not affordable for the general population, and only people of high social and economic status have access to them.

Panelists, including those representing state-owned media, were unanimous that publicly funded media are neither truly public nor do they reflect the diverse spectrum of political opinions. They frequently do not serve the public interest, as they report mainly about the government and government officials. They are invariably biased in favor of the ruling party or the official in power. They do not fill any information gap not covered by private media, although to some extent, they do promote culture.

Okwy Iroegbu of *The Nation* newspaper described the situation with state-owned media in this way: "Like the popular saying that he who pays the piper dictates the tune, editorial thrusts and policies are largely influenced by the promoters and managers of most of the outfits."

Juliana Francis, an assistant editor with the newly established, privately owned daily newspaper *Nigerian Compass*, expressed a somewhat drastic view of state-owned media. "In state or public media, everything reported is censored and must be tailored to the glory of the government," she said.

Eselebor expressed the same skepticism regarding Nigerian media in general. "A lot of ex-military men and politicians own these [private] media outfits and intend to use them way they wish, thereby restricting the editors and reporters to events that are of interest to the owner. If the event to be covered is not related to [the owner's] party affiliation, [he says] it should not be reported. If reported, it is done with great bias and a lot of negative content."

The media has access to local and international news agencies. The only local news agency is the federally-owned News Agency of Nigeria, whose management is appointed by the government and is generally sensitive to government interests. However, there are international news agencies present in Nigeria, including Reuters; Agence France Presse, the Inter Press Service, the Associated Press, and the China News Agency. Agencies distribute news in various formats, including audio, video, and text. News agencies are apolitical,

but not all media organizations can afford their services. The media that do use agencies cite them as sources.

Independent broadcast media organizations produce and buy programs aired on their stations. They generate their own programs as well as subscribe to news wires services. According to Iwuoha, the programs aired by independent broadcasters do not differ significantly from those produced by state or public media. But most media schedule a minimal amount of programming from independent producers, she said.

Media ownership is not transparent in most cases. The precise owners of some media organizations are not always known to the public and, in many cases, the professional journalists serving as directors of such media companies are seen as fronts for unknown investors. Under the National Broadcasting Commission Act, religious bodies and political parties are specifically precluded from owning broadcast media. Foreign ownership of broadcast media is also restricted, resulting in very little foreign investment in the Nigerian media. There are no apparent media monopolies, nor is media ownership concentrated in a few conglomerates. In fact, business conglomerates do not own media organizations. The dominant influence in the broadcast sector is the federal government, as it owns most of the radio and television stations in Nigeria, and only the federally-owned radio and television stations are allowed to run national network programs.

Sources of funding are also not transparent. Business interests, incomes, circulation figures or reach are shrouded in secrecy.

Panelists agreed that a broad spectrum of social issues and interests are reflected in the media, and that there is no resistance to the inclusion of any issue in the media. Media organizations and journalists are also not harassed for reporting on minorities or minority issues, except in the Niger Delta region where the government frequently claims that the violent protests by minority groups in the area over control of resources have national security implications. Minority-focused newspapers exist in parts of the country, but these are usually published in English.

OBJECTIVE 4: BUSINESS MANAGEMENT

Nigeria Objective Score: 2.24

Most panelists said that on the whole, media organizations are managed as businesses, although many are not editorially independent or professionally managed. Nigeria did experience a slight drop in score this year, from 2.40

to 2.24. The change can be attributed to lower scores for three indicators: Indicator 1 (media are well-managed businesses), Indicator 4 (ratio of advertising to other revenues), and Indicator 6 (market research). Most of the indicators scored close to the overall objective score, but Indicator 3 (the advertising industry) scored more than a half-point higher, while Indicator 7 (audience and circulation measurement) scored about a point lower and was again the lowest-scoring indicator.

Media outlets and supporting industries exist as profit-generating businesses, although they are not necessarily efficiently managed. Many media outlets do not develop or apply any business plan. Many also do not follow international accounting standards. Very often, they do not hire professionals to manage or run various aspects of media business requiring other professional services. Many media organizations lack appropriate personnel policies.

The sources of finance for private media are often not disclosed, although the general assumption is that they receive revenues from many different sources, including sales, subscriptions, advertising, sponsorships, and supplements. Private media do not receive any government support. "Most newspapers and broadcast media depend on advertisement revenue for their survival. So there are occasions when editorial content and programs are sacrificed for advertisement," said panelist Rachael Omoniyi, a reporter with the weekly news magazine *Newswatch*.

To Iyare, the situation is even direr at times. "The emphasis on advertisements and patronage from government, corporations, and powerful individuals tends to affect the editorial independence of the media," he said. "In some

cases, [advertiser-]paid stories are carried as news, just for the media house to survive. This is a regular feature in the electronic media, which rakes a lot of money from commercials and still projects them as news."

State-owned media, in most cases, have reasonably adequate and guaranteed sources of revenue in the form of government funding, which does not allow for editorial independence. State-owned media also get revenue from advertising, and there is no restriction at all on their advertising. Panelists agreed that all media outlets, both government and privately owned, are susceptible to some form of external influences.

The advertising market is well developed in Nigeria, and private media are very skilled in using the possibilities of advertising to earn revenues. However, the advertising market is very competitive, owing to the relatively high number of media outlets. Advertising is not as well developed in rural areas as it is in major cities and urban centers.

Advertising agencies actively work with all media, and locally-based agencies dominate the industry. Increasingly, advertising is occupying much more air time on broadcast stations, although the NBC broadcasting code stipulates that only nine advertising minutes per hour may be broadcast on any station. There are no legal limits or regulations on the percentage of revenue that a media outlet can receive from advertising, and media outlets progressively seek as much advertising revenue as possible. In the print sector, circulation and sales are very low. Newspapers depend more on advertising revenue for their survival.

Independent media do not receive subsidies from government. Most panelists agreed that the private media are better off without government funds. However, Arogundade said that given the importance of certain issues and the need to ensure adequate reach, subsidies would be helpful for coverage of such issues as elections. He suggested the setting up of an independent board to manage the government funds that would be allocated to the media for these purposes.

Other panelists expressed concern that such a mechanism would interfere with the editorial independence of privately-owned media. Iwuoha, expressing the dominant view of the panelists, said: "I see no reason why government should subsidize private media. If they do, it will amount to editorial interference." And according to Francis, such a practice should not be "encouraged because the government will want to have a say in such media outlets, making the writing of incisive and biting reports against the government impossible."

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Market research is occasionally carried out by some media organizations as part of their strategic planning, although they apply varying degrees of professionalism in the methodologies and standards. As a result, the reliability of the outcomes is also suspect. The panelists agreed that media products tailored towards market needs would result in better quality news and delivery. Advertising agencies and some other independent research agencies also do market research and, in some cases, media institutions engage such independent research agencies to carry out market research for them. Panelists identified research methods such as focus group discussions, commercial research, and call-in programs.

There are no reliable and independently produced broadcast ratings or circulation figures for the media. The data available are not widely accepted and are usually disputed.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Nigeria Objective Score: 2.38

As with last year, the panelists felt strongly that professional media bodies and NGOs function in the professional interests of independent media and provide a variety of support services. This objective received the highest score of the five, even though it fell moderately from last year. Most of the decline is attributable to lower scores in indicators 1 (trade associations), 2 (professional associations), 4 (academic journalism programs), and 5 (short-term training). Other indicator scores remained more or less the same. Like last year, Indicator 4 was the lowest-scoring indicator, coming in more than three-quarters of a point lower. Indicator 3 (supporting media NGOs) scored about a point higher than the overall objective score and again received the highest score within this objective.

Vivian-Peace Gboelo, a reporter with the Rivers State Newspaper Corporation in Port Harcourt, publishers of *The Tide* newspaper, summed up the assessment for this objective by noting that although Nigeria has many media associations and NGOs, “there is still much to be desired in terms of professionalism and independence, as the Nigerian press is still below international best practices.”

Several trade associations represent the interests of media owners and managers. These include the Newspaper Proprietors Association of Nigeria, the Broadcasting Organizations of Nigeria, and the Independent Broadcasting Association of Nigeria. Their membership services involve seeking and advocating for better socio-political and economic environments in which their member businesses can thrive. However, panelists said that the trade associations are

not truly representative or supportive of members, although they sometimes lobby federal and state governments on behalf of members.

Nigeria has professional associations representing media professionals and practitioners in different sectors. They include the Nigeria Union of Journalists (NUJ), the Nigerian Guild of Editors (NGE), the National Union of Printing, Publishing and Paper Products Workers (NUPPPROW), and the Radio, Television, and Theatre Workers Union (RATTAWU). Theoretically, these associations are independent, but in reality they are frequently influenced by the federal and various local governments because of their high level of dependence on governments for donations, gifts, and other support.

The services provided by associations have included facilitating acquisition of landed property by their members, professional training in different areas, advocating for improved service and welfare conditions, offering legal and professional advice, and lobbying managements and government authorities. The associations have varying degrees of efficiency and utility to their members, and very often, members complain that their expectations are not being met by the associations.

To become a member of an association, an applicant must be a worker in a media organization and either be a journalist (in the case of the NUJ), an editor (for membership of the NGE), a technician or technical worker in a radio, television, or theatre company (for RATTAWU), or a printer or technical staff in a newspaper or new magazine company (for NUPPPROW). All members also must pay membership dues.

The NUJ is losing members, as new regulations give journalists the option of not joining the union. Previously, employers

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

deducted membership dues from the salaries of journalists; now, all journalists pay their dues directly to the union, removing the employer from the process. Many journalists who feel that the union does not adequately represent their interests have opted out of the union and stopped paying dues.

The NGE, however, is growing in membership, partly because of the emergence of new newspaper titles as well as new radio and television stations and the attendant increase in the number of editors in the country. In addition, according to the panelists, the NGE has a more positive public image than the NUJ and is viewed as prestigious. Editors qualified to be members therefore enthusiastically apply for membership.

There are also beat reporting associations representing specific sectors of the media profession. They include the Crime Reporters Association of Nigeria, the Sports Writers Association of Nigeria, the Aviation Correspondent Association, the Maritime Reporters Association, and the Energy Correspondents Association. However, there has been some friction between these organizations and NUJ and NGE. The latter groups view them as trying to exclude non-members from covering those sectors.

Nigeria has several active, independent NGOs that work in cooperation with media outlets to support freedom of speech and media independence. These are based mainly in cities. They partner well with media outlets and are efficient in media advocacy work. They monitor media developments and react to violations of media freedoms through press releases, legal action, local and international alerts, and other support services to media organizations and individual media professionals. They are also involved in advocacy for the reform of media laws and policies. They sometimes provide pro bono legal services to journalists and collaborate with international free speech organizations.

Panelist Tubosun Ogundare, a senior reporter with the privately-owned *Daily Champion* newspaper, said that because the services provided by these media NGOs are so highly beneficial to the industry, media outlets do not publicize their activities.

There was a general agreement that although numerous schools offer journalism or mass communications degrees, they are antiquated with regard to curricula, staffing, equipment, and technological developments.

Panelists also agreed that journalism training programs are obsolete, and that opportunities for training abroad are available, but most journalists who have the opportunity to study in foreign countries do not return to Nigeria with their new expertise and knowledge. Most media organizations cannot offer them pay packages and conditions of service

commensurate with their skill levels. The panelists also agreed that media outlets have limited space to absorb the number of journalism graduates being turned out locally, and that media companies are not satisfied with quality of the graduates. Ironically, there are not enough spots available in degree programs to meet the demand of prospective students.

Most panelists noted that local and international opportunities exist for short-term training, and are accessible to enterprising journalists. The types of courses available include writing business news, covering climate change, health, the environment, investigative reporting, and ethics. Training in ethics and investigative reporting are the most needed, panelists said.

The managers of some media organizations are hostile to in-service training because the organizations are deprived of those staff members during their absences. Such media organizations are unable to see the potential benefits that such trained and updated professionals can bring to their organizations. They also have no confidence that they can retain their journalists for any length of time after they receive training, or that the journalists will return to their jobs after the training, given the generally poor working conditions.

According to Iroegbu, "A lot of media owners frown upon training opportunities for their staff members, even though they may not directly be paying for it."

Francis agreed. "In most media outlets, short- or long-term training in service is a dream. Most outlets want to use journalists but [resist] sponsoring training in capacity building. Even in international studies, if the journalist is allowed to go, it is without pay for all the months or years that he or she will be away. The job may or may not be there for the person when he or she returns; the chances are 50-50," he said.

Nigeria has training programs in different departments and at all levels. Some of the trainings are paid for by the journalists, and in a few cases, through sponsorship by their media organizations, particularly state-owned media. Fellowships and sponsorships by donors and development agencies are also available to journalists seeking further training.

Sources of newsprint and printing facilities are in private hands, apolitical, and not restricted. They are managed as profit-making businesses. The government does not impose any legal restrictions on these but high tariffs in the form of import duties create challenges for media business. Private printing facilities are not selective in providing services to media outlets. State-funded printing facilities are uncommon, and where they exist, they are only tasked with printing government documents.

Some channels of media distribution are in private hands while others are under government control. Those in private hands are neither political nor restricted and are self-sustaining. There are huge differences in capacity and efficiency between the distribution networks in cities and smaller towns and villages.

Each broadcast station has its own transmitters. Privately-owned stations have independent transmitters, while the transmitters of government-owned stations are dependent on state support and subject to government interference and sometimes political influence.

Private businesses, driven by business and profit motives, control access to the Internet. The facilities are not in any way politicized.

List of Panel Participants

Lanre Arogundade, director, International Press Centre, Lagos

Lawson Eselebor, reporter, Radio Nigeria, Abuja

Juliana Ebere Francis, assistant editor, *Nigerian Compass*, Lagos

Vivian-Peace Gboelo, reporter, *The Tide*, Port Harcourt

Okwy Iroegbu, assistant editor, *The Nation*, Lagos

Yewande Iwuoha, news editor, RayPower 100.5 FM, Lagos

Tony Iyare, publisher, gleanernewsonline.com; editorial manager, *Nigerian Compass*, Lagos

Pius Mordi, deputy news editor, *BusinessDay*, Lagos

Rachael Omoniyi, reporter, *NewsWatch*, Lagos

Tubosun Ogundare, senior reporter, *Daily Champion*, Lagos

Emmanuel Agozino, reporter, *Nigerian Compass*, Lagos

Eme Eniang Offiong, editor, Nigerian Television Authority, Calabar

Moderator

Edetaen Ojo, executive director, Media Rights Agenda, Lagos

Although the increase in journalists is a positive sign, the change is actually the industry recovering its numbers after the 1994 genocide, in which Rwanda lost almost all its journalists. They were among the roughly one million Tutsi and moderate Hutu Rwandans killed by Interehemwa, the extremist armed militia, in a period of about 100 days.



RWANDA

Journalists in Rwanda have experienced relative freedom compared to 2007. The number of media practitioners and journalists increased in 2008 as a result of new media training institutions being founded. New media houses, both print and electronic, have begun operations as well. In addition, other journalists moved in from neighboring countries, some of them simply searching for greener pastures and others who were hired as editors and trainers.

Although the increase in journalists is a positive sign, the change is actually the industry recovering its numbers after the 1994 genocide, in which Rwanda lost almost all its journalists. They were among the roughly one million Tutsi and moderate Hutu Rwandans killed by Interehemwa, the extremist armed militia, in a period of about 100 days. During the genocide, the media stood accused of acting as a tool of hate. Some local radio stations and print media encouraged neighbors to turn against one another. Hutu extremists used radio to mobilize the Hutu majority, coordinate killings, and try to ensure that the Tutsi were systematically eliminated.

Some journalists who are believed to have actively participated in the genocide were investigated by international human-rights groups and were arrested and charged by the U.N. International Criminal Tribunal for Rwanda. Other journalists chose to go into exile. Among those convicted of genocide, incitement and crimes against humanity were Hassan Ngeze, the owner of *Kangura* newspaper; and Jean-Bosco Barayagwiza, Ferdinand Nahimana, Valerie Bemeriki and Belgian journalist Georges Ruggiu Omar, of Radio Television des Mille Collines (commonly known as "Hate Radio" in 1994). The U.N. tribunal sentenced them to terms ranging from 12 years to life.

With the current development of the media industry and the improvement in professionalism, journalists have begun to regain the trust of the public and the government.

However, Rwandan authorities repeatedly caution journalists against violation of laws in the name of press freedom. Legal instruments that were enacted to prevent any recurrence of the media's actions during the genocide remain in place. In addition, lawmakers have proposed a comprehensive new media bill. Among its provisions is a prohibition of the media using any public information accessed through "illegal" (non-official) channels. If passed by parliament, the bill could pose a threat to the existing relative press freedom. However, the MSI panelists expressed confidence that government will consider the media's view on the new bill, and they hope that collaboration will result in a fair law.

Developments over the past year contributed to a small gain in Rwanda's overall score of 0.11, up from 2.29 in 2006/2007. This improvement came from higher scores for Objectives 1 (Freedom of Speech), 2 (Professional Journalism), and 5 (Supporting Institutions). Objectives 3 (Plurality of News) and 4 (Business Management) remained the same as last year.

RWANDA AT A GLANCE

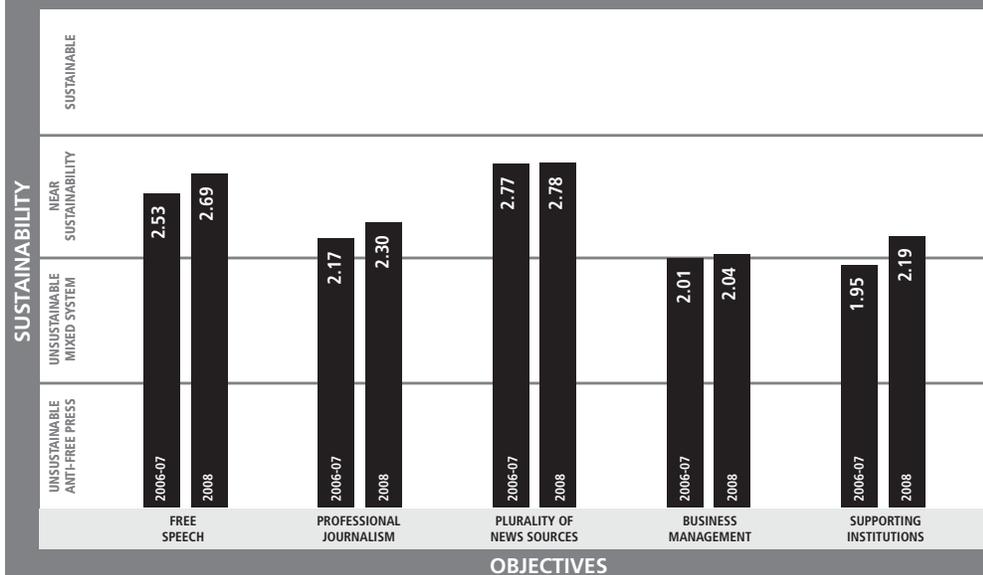
GENERAL

- > **Population:** 10,473,282 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Kigali
- > **Ethnic groups (% of population):** Hutu (Bantu) 84%, Tutsi (Hamitic) 15%, Twa (Pygmy) 1% (*CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic 56.5%, Protestant 26%, Adventist 11.1%, Muslim 4.6%, indigenous beliefs 0.1%, none 1.7% (2001 est., *CIA World Factbook*)
- > **Languages (% of population):** Kinyarwanda (official) universal Bantu vernacular, French (official), English (official), Kiswahili (Swahili) used in commercial centers (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$3.072 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$860 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 70.4% (male 76.3%, female 64.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Paul Kagame (since April 22, 2000)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 60 newspapers (High Council of the Press; however, according to survey results by the same body, only 44 newspapers are in circulation); Radio Stations: 17 (including 4 community stations); Television Stations: 1 (state-owned)
- > **Newspaper circulation statistics:** Top three by circulation: *Imvaho Nshya* (state-owned bi-weekly, 12,000 circulation), *The New Times*, (private English newspaper and the only daily publication in Rwanda, 5,000 circulation), Kinyamateka, (Catholic Church-owned weekly, 15,000 circulation)
- > **Broadcast ratings:** Top radio stations: Radio Rwanda (state-owned), Contact FM (private)
- > **News agencies:** Rwanda News Agency (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 100,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: RWANDA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Rwanda Objective Score: 2.69

According to panelists, there are clear signs of improvement, provided that the proposed media bill passes and the government follows through on its proposed reforms. The small improvement of 0.16 compared to last year resulted from increased scores in several indicators, notably Indicators 2 (broadcast licensing), 4 (crimes against journalists), 5 (legal advantages for state media and its guaranteed editorial independence), and 7 (access to information). The rest of the indicators improved slightly or remained essentially the same. All of the indicators scored within a half point of the objective average, except for Indicator 8, media access to international news sources, which was about two-thirds of a point higher.

Over the past decade, the Rwandan government has put in place a framework to support freedom of speech and press freedom and has promised to do more in the near future. However, implementation of good laws is lacking, some damaging laws remain on the books, and old conventions remain regarding the role of the press and treatment of the media and journalists. These issues are exacerbated by the memories of how some media members acted during the tragedy of 1994.

Provisions in Rwanda's constitution guarantee press freedom and freedom of speech. However, other laws contradict the constitution and rights are enjoyed neither by the Rwandan media nor the general public. The government has continued with the process of reviewing some of these laws, including the Press Law of 2002, which it has used in the past to impede press freedom and harass journalists. The panelists expressed concern about the length of time that the government has taken to complete the process of reviewing the law, and said that the outcome will depend on members of both the Senate and Parliament, who are conducting the review.

The new media bill is poised to bring major reform to the Rwandan media sector. Panel members expressed support for the provision that sets a minimum capital of RWF 6 million (about \$10,800) for any party to set up a media house. They said that they felt that it will help weed out media outlet owners who employ journalists but do not pay them.

The High Council of the Press, which advises the government on media matters, will be granted the responsibility of enforcing that provision. The council has increased from five members to nine, who come from across Rwandan society. The government appoints the executive secretary plus two other council members, three members are nominated by

the private media through their professional association, one is nominated by the state/public media, one by the media training institutions and one by Rwandan citizens.

The council helps regulate the media by reporting and making recommendations on disciplinary actions to the president, but it can take no further action. Its influence has been waning recently as well, as the government has ignored its input and undertaken actions without consulting the council. The new media bill proposes that the council have powers to sanction and withdraw the licenses of media outlets. That provision is opposed by the media.

A department in the Ministry of Information oversees the licensing of broadcast and print media. Its director has final decision-making authority. The panelists agreed that licensing has remained fair and very transparent, as was reported in the 2006/2007 MSI. They indicated that anyone who wishes to start a radio and television station or newspaper is free to apply for a license, and that the license takes only a few days to be issued. But they said that the fee for acquiring a frequency is too high (RWF 5 million; about \$9,000), as compared to the charge to register a newspaper (RWF 35,000; \$60).

Market entry and tax structure for the media remain fair and no different from any other sector. The government has waived taxes on all imported media equipment and newsprint.

Panel members said that there are isolated cases of violent crimes against journalists, but the cases are not government-motivated. Panelist Mark Ramba Akankwatsa, chief editor of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Over the past decade, the Rwandan government has put in place a framework to support freedom of speech and press freedom and has promised to do more in the near future. However, implementation of good laws is lacking, some damaging laws remain on the books, and old conventions remain regarding the role of the press and treatment of the media and journalists.

Umuseke, said that individuals from the security department commit them, and once the crimes are reported, action is taken. In several cases, the government has investigated and successfully prosecuted suspects. In one case, photojournalist George Baryamushaki and freelance reporter Ignatius Ssuuna were beaten by police constables. The authorities arrested the culprits, who were charged and later jailed.

The panel reported that although the public media are guaranteed editorial independence by law, this is not observed in practice. Editors are appointed by the government and have to protect their jobs by publishing or airing what they think favors their employers—the state.

No laws favor or give a competitive edge to public media at the expense of private media. All journalists are invited to attend the president's monthly press conference, for example. And when U.S. President George W. Bush visited Rwanda last year, some journalists from the private media were allowed to attend his press conference, panelists noted.

However, in practice, state media generally have an advantage over private media in accessing public information. The government tends to supply information that it wants the public to receive to its own media. When private media manage to access public documents that are not considered secret, they do not have any problems, but if the documents are secret, the media outlet may be exposed to sanctions by the government. Some government officials have granted interviews to private media in the past, but they are very selective in choosing the media outlet.

Panelists were hopeful that these barriers to freedom of information would end if the proposed media law is passed, as it guarantees access to public information.

Libel is treated as a criminal offense and the burden of proof is on the defendant. However, the panelists agreed that the judiciary in Rwanda has maintained its independence, as evidenced by a number of cases in which journalist defendants have won against the state, individuals and politicians. When media members win their cases, they are acquitted by the courts; when media members lose, they are both fined and ordered to issue an apology. The panelists reported that they have not seen incidents in which journalists have been held liable for publishing critical statements against the president.

The panel stated that there is no restriction on accessing foreign news sources by media outlets, and that the Internet can be used freely by those who can afford access (typically those in urban areas). Some media depend on international news agencies and the Internet as their primary sources of international news, and they are free to publish or air this information in a language of their choice.

Panelists said that entry into, and exit from, the journalism profession remains free as long as the journalist is able to write or report. Media outlets provide their reporters with press cards, which are presented to organizers of government functions and press conferences. But under the new media bill, a journalist will be required to have a National Press Card in order to work. The High Council of the Press will be charged with the responsibility of issuing the cards to journalists, on the recommendation from their media house employers. (Freelance journalists will receive recommendations from their professional association.) The panelists said that journalists fear that the council might abuse its powers by denying them these cards, thus blocking them from practicing their profession.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Rwanda Objective Score: 2.30

This objective experienced a slight improvement of 0.13 compared to last year. Most indicators remained the same as last year, although Indicators 1 (reporting is fair and well-sourced) and 5 (pay levels for journalists) improved noticeably. On the other hand, increased commercial pressure resulted in a modest drop in Indicator 3, self-censorship. All indicators scored close to the overall objective except indicator 5; despite its improvement this year, it still lagged behind the objective average by about two-thirds of a point.

Panel members agreed that remarkable improvement has been made in professionalism. Many journalists are returning to school for training, which has contributed to the good

quality of stories being published and aired. Panelist Sulah Nuwamanya, chief Rwanda correspondent for Uganda's *Weekly Observer*, said that even the facilities used in newsrooms and newsgathering have improved.

Panelists said that the few cases of lack of objectivity are related to poor pay levels that tempt journalists into accepting gifts and payments in exchange for favorable coverage. But they emphasized that many journalists live up to the standards of the profession. The panel members also raised the issue of media owners whose editorial policies suit their own interests at the expense of objectivity. Nuwamanya emphasized the need for more training in ethical issues as well as in investigative journalism and interviewing skills.

While discussing ethics, panelists referred to the 2005 journalist code of conduct developed by the Association of Rwanda Journalists. The code is on par with other international codes, such as those followed in the United Kingdom, United States, Germany and Uganda. The association has been involved in promoting the code through workshops and seminars in Kigali. In 2008, with some funding from donor agencies and NGOs, the association held a seminar for journalists working from upcountry areas. The seminar was a great success, according to the panel. Some media managers also worked to enforce the code of ethics among their staff members.

Panelists said that a new body, the Rwanda Media Ethics Commission, is charged with ethics monitoring. They spoke highly of the commission and its efforts to encourage the public to report cases of corruption within the media. The commission has recommended that the code of ethics should be amended to suit the situation, and that all stakeholders should be consulted on changes.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Panel members agreed that remarkable improvement has been made in professionalism. Many journalists are returning to school for training, which has contributed to the good quality of stories being published and aired. Panelist Sulah Nuwamanya, chief Rwanda correspondent for Uganda's Weekly Observer, said that even the facilities used in newsrooms and newsgathering have improved.

As in 2006/2007, self-censorship was a serious issue in 2008. The panelists said that the main cause for self-censorship, especially among public media journalists, is the fear of losing their jobs. Panelists said that some editors force reporters to kill certain stories related to sensitive political or security matters, as these may cause problems for the media outlet.

Panelists also said that self-censorship is a result of poor remuneration of journalists. Some media outlets do not pay their staff reporters, and freelance journalists are paid even less frequently. The few highly-compensated journalists at the reporter level are paid RWF 300,000 (\$540) a month and editors are paid RWF 600,000 (\$1,100). Poorly-paid journalists get RWF 50,000 (\$90) per month.

Poor pay also leads to elevated levels of corruption in the media. Many journalists will accept bribes from their sources to kill or sit on stories. Panelists said that even some well-paid journalists take bribes to report on certain people or organizations, but the panelists attributed this to individual character. An example is Godwin Agaba, a journalist with *Newsline*. Early in 2008 he went to the Impala Hotel in Kigali to offer to write a promotional story of the hotel, but he blackmailed the manager into paying a bribe of \$100. The police were tipped off, and Agaba was caught red-handed, arrested, and charged.

Self-censorship is less of a problem among the most respected newspapers, such as *The New Times* and in the private media in general.

Journalists have been trying to address the compensation issue through their association. The panelists said that they believe that when a journalists' union is formed, it will be able to strongly advocate for fair working conditions and better salaries for all journalists in the country.

Rwanda has only one local news agency, the government-run Rwanda News Agency. Panelists said that the agency is not run efficiently, and in most cases, media houses have more information on a story than the agency.

The media have had no problems covering key events and issues, provided that they are invited. However, panelists said that certain media outlets are excluded from some events—sometimes because their policies are not in line with the organizers, and sometimes because the organization is selective with its media coverage providers.

Allocation of time for news and entertainment at radio and television stations has continued to depend on the individual outlet's policy. Panelists said that the Rwandan audience is more interested in entertainment and music than news. Media houses that wish to remain in the market must adhere to that trend.

Thanks to the tax waiver that the government has placed on imported media equipment, media houses are able to use modern equipment in gathering and disseminating news. However, panel members agreed that better equipment must go hand in hand with skills development if the media sector is going to benefit. They emphasized that any assistance in procuring journalists' equipment (cameras, recorders, and computers) should be channeled through professional associations and that print equipment would be better managed through private media houses.

Quality investigative journalism exists, and a few specialized journalists report on health, education, and business in consultation with the proper experts. The panelists agreed, however, that certain media outlets do a better job than others in covering niche topics. Some companies have invested in training their staff members in specialized reporting and editing, while others have done little toward this end.

OBJECTIVE 3: PLURALITY OF NEWS

Rwanda Objective Score: 2.78

The score for this objective remained nearly identical compared to last year. Most indicators did not change, and nearly all scored close to the overall objective score. However, Indicator 4, independent news agencies, scored lower than last year; Indicator 5, private media produce their own news, improved

compared to last year and also scored about three-quarters of a point higher than the overall objective score.

Several news sources exist within Rwanda, but their degree of objectivity varies greatly, according to the panelists. Radio, television, newspapers and the Internet provide information to citizens, but mainly for city residents. All parts of the country receive radio signals. State-owned Radio Rwanda reaches the entire country, but television is available only in towns. Rwandan citizens also receive some news and information from neighboring countries, through radio stations with signals that reach some parts of Rwanda.

The government is continuing its project of setting up community radio stations and newspapers through the provision of seed money and media equipment.

The panel said that the majority of citizens depend on radio and television for information. The Internet is not restricted by government, and Rwandans with sufficient funds and access use the Internet to acquire their information. Other citizens subscribe to foreign television channels, such as CNN and BBC. Foreign stations are relayed by local television stations without any interference from the state, but most of these facilities are centered in urban areas. Newspapers are available for those who can afford them.

Control of the state media remains similar to last year, except that the would-be opposition officially joined the government, as part of the "Government of National Unity" initiative. Editors and senior management positions in state media are appointed by the government and enjoy little editorial independence. But panel members pointed out that

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

although the state media focus on government activities, they also serve citizens by producing educational shows and other useful programs that are not aired by private media.

Rwanda has only one local news agency, the government-run Rwanda News Agency. Panelists said that the agency is not run efficiently, and in most cases, media houses have more information on a story than the agency. Some media outlets also depend on foreign news agencies such as Reuters, AP, AFP, and MENA.

Private broadcast media produce most of their own programs, which are typically of high quality. They also air purchased news and entertainment programs. Private broadcast news is different from state news, which is mainly one-sided in favor of the government.

Media ownership is not a secret to the public. According to the panel, it is very easy to learn who owns radio stations and newspapers by noting those who have an interest in the outlet.

Social issues, including women's interests and minority interests, are covered widely and without restriction in all media. Minority languages are not used in Rwanda. All people speak Kinyarwanda, while some speak French and, recently, English.

OBJECTIVE 4: BUSINESS MANAGEMENT

Rwanda Objective Score: 2.04

The overall objective score remained nearly the same as last year and most indicators did not show significant change. Indicator 3, the advertising market, did show some modest improvement. Further, most indicators received scores similar to the overall objective score. However, Indicator 5 (government subsidy of private media) scored nearly a point higher; Indicator 7 (audience and circulation measurement) scored close to a point lower.

The panelists agreed that private media are run purely as profit-making businesses and are managed generally in an efficient way. A few media outlets have been mismanaged by their bosses and hence find it difficult to compete. Nuwamanya proposed that media owners seek out training in management skills.

Panel members agreed that the different media outlets have common sources of revenue, ranging from sales of their products and advertising to sponsorship and loans from financial institutions. Advertising comes from companies, the government, and individuals who may need advertising space. Some big companies have taken advantage of advertising in order to influence editorial policies—which results in

Most media outlets, especially electronic media, allocate more time to running commercials than news items because advertising is a major source of revenue. Even print media sometimes sacrifice news story space for advertisements; however, print outlets maintain a better balance than other media.

certain media not reporting objectively on those advertisers. Panelists agreed that private media do not receive direct subsidies from the government, but some of them are seen as loyal in order to receive government advertisements. This compromises editorial independence of these media outlets, since they fear losing this revenue.

The advertising sector is not well-developed. Until recently, Rwanda has not had advertising agencies, apart from public relations firms that work for big companies. But advertising agencies including Creative Communications, Data Pro, Creaxio, GR8 and Rusororo have now emerged. These firms are new and do not have any relationship with media outlets at the moment, and how effective they will be remains to be seen.

Most media outlets, especially electronic media, allocate more time to running commercials than news items because advertising is a major source of revenue. Even print media sometimes sacrifice news story space for advertisements; however, print outlets maintain a better balance than other media.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Media training has been stepped up by stakeholders, who have supplemented the government's assistance by setting up modern training facilities. These efforts have positively impacted the journalism profession and quality of work produced in Rwanda.

Rwanda has no professional market research companies. The panelists said that no media outlet has ever carried out research to quantify what their readers or listeners want. They do not know which of their programs or columnists are the most popular. Reliable figures for newspaper circulation or broadcasting ratings are difficult to come by, and as a result, every electronic and print outlet regularly claims that it is the most popular.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Rwanda Objective Score: 2.19

Although Objective 5 improved modestly, by 0.24 points, compared to last year, the improvement was limited to a few indicators: most remained the same and also scored close to the objective score. Indicator 1, trade associations, improved somewhat but still fell three-quarters of a point short of the overall objective score. Indicator 3, the work of NGOs, also improved. Indicator 4, academic journalism programs, improved and exceeded the score by more than half a point.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Rwanda has several professional media associations. They include the Rwanda Journalists Association (ARJ), Press House (set up by PANOS, a regional media development organization), and the Association of Journalists against HIV/AIDS. These associations have been in the forefront of media development in Rwanda, serving their members through training, fighting for their rights and promoting unity. The panelists also said that Rwanda now has NGOs, but most of them are involved in developmental work. A few have ventured into funding media training programs.

Senior editors have floated an idea of starting a forum through which they can address their problems, apart from the existing professional associations that unite journalists and junior editors.

The quality of academic journalism courses offered by the two existing institutions is very good, panelists said. Most graduates prefer to find public relations jobs or to work with electronic media. The training is practical, and students who graduate from these universities are well-trained and ready to start work without further training. Training opportunities abroad are also available but very competitive; some who opt for these programs end up not returning to Rwanda.

Media training has been stepped up by stakeholders, who have supplemented the government's assistance by setting up modern training facilities. These efforts have positively impacted the journalism profession and quality of work produced in Rwanda. The Great Lakes Media Training Center, a media training institution created by the government with assistance from PANOS, continues to teach practicing journalists without formal qualifications as well as individuals interested in joining the journalism profession.

Panelists also agreed that short-term and in-house training opportunities are available for journalists to upgrade their skills. These programs are sponsored by media outlets and donors such as PANOS, whose programs are well respected and conducted by local and foreign trainers. Panelists did feel that the duration of the courses, between one to two weeks, is too short; they suggested that this should be extended to between one and three months.

Sources of newsprint remain in private hands. Printing facilities have improved due to investor support, which has reduced the cost and risks associated with printing in neighboring countries—something that Rwandan print media previously relied on to a great degree.

Media distribution channels, including kiosks, are in private hands and are managed efficiently. Private broadcasters control their own transmitters, though panelists decried political influence in the government process of determining areas of coverage.

List of Panel Participants

Mark Ramba Akankwatsa, chief editor, *Umuseke* newspaper, Kigali

Didas M. Gasana, managing director, *Newsline* (Rwanda Independent Media), Kigali

Sulah Nuwamanya, chief Rwanda correspondent, *Weekly Observer* (Uganda), Kigali

Alex Rutareka, journalist, City Radio, Byumba Town

Kim Kamasa Atukuzwe, editor, *Izuba Newspaper*, Kigali

Willy Rukundo, director, Radio Rwanda-Kanombe, Airport Town

Moderator

James Munyaneza, news editor, *The New Times*, Kigali

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda in cooperation with the Rwanda Journalists Association

In particular, 2008 was an exceptionally repressive year for Senegalese journalists, marred by physical attacks, bullying, newspaper office vandalism, summons before the national police's Criminal Investigations Division, and imprisonment.



SENEGAL

S

Some 35 years after embracing multi-party democracy, the West African country of Senegal enjoys continuing political and social stability. It is widely considered an example of democracy and the successful observance of human rights. Additionally, its media sector has transitioned from state monopoly to pluralism. Today there are numerous examples of this pluralism in Senegal: five television channels, including one run by the government; one state-run and 18 private commercial radio stations; 30 community radio stations; 18 daily newspapers, including the state-run *Le Soleil*; 15 periodicals and five on-line newspapers. At the same time, the country has seen the emergence of large private media companies such as Sud Communication, Futurs Médias, Wal Fadjri, Avenir Communication, and Express News.

Yet this outwardly vibrant media sector hides many problems. In particular, 2008 was an exceptionally repressive year for Senegalese journalists, marred by physical attacks, bullying, newspaper office vandalism, summons before the national police's Criminal Investigations Division, and imprisonment. The publication manager of the private newspaper *24 Heures Chrono*, El Malick Seck, was sentenced to three years in prison—the first sentence of this kind in the history of the Senegalese media—for committing “character injury” to President Abdoulaye Wade. [After the MSI panel met, Wade pardoned him in April 2009.] In addition, police beat two radio reporters when they attempted to interview a soccer player. Though one of the reporters was hospitalized for three weeks, no charges were filed.

The drop in Senegal's overall score is attributable to notably lower scores in Objective 3 (Plurality of News), Objective 4 (Business Management), and Objective 5 (Supporting Institutions). Objectives 3 and 5 still scored within the realm of “near sustainability.” The lower score in Objective 4, one of last year's lower-scoring objectives, dropped it into the category of “unsustainable, mixed system.” Objective 1 (Freedom of Speech) and Objective 2 (Professional Journalism) remained effectively unchanged.

SENEGAL AT A GLANCE

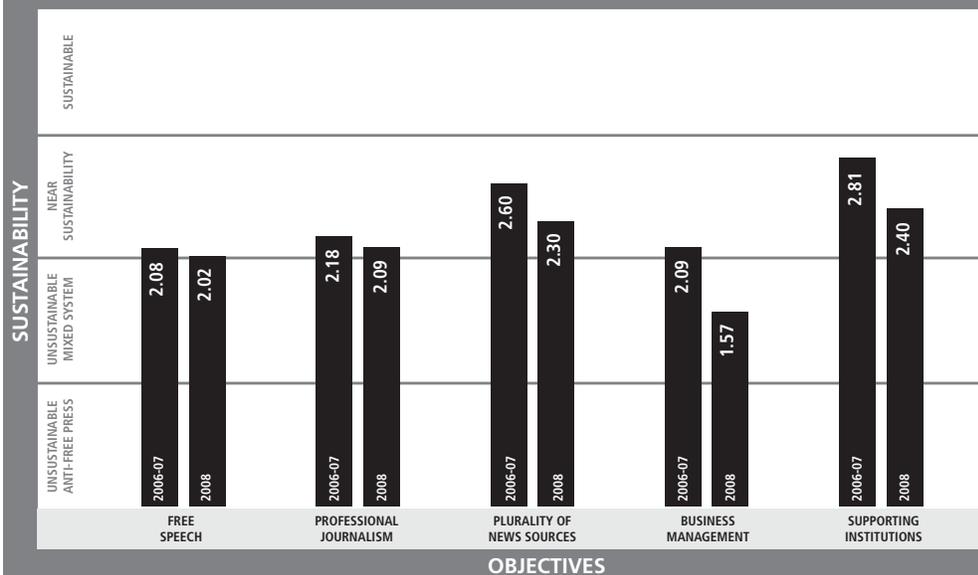
GENERAL

- > **Population:** 12,853,259 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Dakar
- > **Ethnic groups (% of population):** Wolof 43.3%, Pular 23.8%, Serer 14.7%, Jola 3.7%, Mandinka 3%, Soninke 1.1%, European and Lebanese 1%, other 9.4% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 94%, Christian 5%, indigenous beliefs 1% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Wolof, Pulaar, Jola, Mandinka (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$10.17 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$1,640 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 39.3% (male 51.1%, female 29.2%) (2002 est., *CIA World Factbook*)
- > **President or top authority:** President Abdoulaye Wade (since April 1, 2000)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: N/A; Radio: 28; Television stations: 1
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Senegalese Press Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 820,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SENEGAL



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Senegal Objective Score: 2.02

Although the score for this objective remained more or less the same as last year, a few indicators did receive different evaluations from the panelists. Indicator 3 (market entry) improved, while Indicator 6 (libel laws) and Indicator 9 (entry into the journalism profession) both lost some ground. Further, a handful of indicators stood out for their scores: Indicators 2 (broadcast licensing) and 6 both scored more than a half-point lower than the overall objective score, while Indicators 3 and 8 (media access to international news reports) both scored close to three-quarters of a point higher.

The panel agreed that Senegalese law provides citizens with the right to speak freely. Article 8 of the constitution of January 2001 guarantees “civil and political liberties” and lists free speech first among those liberties, noted Souleymane Niang, a member of the Council for the Respect of Ethics and Deontology. Article 10 guarantees the “right to free opinion by way of speech, writing, images, [and] peaceful marching,” and Article 11 guarantees “the freedom of creation,” including creation of a “press outlet for political, economic, cultural, sports, social, leisure, scientific information... ” without prior authorization. Niang said that this state-approved legislative framework is in compliance with international legislation, specifically the African Human and Peoples’ Rights Charter, adopted in 1981 by the Organization of African Unity, and the Universal Declaration of Human Rights of 1948.

However, Alassane Diallo, publication manager of Ferlo.com, pointed out that Articles 72, 80, and 255 of the Senegalese Criminal Code ban any remark that might “break the peace,” “lead to popular revolt,” and “spread false news.” Article 139 of the Code of Criminal Procedures also allows for the bringing of any accused individual before the court on the prosecutor’s order.

Overall, panelists said that freedom of speech is not threatened by any legislative edicts but by political and social forces that strongly oppose it. To illustrate this, they cited the brutal beating of Kambel Dieng of Radio Futurs Média and Karamokho Thioune of West Africa Democracy Radio. Officers of the national police’s Multipurpose Intervention Brigade beat the two journalists as they were conducting an interview after the Senegal-Liberia soccer game on June 21, 2008. Panelists also noted that Farba Senghor, a former government minister who is head of communications for the ruling Senegalese Democratic Party, promised to wage war against the media in retaliation for the creation of the Committee for the Defense and Protection of Journalists, which urged

the media to observe a “press-free day” on July 22, 2008, to demand justice in the Dieng-Thioune case. On July 26, 2008, during the 8 p.m. newscast on state-run television, Senghor invited all the state department heads close to the ruling party and all the party’s loyalists to boycott the private media and suspend all subscriptions and advertising contracts with them to punish them for what he called a very critical tone against the president and the government.

The panelists also denounced the ransacking of the offices of two private dailies—*L’As* and *24 Heures Chrono*—and the beatings of some of their employees on August 17, 2008. This came after Senghor had threatened reprisals against “a part of the press” that intruded on his private life—including an interview with his estranged wife and an account questioning his salary as board chairman of a private bus company. Senghor was dismissed from government and stripped of government immunity on August 28 after police arrested several suspects who had ties to the minister. A criminal court in Dakar sentenced 12 people, including Senghor’s driver and two of his bodyguards, to five- and six-year prison terms in the attacks.

The panelists said the slowness of the judicial system in all these cases, even though complaints were filed promptly, is evidence that Senegalese journalists are not well protected because legislation guaranteeing free speech is not enforced.

On the issue of radio broadcast licensing, Niang pointed out that Senegal’s licensing regime is based on the Telecommunications Code of 2001 and the

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Telecommunication and Postal Regulation Agency (known by its French acronym ARTP), and that any project developer must file an application with the Ministry of Information for approval, then apply to the ARTP for the technical certificate. This procedure is becoming increasingly unfair, biased, and politicized in favor of individuals and groups close to the politically powerful, Niang said. The other members of the panel agreed, saying they know many people who have applied for radio frequencies in vain for years, while others with high-placed connections are granted frequencies immediately and then sell them on the black market. According to Niang, this is a serious breach of the Senegalese Telecommunications Code, which clearly states that any frequency is non-transferable, and each license becomes void after six months if it not used by the original grantees to launch a radio station.

The panelists said that there is a complete judicial vacuum with respect to the granting of television frequencies. Ismaïla Dieng, the head of communications with Oxfam/Senegal, deplored the lack of public calls for offers, which leads to a case-by-case procedure for granting licenses—usually after a private meeting between the television project developers with the president. A similar situation was noticed in the cases of Walf TV, RDV, 2STV, and Canal Info—the only private television channels licensed to broadcast in Senegal. All the panelists warned that this restrictive procedure could lead to the state dictating the editorial policies of the media.

Sn2 was the only television channel created in 2008. It is a branch of the state-run broadcaster, Radio-Television Senegalaise (RTS), and so far only airs old soccer games.

Access to the Senegalese media market is generally not restricted, panelists said, other than the political obstacles to broadcast licensing. The written press in Senegal is no longer subject to prior authorization since the adoption of Law No. 96-04 in 1996. Diallo praised the fact that, in order to create a newspaper, “it is enough to write and print it, then go to a phone booth, call the attorney general, and tell him ‘I just wrote a newspaper.’” The same is true with the on-line press.

As far as taxes are concerned, the press is subject to the same rules as the other economic sectors: a 25 percent tax on profits. “Press businesses have no reason to complain,” Dieng said. “Part of their input resources is tax exempt, which is not the case in other industries, which are subject to the regular regime.” Dieng added that “state aid to the press is a form of financing its operation. The telecom or electrical power businesses do not enjoy this much magnanimity.” Niang expressed regret that because many media owners are not familiar with the Senegalese Investment Code, they miss some tax advantages. However, Aly Diouf, a journalist with *Wal Fadjri*, a private daily, denounced the fact that the state

uses taxation to intimidate the media, most obviously by threatening outlets that owe back taxes.

Most violent acts against, and harassment of, journalists and media outlets go unpunished, the panelists said, especially when they are committed by the state and its allies. After the police beatings of Dieng and Thioune, “I was naturally expecting—as were many Senegalese—that justice would be done,” said Antanar Ndiaye, a journalist with *L’Office*. “But I was surprised to see that the minister of information, who seemed to be on the side of the press, changed his mind when the minister of justice defended the beating of the two journalists as self-defense, saying that the journalists attacked the police officers first.” Ndiaye said he believes that the chances of this act of aggression going to trial are slim.

According to the panel, the heavy prison sentences given to the aggressors in the ransacking of *L’As* and *24 Heures Chrono* represent progress, but Senghor, who is suspected of having ordered the criminal act, has not been brought to court. However, the panel notes, the legal proceedings in this case initially involved Senghor but became problematic because of his government position. He was later dismissed from government.

All of these criminal acts against the media generated a number of demonstrations. On July 22, 2008, 97 percent of media professionals observed a “press-free day,” according to the Committee for the Defense and Protection of Journalists. The panelists regretted the fact that, in reality, this day revealed how divided the media is. At some outlets, the journalists were in favor of it and the owners against. With Radio Océan FM, a station close to the political powers, journalists in favor of the press-free day received layoff threats. Other outlets kept their normal schedule while proclaiming their solidarity, including *Wal Fadjri*, 2STV, and the state-run media. The panel said that when it comes to showing its support for the media in cases of aggression, the Senegalese public is generally passive.

The panelists said they do not think the state gives favorable treatment to the state-owned media. If it did, Niang said, the state-run media would not need advertising. According to Madior Fall, general coordinator of *Sud Quotidien*, the RTS faces almost all the same economic and financial problems as the rest of the media. Ibrahima Khalilou Ndiaye, a journalist with the state-run daily *Le Soleil* and spokesperson for the Information and Communications Professionals Union (SYNPICS), pointed out that the state media enjoy no favorable treatment in terms of access to information either. Even though the RTS is the natural recipient of official information, private media are granted exclusive stories by members of the government on “sensitive issues” that state-run media cannot touch.

At the same time, the panelists said they believe that the government-backed media is not as independent as it could be. René Massiga Diouf, a journalist and reporter with RTS, disagreed, arguing that although state media are given guidelines from the government, the journalists working for the state are free to comply with them or not. And while there is pressure, he said, it comes from media managers who suggest how stories should be approached. The other members of the panel considered this proof that the government journalists are not independent, since those managers are appointed by the state.

Regarding libel, the panelists said that some of the repressive provisions in Senegal's media laws are obsolete. Ibrahima Khalilou Ndiaye said he feels that there is currently no political will to decriminalize media offenses. He pointed out that Article 80 of the Senegalese Criminal Code, which severely punishes any remark that breaches the peace, is still in effect although the president had promised to eliminate it. Under this article, many journalists and publication managers are frequently summoned to the national police's Criminal Investigation Directorate over allegedly "seditious remarks."

When President Wade promised during a state visit to Paris that he would free imprisoned journalist El Malick Seck, he was reminded that it was in the same place that he had promised to eliminate Article 80. Alassane Diallo, while saying he was against the imprisonment of Seck, said journalists should not feel that they are above the law and can say whatever they want. He said he did not understand why Seck, who was imprisoned over an editorial implicating Wade and his son in an alleged money-laundering scandal, brought up the case again after six years unless he wanted to defame Wade. The only reason for the media to reopen a court case, Diallo said, is if new information is uncovered.

Access to public information is considered a right by Law No. 96-04, provided that journalists comply with their duties, Niang said. In reality, access to public information is generally difficult. According to one panel member, the only way to obtain official information is to commit libel and thus force the authorities to take a public stand. Niang suggested the situation is more nuanced. Access to public information, he said, has improved considerably, but journalists do not take advantage of the many possibilities. Niang said journalists rarely visit the government's official web site (gouv.sn), particularly the page for the Ministry of the Economy and Finance, an important source of information. The media could have avoided useless debates over the country's macroeconomic mechanisms and consumer price indices if reporters had simply consulted the web site of the National Agency for Statistics and Demography, he said. Niang also

said access to official information is less of a problem with the central government than with local authorities, which particularly apparent any time regional correspondents have trouble interviewing a regional governor.

All the panel members said access to international news is good, but they expressed doubt about the capacity of Senegalese journalists to explain international news from an African perspective. Oumar Seck Ndiaye said it was unfortunate that the news presented by RFI, CNN, and the major international media are not processed by the local media, which seem not to care that the information reflects Western ideology and interests. For example, he says, when the international media refer to Zimbabwean president Robert Mugabe as a dictator, the Senegalese media do the same without any critical distance.

Any graduate of a recognized school of journalism or anyone who has worked as a journalist for at least two years is considered a journalist, according to Law No. 96-04. Journalists also have the right to organize freely and create associations. Nevertheless, the panel pointed out that there are a number of pernicious effects of such a system where people become journalists not because of a desire to report the news or to encourage government transparency but rather to escape unemployment.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Senegal Objective Score: 2.09

The score for this objective remained nearly unchanged compared to last year, and only Indicator 6, the balance of news and entertainment, showed the slightest sign of change, with panelists awarding it a score a bit lower than last year. Indicator 5, pay levels for journalists, was the lowest scoring indicator again this year. As with last year, it was the only indicator to not receive a score close to the overall objective score; it fell short by about a point.

Senegalese journalists achieve professional standards despite their tendency to favor comments over facts, said Ibrahima Khalilou Ndiaye. He said the influence of French journalism partly explains this tendency, but that many journalists truly do not know what thorough reporting is. Oumar Seck Ndiaye agreed: "A foreigner just arriving in Senegal might think that in this country, there is only politics and tabloid news." Given the prominence of politics in the media, he wondered if journalists are not in fact news recipients rather than producers and whether politicians are the ones who determine the nature of the news. Diallo reminded panelists that street vendors tell newspaper managers that only politics sells.

All the panelists acknowledged that gathering background information and calling on experts when covering an issue are not strong considerations for the local press. Diallo said the media are not entirely responsible for this, because Senegalese academics only speak when their own interests are involved.

Regarding ethics, the panelists said that while it would not be accurate to say corruption is generalized among the Senegalese journalists, it is nevertheless a serious problem. Oumar Seck Ndiaye bemoaned the fact that it is very easy to buy an indulgent article or a convenient report. He mentioned a recent case in which one of two men competing for the position of chairman of a local entity set up a press office and gave each invited journalist XOF 25,000 (\$60) for their support in the next day's press. Niang warned that as long as ethical rules are not taught in journalism schools, the problem will continue to affect the Senegalese media. The only media outlet that has drawn up an ethical charter is, according to the panel, the newspaper *Le Quotidien*. There is a Council for the Respect of Ethics and Deontology, a self-regulating institution of the Senegalese media, but it has been mostly dormant for a long time.

The panelists said self-censorship is a reality in the state-run media as well as the private media. The panel members condemned self-censorship when it is the result of bribing journalists or press outlets. Oumar Seck Ndiaye says that it often happens that a journalist who comes back from a field report refrains from disclosing everything in exchange for XOF 50,000 (\$120), which is "generously offered by someone who wanted to take care of the journalist's transportation needs."

With respect to covering key current events and issues, the panelists said the only restrictions that authorities impose on journalists generally arise from issues concerning national defense, such as the long-running civil war in the southern region of Casamance.

Journalists' salaries theoretically are set by the collective contract signed in 1991 between SYNPICS and media owners, which established the salary of an entry-level journalist at XOF 169,000 (\$400) per month. In reality, salaries vary according to the outlet. A journalist with Canal Info News, a private television channel, can earn XOF 100,000 (\$250) one month and XOF 75,000 (\$190) the next. The panel said that while such differences may seem odd, they are subject to the logic of productivity from the point of view of the channel's management. Another problem raised by the panelists is the absence of a contract that would guarantee social and medical care. Many press owners systematically use service contracts that leave journalists vulnerable. For example, the manager of Canal Info News recently dismissed about 20 journalists, saying that the service contract they had with the

company had reached its end. In response, through a board created to defend their interests, the affected journalists have started legal proceedings against their employer, accusing him of an "abusive layoff" and claiming six months unpaid salary.

Panelists said the salary problem obviously influences the level of corruption among journalists. Oumar Seck Ndiaye said it would be an illusion to believe that corruption is only present among novice journalists, due to their small salaries. Despite their relatively acceptable salaries, editors-in-chief are also affected by this plague, he said.

The panelists were very critical of media programming. They all deplored the fact that entertainment eclipses newscasts in the Senegalese media, so much so that radio or television hosts have become more famous than journalists. Oumar Seck Ndiaye said that there is too much rap, hip hop, and "mbalax" (local music) on radio and television, and too little time given to current events. Antanar Ndiaye blamed press owners who tend to hire editors-in-chief or program managers based on friendships and not on competence. Once appointed, these persons with zero journalistic expertise are more comfortable with playing music throughout the day than with producing quality news programs.

The panelists were positive overall with regard to the availability of modern facilities and equipment. Diallo said equipment for news gathering is definitely better in Senegal than in neighboring Burkina Faso, Mali, or Mauritania. On the other hand, Senegal is still living in technological "prehistory" when compared with Kenya, South Africa, or Nigeria, Oumar Seck Ndiaye added that it makes more sense to compare Senegal to these latter countries since Burkina

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Faso, Mali, and Mauritania are relatively “behind” when it comes to the media.¹

Niang said it is important to remember that the Senegalese media are generally migrating from an analog to a digital environment, and that there are still discrepancies in terms of equipment and facilities of various outlets within the same media type, or across types, and between the urban and rural media. Younoussé Diédhiou, a journalist with RTS Ziguinchor, remarked that it was precisely with that in mind that President Wade installed “cyberpresses,” equipped with 10 computers each, in all 14 regions of the country. This allows regional correspondents to have access to the Internet, but the project has not succeeded everywhere. In Ziguinchor, for example, the equipment was misappropriated.

The panelists were more or less satisfied with the quality of specialized programs and reports on economic, trade, and political issues that relied on independent investigations. Oumar Seck Ndiaye pointed out, however, that reports are not always driven by news concerns and rarely sustained. He cited the example of an AIDS prevention program started by an American NGO that intended to involve the media. Although the NGO provided documentation and human resources to help the media in the planned awareness campaign, the media companies that it contacted refused to get involved, saying that an issue such as AIDS does not sell. But, he added, when the NGO started giving subsidies to the media, a number of reports were made on the subject—and they stopped once the NGO cut the subsidies.

OBJECTIVE 3: PLURALITY OF NEWS

Senegal Objective Score: 2.30

This objective lost some ground primarily from lower scores in three indicators—Indicator 4 (news agencies), Indicator 5 (private broadcasters produce their own news), and Indicator 7 (coverage of minority issues). Overall the scores for the indicators were somewhat widely spread. Indicator 2 (citizen access to the media) and—despite its lower score—Indicator 5 both scored more than a half-point higher than the overall objective score. Indicators 3 (objectivity of state media), 6 (transparency of media ownership), and 7 all scored more than a half-point lower.

A variety of private and state news sources are available currently in Senegal, but Niang said these sources still have

¹ Editor’s note: scores and comments from the panelists in each of these countries confirm this assertion for Burkina Faso and Mali, while there is relative comparability between Senegal, Nigeria, and Kenya. Mauritania, with a much smaller and more concentrated media, fell in between the two groups while South Africa was the leader.

a quality and diversity problem. He regretted that the public turns to Western news sources, such as *France 24*, *Le Monde*, and *Les Echos*, to understand the current world economic crisis for lack of Senegalese and African sources that are able to provide a uniquely African point of view on the matter.

The panelists also pointed out a huge imbalance between the urban and rural areas in terms of the access to multiple news sources, and they commended community radio stations for their important role in bridging the gap. In the northern region of Fouta, Oumar Seck Ndiaye mentioned, livestock thefts have dropped thanks to the creation of community radio stations; now, when thefts are reported, people who spot the stolen cattle immediately call the community stations, which then tell the owners where to retrieve them.

All the panelists recognized that access to the national media is completely unrestricted and, according to Niang, only finances stand in the way of access to international media. New media, specifically the Internet, are not accessible to everyone, particularly considering that many regions do not even have electricity.

The panelists were critical of state media, which they said do not reflect the diversity of opinion in Senegal or the full political spectrum. “Our fellow journalists in the public media are well trained,” Fall said. “The journalists are not the problem. The problem is the state. When the regime of President Diouf ended in 1998-2000, the public media began to open to the public. But since 2000, this dynamic has been broken.” René Massiga Diouf, a journalist with state-run television, admitted that the state-run media do not function as they should: “The day before yesterday, after the 8 p.m.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

newscast, a viewer called me and talked to me for 15 minutes, saying 'We are sorry, sir, but you are far from providing a service to the Senegalese people. You open with the president of the republic and you close with the president of the republic.' He told me that there was life beyond the president of the republic and the Senegalese Democratic party."

The Senegalese Press Agency, the only national agency, and the foreign press agencies accredited in Senegal do their job properly, panelists said. At the same time, the Senegalese press outlets do not always act ethically when using agency dispatches. The panelists said many journalists put their own names on dispatches without reworking them. In addition, they pointed out that Senegalese media outlets do not always honor the business commitments they have with the agencies. The Senegalese Press Agency, or APS, "has the monopoly on selling its own or foreign agencies' (AFP, Reuters, etc.) dispatches in Senegal," Diallo said. "The subscription is XOF 100,000 (\$250) per month. But no one really pays for this, although APS journalists have toured the media explaining how a press agency functions. Even us, at *L'Actuel*, when we realized that the others were not paying for this service, we stopped paying, too," Diallo acknowledged.

The panelists said that the independent media make efforts to produce their own programs. At the same time, according to Fall, the independent radio stations are far behind state-run radio in terms of quality. The panelists not only considered the independent broadcasters incapable of competing with the national radio, but they accused them of trying to imitate it. They commended community radio stations for offering programs that meet the people's needs. For example, programs popularizing farming techniques and raising awareness of public health issues and peace education are very useful, especially in Casamance, a region plagued by civil war since 1982.

Ownership of media companies is not transparent, the panelists said. For example, *L'Actuel* had to stop publication when the public learned that it was owned by Pape Diop, the president of the Senegalese Senate, said Diallo, a former manager of the newspaper. Fall contended that "in a democracy, there must be transparency. We should know who owns the media businesses. Regulations and provisions must be observed. That is why we have them." In defense of the media, however, panelists pointed out that the economic and financial conditions of the Senegalese media businesses are so dismal that they cannot afford to not have a hidden sponsor.

The panelists felt that there is no state interference with the media representing all social interests and points of view as long as they do not undermine national unity, particularly when ethnic minorities are involved. The panelists pointed

out that community radio stations seem better adapted to dealing with minorities.

OBJECTIVE 4: BUSINESS MANAGEMENT

Senegal Objective Score: 1.57

All the indicator scores, with two exceptions, received lower scores in 2008 from the panelists, contributing to a sizeable reduction in score from 2.09 to 1.57. Only Indicator 2 (media receive revenue from multiple sources) and Indicator 5 (government subsidy of private media) remained unchanged. Most of the indicators received scores similar to the overall objective score; however Indicator 2 scored about three-quarters of a point higher, while Indicator 7 (audience and circulation measurement) scored about a point lower.

The Senegalese media, particularly private media, are generally unprofitable. Recently, 20 journalists with Canal Info News were fired and have demanded six months back pay. Moreover, many media companies offer short-term contracts or open-ended internships, as well as using freelancers, to reduce costs. Fall said the Senegalese media are confronted by these problems because the state does not recognize their public-service mission and therefore does nothing to help them, such as lowering taxes. Dieng said the problem is not so much with the state as with the media outlets, which are incapable of becoming true businesses with qualified marketing and human resources departments and a clear strategic vision. As a result, all newspapers have set their selling price to XOF 100 (\$.25) simply because some competitors did it first. The panelists pointed out that community radio stations are prevented from making a profit because advertising is forbidden and they have to live off subsidies from international NGOs.

The panelists said that the media have multiple financing sources but that more could be done to diversify them. Diallo said the Internet should be a financing source for the Senegalese media, but the media's online presence currently has no added value in terms of presentation, or marketing and so does not attract capital. On the other hand, while advertising is a 10 billion franc-a-year business in Senegal, the panelists said the profits are not equitably distributed. Eighty-five percent of advertising revenues are reserved for communication agencies and the state-run media. The panelists said that the government seems to be observing the boycott launched by Farba Senghor, the former government minister, who urged department heads to stop advertising in the private media to punish it for its allegedly hostile attitude toward the government.

The panel members had a negative opinion of how advertising agencies and associated industries support development of an advertising market favorable to the media. The agencies—most of them of foreign origin—are accused of trying to force their terms on the Senegalese media, and cutting shares for the media and the Internet while asking for “exorbitant” fees of up to 20 percent. “The day when media owners say that their outlets will stop carrying ads under these circumstances and go on a one-week advertising strike, I guarantee that the rules of the game will change,” Niang predicted.

Ibrahima Khalilou Ndiaye noted that Law No. 96-04 clearly sets a ratio of 70 percent news and 30 percent advertising for media outlets. But not everybody is aware of the legislation and regulations, and even if they were, the media would still not observe them because neither the government nor the National Council for Broadcasting Regulation enforces them.

The state subsidy to private media was XOF 300 million (\$720,000) in 2007-2008. The panelists said it is not clear if this aid will also be granted in 2009, because the subsidy has not been explicitly included in the national budget for the next year. All the panelists expressed regret that the government keeps postponing a decision on this issue, as it prefers to hand money out to journalists like it is charity for the poor.

The Senegalese media do not conduct research to develop marketing strategies that are adapted to different segments of the public, panelists said. “Look at the products. They all have the same price, and no analysis is available to distinguish among them,” Dieng said. “When a new product is created, it copies what others do. If others use bubbles, I’ll do bubbles. But does everybody need bubbles? No. I am certain that

physicians need a newspaper that addresses health issues more extensively—and no one does that. Everybody does ‘Politics,’ ‘News in Brief,’ and ‘Sports.’ Everyone sells at the same price.”

Regarding audience ratings and circulation figures, Niang lamented the fact that statistics are available for almost all consumer products except the media. Dieng expressed skepticism about the relevance and reliability of statistics provided by the media: “Quantitative studies—that is to say polls—are only useful in determining the media hierarchy, which is the only thing that advertisers give value to, and therein lies the problem. Perhaps someone should say ‘My paper is not read by 100,000 people every day but it is read by this particular socio-professional category,’ or ‘It is valuable for the quality of its support. If you wish to project a positive image, this is my main selling point.’”

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Senegal Objective Score: 2.40

Lower scores in Indicators 2 (professional associations), 4 (academic journalism programs), 5 (short-term training), and 6 (access to printing and newsprint) drove the loss of 0.41 in the score of this objective compared to last year. The other indicators remained the same. None of the indicators deviated from the overall objective score by more than 0.35, with the exception of Indicator 1 (trade associations), which scored about two-thirds of a point lower.

All the panel members complained that the media are one of the few socio-economic sectors in Senegal that do not have an association of owners and managers. The panelists named only one association to which media owners may belong: the African Press Publishers Association. But, Niang said, it has no members representing Senegal; Madiambal Diagne, the president of the press group Avenir Communication and a representative in the association, is in fact representing himself. The absence of a united network of press owners leaves multiple opportunities and challenges. Niang noted that there is “a limited negotiating capacity for access to the many nationally available tax advantages, due to a lack of unity among media owners to be represented before the state.” He said there also was a “lack of coherence in asking Senelec and Sonatel for discounted electrical and telephone rates, respectively, and explaining that the media companies are a unique type of business.” This also presents a “risk of dissension among media owners in discussions with the unions if they were to renegotiate the 1991 collective contract with Senegalese journalists,” Niang said.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

The panelists concluded that the economic and tax environment is riddled with strong constraints, mostly because of the lack of an association for media owners.

As for journalists, in 1984 they created SYNPICS. Ibrahima Khalilou Ndiaye, its national spokesperson, said that if the main purpose of a union is to defend the material and moral interests of its members, then SYNPICS does its part very well. He added that SYNPICS sometimes defends non-members. However, Antanar Ndiaye said that SYNPICS is only efficient when it must defend journalists against the government or religious institutions, not when it is called on to address the salary and training issues that journalists face on a daily basis. "When I was at Canal Info, they had a SYNPICS branch there. When I left Canal Info, the journalists had not received their salaries for six months. When the Labor Inspectorate sent a notice, it did not change anything. It seems now they are being paid again, but it will not be for more than two months, and they will only receive half of their salaries. So where is SYNPICS, what do they do?" Antanar Ndiaye said. In general, however, all the panelists said SYNPICS does its job.

NGOs such as Panos West Africa, the Konrad Adenauer Foundation, the Friedrich Ebert Foundation, and others were credited by the panelists with a positive image with respect to their support for the Senegalese media. Ibrahima Khalilou Ndiaye said he was glad that the NGOs, including those that do not specialize in media issues, systematically denounce any violation of press freedoms.

The panelists recognize that Senegal has long produced quality journalism graduates, particularly from the Center for the Study of Information Science and Technology, created in 1965 by the government in partnership with UNESCO. But Ibrahima Khalilou Ndiaye said that with the exception of the

Higher Institute for Information and Communication Science, operated by the Sud Communications Group, more and more unqualified private schools have started to train future journalists and issue dubious degrees. He wondered how a school can train a journalist without having a radio studio—as is the case with Senegal.

Short-term training is available in Senegal. The panelists praised the activity of the NGOs on this point, particularly Panos West Africa, the Konrad Adenauer Foundation, and the Friedrich Ebert Foundation for financing many training seminars on human rights, health, the environment, politics, and economics. Dieng said that he became an economics journalist with no prior training in economics thanks to the numerous training seminars organized by the Friedrich Ebert Foundation.

But the panel also acknowledged the limits of current training capabilities. "There is a growing gap among training, the needs of the market, and the evolution of the professional environment of the media in terms of technology, challenges, and stakes," Niang said. "Today, for example, there are few schools specializing in news gathering on the Internet. I do not really know any school that addresses this problem. Is it a reliable news source? How do we determine the relevance of a piece of information that we find on the Internet? Such modules are being developed in the schools of journalism. But here we have not even begun to do it, although we really need to."

Senegalese publications have long depended on private printing companies and Graphisol, the printing plant owned by the government-run daily newspaper *Le Soleil*. Ibrahima Khalilou Ndiaye said he is glad that private newspapers such as *Wal Fadjri*, *Le Matin*, *Le Populaire*, and *Le Quotidien* are starting to run their own printing plants. He said there were two reasons for this shift. First, private newspapers try to avoid the diktat of the state-run Graphisol, which recently refused to print *L'As*, probably on suspicion of being anti-government. Second, owning a printing plant adds to diversification and provides additional resources.

In Senegal there are two press distribution companies. One, the Press Distribution Agency—a local branch of New Parisian Press Distribution Service, part of the French Groupe Hachette—is in charge of disseminating its client newspapers in the main cities of Senegal. The other is a network of individual newspaper vendors that is particularly active in Dakar, the capital. The panelists said that the two networks are apolitical and tend to recruit client newspapers from both the public and private sectors. On the other hand, the individual vendors are accused of contributing to the conformity of the Senegalese press by telling journalists what items sell best. The panelists deplore the fact that

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

the vendors favor political and tabloid news, which has led to the over-politicization of the Senegalese press, to the detriment of other issues. In addition, the persons who control the individual vendors' network can block the sale of a newspaper and keep it from the public if they have issues with the paper's managers. One panel member suggested that this is how *L'Observateur* became the most-read XOF 100 newspaper, eclipsing *Le Populaire*.

The panel said Internet publishing is not subject to political restrictions. However, the government and the National Council for Broadcasting Regulation have recently started looking for means to regulate online Senegalese newspapers because their discussion forums are filled with attacks on the private life of Senegalese authorities and ordinary citizens, and their tone is often insulting.

List of Panel Participants

René Massiga Diouf, television journalist, Radio-Television Senegal, Dakar

Aly Diouf, political journalist, Walf Fadji, Dakar

Madior Fall, general coordinator, *Sud Quotidien*, Dakar

Souleymane Niang, consultant and trainer, member, Council for the Respect of Ethics and Deontology, Dakar

Alassane Diallo, publication manager, Ferlo.Com, Dakar

Oumar Seck Ndiaye, founder, community radio OxyJeune, Dakar

Younousse Diédhiou, journalist, Radio-Television Senegal, Ziguinchor

Naby Sylla, journalist and reporter, RFM radio, Saint-Louis

Antanar Ndiaye, journalist, *L'Office*, Dakar

Oumou Cantome Sarr, African Assembly for the Defense of Human Rights, Dakar

Ismaila Dieng, director of communications, Oxfam/Senegal, Dakar

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Ibrahima Khalilou Ndiaye, journalist, *Le Soleil*; spokesperson, Information and Communications Professionals Union, Dakar

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The moderator received technical and logistical support from the Mass Media Research Group, Gaston Berger University de Saint-Louis.

International interest in the media as a check on government has spurred development and created more news sources. However, journalism has suffered; people have flooded the profession for jobs or to fulfill political agendas.



SIERRA LEONE

S

Sierra Leone has experienced profound social, economic, and political changes over the past 15 years. After one-party rule, characterized by tribalism, nepotism, corruption, and political harassment, Sierra Leone entered what the UN called Africa's most brutal civil war. During that war (1991-2002), thousands were killed and maimed. Thousands more sought exile in neighboring countries. The country's socio-economic fabric was destroyed.

Sierra Leone relies on donor support for more than half of its expenditures, mainly from the British government and European Union. Direct foreign investment is almost nonexistent. To raise revenue, the government has increased taxes on mostly Asian and Middle Eastern-owned businesses, which have passed the burden to average citizens.

By the end of the war, journalists were divided. They supported the rebels, the government, or remnants of the defeated Sierra Leone army and their allies in the three military juntas that took power during the war. Some journalists fled abroad. High school dropouts became journalists and editors overnight at newspapers begun by unscrupulous politicians to settle scores, obtain appointments, or gain lucrative contracts. The media lost their credibility.

In the years following the war, much was done to restore the image of Sierra Leone journalism. Media institutions were rehabilitated, and personnel were trained. The recent election of a new Sierra Leone Association of Journalists executive, led by local BBC correspondent Umaru Fofana on a platform of change and quality journalism, has signaled hope.

As the MSI shows, the international attention that Sierra Leone received from the biggest-ever UN peacekeeping mission and the support of foreign governments and international organizations led the then-ruling Sierra Leone People's Party (SLPP) to promote free speech. In most cases, the media became free to write or say anything about the government.

Many newspapers are published daily, and community radio stations have emerged. International interest in the media as a check on government has spurred development and created more news sources. However, journalism has suffered; people have flooded the profession for jobs or to fulfill political agendas. Media owners' business skills are weak, and effective management is almost completely absent, particularly at newspapers. The proprietor plays the role of business manager, editor, reporter, etc. Sierra Leone has only three reasonably well-managed newspapers—*Awoko*, *Concord Times*, and *Standard Times*.

SIERRA LEONE AT A GLANCE

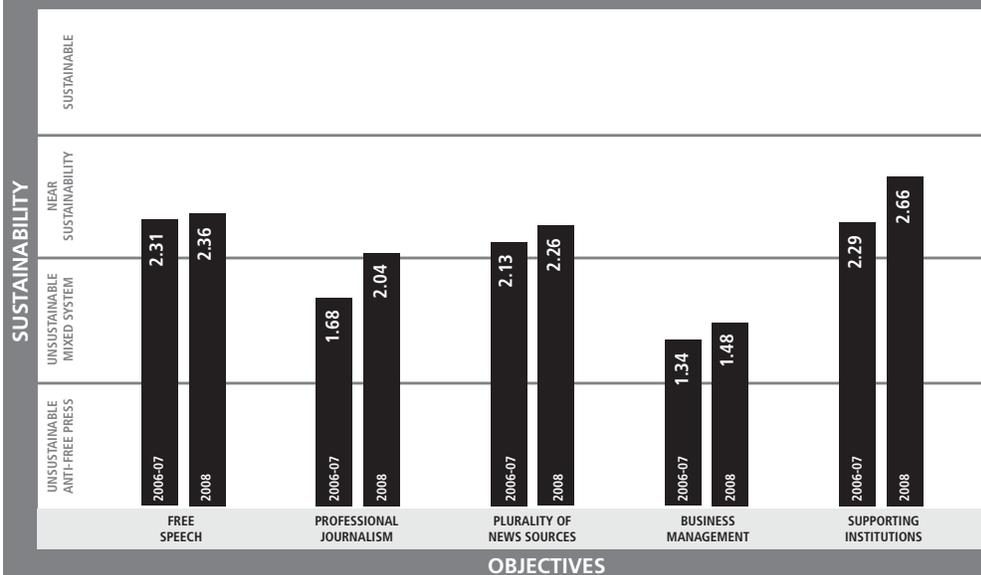
GENERAL

- > **Population:** 6,440,053 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Freetown
- > **Ethnic groups (% of population):** Temne 30%, Mende 30%, Creole 10%, other 30% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 60%, Christian 10%, indigenous beliefs 30% (*CIA World Factbook*)
- > **Languages (% of population):** English (official, regular use limited to literate minority), Mende, Temne, Krio (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$1.537 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$660 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 35.1% (male 46.9%, female 24.4%) (2004 est., *CIA World Factbook*)
- > **President or top authority:** President Ernest Bai Koroma (since September 17, 2007)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print outlets: 35; Radio stations: 49; Television stations: 2
- > **Newspaper circulation statistics:** Top three by circulation: Awoko Newspaper (privately owned), Concord Times, (privately owned), Premier News (privately owned)
- > **Broadcast ratings:** Top three radio stations: Radio Democracy (privately owned), Capital Radio (privately owned), Radio Mount Aureol (university owned)
- > **News agencies:** Sierra Leone News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 13,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SIERRA LEONE



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Sierra Leone Objective Score: 2.36

Most panelists described as “adequate” the provisions guaranteeing free speech in the 1991 constitution of Sierra Leone. They referred to section 25 (1) to justify their position: “Except with his own consent, no person shall be hindered in the enjoyment of his freedom... the said freedom includes the freedom to hold opinions and to receive and impart ideas and information without interference, freedom from interference with his correspondence, freedom to own, establish, and operate any medium for the dissemination of information, ideas, and opinions and academic freedoms in institutions of learning.” The panelists also noted section 11 of the same constitution, which seeks to empower media work, saying “the press, radio, and television and other agencies of the mass media shall be free to uphold the fundamental objectives contained in this constitution and to highlight the responsibility and accountability of the government to the people.”

However, it was noted that part (5) of the Public Order Act of 1965 seriously inhibits the freedoms created by the 1991 constitution because it makes it possible for journalists to be jailed if found guilty of defamatory and seditious libel in a trial almost always held by a judge alone. This has led to a long campaign by the Sierra Leone Association of Journalists (SLAJ) to have the “anti-media” provisions in the Public Order Act repealed. The SLAJ has recently gone to the Supreme Court to argue for the repeal of the law on the grounds that it violates section 25 of the 1991 constitution. That case has been adjourned indefinitely. Lawyer Bene Kamara noted: “Most countries today have repealed provisions relating to criminal libel laws, but Sierra Leone, which is said to be democratic, has provisions in the laws that are related to criminal libel laws. That’s problematic.”

Kamara noted that Sierra Leone still maintains such “obsolete” laws on its books and that even though most Sierra Leoneans value free speech, as a consequence of the war, they have not reacted with sufficient outrage when violations against the media occur.

When journalists are taken to court, their only support comes from the SLAJ, which makes it a point of duty to stand by its members in such circumstances.

As to whether the judiciary acts independently in freedom-of-expression matters, Julius Spencer commented first on the SLAJ case that is currently before the court: “The Supreme Court has adjourned the matter *sine die*... the provisions of the constitution stipulate the time in which those matters

should be dealt with. The judiciary is not too independent; that is obvious. The judiciary has a way of side-stepping these issues if they believe that the government is not going to be pleased with whatever position they come up with.” That point is also noted by Sallieu Kamara: “The interference that is coming from the government is structured and organized. When the interest of the government is at stake, even if the government does not make any advances at the judiciary, they will do something to please the government.”

No government registration is required to access the Internet. The panelists could pinpoint no case of the government’s blocking Internet features, such as VOIP.

The Independent Media Commission (IMC) is the statutory body that regulates all branches of media—newspapers, radio, and television. Online journalism is just beginning to take off in Sierra Leone, so there is not much attention in that area.

The panelists agreed that the procedures for licensing are generally fair and competitive, and there is no preferential treatment for either private or public media. Joshua Nicol, a member of the IMC board, noted: “The only problem is the allocation of frequencies. The IMC does not allocate frequency to prospective broadcasters. That is being done by NATCOM, the National Telecommunications Commission. I know of certain situations where up till now NATCOM has yet to allocate frequencies to community radio stations even after the IMC had approved them to go on air.” He commented on the work of the IMC: “Decisions are devoid of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

political interference, and if we are to maintain our current independence we have to carry that on. But if we start compromising, there will be no end."

However, it was noted that during the regime of President Ahmad Tejan Kabbah, the IMC granted and then withdrew a broadcast license from the OSI West Africa-sponsored West Africa Democracy Radio (WADR) under pressure from the government. Spencer argued that "the fear was that the radio would be used to antagonize Guinea and Liberia."

On the selection of board members, it was unanimously agreed that even though attempts were made to politicize the last selection (May 2008), the process was largely free, and that with more journalists now sitting on the board of the IMC, the government's influence would continue to decrease.

Entry to the media market is open, and the panelists found no particular restrictions, even for non-media businesses. It was noted that previous requirements for legal documents that cost quite a bit of money have been dropped and replaced with a simple business registration form. Kelvin Lewis was particularly concerned about the National Revenue Authority's tax regime as it relates to newspapers. "We are being asked to pay sales tax based on the cover price written on the newspaper," he said. "They think that's the price we sell to vendors; that is not the real price. We sell for less, but we still pay sales tax on what is written on the papers. We seem to have been in a privileged position, but that seems to be vanishing very quickly now with the new NRA [National Revenue Authority] boss. We now operate like any other business." There are no tax breaks. In the mid-1980s, there was an attempt to remove taxes from newsprint, books, and stationery, but that did not last long. Williette John said, "Even when we don't make profits, they ask us for all sorts of receipts. It's not fair."

The panelists agreed that journalists suffer when the interest of the security forces collides with the need for journalists to report stories on police brutality in times of civil demonstration or general police corruption. Lewis noted: "Press photographers are targeted always. They see you everyday; they know you are a journalist. You are properly identified, yet they don't want you to take pictures of the president. They jostle them; they take their camera... almost on a daily basis."

Umaru Fofana said: "I know for sure that journalists who have gone against the [authorities] have been punished, but it's difficult to mention cases on the contrary. The only one is the case of the *Awoko* newspaper." About five years ago, some police officers attacked a journalist from the *Awoko* newspaper who was taking pictures of a police officer brutalizing a civilian in the course of an arrest. The journalist

was attacked, and his camera was confiscated. Fofana said the most senior police officer on the scene was "demoted in rank; that was a one-off thing. But I think generally I can say that [journalists] don't operate under any hostile environment, at least not when they compare it to what used to obtain during the war days." Nonetheless, the *Awoko* newspaper journalist involved, Sylvester Suaray, has since fled the country.

As to whether journalists would normally receive justice in such circumstances, Spencer noted a recent case in which journalists trying to cover a demonstration by opposition supporters outside the State House in Freetown were brutally assaulted and their cameras and mobile phones seized. The matter was widely reported, and a press blackout was ordered by the SLAJ. The government eventually got involved, and the matter was settled, with the journalists receiving compensation. Spencer said journalists have not always taken the right actions to end such impunity: "When such instances occur, the journalists go and accept money. They do not insist on the matter being investigated. So you can't quite blame the authorities."

The Sierra Leone government is in the process of tabling a bill in parliament to make the national broadcaster a proper state-owned institution answerable to no political party but to the people. This has been a long, drawn-out affair, and none of the panelists believe the government is really sincere. As to the present situation of the public broadcaster, Fofana said: "Their independence is as questionable as their efficacy is in tatters... and I am not saying that the minister of information will sit down in his office and literally dictate a news item to the guys at SLBS [the state broadcaster], but tradition is that they will always fall back on them if they did something the government didn't like. So [SLBS staff have] always been extra-careful in terms of ensuring that they don't bite the finger that feeds them."

Koroma mentioned this case in point: "Journalist Fayia Amara, who now writes for the *African Champion* newspaper, was sacked from the SLBS on the authority of the resident minister in the Eastern region a few months back. The journalist reported, unedited, the minister being booed by opposition supporters at a program attended by the president of Sierra Leone, Ernest Bai Koroma." For Spencer, the whole problem around the question of the editorial independence of the SLBS has to do with the government's attitude: "There is still the belief among government officials that the public broadcaster belongs to government and therefore should only put out things that are positive for government. If anything that is not positive goes out, the staff are chastised. It cuts both ways: Those people working in those institutions have learned from experience that they should not touch

anything that is negative to government, and even when they make the effort to do that, they get chastised. They are under strict restrictions, but they have more access, particularly in covering the State House.”

Libel is both civil and criminal in Sierra Leone, but Bene Kamara notes that “people prefer to go criminal because they find it very difficult to institute proceedings under the civil law for libel. You must have between SLL 10 and SLL 15 million (\$3,400–\$5,000) to pay a lawyer in a civil matter; in a criminal matter, the state takes over the prosecution. Journalists who are found guilty are imprisoned. More often than not this happens when the case is between the government and a journalist.”

The burden of proof rests with the prosecution, but Spencer is sure about the attitude of judges in such trials: “Judges are normally biased, and in any matter that has to do with the government, that generally is the position. In terms of judges not being fair, it doesn’t exist or it hasn’t existed [to date]—partly because the judges themselves are afraid that if they rule against the government, they are going to be sacked.” On the crucial question of the state’s taking over the prosecution in a libel matter, he argued: “If you are a private individual, somebody libels you. The likelihood for the state to prosecute the matter is very slim, and even if they prosecute the matter, they will not treat it seriously.”

Journalists can always use justification or fair comment in their defense in defamatory libel cases, but in a seditious libel trial, “truth is no defense,” according to Bene Kamara.

Public information is not easily accessible to journalists, particularly information regarding issues like the award of government contracts or cabinet conclusions on key issues. The consensus of the panelists was that journalists know how to access public information, but the government is not legally bound to give information: there is no access to information law. Media professionals are in the middle of a long advocacy campaign to get the parliament to pass a freedom of information bill drawn up by a civil-society group called the Society for Democratic Initiatives and supported by many other groups, including the SLAJ.

The new All People’s Congress government pledged during its campaign to pass the law. One year into its rule, the issue is still dragging on.

Access to international news is unrestricted, and journalists can get news easily by accessing the Internet. The government does not block access to any international news source. The only problem is that Internet access is expensive; one hour in an Internet café costs SLL 3,000 (\$1). For the average Sierra Leonean, that amount could go toward food.

The only restriction that journalists face in terms of accreditation is that only state media are allowed to cover the State House on a day-to-day basis, while other journalists are called in from time to time. Otherwise, the government has no control over who works as a journalist, except that foreign journalists must be accredited by the Ministry of Information. The government does not influence entry into the journalism school, and journalists are free to organize themselves and fight for their interests.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Sierra Leone Objective Score: 2.04

Williette John was not sure that Sierra Leone journalism had quite turned the corner. Regarding the indicator on balanced and well-sourced reporting, she said, “You have journalists who do not bother to have all sides to a particular story. When they have information, they just go ahead and publish and they then will tell you, ‘All efforts to contact this particular individual proved futile.’” Joshua Nicol agreed, saying that the future of journalism in the country is in very serious jeopardy: “They are influencing the young journalists. It’s a vicious cycle; they come into the system and they get socialized and then they move on to become editors. But the problem lies with the individual newspapers. There are certain newspapers with ethical standards that will not allow their reporters to come in with ‘blood stories,’ as they are normally called. If there were in-house rules and regulations that would reinforce the IMC code of practice, the journalists would follow the rules. Market forces don’t decide the survival of newspapers in Sierra Leone. Because of this unethical behavior, people are afraid of being blackmailed.”

Lewis looked at the issue from another standpoint: “There is a culture of silence, which works against journalists. People refuse to talk even when things are clear and noncontroversial. We have been fighting for some expert voice from the university; they simply don’t want to talk. These are the problems we suffer.”

The SLAJ collaborated with the IMC to draw up the Media Code of Practice for Sierra Leone, which was passed in parliament and is now enforced by the IMC. The code is in broad agreement with other international journalistic codes of practice. However, people in authority always complain about journalists’ side-stepping the ethical code in favor of money. For Koroma, declining journalistic standards can also be credited to the welfare problems affecting journalists in the industry. “Not all reporters are paid,” he said. “I have worked for a newspaper for three years; I don’t think my

name is on a payroll. If I am investigating a story, it happens that the person I am investigating gives me SLL 300,000 to SLL 400,000 (\$100–\$125), which, in fact, is not given to me yearly or monthly. What do you expect me to do? It's to accept the money and forget about the story."

Koroma's point is further supported by Sallieu Kamara, who says: "Reporters expose sources [that] pass documents to them just to make money." On the same issue, Fofana noted: "Sadly, it's most prevalent in the print media. Many of our colleagues have deliberately decided not to respect these ethics."

Regarding self-censorship, for many journalists at the state media, the real concern is losing their jobs and, as described above, they choose to self-censor. As far as safety is concerned as a reason to self-censor, there are very few cases of serious physical harm done to journalists, except during the civil war (1991-2001), when many foreign and local journalists were killed. Spencer agrees that there is "some censorship, depending on the issues. Obviously there are sensitive issues, so as a journalist you have to be careful how you cover them."

In Sierra Leone, one such issue would be doing anything critical about secret societies that are dominant in traditional settings. Paramount chiefs still have the power to banish people from their chiefdoms. In 2007, Chief Rashid Kamanda Bongay of Kakua chiefdom in the Bo district of southern Sierra Leone banished journalist Kelvin Newstead for making "disrespectful remarks" about the then-ruling party, the SLPP, on a satirical program called Mr. Owl, which is broadcast on KISS FM in Bo. The order was rescinded when the SLAJ and other human-rights groups protested.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

All of the panelists agreed that by and large journalists cover all key events, such as the general election, parliamentary sessions, big court cases, and so on. The only difficulty is that media accreditation for state visits and such events is sometimes restricted to only a few media houses by the State House Press Office and Ministry of Information. Photographers are generally harassed and taken out of their positions in the name of security. During the war years, journalists had to clear their stories with defense officials before publication.

The national broadcaster is very limited in its coverage, however. It reports mostly on the president and high ministers and is limited to only two major evening bulletins a day that are repeated in the mornings.

The panelists unanimously agreed that pay for journalists is "abysmal" and that the first step in improving the quality of journalism would be to address pay and other concerns of journalists regarding payments into national social security. Spencer says this mirrors the problem in the industry: "Some of them don't even get paid at all. So certainly there is encouragement, in fact, [to engage in] corruption. I do not believe that journalists get paid fair wages, [let alone] good wages."

There is generally a good balance of news and entertainment in newspapers, but entertainment dominates on radio. Most broadcasting stations carry fixed bulletins, and there are no 24-hour news channels. Radio stations have been set up to play music the whole day. The fear is that a lot of news-related programs might drive audiences to other stations.

The panelists agreed that the state of equipment and facilities depends largely on the radio or television station or newspaper in question. It was generally agreed that under the Cotton Tree News (CTN) project, which is jointly operated by the Mass Communication Department of Fourah Bay College in Freetown and Foundation Hironnelle, the university radio station, Radio Mount Aureol, is the best-equipped. It has sophisticated digital studio and field equipment. The worst-equipped is the national broadcaster, SLBS. In terms of news output, Radio Mount Aureol-CTN is the best. The range of issues covered, as well as the quality and depth, are commendable. Community radio stations that have received significant donor funding in recent times are also doing well with equipment and news programs.

There is very little niche reporting in Sierra Leone. There is a radio station (Radio Kalleone) and newspaper (*Kalleone*) dedicated to sports reporting, but even they run endless stories and gossip about the English Premiership, Italian Series A, and Spanish La Liga football downloaded from sport websites.

David Tam-Baryoh said, "Niche reporting is not lucrative in Sierra Leone. Every time you have a big workshop, say on financial reporting or HIV-AIDS, the participants form a group. After a few weeks, it dies." For example, the HIV-AIDS Reporters Association, Association for Journalists on the Extractives, and Journalists Monitoring Rural Development have all had very little impact on those areas of reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Sierra Leone Objective Score: 2.26

Private broadcast organizations are mostly based in Freetown, the capital, and the second city, Bo. Only one newspaper, *Sweet Bo*, is published outside Freetown with very limited circulation.

Nicol said, "Let's take print, for example; most of the newspapers are based in Freetown, and print runs per edition are very limited. In the last survey done, only three or four newspapers were printing, I think, up to 3,000 copies per edition. How can you distribute 3,000 copies per edition throughout the country? As for radio, we don't have anything like a national broadcaster that has national geographic coverage. Community radios do exist, but news is increasingly being dominated by a few people in the communities around whom everything revolves."

Internet access is almost nonexistent outside Freetown. The vast majority of the masses get all local news on radio stations, while the elites buy newspapers. Additionally, all radio stations use SMS text messages for talk shows and news alerts. There are two satellite television stations operating in Sierra Leone, DSTV and GTV. They both charge nearly \$200 for three months after initial installation costs of up to \$500. This puts the service beyond the reach of the average Sierra Leonean.

There is absolutely no restriction on citizens trying to access international news. Foreign news broadcasts from the BBC, VOA, RFI, and DW are freely available on FM frequencies in Freetown. Foreign print editions from Britain, in particular, are available but very expensive. The government has never made any attempt to block foreign news on the Internet.

The panelists were unanimous about the state of play at the state broadcaster. Lewis pointed out: "It goes without saying that the public media propagate the view of the political party in power. They always try to suppress news from the other party." Nicol said: "One fundamental thing that is absent regarding the state broadcaster is the lack of its philosophical underpinnings. What is SLBS out to do? What is its mandate? Nothing exists to tell you what it is about, so it's

left with the director general or the minister of information or the permanent secretary to issue proclamations or policy statements from time to time. I believe the government should take a bold stand. They will not miss anything; they will only miss news from the State House. Close it (SLBS) down and within six to nine months rebrand it and then re-launch the institution."

Spencer painted a very bleak picture: "The station is totally incapacitated; most of the good staff have left. Those who are there are not being given proper guidance, and it's a complete mess."

On the question of the station's doing or not doing educational and cultural programs, David Tam-Baryoh argues that personnel problems loom large: "In 2003, we [Center for Media Education and Technology, C-MET] did research on SLBS. Out of 247 workers, we discovered that only about 35 were real journalists; all the others were sweepers and other people. Also, there could be self-censorship... by not doing this or that program or discouraging the other political party not to share its own view. It's not that anybody is coming from up there [the government] to tell them don't allow it. They [SLBS staff] are conditioning their minds."

There are no independent news agencies in Sierra Leone. The only government-owned agency is in very poor shape and is unable to sustain itself in the face of drastic cuts in government subsidies. No media organization subscribes to established news agencies like Reuters, AP, or AFP.

All broadcast media produce their own news programs, except for a good number of community radio stations that

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

depend on the NGO Search for Common Ground's Talking Drum Studios' syndicated programs for more than half of their program output. Even then, most of the community stations have no news broadcasts. Sometimes they carry one or two "community news" items. News items on more established stations are usually dominated by press releases from embassies and NGOs.

There was no dissenting view on Spencer's position regarding the ownership of media in Sierra Leone. He said, "There are few cases of shadow ownership; generally the official ownership of media institutions is public information. You can get that easily from the IMC. Obviously there are some media institutions that are being financed by certain individuals or groups or interests, and a lot of the time that is not publicly known. But if you read or listen to them, if you are intelligent, you will know that this one is biased in this way."

Cases of shadow ownership are found mostly at newspapers. Politicians set them up to promote their own image or to settle scores with political opponents. Most newspapers are owned by their editors, who are mostly young university graduates who cannot find jobs in other sectors of the economy.

On the significance of foreign investment in Sierra Leone media, panelists discussed this in the context of support by international donors and NGOs. Sallieu Kamara said: "It's a benefit because now we have several community radio stations around the country. Before the establishment of Eastern radio in Kenema, the state broadcaster [SLBS] did not allow broadcasts in any language outside the region. With community radio, all of that has changed."

Nicol added, "I think the investment has been a benefit to communities; it has opened up the respective communities. People are now participating in democratic debates, although things are not that rosy in terms of sustainability of these media institutions. But within the communities where they exist, people see it as a prized possession."

The panelists unanimously agreed that there is no active resistance to coverage of social issues in the media from any quarter. Sierra Leone has no problems with minority languages or groups. The four major languages—Mende, Temne, Limba, and Krio—plus the official language, English, are used in broadcasts, but other languages have their own share of program time. It may not be equal, but there does not appear to be any deliberate move by either the government or other groups to keep it so. All newspapers try to portray a national character, and they publish in English.

OBJECTIVE 4: BUSINESS MANAGEMENT

Sierra Leone Objective Score: 1.48

The panelists were divided about the management of media institutions as profit-generating businesses. Spencer said: "The majority of media institutions are not being run as proper businesses. They don't have proper accounting systems, let alone accountants. They don't have personnel policies. It's just one individual who's in charge, and he decides what to do. He collects the adverts money and uses it the way he wants... but a few are being run like proper businesses."

John touched on a fundamental issue. She said: "Most media houses cannot divorce management from the editorial staff; they are the same." Lewis was somewhat optimistic: "We are evolving, and we are getting there. I know for sure that a lot of us are now trying to ensure that we run our businesses more professionally and have been trying to bring in professionals for different areas, like accounting, and getting them to control our books."

Public media depend entirely on the government for operating costs, so they are not free of political interference. Private media are financed by multiple sources, but advertising and sponsorships are the most prominent; the diversity of funding sources is not enough to insulate the media from pressure by commercial interests. In Sierra Leone, there are widespread complaints that tariffs charged by mobile-phone companies are too high, but there is no concerted media coverage to get the companies to reverse the situation. Mobile-phone companies have the largest advertising budgets, and no media group wants to annoy them.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Community media are the most susceptible because they operate in remote areas and must spend a lot of money on fuel. The communities that should run these stations are too poor even if they would be willing to do so. Thus, a local patron or interest must step in.

In the past year or so, the advertising business has taken an upward turn. As foreign businesses, including about eight banks from Nigeria and other places, have entered Sierra Leone, advertising agencies based in Nigeria and Ghana have accompanied them to serve their advertising needs. Growth in this area has been dramatic. On a successful radio station, advertisements can take up approximately 30 percent of broadcast time.

Media managers must use as many advertisements as possible to keep their businesses afloat. Such advertisements never really generate profits because payments are usually delayed and public-relations personnel in the commissioning institutions ask for some percentage of money as kickbacks from the media houses. Newspaper subscriptions are rare. Sometimes only offices and schools contract particular vendors to deliver some dailies.

The government does not subsidize private media organizations. It has committed itself only to giving SLL 40 million (\$14,000) to the SLAJ every year since 2006. There is so far no evidence that individual newspapers' and radio/television stations' editorial policies have been influenced as a result.

However, the Community Radio Network (CORNET), a network of 12 community radio stations, has asked the government to provide a subsidy to its members because of their "special circumstances." The panelists argued that those community radio stations play a vital role in the communities in which they operate but are too poor to broadcast for more than eight hours a day. The panelists said the government should not expect any favorable coverage for serving its own people through community radio.

Market research for media is non-existent in Sierra Leone, as is audience and audited circulation measurement. Every radio station estimates its audience based on the number of telephone calls it receives during live phone-ins. Editors assume that they understand the needs of their audience and then tailor programs in that direction. A recent survey done for UNICEF does not seem to have made much difference in new programs and emphasis.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Sierra Leone Objective Score: 2.66

There are no broadcasters' associations. A guild of newspaper editors set up about five years ago exists in name only. Attempts are now being made to set up the Sierra Leone Association of Media Proprietors. The convener, Spencer, proprietor of Premier Media, has arranged at least one meeting to kick-start the process.

Community radio stations belong to two associations, CORNET and the Independent Radio Network. Both are involved in fundraising, training, and joint productions.

There is only one umbrella organization representing all journalists and media workers—the SLAJ. The SLAJ is the main advocate for media freedom and rights in Sierra Leone. It lobbies the government and international bodies, such as media watchdogs, for external lobbying and sometimes for legal support, including paying lawyers' fees for journalists on trial. It also advocates for legal reform of media legislation. When journalists are arrested or jailed, the SLAJ lobbies on their behalf and organizes programs to call attention to the need for media freedom and professionalism.

There are subgroups of the SLAJ, which advocate for the welfare of their members. These include Women in the Media, Sierra Leone and the Sierra Leone Reporters' Union. The Sport Writers' Association of Sierra Leone is the most active of subgroups set up for specific purposes. The activities of the others are very sporadic.

The most prominent NGO in recent times is the Society for Democratic Initiatives (SDI), which works with media houses

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

to protect freedom of speech and media independence. It is currently involved with the Supreme Court case in which the SLAJ is asking the court to declare the criminal and seditious libel provisions in part 5 of the Public Order Act 1965 null and void. Before the SDI, the C-MET provided equipment and training mainly to newspaper houses in Freetown.

Community Radio Network, the Dutch-sponsored group Initiative for the Mobile Training of Community Radio, and the Independent Radio Network are providing similar services to the many community radio stations operating in rural communities in Sierra Leone. These organizations depend almost entirely on external donors to carry out their projects. Sallieu Kamara expressed a serious concern about their real impact: "Because we always look outward to do these things, it undermines ownership. It is only when we have local ownership of these initiatives that you are able to sustain them."

The foremost media training institution in Sierra Leone is the Mass Communication School of Fourah Bay College, University of Sierra Leone. The school is just over 10 years old and is unable to provide space for all the potential students seeking admission. Lewis expressed criticism of the curriculum. He said: "Theoretically, it's fine; the practical element is a little bit lacking, save for those who are in broadcasting, because they have the facilities of Radio Mount Aureol [the teaching radio station] and Cotton Tree News, a project managed jointly by Foundation Hirondelle and Fourah Bay College. Although they go on internships, the quality of the internships is in doubt; students don't want to study print media. They prefer public relations, advertising, broadcasting."

Spencer said: "The internship program is probably not well-managed, and it needs to be done properly. Institutions need to be accredited. The students should not be left to go and find where they want to go. There should be listed institutions where students can go for internships." John said: "We have a problem with the practical aspects of it; the students who go in for print media would graduate without knowing how to write proper news stories. For television, it's nil... the aspect of editing... we have equipment, but we don't have lecturers to train the students."

As to whether media outlets are satisfied with the graduates of the institution, Tam-Baryoh said: "If you ask me who would you employ—is it the man who has never known anything about media but went and got all the theories? Or the guy who probably was going around media houses and then went to study? I would say somebody who had peeped before into newspaper and radio."

There are many short-term training programs for media personnel throughout the year, and they are open to all. Most are organized by local groups in collaboration with international financial and technical support. The others are done exclusively by international organizations working for foreign governments, such as the Thomson Foundation, which works with the British government on media development in Sierra Leone. Most of the short-term training projects cover basic journalism and radio production; editorial and newspaper management are sometimes part of the package. Mariama Coker said the strategy of using workshops to train must be considered: "Most times when these trainings come, they get into the wrong hands... even at the local level; participants are attracted by the per diem that is paid at the end of the training exercise."

Lewis said the workshops should be scrapped: "What I think is essential is hands-on training. If you want to send a trainer, send the trainer into my office and the trainer works with my staff everyday... that would be effective and would help."

Nicol argued that short-term media training programs must be well structured with local concerns: "Without a home-grown, training-needs assessment, we will have this problem. Because when the trainers come with their money, we will say these are the needs of journalists—industrial reporting, court reporting, for example. So you go according to what we have planned, not what you want to give us. I think the SLAJ or any other institution should be empowered to make such decisions about what is needed in terms of training rather than having this workshop culture."

The panelists unanimously agreed that newsprint is in private hands and the government imposes no restrictions on its sale. Private printing facilities print newspapers, generally without political considerations. However, sometimes when seditious libel trials take place, because even printers and vendors can be held liable, the printers try to impose a form of censorship on certain papers. At least two newspaper houses (*Standard Times* and *Awoko*) now have their own printing facilities from which other papers benefit.

Newspapers are distributed by individual vendors organized into what is called the Newspaper Vendors' Association. There is no government interference. Transmitters are owned and operated by the radios themselves. Internet service providers are run mostly by Nigerian and British business groups. Once they pay their taxes, they operate freely. Ordinary Sierra Leoneans access the service through numerous Internet cafés springing up all over Freetown. The only restriction is the cost of the service.

List of Panel Participants

Mariama Coker, producer, Sky Radio, Freetown

Umaru Fofana, correspondent, BBC, Freetown

Tanu Jalloh, editor, *Concord Times*, Freetown

Phillip Koroma, producer, Eastern Radio, Kenema

Williette John, managing editor, *Salone Times*, Freetown

Sallieu Kamara, director, knowledge management and communications unit, Network Movement for justice and development, Freetown

Bene Kamara, legal practitioner, Freetown

Joshua Nicol, media trainer, Initiative for Mobile Training of Community Radio Stations (INFORMTRAC), Freetown

Mustapha Sesay, assistant secretary general, Sierra Leone Association of Journalists, Freetown

David Tam-Baryoh, executive director, Center for Media Education and Technology, Freetown

Julius Spencer, managing director, Premiere Media Advertising/Public Relations Agency, Freetown

Moderator and Author

Isaac Massaquoi, lecturer, Mass Communication Department, Institute of Library and Communications Studies (INSLICS), Fourah Bay College, University of Sierra Leone, Freetown

The Sierra Leone study was coordinated by, and conducted in partnership with, Media Foundation West Africa, Accra, Ghana.

The partisan characteristics of most media have compromised the principles of value-based journalism. Some of these journalists and their news media organizations are accused of encouraging violence, terror, and crime in Somalia.



SOMALIA

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Somalia is still in a situation of chaos, as most of its south-central regions remain lawless. The security situation continues to deteriorate, particularly in Mogadishu, Bay, Bakool, Lower Jubba, Lower Shabelle, and Hiraan regions. Civilians still bear the brunt of the conflict and are victims of indiscriminate use of force by the warring sides. Piracy in Somali waters has emerged and remains a persistent security concern. Humanitarian laws and human rights have been systematically violated, and freedom of expression, including freedom of speech and of opinion, are infringed upon and ignored.

A large number of Somali journalists and other media workers are being subjected to various forms of violence and oppression, from censorship, professional punishment, arbitrary detention, and maltreatment to harassment, beatings, threats, and killings. Such poor working conditions for journalists and other media staffers are major impediments to their ability to work professionally and advocate for their rights.

The rights to free speech and freedom of the media are enshrined in Somalia's Transitional Federal Charter (interim constitution), as well as the constitutions of regional administrations such as Puntland Regional State. However, the precarious working environment of the media threatens the quality of journalism, principles of press freedom, human rights, and the proper functioning of news media organizations.

The partisan characteristics of most media have compromised the principles of value-based journalism. Some of these journalists and their news media organizations are accused of encouraging violence, terror, and crime in Somalia. Somali politicians and intellectuals criticized media performance, urging the media to be more professional in informing the public on developments in conflict-affected areas and details of army operations. But for security reasons, journalists were not active in hostile areas. Further, in 2008, the media exercised extensive self-censorship when reporting on warring sides in the country, as well as opposing politicians vying for the Puntland presidency.

Media support organizations, however, were actively engaged in Somalia. They addressed the topical and pressing issues pertaining to the news media, including freedom of expression, the right to information, conditions of working journalists, gender and the media, the role of media in peace efforts, and media ownership.

Given the ongoing political upheaval and armed conflict, it is not surprising that the scores for Somalia mostly went down this year, from 1.68 to 1.52. All five objectives scored in the "unsustainable, mixed system" category, with Objective 1 (freedom of speech) coming in lowest with 1.32, and Objective 5 (supporting institutions) receiving the highest score of 1.67. The conflict itself is at once a severe challenge to the media and a key to limited freedom. For example, the security situation makes Somalia dangerous for journalists, yet it prevents the government from implementing laws seen as repressive. No one party can control the media, which in turn creates relative plurality of voices. Still, individual media must self-censor out of fear, and many have become openly partisan.

SOMALIA AT A GLANCE

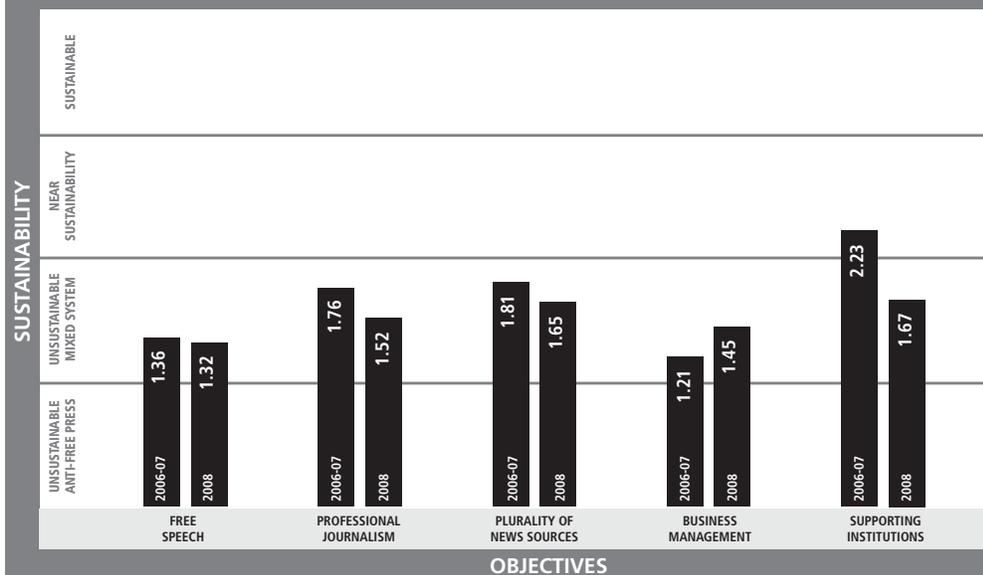
GENERAL

- > **Population:** 9,832,017 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Mogadishu
- > **Ethnic groups (% of population):** Somali 85%, Bantu and other non-Somali 15% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim (*CIA World Factbook*)
- > **Languages (% of population):** Somali (official), Arabic, Italian, English (*CIA World Factbook*)
- > **GNI (2007-Atlas):** N/A (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** N/A (World Bank Development Indicators, 2009)
- > **Literacy rate:** 37.8% (male 49.7%, female 25.8%) (2001 est., *CIA World Factbook*)
- > **President or top authority:** Transitional Federal President Sheikh Sharif Sheikh Ahmed (since 31 January 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 50 print media, 20 radio stations, 3 television stations
- > **Newspaper circulation statistics:** Top newspapers and estimated circulation: *Xog-Ogaal* (800), *Qaran* (500) and *Ayaamaha* (400) in Mogadishu; *Jamhuuriya* (1000) in Hargeisa.
- > **Broadcast ratings:** Top three radio stations: Shabelle Radio, Somali Broadcasting Corporation, and Horn Afrik. Universal TV covers the whole country, Somaliland TV covers an area with an estimated 1500 television-watching households, and Somali Broadcasting Corporation TV covers an area with an estimated 1000 television-watching households
- > **News agencies:** No local news agencies operate in Somalia.
- > **Annual advertising revenue in media sector:** Not available
- > **Internet usage:** 94,000 (2006, *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SOMALIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Somalia Objective Score: 1.32

For the year 2008, Somalia still qualifies as a very dangerous country for journalists. Intimidations, arrests, attacks, and even killings occur regularly. The major cause of all these violations is armed political conflict between Somalia's Transitional Federal Government (TFG) with its allied Ethiopian troops and the armed elements opposing its rule. The media, especially those in central and southern regions, still operate in conditions that do not allow professionalism and independence. In 2008, two renowned journalists were murdered in Kismayo, south of Mogadishu.

The score in this objective remained essentially unchanged, although some indicators did show movement compared with last year. Indicators 6 (libel laws) and 8 (media access to international news reports) both declined, while Indicator 9 (free entry into the journalism profession) improved. Most of the indicators scored relatively close to the overall objective score. The two exceptions are Indicators 4 (attacks on journalists), which scored about two-thirds of a point lower, and 9, which scored about two-thirds of a point higher.

The Transitional Federal Charter guarantees freedom of the media and freedom of information. But a media law passed in December 2007 imposes restrictive measures on the media, despite several efforts to bring the law up to international standards of freedom of expression. The bill was signed

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

into law by Acting President and the Speaker of Transitional Federal Parliament Sheik Adan Mohammed Nur. However, the TFG has not enforced the law, due to power struggles among the top leadership of the government and several attacks by Islamic insurgents. The effects it may have on the media, therefore, remain to be seen.

Licenses are not issued regularly to any print or electronic media, despite various governmental bodies in the country. For example, Puntland has its own constitution, though it recognizes the TFG. It has regulations that require media to seek licensing, but they are not imposed on a regular basis. The establishment of a news media organization is not as complicated—Somalia imposes no taxes or other impediments on the establishment or running of a media outlet.

Impunity is pervasive. Crimes committed against journalists and news media organizations are not investigated or punished, due to the lack of an independent and effective judiciary system and political will. Most crimes are politically motivated and covered up by powerful politicians or armed groups.

Reporters from national outlets gather information disseminated by international and regional news organizations, but local media professionals do not have the necessary access to information from certain senior politicians. For example, Somalia's new prime minister was accused recently of not responding to local journalists and instead answering inquiries from foreign media.

Radio Mogadishu and Radio Bay, the radio stations of the TFG, are allowed only to disseminate news from a perspective that supports the government's actions. There is no expectation, legal or otherwise, of editorial independence.

Despite incomparable risks facing media professionals and their news media organizations, dedicated and brave young adults are joining the journalism profession. Some of these journalists are recruited by news media organizations based on their connections to the media house owner, but a good number of journalists join out of enthusiasm for the profession. This is promising news for the survival of media organizations, as many journalists who had invested much time in professional development and had become backbones of their outlets have fled Somalia. The National Union of Somali Journalists estimates that at least 65 senior journalists have left in fear of their personal security.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Somalia Objective Score: 1.52

Somali media endeavor to inform Somalis on political, economic, social, health, cultural, educational, scientific, religious, ecological, and sporting events in the country and abroad. Occasionally, media outlets try to encourage open and free discussion by allowing citizens to express their viewpoints. But in general, news media organizations are mismanaged and overwhelmed by cronyism and bribery, and plagued by accusations of inciting violence.

The score for this objective, therefore, is moderately lower this year. Most indicators fell; only a few remained more or less the same: Indicators 2 (journalism ethics), 3 (self-censorship), and 7 (modern technical equipment). One indicator increased somewhat: Indicator 5 (pay levels for journalists). All indicator scores were very close to the overall objective score, with none more or less than a third of a point higher or lower.

The panelists said that media professionals in Somalia face a twofold challenge: to defend quality and standards of journalism and to create decent working conditions for all media workers. Without such conditions, Somalia has no concrete basics for forming a culture of independent and ethical journalism, panelists said. "The development of professional journalism is a crucial element in building a framework for press freedom," said Idle Moallim, director of the Puntland Journalists Club.

A few Somali journalists do pursue internationally accepted ethical and professional standards. But overall, as the media

industry is mushrooming in Somalia, media workers are struggling to maintain a satisfactory level of professionalism. The bulk of journalists need to learn basic reporting and news writing skills, in addition to committing to carry out their duties impartially, accurately, and responsibly.

Somalia has no schools of journalism or tradition of formal journalism education. Some Somali journalists were either trained outside the country or trained on the job with a few seminars and workshops to improve their skills. But some news media organizations believe that on-the-job training represents a major drain on time and other scarce resources, the panelists agreed.

Most panelists said that Somali journalists are failing in their duty to present all sides of a story in a fair and balanced way, due to mounting pressure from media owners and difficulty in securing interviews with politicians and newsmakers. MSI panel participants noted that independent sources are rarely quoted in news stories. Many news reporters are operating more like columnists and feature writers, reporting hearsay and including commentary in their stories. Politicians often criticize media professionals for lacking the competence to report on the facts rather than rumors. "Some of us rush to file unsubstantiated gossip without finding out whether there is any truth in it," said Muna Hassan.

Panelist Zaynab Abukar said that many journalists are not suited to inform the public, as they lack the knowledge to report on people from all walks of life. "Some of our colleagues are not enthusiastic, committed, or eager to learn the main issues that affect our society on a daily basis," she said.

Panelist Mohammed Hussein defended journalists, however. "It is a huge task for us as journalists to observe, record, and report information impartially and independently, while we know someone is not happy with what we are reporting."

Self-censorship, as a form of protection, is common among Somalia's media organizations and professionals. Journalists are sometimes encouraged to report on key events as long as they are not posing any risks to themselves and their families. Some news media organizations have begun to allocate more airtime to entertainment programming and less to news since the 2007 attacks on the media.

The current working conditions of journalists in the south-central and Puntland regions are a major impediment to performing in line with professional ethics and professional obligations. Poor services for journalists, lack of protection, and gender inequality remain major obstacles. Mowlid Haji Abdi of Somali Broadcasting Corporation (SBC) said that inexperience is an issue as well. "Media are growing in number in Puntland compared to last year, but the quality has

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

dropped greatly, as many young people and unskilled media managers are in the highest levels of decision-making," he said.

Journalists, particularly those reporters in the lower cadre, are among the most poorly paid professionals in the country. Most journalists do not have an employment contract, and many work under a "name for work" policy—receiving only a byline as compensation. Some media houses employ relatives or prefer to recruit unqualified staff in order to pay low salaries, taking advantage of a labor market with no standard minimum entry-level wage. The low wages partly explain the poor performance and incessant disregard of journalism ethics.

Journalists do, however, have access to technologically advanced equipment to perform their daily tasks.

Lack of specialization has affected the general quality of the news media, with little attention paid to niche issues or investigative reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Somalia Objective Score: 1.65

The score for this objective fell slightly, and most indicator scores fell as well. Indicator 3 (objectivity of state media) remained the same, while Indicators 4 (news agencies) and 6 (transparency of media ownership) both improved somewhat. All indicators scored very close to the overall objective score.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Although Somalia does not have a system that encourages or protects experimentation, innovation, or the inclusion of many voices, there is plurality of news sources. Somalia has 21 radio stations, three television stations, and about 20 newspapers. But warlords and other politicians are accusing these outlets of being vehicles for promoting political strife and tribal conflicts. Indeed, partisanship has affected the credibility of the news media organizations in Puntland and south-central Somalia. Citizens must listen to several radio stations to get a comparatively correct evaluation of events and developments.

Wherever they are in the country, Somalis have access to international and regional news media organizations. Local radio stations rebroadcast programs from BBC, VOA, and RFI; Arab Satellite provides Arab-language and English-language channels, including CNN and Al-Jazeera English, without censorship or other interference.

Although the government has little or no influence on the private media, it controls the state-owned media with a firm grip. Radio Mogadishu and Radio Bay are partisan media and report government viewpoints only. They are not regarded as public-service broadcasting media. Somalia National News Agency (SONNA) is an inactive news agency. Because of the risks foreign journalists face, international news agencies AP, Reuters, AFP, and Xinhua collect news and information from different regions and districts by relying on local stringers.

However, a major development of the past decade is the increasing presence of the private media sector, which is impacting the reach and influence of state-owned media. Because of competition from their counterparts in the private sector, the TFG media of Radio Mogadishu and Radio Bay no longer enjoy the monopoly that the military government had before its collapse in 1991.

Local radio stations produce their own programs. The UN humanitarian news agency, IRIN, has recently established a half-hour program produced from Nairobi and broadcasted through local radio stations and the Internet.

OBJECTIVE 4: BUSINESS MANAGEMENT

Somalia Objective Score: 1.45

The score for this objective improved modestly thanks to slightly better evaluations by the panelists of a number of indicators. All indicators scored very close to the overall objective score.

Media in Somalia are owned solely by Somalis, representing the diaspora, politicians, or, most often, private

businesspersons. Media outlets are run by the owners or individuals with whom owners have a close relationship, such as a family or tribal member. Private media operate as profit-making companies, but it is widely known that media managers have little understanding of how to run a successful, profitable business. This lessens their power to remain independent from private, political, and commercial influences.

Somalia has no advertising agencies. No market research is used to formulate strategic plans, enhance advertising revenue, or tailor products to the needs and interests of audiences.

Media are funded by various sources, all of which are declining. The financial strain has negatively impacted programming, prompt coverage of important news, and the overall quality of media.

Panelists could not name a private media outlet that has received public subsidies from the TFG, because the government itself is dependent on foreign aid. But panelists said that regional administrations, such as Puntland Regional State, provide some funding to private media indirectly, as do politicians in the south-central regions.

The panelists said that advertising does not make up the majority of media revenue and agreed that what little advertising existed has decreased drastically since the ruinous war in southern and central regions. Most commercial companies closed down and fled for the safety of their employees and property. In the past, media ran advertisements by small-scale industries, retail and wholesale companies, telecommunications enterprises, money-transfer companies, airlines, schools, and UN agencies, among others.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

A media outlet's chance of securing advertisements depends mainly on the relationship between the media owner or manager and the advertiser.

Some media houses were previously accused of broadcasting advertisements that were in breach of religious values as well as ethical standards of Somali society. Media managers and owners had been focused on the potential income rather than public consequences. Abdi, editor with the SBC, though, was able to offer a positive example of professionalism in advertising. "We were offered money for campaigning by presidential candidates, but the owners were hesitant to allow their media directors to have income generated by campaign advertisements," he said.

Donor-funded projects, such as public-awareness campaigns and training programs for media members, have decreased, as donors recognize the unfavorable environment in which Somali media operate.

According to the panelists, this combined decrease in advertising and donor funding has increased the number of media houses that receive financial support from politicians from their clan or in alliance with their clan politicians. Some media owners manage to finance their companies using their own money.

The original private media in the country were newspapers, which were first published in Mogadishu immediately after the collapse of the military government. However, panelists said that all newspapers in Mogadishu have stopped operating, mainly due to lack of income to pay staff salaries, utility expenses, and the cost of vendors; very few people want to, or can afford to, read newspapers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Somalia Objective Score: 1.67

Nearly all indicators fell as increased violence hindered the role of supporting institutions, resulting in a decrease in the overall score from 2.23 to 1.67. Only Indicators 1 (trade associations), 3 (the work of media support NGOs), and 4 (academic journalism programs) did not change. These three indicators were the lowest last year, and it would appear that the state of other indicators fell to their level: all indicators scored very close to the overall objective score.

Several organizations are supporting media development in Somalia. They include the National Union of Somali Journalists, Somali Women Journalists' Association, and East Africa Media Institute—Somalia Chapter. Newspaper owners established the Somali Independent Newspaper Association to represent the interests of newspaper companies, but given

the difficulties that shut down newspapers in Mogadishu, the association has become dormant. Broadcast media owners have tried but failed several times to establish their own association.

The National Union of Somali Journalists has developed systematic monitoring of the media freedom situation. Cases of attacks on journalists are reported locally, nationally, regionally, and internationally through postings on the union's website, distribution to local media, and through its membership in the International Federation of Journalists and International Freedom of Expression Exchange.

Other media NGOs with foreign funding are present in Somalia, defending freedom of expression and the right to a free press. These organizations provide training courses, workshops, and seminars for all media professionals. To date, the longest training session has lasted seven days, but many journalists are not interested in being absent from work for more than seven days.

Although Somali media do receive assistance, Abdi said that aid is not given equitably across the country. "Always, Puntland is underrepresented in all opportunities of capacity building for media. The concentration is in Mogadishu and Somaliland. We feel that Puntland media is booming but is not given the attention it deserves," he said.

Internet service providers, including Global Internet in the southern regions and Golis Telecom Somalia in Puntland, are privately owned. As independent companies, they are neither influenced by politics nor subject to censorship.

Each newspaper owns its own printing facilities or shares costs with other newspaper. Printing is not influenced by politics in the country.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Muktar Mohammed Hirabe, director, Shabelle Radio, Mogadishu

Zaynab Abukar, reporter, HornAfrika, Baidoa

Hilal Sheik Shueyb, deputy director, Radio Warsan, Baidoa

Sahro Mohamed Ali, executive member, Freelance Journalists, Kismayu

Abdiqani Sheik Mohamud, editor, Radio Jowhar, Jowhar

Muna Hassan, freelance reporter, Journalist Radio, Beledweyn

Abdi Adan Guled, editor-in-chief, Xog-Ogaal newspaper, Mogadishu

Wilu Ali Bulhan, assistant editor, Aayaha Nolosha newspaper, Mogadishu

Mowlid Haji Abdi, editor, Somali Broadcasting Corporation, Bossasso

Idle M. Moallim, director, Puntland Journalists Club, Bossasso

Mohammed Hussein, reporter, Jantile Allpuntland, Bossasso

Moderator

Abdirashid Abdullahi Haidar, secretary of labor, National Union of Somali Journalists, Mogadishu

Observer

Ali Moallim Isak, organizing secretary, National Union of Somali Journalists, Mogadishu

The Somalia study was coordinated by, and conducted in partnership with, the National Union of Somali Journalists, Mogadishu.

Somaliland media is a young industry that is still developing and needs to be nurtured. “Considering Somaliland’s situation, without [international] recognition and suffering from the effect of wars, our advancement is very impressive, but we need more international support,” said a panelist.



SOMALILAND

The first Somali-speaking radio was opened in Hargeisa in 1950, in the Somaliland British Protectorate. The first newspapers were also produced during the same period in Arabic, since the Somali language had no script until 1972. However, the progress of the print media has been hampered by twenty-one years of censorship imposed by the Barre dictatorship. Furthermore, the low literacy level of the Somali population has always been an obstacle to print media and has favored the broadcast media, especially the radio.

In 1991, when the dictatorship was defeated and the Somaliland state was reinstated in the borders of the ex-British Protectorate, the written media started mushrooming. In almost all major regional cities, a daily newspaper was published, usually composed of four pages and produced with a cyclostyle. Radio Hargeisa had been completely destroyed during the war and was not revived until several years later. Today, in the capital city of Hargeisa, there are 10 Somali-language daily newspapers and four English weeklies published. New media, including news websites, Internet radios, and blogs, are also expanding. Internet cafés are a regular feature of most Somaliland cities, benefiting from the prevailing cheap telephone and Internet rates.

There are now three television stations in Hargeisa and another two international Somali stations represented in Somaliland. Satellite television broadcasting is creating media access for the rural population, which was marginalized by the mainly capital-centered Somaliland media outlets.

According to the panelist discussion and their scores, Somaliland's strongest attribute in the media sector is freedom of speech, with an Objective 1 score of 2.11. Another two areas where developments in Somaliland augur growing strength in are plurality of news sources and supporting institutions, with Objective 3 and Objective 5 scores of 1.87 and 2.01, respectively. On the other hand, the weakest links of the MSI are in the areas of professional journalism and business management, with Objective 2 and Objective 4 scores of 1.64 and 1.54, respectively. This is an indication of the weak capacity of the education, skill, and resource base of Somaliland media outlets. Somaliland media is a young industry that is still developing and needs to be nurtured. "Considering Somaliland's situation, without [international] recognition and suffering from the effect of wars, our advancement is very impressive, but we need more international support," said a panelist.

Somaliland has not been recognized as a sovereign country by any nation or international organization. However, the many differences between it and Somalia, including different legal and regulatory regimes, warrant a separate study of media in Somaliland.

SOMALILAND AT A GLANCE

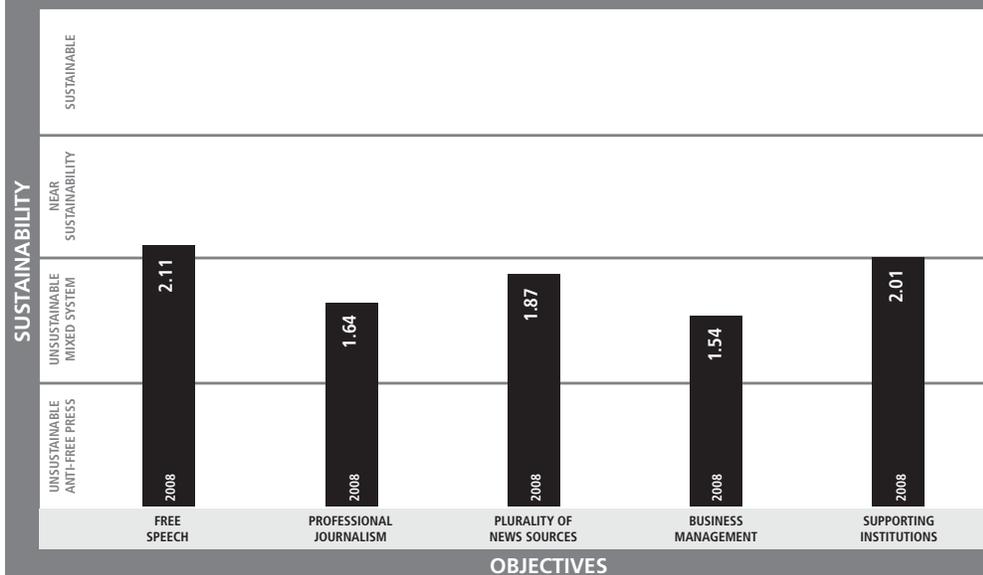
GENERAL

- > **Population:** Estimated at between 2 and 3 million
- > **Capital city:** Hargeisa
- > **Ethnic groups (% of population):** 100% Somali, with 3 major clans: Isaaq (majority), Dir, and Harti
- > **Religions (% of population):** Sunni Muslim
- > **Languages (% of population):** Somali (official), Arabic and English used for business purposes
- > **GNI (2007-Atlas):** N/A
- > **GNI per capita (2007-PPP):** N/A
- > **Literacy rate:** N/A
- > **President or top authority:** President Daher Rayaale Kaahin (since May 5, 2002)

MEDIA-SPECIFIC

- > **Number of active media outlets:** 10 daily newspapers, 4 weekly or semi-weekly newspapers; Radio stations: 1, Radio Hargeisa; Television stations: 5 Somali language stations, 3 local (Somaliland Space Channel (satellite) and Hargeisa Cable TV are private, Somaliland National TV is government owned) and 2 international, plus global networks in the Arab-Sat and the Nile-sat; most popular of these are Al-Jazeera, BBC, and CNN in that order; Internet news sites/blogs: 22 news websites, of which 11 are Internet only news websites and 7 Internet radios—90% of the Internet-based news outlets are managed by Somaliland diaspora
- > **Newspaper circulation statistics:** Around 1000 copies per daily issue
- > **Broadcast ratings:** N/A
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** N/A

MEDIA SUSTAINABILITY INDEX: SOMALILAND



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Somaliland Objective Score: 2.11

Media in Somaliland operate in a free space, and the society values freedom of expression. There is no practice of censorship, and the legal base exists for free speech in Somaliland; however, enforcement is weak. Panelists did point to a particular flaw in the discrepancies between the law and the prevailing practice in cases of libel as a civil law issue, as well as treatment of government officials in front of these laws. Panelists awarded Indicator 6, therefore, a score more than a half-point lower than the overall objective score. On the other hand, Indicator 8 (media access to international news sources) received a score more than two-thirds of a point higher. Other indicators scored close to the overall objective score. Therefore, the panelists concluded, despite some weaknesses Somaliland has made significant progress and is doing better some of its regional counterparts when it comes to exercising freedom of speech.

Freedom of expression is enshrined in Article 32 of the Somaliland constitution, and there is also a Press Law (Law No 27/2004) that further elaborates these freedoms and provides necessary explanation and guidelines of its application. However, the panelists have clearly expressed their dissatisfaction with the level of enforcement and government commitment to uphold these constitutional rights and the application of the Press Law. There were attempts by the government to intimidate journalists through short-term imprisonment, for example. In the case of the Press Law, the government has shown its discomfort with it as written and is trying to introduce a new law to supersede it. There is serious opposition toward this move within the parliament and from the media at large.

In the practice of registering media outlets, there are variations within the media industry and with other businesses. To register a media outlet, one must register with the Attorney General's office, as other businesses do, but also must obtain approval from the Ministry of Information. Within the industry, licensing private radios is still banned by ministerial decree, for fear of unleashing destructive clan rivalries on the airwaves. The ban is still in place despite fierce opposition from a cross-section of the society, including parliamentarians. Panelists consider the ban on private radios unconstitutional. Other than that, licensing television stations and other print media outlets is fairly straightforward. The electronic media, including Internet radios and news websites, are not so far subject to any licensing requirements.

No significant taxation barriers are imposed on media outlets. In fact, media outlets have operated so far in a tax-free

space. There is a general understanding that media in Somaliland are still in their infancy and any tax burden could be counterproductive to freedom of expression. There are now suggestions from some government circles to introduce some taxes, while on the contrary many parliamentarians are arguing to provide support to all media outlets (not only government media outlets) to encourage their development. None of the MSI panelists advocated for government subsidies, but some of them also said that government media are using taxpayers' resources without anything to show for it.

Journalists in Somaliland do not operate in an atmosphere of fear and intimidation, and crimes against them are rare. But when crimes do occur, no vigorous prosecution measures are taken against perpetrators, especially if higher government officials are involved. Journalists themselves do not pursue their cases in court if crimes are committed against them, because they do not see any use in doing so. For instance, Abokor Aafi related his experience:

"Once, I was arrested in Borame because I was interviewing people at the airport who were upset because they couldn't leave the airport, and their passports were being kept by the police (customs) with demands of payments. Security and police saw me, and someone sent for 10 officers to arrest me and my cameraman. We were held at gunpoint, while my camera was still open and recording. When they came in the car, we took the tape out of the camera and handed it quickly and quietly to some bystander I knew for safekeeping. When we got to the police station, our equipment was confiscated.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

To register a media outlet, one must register with the Attorney General's office, as other businesses do, but also must obtain approval from the Ministry of Information. Within the industry, licensing private radios is still banned by ministerial decree, for fear of unleashing destructive clan rivalries on the airwaves.

When they tried to watch the tape, it was missing. They asked about the tape, and we told the officers they took our stuff. However, when our arrest was announced, the man who had kept the tape for safekeeping came in and submitted it to the police. When they saw the evidence with police brutality and excessive force, they didn't return it. But we were released. And we were happy just to get out. So there is no fear of persecution, but once something happens, there is no desire to pursue justice."

The panelists have also raised the issue of the imprisonment of the Haatuf group for three months. As Yusuf Gabobe stated, "The court turned down the defendants' request to be tried according to the current press law, instead of the antiquated penal code." Journalists' imprisonment has caused a public outcry in the past. The Somaliland public has no tolerance for summary imprisonments, but it also does not condone what is sometimes considered journalistic excess; government heavy-handedness often blurs the balance.

Legally, there is no preferential treatment for government media, but by the prevailing practice, government officials give preferential treatment to government media outlets in the access of information from official circles. Businesspeople may also get preferential treatment. According to Mohamed-Rashid Hassan, "If businesspeople desire, they have influence over media due to their financial strength. Those with money usually have influence." Furthermore, editors and managers in the government-owned media outlets are not fully independent in their editorial responsibilities and must stick to the official line.

So far no libel cases have been filed in the Somaliland courts. That does not mean that there are no grounds for them, but the practice of using courts to seek redress is not an attractive option for Somalilanders in the present state of the judiciary. On the rare occasions that government officials took action against journalists who offended them, they treated the matter not as a civil case but started the process by putting the accused journalist behind bars. A more common practice to address defamation is to go to the customary law.

Panelist Aafi told the following story of a sultan's coronation ceremony, which was misrepresented:

"In our province it happened; there was a newspaper article claiming that the coronation has never taken place, while actually it did happen. The concerned journalist claimed that instead of a coronation, fighting took place. The family who was performing the coronation complained, and the journalist was arrested. In the end, the journalist had to retract the story, and there was a formal apology written in all the newspapers. This kind of a settlement, where a journalist retracts his/her story and publishes an apology is a common occurrence in Somaliland."

The Internet is quite problematic in the Somaliland context because there is no way of filing a libel case or even going to the customary law against somebody in a foreign country. Abuses happen, and often owners and editors do not take responsibility for that.

While government media have better access to public information, there are no laws or restrictions imposed on the independent media outlets in obtaining public information. Independent media outlets get invited to government press conferences and have access to interview public officials. It is common knowledge, though, that private media have a more cozy relationship with the opposition parties and may even act biased in favor of them.

Media outlets have unrestricted access to international news and news sources. They access the international networks and other news sources primarily through the Internet. They are free to reprint and rebroadcast international sources without violating copyright norms. The only limitation to access international sources is the cost of the sources.

Entry into the profession is free with no government impositions or controls. Some of the panelists were not happy about this state of affairs because there are no criteria or standards for somebody in Somaliland to become a journalist. That is why the quality of journalism in Somaliland leaves a lot to be desired. As Aafi put it, "Anybody can become a journalist; all that is needed is to get a camera. This is why so many young journalists without any qualifications or experience are crowding the market."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Somaliland Objective Score: 1.64

Since Somaliland journalism is still in its formative stages, it lacks maturity and technical experience. Its codes of conduct and professional standards are still evolving. Therefore, it

does not meet professional standards. Gabobe summed up the state of journalism: "Professional standards are often not met in Somaliland media reporting due to scarcity of both qualified journalists and financial resources. Acceptance of gifts by journalists in exchange for favorable coverage is not uncommon. Practicing of self-censorship by journalists or editors due to external or institutional pressure is rare."

His comments were reflected in the scores of the other panelists. Indicator 3 (self-censorship) scored a bit more than half a point higher than the overall objective score, while Indicator 5 (pay levels for journalists) fell short by just over half a point. Other indicators scored close to the overall score.

There is no widespread culture of unfair or non-objective reporting; however, the education and skill base of the majority of the journalists in Somaliland is limited, and therefore their reporting is often deficient and short of desirable standards. In Shukri Harir's words, "Journalists actually do not meet professional standards, partly because they do not have adequate technical skills and partly because they do not get sufficient payment to encourage them to make improvements." Despite the fact that trials from the Somaliland Journalists' Association to establish an accepted code of conduct are still shaky, under the circumstances significant progress toward this goal has been achieved in the past decade.

No formal censorship laws or practices are imposed on the media outlets in Somaliland, so journalists do not work in an atmosphere of fear or external pressure. However, the private media outlets have freer space to operate than the government media, which, panelists argued, work in a more sensitive and perhaps somewhat restricted atmosphere.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Panelist Shadia Mohamed Rooble said, "I work in private TV, which earns substantial revenues, but these revenues are not reflected in the wages of workers, and eventually a lack of truly skilled workers brought down the quality of the services."

Local broadcast media, of course, are conscious of prevailing cultural sensitivities and sensibilities in their programming.

Somaliland media provide adequate coverage to events and issues in urban population concentrations and especially in the capital city of Hargeisa. But they hardly report on issues concerning the majority rural population of pastoralists and farmers. Panelists argued that the media are obsessed with political issues at the cost of economic, social, and cultural development issues in the country. There is no convincing justification for lack of reporting on rural issues, considering the cheap and ubiquitous mobile telephone coverage provided by telecommunication companies to all corners of Somaliland. Despite these shortcomings, panelists felt that other key issues do receive coverage in the media.

Journalists' salaries in Somaliland are abysmally low. Media outlets, it is claimed, do not make enough profit to pay decent wages and to employ professional journalists and consultants. Such a state of affairs could be expected to lower the standards of media professionals and to encourage corruption among journalists. Panelist Shadia Mohamed Rooble said, "I work in private TV, which earns substantial revenues, but these revenues are not reflected in the wages of workers, and eventually a lack of truly skilled workers brought down the quality of the services. Media owners need to respect workers with good hiring practices and merit-based rewards. Underpaid, undervalued employees cannot advance institutions in the best way."

News and information programming dominate the content of both the print and broadcast media. Television stations and Radio Hargeisa usually broadcast entertainment programs, often to fill programming space and not because entertainment pays more. However, some newspaper pages are often covered more with sports and advertisements than with quality information articles.

The machinery and equipment that the Somaliland media outlets use are not modern and up to date. Printing presses are too old and uneconomical to use, and television journalists lack professional cameras and modern studios to

produce programs; radio journalists use basic equipment and archaic studios. This low technological base of the media industry is very much reflected in the technical quality of the print products in the market. Their layout techniques and use of color in the newspapers have not shown any improvement since the old printing machines were reintroduced to Somaliland after the war in the mid-1990s. It is interesting to note that all Somali-language newspapers have a total of eight pages and the same layout, whether the newspaper was in operation for the past 15 years, as with *Jamhuriya*, or is one of the recently started papers. This is a clear indication that the global technological revolution experienced by print media is bypassing Somaliland.

There is no niche reporting or programming worth mentioning in Somaliland, and the main reason is the prevailing low level of professional capacity of most journalists. According to Gabobe, "Few journalists, if any, can be described as professionally prepared in terms of education and experience to be able to do investigative journalism or produce a special feature on issues dealing with economics." Although Somaliland journalists received substantial amounts of short-term training, which journalists claim eventually repeated itself, they lack longer-term training opportunities and exposure to other more advanced journalistic environments. They also lack scholarships to external universities and professional institutes or even to the local journalism program in Hargeisa University.

OBJECTIVE 3: PLURALITY OF NEWS

Somaliland Objective Score: 1.87

Somaliland's indicator scores in this objective reveal some strengths and weaknesses. Indicator 2 (citizen access to media) scored more than a point higher than the overall objective score and Indicator 6 (transparency of media ownership) scored more than half a point higher. Indicator 4 (independent news agencies) scored almost a point-and-a-half lower. Other indicators scored close to the overall objective score.

Plurality of news sources in Somaliland is taken for granted in theory. However, since literacy among the Somaliland population is low, particularly in rural areas, the easiest medium for them to use is radio; unfortunately, radio broadcasting in Somaliland today is the weakest link. The primary cause is the existing ban on private FM radio stations and the inability of the Somaliland government to provide countrywide broadcasting capability. Radio Hargeisa has not yet attained its pre-war capacity after 17 years. Furthermore, three major universities in Somaliland (Hargeisa, Amoud, and Burao Universities) all have FM radio equipment at their

disposal and are still seeking approval from the government to use them for rural access and educational purposes.

Panelist Abdirahman Yusuf Artan said of radio, "Sources are limited. Analysis is weak. The issues themselves are reported, but background information and research generally do not exist. Background research, implications, and analysis aren't in place, and this is an impediment to the delivery of news." Panelists pointed to a net marginalization of rural citizenry as a result of the divide in available, quality, and useable sources of news.

Most of the population in the villages—the pastoralists and the farming communities—relies primarily on the BBC Somali radio for their news. The BBC Somali program has served the Somali people for over half a century now and has earned their trust, despite the fact that in recent times one can argue that its freehand and overarching approach to coverage has retarded the development of local radios and their capacity.

More recently some of the satellite television stations can be watched in villages where electricity is available. Availability of computers to access the Internet is concentrated only in the major urban centers. There are a plethora of news websites, usually originating from the diaspora and often with little variety of programming and specialization.

Further, the issue of affordability for the bulk of the population is in question. The employment situation and the earning capabilities of the overwhelming majority of the population are quite limited. Over 40 percent of households in the capital city are characterized as dependent on remittances from abroad. Therefore, while diverse media sources may be

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

available, their access can be out of reach for the majority lower-income population, however small the fees for subscription or price of a newspaper may be. The price of a daily newspaper is 2,000 shillings (equivalent to around 30 US cents). In the photo at the beginning of this chapter, one can see hordes of young people gathered at the city center sharing and exchanging copies of the daily papers partly due to lack of individual affordability to buy their own copies, but also demonstrating how the young are dependent on these papers for both political and sports news and job advertisements.

Affordability aside, there are no government or societal forces evident in the local or international Somaliland media market that could be construed to restrict citizens' right to free access.

There is no public media other than the government outlets. For instance, there are no community radio or television stations, nor are there outlets operated by independent public boards. Government media outlets, whether print or broadcast, are considered to reflect primarily the official policies and positions of the ruling party and the government. Despite the politicized nature of these outlets, there is no doubt that they serve the national interest of the Somaliland people.

There are no established news agencies in Somaliland, public or private. Media outlets often depend on their journalists for gathering news at the domestic market and on the international networks through the Internet. By the same token, the independent broadcast media, such as the television stations and Internet radio stations, all make their own news programs. The emergence of independent FM radio stations in Somaliland—and their ability to provide news—still depends on the lifting of the government licensing ban.

Media outlets' ownership is generally considered to be transparent, and no conglomerates monopolize the media in Somaliland. In fact, the Somaliland media outlets are scattered, and run as micro-businesses; thus, they lack the interest of serious investors as profitable businesses.

There are minorities or marginalized groups whose interests may not be reflected in the mainstream media coverage, although not by virtue of language. Sometimes a journalist may not be able to defend his or her position if powerful interests are involved, especially if it becomes a clan issue. This is clearly depicted by Aafi's example: "Lack of capability or finances do not prevent writing for the minority. There is a fear that if you attempt to defend a minority issue, you will be confronted by those who marginalized them in the first place, and you can't defend yourself successfully on the grounds of free and open journalism. For instance, I wrote about a woman who was killed by her husband. I was then told that

Panelist Abdirahman Yusuf Artan said of radio, "Sources are limited. Analysis is weak. The issues themselves are reported, but background information and research generally do not exist. Background research, implications, and analysis aren't in place, and this is an impediment to the delivery of news."

I had entered into the private affairs of a family and was harassed." This is a reflection of the rule of law's being on the backburner when it comes to confronting the rule of the clan. In Somaliland and among the Somalis at large, invoking clan interests is always a sword hanging over free and independent opinion and an impediment to due processes taking their course as expected of a modern civil society.

OBJECTIVE 4: BUSINESS MANAGEMENT

Somaliland Objective Score: 1.54

Business management is clearly not a strong point of Somaliland media. Indicators 1 (media are well managed businesses), 2 (multiple sources of revenue), and 3 (advertising industry) all scored close to the overall objective score, that is to say reflecting an "unsustainable mixed system." Indicators 6 (market research) and 7 (audience and circulation measurement) both scored a point or more lower. Only Indicators 4 (ratio of advertising to other revenue) and 5 (government subsidies for private media) scored above 2.00, with the latter scoring more than a point higher than the objective score.

None of the media outlets in Somaliland can be characterized as professionally managed businesses. According to Artan, the media industry remains "a below-subsistence-level business." Both the print and broadcast media started from scratch in war-devastated Somaliland in the early 1990s, where there were no decent printing facilities and no supporting infrastructure. It was started mainly by amateur journalists and diaspora groups who were driven more by patriotism than by profit-seeking motives.

Despite the fact that the media outlets have since multiplied and the technological base has somewhat improved, their organizational and management base is still basic. Independent newspapers are owned mainly by one or a collection of journalists who manage them

None of the media outlets in Somaliland can be characterized as professionally managed businesses. According to Artan, the media industry remains “a below-subsistence-level business.”

as daily subsistence businesses. Television stations have some semblance of a business organization with a bit of differentiation among departments, but they also have a long way to go to be characterized as efficient and professionally managed businesses. They have hardly positioned themselves to seriously tap into the growing potential of television subscriptions and advertising markets.

The Internet media outlets themselves have also followed the same trend of one-man-owned micro-businesses. However, since the industry demands higher levels of education and skills and is in tune with the global trend, it is in a better position to maximize the advertising business opportunities not only from the Somali communities, but also from the regional and international advertising business. The verdict of the panelists, many of whom own media outlets, is that a score of 1.54 is indicative that the industry is not professionally managed and that it is not profitable in its present state. “There needs to be a change in the sense that media function as large institutions, rather than small businesses run by individuals,” said Hassan.

Sales and advertising are the only sources of revenue of any significance for the independent media outlets. Print media rely on sales, while local television stations have

more diversified sources. “Local television stations generate significant revenues from news advertising,” said Gabobe. With the ongoing advertising rate of \$10 per minute, television stations have the potential to generate substantial revenue, and panelists believe that the market exists. Government media is subsidized, and its employees are often paid from the state’s coffers. The government also takes revenues accruing from its media outlets.

There are no advertising agencies in Somaliland. Media outlets often have their own departments that cater to these clients. In its present state, advertising revenue as a percentage of total revenue is in line with international standards, if not lower. Independent media outlets do not receive government subsidies and have no access to major investment sources and community support. Media outlets must survive in the competitive market, and many of them are barely managing.

Somaliland media outlets do not have the skills and financial resources to undertake market research. Media outlets currently operate on a daily routine basis and have hardly developed plans for growth. Client businesses formulate their own ideas for their advertisements. Audience interests and tastes often do not come into play; it is more common to introduce a product than to create choices for consumers. There are no rating agencies, and circulation figures are rarely compiled by anybody, however, a rough estimate of newspaper circulation is in the range of 750 to 1,000 copies per issue.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Somaliland Objective Score: 2.01

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Current weaknesses reflected in this objective are primarily developmental, i.e., many supporting institutions have yet to emerge. Indicator 1 (trade associations) and Indicator 4 (academic journalism programs) showed a particular weakness, scoring more than half a point below the overall objective score. On the other hand, both Indicator 2 (professional associations) and Indicator 6 (sources of newsprint and printing) scored slightly more than half a point higher.

There are no organized and established trade associations in Somaliland. A few trade groups, such as printers, come together on an ad-hoc basis to discuss their interests. There is no culture of trade associations, representing and organizing the industry, for a multitude of reasons. First, there is no critical mass of companies and organizations in the industry to organize themselves for their interest and advancement. Second, Somaliland emerged in 1991

from 21 years of brutal dictatorship under which there were no rights of any sort and no associations of any kind were tolerated. And third, in the past 17 years, since it was reinstated as an independent polity by its own citizens, Somaliland remains unrecognized; therefore, its media industry has minimal exposure to the international mainstream culture of trade associations and networks.

However, there are currently four professional associations: Somaliland Journalist Association (SOLJA), Somaliland Society for Journals and Websites (SSJW), Somaliland Women Journalists' Association (WIJA), and the Union of Somaliland Journalists (USLJ). None of these organizations seem to enjoy a full membership and recognition from all media outlets. SOLJA is the oldest and most established of all, with a wide working relationship with external counterparts such as the BBC and other international NGOs. The SSJW and the newly formed USLJ are considered to be competing with SOLJA. The WIJA is an individual membership organization for women journalists.

Somaliland associations usually lean to different political parties and trends, and the role of the government is never that of a neutral player; it often exerts its influence in the affairs of civil-society organizations and especially in media affairs. This produces an environment in which associations are judged to be either with or against the government. All of the above organizations aim to protect journalists' rights and to advance their interests and working conditions, but they still have to learn to work together to have any significant impact.

Local NGOs support human rights and rally behind the media when journalists are arrested. But overall, there is no focus to advocate for free speech. The diaspora is more engaged

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Kaize Digaale expresses the need for business-oriented trainings: "There needs to be capacity building for skills development and specifically trainings in the financial management sector of media management. If an institution does not have adequate financial and management systems, it won't have the means to train its own employees."

in advocating for the Somaliland constitutional freedom of expression and association. After the imprisonment of Haatuf journalists, Somaliland diaspora activists formed an association named after Article 32 of the constitution; a book was also written to further publicize the need to uphold rights of freedom of expression and association in Somaliland.

There is only one journalism degree program in Somaliland. It is at Hargeisa University and is still in its early stages. The reason why there are no quality degree programs stems from Somaliland's special history. It is quite unusual that within the past 17 years of reconstruction and recovery from the war, there are already at least seven universities, some of which have attained international recognition, such as Amoud and Hargeisa Universities. None of these universities were started with international support or major investor resources. All began as a result of the collective effort of the Somaliland people and the sacrifices of individual mobilizing groups, especially in the diaspora but also among local communities. Therefore, early academic programming at these universities did not make journalism a priority. However, now there is at least one degree program at Hargeisa University, which is doing well and which has already established cooperative relationships with North American and European universities and academics. There is a potential for quality journalism as a result of these efforts, but as of yet, it is still only a hope.

Somaliland journalists have been given many short training opportunities by several organizations, such as the BBC. These trainings started in the late 1990s and have been provided repeatedly to a cross-section of journalists, who tremendously benefited from them. However, the level of the training continued to be basic, and many journalists eventually lost interest.

Furthermore, journalists may take training to use certain equipment, but the equipment was not available at the workplace. Roble, a panelist, said, "When I receive the trainings, my difficulty is that the owner did not want me to

follow through with the things I have learned; he wants to maintain his system. Furthermore, trainings are only five or seven days, but nothing longer term and with certification. There are complaints that we have not advanced despite all the trainings we received, because since 1998, there were the same trainings over and over again; there is a need for tailoring of the trainings to, for instance, the needs of senior workers.”

Kaize Digaale expresses the need for business-oriented trainings: “There needs to be capacity building for skills development and specifically trainings in the financial management sector of media management. If an institution does not have adequate financial and management systems, it won’t have the means to train its own employees.”

There are both government and private printing facilities, and newspapers have choices and are not bound to any specific facility. The printing facilities are generally private, apolitical, and unrestricted. However, even private owners sometimes feel the heat of controversial issues and try to moderate journalists’ stances and writings. Abdiweli said, “At the Berbera Port, there were once some controversial issues. We wrote about them in four issues. After two nights of printing, during the third night, the owner of the printing facility came to us and said, ‘Stop meddling in these affairs.’ When it became clear to us he was interfering with our work, we decided not to use his printing, and we went to another source. When he saw in the morning that we didn’t print from him but we managed to bring the paper out anyway, he came to us explaining his position.” The point is that journalists have a variety of printing facilities in Hargeisa to choose from.

The distribution channels of the print media are also private, apolitical, and unrestricted. However, the radio transmitters are in the hands of the government, and their use is strictly with its approval. There are no local private radio stations in Somaliland, but the BBC has an agreement with the government for FM-radio broadcasting, and there is 24-hour programming in English, Arabic, and Somali. The Internet is totally free, and therefore Internet cafés are a common feature of all Somaliland cities.

List of Panel Participants

Yusuf Abdi Gabobe, editor/owner, Haatuf Media Network, Hargeisa

Abdiweli F. Jambiiir, editor, *Ogaal* newspaper, Hargeisa

Muse H. Mohamed Gulaid, secretary general, Somaliland Journalists Association, Hargeisa

Harir Ismail Shukri, manager, Health Unlimited and Somaliland Women Journalists Association, Hargeisa

Mohamed–Rashid Hassan, manager, African Renaissance Center for Social Science Research, Media, and Development, Hargeisa

Kaize Ahmed Digaale, senior reporter, Jamhuriya and other websites, Burao

Abdirahman Yusuf Artan, member of parliament, Sanaag

AbokorHassan Aafi, reporter, Radio Hargeisa, Borame

Abdirizak Mohamed Dubbad, director, Radio Horyaal, Hargeisa

Shadia Mohamed Rooble, television anchor, Somaliland TV, Hargeisa

Saeed Ahmed Mahamoud, coordinator, NEC-TEM, Hargeisa

Asmahan Abdisalaam Hassan, executive director, Nagaad, Hargeisa

Moderator and Author

Mohamed Osman Fadal, director, Social Research and Development Institute, Hargeisa

Observers

Awad Mustafa, director of communication, Academy for Peace and Development, Hargeisa

Filsan Fadal, research assistant, Social Research and Development Institute, Hargeisa

The Somaliland study was coordinated by, and conducted in partnership with, the Academy for Peace and Development, Hargeisa.

The media sector witnessed battles in the past year that raised questions about whether political and commercial interests are undermining speech and media freedoms.



SOUTH AFRICA

The breadth, depth, and volume of media in today's South Africa make it almost impossible to believe that only 15 years ago, the country was ruled by its white minority through the oppressive system of apartheid—and that scarcely more than 30 years ago, television was banned. The country has 20 daily newspapers plus several daily tabloids, 28 major weekly newspapers, more than 300 community newspapers, and more than 500 consumer magazines. There are 85 television stations, 13 private commercial radio stations, 92 community radio stations, and 18 public radio stations. In addition, democratic, majority-ruled South Africa has a constitution and laws that guarantee free speech and media.

Nevertheless, media advocates say they see worrisome signs that as the nation matures, its freedoms are coming under threat. The media sector witnessed battles in the past year that raised questions about whether political and commercial interests are undermining speech and media freedoms.

Perhaps the most heated conflict is over accusations that the South African Broadcasting Corporation (SABC), the country's highly regarded public broadcaster, had blacklisted media practitioners who are critical of the ruling African National Congress (ANC). The controversy resulted in the suspension of the SABC's head of news, Snuki Zikalala, and the suspension, rehiring, and re-suspension of the SABC's group chief executive, Dali Mpofu. A broad coalition representing various civil society groups, media organizations, and unions has committed itself to ensuring that public broadcasting remains independent and free from interference from the government and political parties as well as commercial and economic influence.

In addition, two high-profile columnists were fired by their respective newspapers over their writings on sensitive religious and racial matters, and a black-based journalists' organization barred white journalists from covering one of its events.

On World Press Freedom Day, May 3, the Media Institute of Southern Africa (MISA) stated that South Africa's "political and economic leadership was slowly showing signs all too familiar with Africa's post-colonial nationalist governments—that is, the intolerance towards criticism and leaning towards legislative power to seek protection from public scrutiny."

Such pressures, amplified by the run-up to elections, impacted South Africa's scores this year. The overall score dropped moderately by a third of a point, from 3.10 to 2.77. While this score still places South Africa high among countries in Africa, its position as the leader is a bit less convincing. All individual objective scores fell, and only Objective 1, Freedom of Speech, remained above 3.00. However, all the other objective scores are in the upper half of "near sustainability," that is, higher than 2.50.

SOUTH AFRICA AT A GLANCE

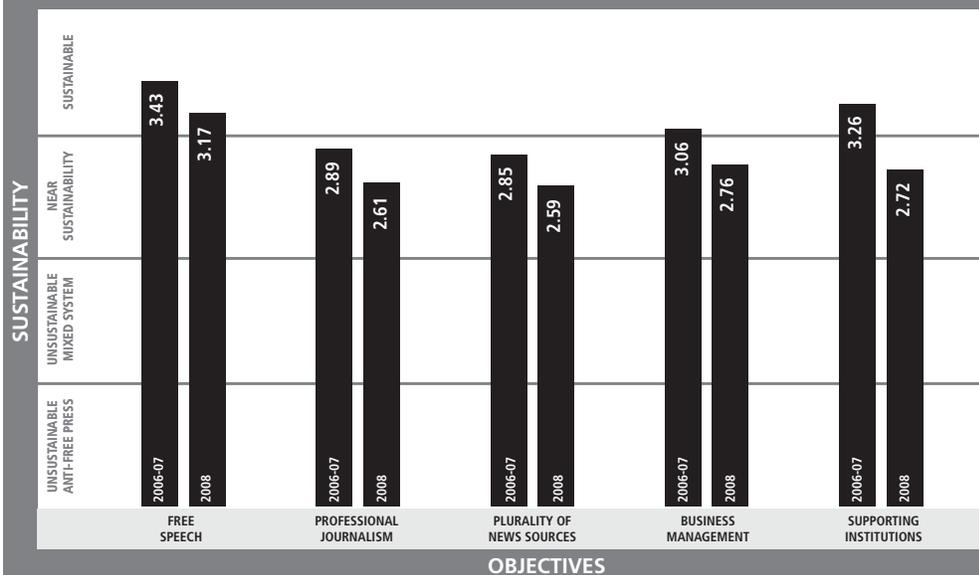
GENERAL

- > **Population:** 47.9 million (stats SA, 2007 and OMD Media Facts 2008)
- > **Capital cities:** Pretoria (Administrative Capital), Cape Town (Legislative Capital), Bloemfontein (Judicial Capital)
- > **Ethnic groups (% of population):** black African 79%, white 9.6%, colored 8.9%, Indian/Asian 2.5% (2001 census)
- > **Religions (% of population):** Zion Christian 11.1%, Pentecostal/Charismatic 8.2%, Catholic 7.1%, Methodist 6.8%, Dutch Reformed 6.7%, Anglican 3.8%, Muslim 1.5%, other Christian 36%, other 2.3%, unspecified 1.4%, none 15.1% (2001 census)
- > **Languages (% of population):** IsiZulu 23.8%, IsiXhosa 17.6%, Afrikaans 13.3%, Sepedi 9.4%, English 8.2%, Setswana 8.2%, Sesotho 7.9%, Xitsonga 4.4%, other 7.2% (2001 census)
- > **GNI (2007-Atlas):** \$274.0 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$9,560 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 86.4% (male: 87%, female: 85.7%) (2003 est., OMD Media Facts 2008)
- > **President or top authority:** President Jacob Zuma (since May 9, 2009)

MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 1000+, Radio: 100+, Television Stations: 50+
- > **Newspaper circulation statistics:** Top three dailies by circulation are *Daily Sun* (508,512), *The Star* (177,899), and *The Sowetan* (143,167), all private. Top three weekly/weekend newspapers are *Sunday Times* (499,033), *Rapport* (318,359) and *Sunday Sun* (209,474) (Audit Bureau of Circulation)
- > **Broadcast ratings:** Top three radio and television channels are all publicly owned. Radio: Ukhozi FM, Umhlobo Wenene FM, and Lesedi FM. Television: SABC 1, SABC 2, SABC 3 (AC Nielsen)
- > **News Agencies:** South African Press Agency (non-governmental), Health-e (private), ASP (private), I-Net (private)
- > **Annual advertising revenue in media sector:** Total: ZAR 20.1 billion, Radio: 13.5%, Print: 39.8%, Television: 37.7%
- > **Internet usage:** 7.6% of total adult population (2.355 million) (SAARF 2006)

MEDIA SUSTAINABILITY INDEX: SOUTH AFRICA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

South Africa Objective Score: 3.17

While panelists lauded South Africa's legal framework for creating space for an open media environment, they said that in practice, the situation is not quite ideal. Panelists this year handed a modest drop to the score for freedom of speech, although overall the score is strong. Indicator scores fell noticeably for numbers 4 through 7 (attacks on journalists, legal guarantees of independence for public broadcasting, libel laws, and access to information). Indicator scores remained relatively close to the overall objective average except for Indicator 5 (legal guarantees of independence for public broadcasting), which scored about a point lower.

South Africa's constitution enshrines the principles of free speech and promotes free expression rights and media laws, thus creating an enabling media environment. The 1996 constitution guarantees "freedom of the press and other media; freedom to receive or impart information or ideas." However, the constitution states that these freedoms do not extend to "propaganda for war; incitement of imminent violence; or advocacy of hatred that is based on race, ethnicity, gender, or religion and that constitutes incitement to cause harm."

In addition to enjoying constitutional guarantees, South Africa is a signatory to the principles of the Windhoek Declaration of 1991, the African Charter on Broadcasting of 2001, and the Declaration of Principles on Freedom of Expression in Africa. These declarations and principles recognize broadly the positive role that media play in social, political, and economic development.

South Africa has mechanisms for media self-regulation: the Press Council, which addresses public complaints against the print media; and the Broadcasting Complaints Commission of South Africa, which represents the electronic media.

However, the panelists noted several developments that they described as serious regressions from the spirit of 1994—when multi-party democracy replaced apartheid rule. This year's developments included a threat by the ruling ANC to create a so-called media appeals tribunal, the deterioration of confidence in SABC and the ensuing tussle for its control, and the proposed passage of laws and amendments that could limit media freedoms.

Panelists cited the Films and Publications Amendment Bill as an example of a threat to media freedoms and free speech. The bill would amend the Films and Publications Act 65 of 1996 prohibiting the knowing distribution of a publication with hate speech but exempting scientific, documentary, dramatic,

artistic, literary, or religious publications; publications that amount to a bona fide discussion, argument, or opinion on a matter pertaining to religion, belief or conscience; and, publications that discuss a matter of public interest.

The Films and Publications Act established the Film and Publication Board, with the objective of regulating the creation, production, possession, and distribution of certain publications and films through classification, imposition of age restrictions, and giving of consumer advice. The amendment bill seeks to broaden the act to include regulating what may or may not be published or broadcast, ostensibly to protect children from being exposed to inappropriate materials. The bill proposes that publications that could harm children must be submitted to a classification office before publication. Panelists said the amendments cast so broad a net that they would have to include social media and blogs, and would impose unnecessary restrictions on individual freedom of expression.

A court case from the past year that tested media freedom with a positive outcome was *Midi TV(e-tv) v. DPP*. In 2005, the director of public prosecutions barred e-tv, a privately-owned free-to-air station, from broadcasting a documentary relating to the "Baby Jordan" murder case. Prosecutors argued that the administration of justice would be prejudiced if the broadcast took place. However, the Supreme Court of Appeal ruled in favor of e-tv, holding that the prosecutors had to show a real risk that substantial prejudice would result. The judgment effectively stopped the slide into legal censorship and freed the media from restrictions on reporting of current court cases.

The Independent Communication Authority of South Africa (ICASA) is the regulatory body that issues broadcast licenses. Its decisions are made public and its processes are expected to be transparent. The panelists said that there is a perception that preferential treatment does occur, but they did not offer examples.

Panelists said that entry into the media sector and the tax structure for media are fair and comparable to other industries. Starting a small-, medium-, or micro-enterprise (SMME) requires only registration under the Companies Act of 1973. SMMEs can apply for funds from the government.

Crimes against journalists or media outlets are prosecuted vigorously, but such crimes are rare.

Panelists said that small media outlets in rural areas receive less institutional support than urban-based media and are subjected to direct and subtle forms of intimidation. They cited an incident in Grahamstown in which local government officials boycotted a small media house that did not toe the official line. Panelist Jude Mathurine, lecturer at Rhodes

University and digital editor for *Grocott's Mail*—both located in Grahamstown—said that officials' use of finance as a weapon poses a threat to free speech and affects access to information.

In addition, Mathurine cited two examples of police intimidating journalists at crime scenes. In one case, a journalist from *Grocott's Mail* photographed a police car that had gotten into an accident, presumably because the officers were under the influence of alcohol. The journalist was detained, but the case was ultimately thrown out. In another case, a Sowetan journalist was arrested for taking photographs of a furniture store that was being looted after a taxi had crashed into the storefront. The journalist himself had called the police.

In February, the South African National Editors' Forum (SANEF) condemned the police harassment of a senior reporter of *Die Kaapse Son* at a murder scene in Wellington in the Western Cape. Maahir Pretorius was allegedly reporting outside the area cordoned off by the police when he had his camera taken and was threatened with assault by police officers. Despite pleading his rights, he was apparently ordered away from the scene. An officer is said to have shouted: "He is from the *Son* and will write [expletive] about the police...we will beat you up!" SANEF called on police leadership in the area to investigate the case and discipline the officers if found responsible.

Many panelists said that they felt that South Africa's public media are not independent, despite legal guarantees and sound organizational policies in place. Some said that the appointment of board members by the ruling party erodes independence, while others pointed to the problem of editorial interference. Panelist Roberta Makhambeni, media liaison officer for North West Province's legislature, said that SABC's news reports are heavily one-sided. "Watching the news is like watching 'yes, Minister,'" she said. "There's six consecutive items about 'this minister did this and this, this minister did that.' ...They think the SABC exists to profile them."

Panelist Tsheliso Thipanyane, CEO of the Human Rights Commission, disagreed. He emphasized that the constitution and legislation guarantee the SABC's independence, and said that negative conduct by individuals is what affects implementation and credibility. "If matters go awry, one should not blame the system," he said. "The problem is really the people who are put into the structures who are not able or not willing to use the laws, because the terms of the constitution are very clear: we must do our work without fear or favor."

Panelists cited claims that SABC news head Snuki Zikalala has blacklisted journalists who are critical of the government.

An independent group, the Sisiulu Commission, has been established to probe the matter. Panelist Amina Frense, a representative of SANEF and MISA, contended that the Sisulu Commission was set up precisely because ethical, editorial, and legal frameworks and guidelines are in place. The commission itself, she said, is an expression of commitment to principles of editorial independence.

Public information is readily available and the right of access is equally enforced for all media, panelists agreed. They cautioned, however, that public access to information is affected by the centralization of information, as well as by officials who are not fully aware of their duties.

The Promotion of Access to Information Act 2 of 2000 aimed to implement the constitutional right of access to any information held by the state and any information that is held by another person, and is required for the exercise or protection of any rights. However, the Protection of Information Act 84 of 1982, an apartheid-era law still on the books, deals with various offenses related to the disclosure and/or publication of classified information—without specifying what is classified, how it can be declassified, and how such information is to be dealt with by the courts. The act will be repealed by the Protection of Information Bill.

A case involving access to information laws is *Independent Newspapers v. Minister for Intelligence Services in re: Masetlha v President of RSA*. In the case, Independent Newspapers applied for access to documents that had been removed from the court record, and the minister of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

intelligence opposed the application on the basis of the Protection of Information Act. The court held for the first time that the right to open justice and court hearings includes the media's right to access to the court record. Only in exceptional circumstances may this right be limited—for example, where it would threaten national security.

Other laws that limit access are the Defense Act 42 of 2002, which states that no person may publish any classified information without authority to do so; the National Key Points Act 102 of 1980, which provides that no person may furnish any information relating to the security measures or incidents involving strategic facilities such as airports, power plants, and the South African Reserve Bank without being legally obliged or otherwise entitled to do so; and the Criminal Procedure Act 51 of 1977, which restricts publication of certain information relating to criminal proceedings. Section 205 of the Criminal Procedure Act compels journalists to reveal their sources and empowers the courts to imprison anyone who refuses to disclose information relating to criminal investigation.

While in general media outlets have unrestricted access to international news and news sources, some panelists said that community media and small publishers' access is limited by lack of funding.

Entry into the journalism profession is generally free, and the government imposes no licensing, restrictions, or special rights for journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

South Africa Objective Score: 2.61

Panelists expressed mixed opinions about the quality of journalism, and returned a somewhat lower score for Objective 2 this year. Most of the drop came from lower scores in three indicators: Indicator 3 (self-censorship), Indicator 6 (news-entertainment balance), and Indicator 7 (use of modern equipment). Overall, the indicators scored similarly to the final objective score.

Some panelists noted in particular that recent changes to the profession—new technologies, the Internet, citizen journalism, blogging—have affected the way news is disseminated, sometimes at a cost to accuracy.

Frense said that traditional journalism must be considered distinct from the blog phenomenon. "While I'm not saying that blogging is bad, there is a difference between reporting and blogging. Anybody who can operate a laptop thinks he or she is a journalist."

Mathurine agreed that technology has negative potential. "Convergence processes transform the nature of newspapers and broadcasters to 24-hour, multi-platform publishers," he said. "Google reporting threatens to undermine the standard of reporting, if news organizations do not continue to support and train their gatekeepers."

The scarcity of time, resources, training, and specialization has also affected professionalism, as well as balanced and fair reporting. Panelists said that South African reporting today is characterized by a lack of in-depth analysis and investigative journalism. The absence of a journalists' union also weighs against quality reporting, they said. Senior journalists are disappearing from newsrooms, leaving few professional mentors, and the role of copy editors is diminishing.

Panelist William Bird, director of the Media Monitoring Project, said that while the majority of stories are fair, they tend not to be well sourced or researched. "SABC radio has, on average, less than one source per story. Further, the growing tabloidization tendency has also seen the key elements being relegated in the print media," he added.

Panelists agreed that mainstream journalists follow recognized ethical standards, and both print and broadcast media have their codes of conduct and self-regulatory bodies. The Press Ombudsman has been established by print media companies. Participation is voluntary, but most companies are party to the process. The Broadcasting Monitoring Complaints Commission (BMCC), established by law, is part of ICASA and headed by a judge. Community broadcasters fall under the BMCC, while SABC and commercial stations are members of the National Association of Broadcasters (NAB) and have

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

opted for self-regulation. Among advertisers, the Advertising Standards Authority (ASA) is self-regulatory.

MISA South Africa director Faiza Abrahams-Smith said that the absence of trade unions has left media members without a forum to debate ethics and with no opportunities for shadowing or mentoring for young journalists.

Panelists spoke of the growing practice of self-censorship in broadcast and print. Bird said that self-censorship is “one of the greatest challenges facing the SABC.” Commercial and political interests influence what is reported and how, despite legislation and codes established to ensure editorial independence. Makhambeni said that the accusations of blacklisting at SABC point to political and self-censorship forces at work.

In another example cited by panelists, *Rapport* editor Tim du Plessis hired columnist Deon Maas, who suggested that Satanism ought to be treated like other religions. Du Plessis first distanced himself and his paper from the column, but after readers, distributors, and advertisers threatened to boycott the paper, he fired the columnist.

Panelists also pointed to the firing of columnist David Bullard by the *Sunday Times*. In this case, they argued, self-censorship was long overdue. Bullard penned his thoughts in his “Out to Lunch” column for 14 years, but on April 6, 2008, his writings were deemed racist, sparking a public outcry. The matter resulted in widespread discourse on the role of the media, the soundness of its internal checks and balances, and its responsibilities to society. Panelists questioned how such a profoundly offensive column could get past editors.

Panelists said that key events and issues are covered well, but coverage of the security, defense, and intelligence sectors are generally difficult because of secrecy laws.

On the issue of salaries, there was consensus that journalists are paid well enough to discourage corruption—though perhaps not well enough to dissuade senior journalists from being attracted to jobs in government and in other professions. Panelists recommended that media companies develop strategies to retain experienced staff.

Gender differences in pay also surfaced in panel discussions. Recent research on women in newsrooms conducted by SANEF and Gender Links found that women make up 45 percent of South African newsroom staffs but occupy less than 30 percent of top management posts. The average salary of women in newsrooms is 21 percent less than that of men. The income differential between white men and black women is especially pronounced: black women in newsrooms earn 25 percent less on average than white men. The Southern Africa Development Community (SADC) has

committed its member countries to achieving gender parity in all areas of decision-making by 2015.

Panelists said that they believe that entertainment programming has eclipsed news and information in the broadcast media. However, they lauded the SABC’s reach as being extensive and diverse.

Several panelists said that facilities and equipment for gathering, producing, and distributing news are modern and efficient, but others said that levels vary among institutions.

Compared with beats such as crime, politics, and economics, environmental and health reporting are marginalized because specialization is limited. Panelists complained that coverage of the energy blackouts that plagued South Africa in 2008, while well reported as news events, were not given any in-depth analysis. Panelists also said that media companies invest least in investigative journalism because of the high costs.

OBJECTIVE 3: PLURALITY OF NEWS

South Africa Objective Score: 2.59

The panelists rated Objective 3 modestly lower than last year, with most of the indicators scoring close to the overall objective score. Indicator 2 (citizen access to media), Indicator 3 (objectivity of public broadcasters), and Indicator 6 (transparency of media ownership) experienced noteworthy drops. Indicator 4 (news agencies) and Indicator 5 (independent broadcasters produce their own news) scored more than a half-point higher, and Indicator 6 scored more than a half-point lower.

Panelists said that the media environment is open and that South Africa has a plurality of news sources. But they said that income level determines a consumer’s degree of access to information, particularly for subscription television and print media, and that this affects the diversity of information available.

SABC is considered to have extensive reach, cutting across geographical borders, bridging the urban-rural divide, and addressing multiple minority and majority audiences in each of South Africa’s 11 official languages—plus sign language. In addition, the public broadcaster is affordable and accessible. Higher-income viewers can subscribe to digital satellite service owned by Multi-Choice and operated under the brand name DSTV. It consists of established South African and international channels, premium sports, entertainment, and news.

Participants felt that citizens’ access to print media is limited by affordability, geography, and language. Many of South Africa’s blacks—who make up 79 percent of the population—

cannot read English or Afrikaans, the print media's principal languages. According to the All Media and Products Survey 2007, a copy of one of 18 newspapers surveyed reached only 29.2 percent of all adults. Penetration was highest among the white population (37.8 percent) and lowest among blacks (27.0 percent).

Most major newspapers have online editions, and there are other Internet-based news sources as well, including I-Africa, IOL (Independent Online), All Africa, the Newspapers Directory (newspaper.co.za), News 24, AfriNews, Rap 21, Sangonet, Biz Community, and the recently launched South Africa Civil Society Information Service (SACSIS). But the plurality does not necessarily equal balance, according to Mathurine. "Generally, if you look at the distribution of online presence, you will see a very strong urban bias, an age bias, and a gender bias," he said.

Panelists said that while the government places no restrictions on access foreign news sources, there is a correlation between access and affordability. "Income level has a direct relationship with levels of access to [foreign] media," Bird said.

The question of whether the public media are nonpartisan and serve the public interest was particularly polarizing for the panel. Some panelists said that they believed that SABC has been true to its mandate, while others said that it is not so clear cut. By coincidence, the panel discussion was held on the day that the SABC board of directors suspended CEO Dali Mpofu, who had suspended SABC head of news Snuki Zikalala the day before.

In 2007, the Broadcasting Complaints Commission dismissed three cases of bias brought against the SABC, according

to Bird. He also cited Media Monitoring Project research showing that SABC coverage is generally fair during election periods, and that the top five political parties were given 80 to 90 percent of the coverage. "The only voices you hear are African National Congress [the ruling party], Democratic Alliance, and Inkatha Freedom Party, and then it just starts to trickle off after that. The coverage is probably equitable, but where they fall down badly is that they don't give the full political spectrum sufficient space," Bird said.

Media can gather independent news from a variety of news agencies, with the SABC and the South Africa Press Association (SAPA) being the principal sources for print and broadcast. Other sources are I-net Bridge, Eye News Service, East Cape News Agency, Touchline, Backpage Pics and Health E-News Agency, Mpumalanga African Eye, Grahamstown ECNA, Gender Links, SACSIS, and Sangonet. International agencies such as Reuters and Associated Press are also available.

While independent broadcast media produce their own domestic news programs, they lack capacity to cover the rest of Africa and the world. Panelist Melanie Chait, CEO of Big Fish Digital Film School, said that the independents are restricted by the high costs of production. Community broadcast media "produce programming to serve local needs, but on a very limited scale," she said.

Media ownership is concentrated mainly among white-owned companies. The panelists pointed out that while other business sectors have charters drawn up by stakeholders to set equitable racial quotas with respect to ownership, management, and control within the sector, the media sector does not. Thipanyane provided details: "While there is a satisfactory coverage and ownership of media, especially with community radio stations, there is still a monopolistic tendency in the print media, and there's little transformation. English and Afrikaans still dominate print media. There is also an urban versus rural divide," he said.

Print media are dominated by four major companies. Independent Newspapers Group, part of Irish tycoon Tony O'Reilly's Independent Newspapers, publishes 14 national and regional papers, including the *Star*, the *Cape Times* and the *Cape Argus*. Media 24, owned by Naspers, a 94-year-old company with its roots in the Afrikaner population, publishes the *Daily Sun*, *Beeld* and *Die Burger*, among others. Avusa, whose owner Johnnic describes it as a black empowerment company, publishes the *Sunday Times*, the *Sowetan*, *Business Day*, and others. And the Caxton and CTP Group, established in 1902, publishes dozens of local and regional papers.

In radio, SABC is the largest owner, with national commercial stations 5FM and Metro, and regional broadcaster Good Hope FM in the Western Cape. PBS radio has 12 stations

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

broadcasting in 11 official languages. Other commercial radio groups are Primedia, with Highveld 94.7; Talk Radio 702; Kaya FM, with KFM and Cape Talk; Radmark, a radio sales and buying house with Jacaranda and East Coast Radio; United Stations, with Algoa FM and OFM; and Independent, with YFM, Classic FM, P4 KZN, and P4 Cape.

Television is dominated by the SABC; e.tv, which is owned by Hosken Consolidated Investments Limited and Venfin Limited; and M-Net and DStv, both owned by Media 24/Naspers.

Foreign investment is capped at 20 percent for broadcast media.

While acknowledging the importance of community media in addressing the unequal representation of civil society voices, panelists noted that a large portion of community media are owned by major media companies. In fact, a majority of community newspapers are owned by the Caxton and CTP Group. Hence, community media is a misnomer in the South African context.

Some participants said that official, political, commercial, and union viewpoints are all represented in the media, but that civil society's voice is less audible. The South African Civil Society Information Service and Sangonet are private, non-profit news agencies initiatives launched to fill this gap.

As noted, English and Afrikaans dominate the print media, even though Zulu is spoken by a majority of the population. Panelists credited SABC, which broadcasts in all 11 official languages, as catering to a majority of South Africa's people.

OBJECTIVE 4: BUSINESS MANAGEMENT

South Africa Objective Score: 2.76

In general, media companies in South Africa have sound organizational and financial systems. With the exception of community media, all are profit-making businesses, and many, including the public broadcaster, have extended their reach to other parts of Africa. However, panelists pointed out some weaknesses and delivered a modestly lower score this year. Although most indicators remained the same, scores did fall for indicators 4 (balance of advertising and other revenue), 6 (use of market research), and 7 (audience and circulation measurement). Nonetheless, all indicator scores remained within a half-point of the overall objective score.

The panelists noted that a well-managed business does not necessarily have editorial independence and/or fair editorial processes. They referred to the axing of *Sunday Times* columnist David Bullard and *Rapport* columnist Deon Maas as examples.

Several panelists argued that commercial interests appear to prevail over editorial interests. "Many editors, especially with the commercial press, have to spend a large ratio of time on commercial issues, so I think there's a bit of a compromise," Frense said. "If you just look at what happened to David Bullard—how did it get through... various gatekeepers and still get published?"

Panelists said that advertising is the primary revenue source for all media, including the public broadcaster. Print media drive revenue from sales of publications and advertising. Among television broadcasters, the SABC raises revenue from licenses and advertising, M-Net from subscriptions and advertising revenue, and e.tv from advertising.

The total spent on advertising in media—including outdoor, theater, and Internet—in South Africa in 2006 was more than ZAR 20 billion, with about 40 percent going to print media, 38 percent to television, and 16 percent to radio, according to AC Nielsen statistics. The country's top advertisers are First Rand Bank Limited, Vodacom Communications, the national government, Standard Bank, MTN, Unilever, ABSA, Nedbank, Shoprite Checkers, and SAB Miller.

Advertising agencies and related industries support an advertising market, panelists agreed, though some said that broadcast media depend overly on advertisements, to the point that they determine the scheduling of television programs. Media managers, participants said, are under pressure to work more advertisement into their programs, at a cost to sound editorial placement.

"We get fed that constant thing that if you ban junk food ads during children's programming time, then you're going to lose all your children's content—you're going to lose the ability to

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

do good content for children. Make them fat and hope they'll die early, but at least they'll die well-educated," Bird said.

Chait pointed out that "ICASA regulates 12 minutes per hour for ads on TV, and SABC definitely exceeds this regularly. More ads are always needed to meet revenue goals, as costs increase and other forms of revenue are not considered."

Advertisers are subject to scrutiny, however. The Advertising Standards Authority (ASA) was created and funded by the marketing communications industry to regulate advertising in the public interest. ASA works closely with the government, statutory bodies, consumer organizations, and the media to ensure that the content of advertising meets the requirements of the Code of Advertising Practice. It also established the Sponsorship Dispute Resolution Committee and Sponsorship Appeal Committee.

Makhambeni and other panelists said that advertisements are misplaced geographically and racially, due to advertising agents' urban bias and lack of understanding of the demographic profile, lifestyles, and aspirations of the diverse groups scattered across South Africa. While independent media do not receive government subsidies, community media do. Justin Arenstein, director of the Association of Independent Publishers, said in written comments to the panel that "although government established The Media Development and Diversity Agency (MDDA), independent print media do not receive government grants. They receive low-interest loans, but only in very limited circumstances. Community radio receives large government grants. Government is also one of South Africa's largest advertisers, and this financial clout is beginning to be used to make editorial demands on media."

Abrahams-Smith disagreed with Arenstein's comments, saying: "When government, three years ago, funded community radio for programs... a lot of that money didn't reach most of the stations, even though those stations produced the programming."

Large media companies rely on market research conducted by the South African Advertising Research Foundation (SAARF), which conducts the All Media and Products Survey, a Radio Audience Measurement, and a Television Audience Measurement. SAARF is financed through a fixed fee from print media owners and through an industry levy—currently 1 percent of advertising revenue from other media owners. It is a tripartite organization consisting of marketers, advertising agencies, and media owners.

Media companies also rely on figures from the non-profit organization Audit Bureau of Circulations (ABC), based on a bi-partite agreement between advertisers and advertising agencies on the one hand and media owners on the other.

Its primary function is certification and provision of accurate and comparable circulation figures to assist in the buying and selling of advertising and promotional material. Publisher members are requested to submit audited figures verifying their circulation, by means of a circulation certificate.

Broadcast ratings are produced by SAARF, and the SABC also produces ratings for its television programs using standard audience research software. The ABC produces data on newspaper circulation.

Panelists expressed concern that market research is costly and concentrated in the major urban centers. Community media and small publishers are marginalized, they said, which undermines their organizational sustainability.

Arenstein reported: "Market research is essential for new entrants and independence in a fiercely contested monopolized media market. Very few smaller media are able to afford the high costs of qualitative research or to retain analysts and/or research strategists available in South Africa... Generic demographic data from other sources is also scarce, expensive, or alternatively unreliable. Market research is therefore a major weakness in the SA media industry."

Panelists said that large media companies have the ability to pay for market research, which essentially benefits their members. "SAARF research tends to be skewed towards the larger organizations, and as a result it's servicing its members or alternatively the institutes that fund it. Research per se does not encompass the broad spectrum of media of this country," Mathurine said.

Panelist and National Community Radio Forum CEO Franklin Huizies agreed, and said that SAARF ratings are biased against community media. "Community radio is a definite competitor to the commercial and private radio stations. Community radio stations don't contribute towards SAARF. I feel that SAARF deliberately does not sample rural areas because of cost issues—because we don't contribute."

Panelists recommended a probe and review of how media research is conducted.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

South Africa Objective Score: 2.72

Several bodies in South Africa actively protect the interests of the media and freedom of speech. However, the absence of a journalists' union that seeks to address factory-floor issues as well as broader ones is a grave mistake, according to panelists. Objective 5 had the largest drop of the five objectives this year, and all indicators fell noticeably.

However, no indicator scored more than a half point above or below the overall score.

Participants reported that the South African Union of Journalists officially closed up shop in 2003, and was formally renamed the Communication Workers' Union in 2005. The current union, however, primarily represents the interests of large private companies and parastatals. Most of the remaining members of the old union decided that they would not be unionized, although SABC media practitioners crossed over to the Broadcast and Electronic Media Allied Workers Union and some joined the Media Workers' Association of South Africa, which represents black workers in media.

Participants said that the absence of a union exclusively for journalists is the missing link in ensuring professionalism and high standards of journalism.

Apart from unions, South Africa has several professional associations. The Southern African Broadcasters Association, housed by the SABC and NAB, provides support for subscribing members. Organizations such as the Federation of Black Journalists (FBJ), National Community Radio Forum, Online Publishers Association, Website Association of South Africa, and Southern African Freelancers' Association advocate more generally for improving conditions for sustainable media. SANEF's current focus is on editors and broadly on journalists, to the extent that the organization issues statements if a journalist is harassed or arrested.

"There's a historic divide between black and white media workers, and this has yet to be overcome," Chait said. Media organizations are constructed also along racial lines—and this played out in 2008 when the FBJ excluded white journalists from reporting on an event that they organized, sparking public debate. A complaint was filed with the Human Rights Commission, which found that the FBJ's exclusivist policies violate the constitution.

Print Media SA (PMSA), formed in 1996 after the restructuring of the Newspaper Press Union, serves as an umbrella body to constituent members: the Newspaper Association of South Africa, the Magazine Publishers Association of South Africa (MPASA), and the Association of Independent Publishers (AIP), responsible for community newspapers and affiliate members, the ABC, Media Credit Coordinators, and the Forum of Community Journalists. PMSA represents 700 newspaper and magazine titles. It represents members' interests at industry level and provides administrative and secretarial services to its constituent and affiliate members.

MPASA is a non-profit organization that promotes and protects the interests of its members as well as the interests of all print magazine publishers in South Africa. Its mission is to support and contribute to the growth of the industry,

promote magazines as a medium, increase advertising expenditures, and serve as a repository of industry knowledge for its members. AIP's aim is to grow small community and grassroots newspapers. The National Community Radio Forum serves as a lobbying and advocacy vehicle as well as a networking forum.

New-media organizations include the Internet Service Providers Association, Wireless Application Service Providers Association, the Website Association of South Africa, and the Online Publishers Association.

MISA concerns itself with media subjects, trends and issues that affect the media in South Africa and beyond its borders. MISA, the Freedom of Expression Institute (FXI), NAB, and SANEF are also active on issues of media freedom and freedom of expression. FXI is at the forefront of advocacy, education, and mobilization of civil society, lobbying for media freedom and freedom of expression. A South Africa-based NGO, FXI is a member of the International Freedom of Expression Exchange.

Panelists expressed concern that media support groups are urban-based and urban-centric, and that challenges to media in rural South Africa fall through the cracks. There was consensus, however, that the NGOs are effective and resourceful and are able to mobilize, respond to, and address media issues speedily.

Panelists acknowledged the MDDA, a partnership between the government and major print and broadcasting companies. MDDA supports start-ups and fosters the development of community and small media, but is slow in delivering on its mandate, panelists said.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Several institutions provide journalism degrees and short-skills programs. However, panelists had mixed opinions regarding the quality of training in higher education, with some contending that courses are mainly theoretical. Journalism and media studies are offered at degree and diploma levels at universities and comprehensive universities, including Rhodes University, the University of Stellenbosch, the University of the Western Cape, the University of the Witwatersrand, Nelson Mandela Metropolitan University, the University of kwaZulu Natal, the University of the North West, the University of Port Elizabeth, and the University of Johannesburg. The University of South Africa Department of Communication offers a six-month certificate course for beginners in community journalism.

Quality short-term training and in-service training institutions exist, and their programs allow journalists to upgrade their skills or acquire new ones. According to the panelists, journalists' ability to access short-skills training might be hampered by the costs, and the majority of training institutions are based in the urban centers—factors that have kept a large and growing pool of freelance journalists outside of the circle of formal training, education, and knowledge.

Numerous complementary short-term training programs are offered by the Sol Plaatje Institute for Media Leadership, the Institute for the Advancement of Journalism, Genderlinks, and the National Electronic Media Institute. Panelists welcomed the trend toward in-house training.

While sources of newsprint and print facilities are private, apolitical, and unrestricted, panelists said that a problem with monopolization exists. Mondi Shanduka Newsprint is a major player in the newsprint sector, supplying Independent Newspapers, Media 24, and Johnnic Communications. Sappi is another entrant to this market. Panelists said that community and small media have difficulty accessing this market because newsprint is costly, and Mondi Shanduka does not supply this group.

Broadcast transmitters are divided between state and private hands. While they are apolitical, panelists said that they felt they are restricted. Chait added that Sentech and Telkom are parastatals that control satellite, broadband, and broadcast transmitters. Independently owned media distribution channels are financially sustainable.

Distribution of print media, said Bird, tends to be privately based but operates as a monopoly, with new players struggling to gain access and fair distribution. He provided an overview of the distribution issues: "In terms of broadcast, these issues are regulated by ICASA in a manner that is generally fair and relatively free from political interference. Online media continues to be tied down by monopolies like

Telkom as well as ludicrous Internet fees. Mobile operators seem set to continue the monopoly and high access costs, and government seems incompetent to deal with the issues and lacks political will and strategy in this regard. The only issue more criminal in this area, other than the monopolies themselves, is government's failure to address the situation."

List of Panel Participants

Tsheliso Thipanyane, chief executive officer, South African Human Rights Commission, Johannesburg

Roberta Makhambeni, government communications, North West Legislature, Mafikeng

Melanie Chait, chief executive officer, Big Fish Digital Film School, Johannesburg

William Bird, director, Media Monitoring Project, Johannesburg

Amina Frense, editor, South African Broadcasting Corporation/South African National Editors Forum/Media Institute of Southern Africa, Johannesburg

Faiza Abrahams-Smith, director, Media Institute of Southern Africa, Johannesburg

Jude Mathurine, lecturer, Rhodes University, Grahamstown

Franklin Huizies, chief executive officer, National Community Radio Forum, Johannesburg

The following participant submitted a questionnaire but did not attend the panel discussion.

Justin Arenstein, director, Association of Independent Publishers, Nelspruit

Moderator

Shehnaaz Bulbulia, head of print department, co-director of the Africa program, Institute for the Advancement of Journalism, Johannesburg

Observer

Johanna Mavhungu, researcher, Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown

The South Africa study was coordinated by, and conducted in partnership with, the Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown

Southern Sudan is exempt from Sharia under the interim constitution, and the media there are allowed more leeway. Nonetheless, press freedom suffers when the private media run stories that authorities consider negative.



SUDAN

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Sudan is one country with two governments. Years of civil war devastated the country, resulting in millions dead or displaced. The 2005 Comprehensive Peace Agreement (CPA) effectively left the country in two pieces until 2011, when a referendum on independence will be held. The northern part, referred to as the Khartoum Government, is headed by Field Marshal Omar Hassan al-Bashir; the other part, known as the Government of Southern Sudan, is headed by General Salva Kiir Mayardit.

Efforts by international and regional leaders to settle the conflict in Darfur, in the west of the country and part of the territory controlled by the Khartoum Government, have not succeeded, and deadly violence continues there. Journalists and members of the international peacekeeping force have not been spared in the conflict.

Predictably, years of strife have taken their toll on civil liberties, including freedom of the press. The press in the north has very little freedom, as the Khartoum Government controls both the state and private press and implements a strict form of *Sharia* (Islamic law) that justifies denying many civil liberties. The government has abolished the law on censorship, but in practice, the situation has remained as before. The few private media that voice critical opinions are closed or operate under tight control.

The media sector in Southern Sudan is establishing itself independently after the signing of the CPA. Southern Sudan is exempt from *Sharia* under the interim constitution, and the media there are allowed more leeway. Nonetheless, press freedom suffers when the private media run stories that authorities consider negative.

Given the present realities in Sudan, journalists believe that total freedom, which they have dreamed of for decades, is a long way off.

SUDAN AT A GLANCE

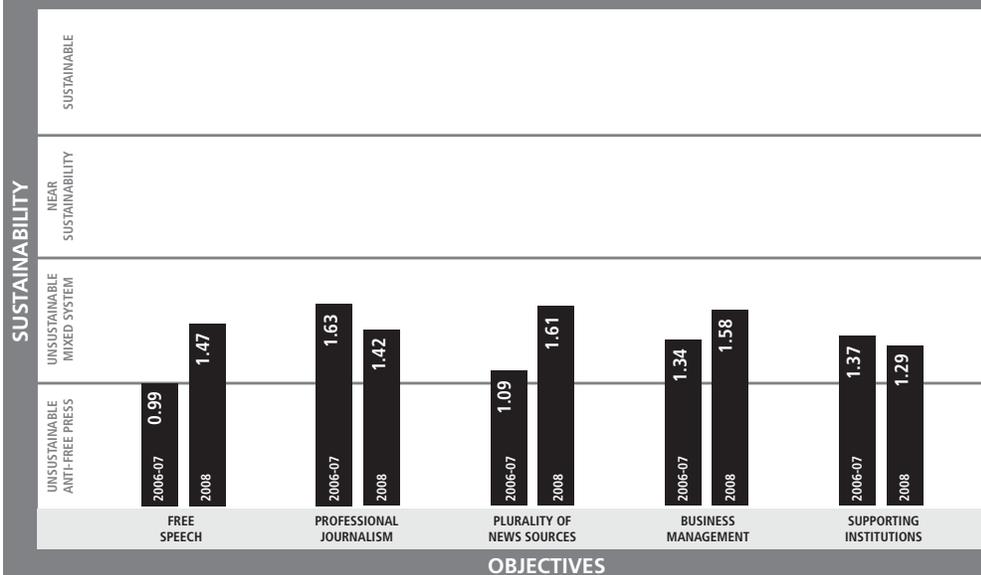
GENERAL

- > **Population:** 41,087,825 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Khartoum
- > **Ethnic groups (% of population):** black 52%, Arab 39%, Beja 6%, foreigners 2%, other 1%
- > **Religions (% of population):** Sunni Muslim 70%, Christian 5%, indigenous beliefs 25% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), English (official), Nubian, Ta Bedawie, diverse dialects of Nilotic, Nilo-Hamitic, Sudanic languages (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$36.70 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$1,880 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 61.1% (male 71.8%, female 50.5%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Umar Hassan Ahmad al-Bashir (since October 16, 1993)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 7 daily newspapers; Radio Stations: 5 main stations; Television Stations: 2 main stations
- > **Newspaper circulation statistics: Top three by circulation:** *The Citizen Paper* (private), *The Sudan Tribune* (private), *The Juba Post* (private).
- > **Broadcast ratings:** Top radio stations: Miraya FM (UN-run, south), Bakhita FM (Catholic Church-run, south), Sudan National Radio Corporation (state-run, north), Mango 96 FM (private, north), Radio Juba (state-run, south); Television: Sudan National Broadcasting Corporation (state-run, north), Southern Sudan TV (state-run, south)
- > **News agencies:** Sudan News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 3,500,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SUDAN



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Sudan Objective Score: 1.47

According to the panelists, press freedom and freedom of speech remain a nightmare in their country. In the north, neither the constitution nor media laws guarantee freedom of the press or freedom of speech. The would-be “private media” are still in the hands of those with strong connections to the Khartoum Government. Journalists are regularly blocked from covering events, harassed, arrested, and beaten by state security agents; newsrooms are stormed into; and media houses are shut down. Similar problems happen in the south, but on a relatively small scale compared to what goes on in the north, the panelists said.

The Khartoum Government has continued issuing warrants for arrests of Southern Sudan journalists. However, the Southern Sudan government has been ignoring the warrants, as it considers itself independent from the north and is forming its own laws.

Panelists said that there is cause for hope, though. Freedoms can potentially be gained in Southern Sudan as its transitional government continues to work on laws that will govern the area upon its independence. Panelists said that they hope that the government will enact progressive media laws as part of this effort. They are concerned about the length of the lawmaking process, however, and called on the government to speed up.

The panelists said that under the existing media laws, every media outlet must employ government security personnel to review content before it is released. Some media houses have tried unsuccessfully to exercise independence and deviate from the rule.

The panelists noted that the north and south use the same judiciary, as stipulated in the CPA. However, in the north, the judiciary has never been independent and its rulings are influenced by government. In the south, the situation remains tricky, panelists said. The judiciary has no formal structures in place, yet it has become more independent from the north.

The panelists said that the broadcast licensing process is no longer transparent because of government officials who are using their positions to control the media. This problem has affected the initial efforts by government to attract large investors to the media.

In the north, the National Press Council is charged with licensing media. In Southern Sudan, licensing is a two-part process carried out by the Ministry of Information and the Ministry of Telecommunications and Postal Services. The

Freedoms can potentially be gained in Southern Sudan as its transitional government continues to work on laws that will govern the area upon its independence. Panelists said that they hope that the government will enact progressive media laws as part of this effort.

Ministry of Information provides approval, and the Ministry of Telecommunications and Postal Services issues the license.

The panelists said that the licensing situation is changing, however. Those who want to invest in the media are having more problems acquiring a license. For example, an Egyptian investor that wanted to found a television station in Southern Sudan was blocked; efforts by the Tribune Media Group to start a television station are being thwarted by the Ministry of Telecommunications and Postal Services, despite the fact that the Ministry of Information gave its approval.

The panel noted that crimes against journalists are rampant both in the north and Southern Sudan. The most common crimes are regular illegal arrests, intimidation, and torture—with no action taken against the suspects.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Sudan Objective Score: 1.42

Panelist Paul Jimbo, a Kenyan journalist working with a local radio station, gave examples of his experiences in Sudan. "I have been arrested three times by security agents—twice in the south and once in the north."

Panelist Paul Jimbo, a Kenyan journalist working with a local radio station, gave examples of his experiences in Sudan. "I have been arrested three times by security agents—twice in the south and once in the north. My camera and identity card were confiscated. Once I was forced out of Sudan and went back to Nairobi because the authorities in Sudan were not happy with my media reports."

State media managers have easier access to public information than the private media, noted the panel. And although state media is better situated overall than private media, they have no editorial independence. The government appoints all the state media's editors and top officials, who are under direct supervision and control.

According to panelist Veronica Lucy, director of the English news desk for Southern Sudan Radio/TV, libel is being addressed differently in the north and the south but problems exist in both areas. "Libel is treated as criminal in the north, and several journalists have been handed long prison sentences under the *Sharia* law," she said. "In the south, libel is no longer an issue, as there is no law under which a journalist can be charged. It is incumbent upon the state to prove guilt in such cases. But in a situation of a state-controlled judiciary, most cases are won by government, and journalists end up in prison."

The state has no official restrictions on access to foreign news, but the Khartoum Government has blocked access to some websites, panelists said.

The panelists agreed that entry into the journalism profession is free in Sudan, provided, however, that the journalist fulfills certain educational requirements in order to acquire a license. Previously, in the whole of Sudan, the National Press Council tested all editors to determine qualifications, and journalists had to pass stringent language tests in order to receive accreditation, but this no longer applies to the south. A person can decide to start writing and become a "journalist," noted some Southern Sudan panelists.

Sudanese journalists who have been educated do their work professionally. However, some journalists do not bother to crosscheck their facts even though they have the necessary skills and facilities, panelists said. They noted also that journalists in the north do more professional work than their less trained counterparts in the south.

"We need training in the basics of journalism, but at the same time, even some editors need to be retrained, because many of them make obvious mistakes and end up causing problems for themselves," said panelist Apollonia Mathia, senior editor with *The Juba Post*.

The panelists noted two separate codes of ethics. One is a general code followed by some journalists working from Khartoum and other parts of Sudan. Journalists in the south have refused to adhere to this code after the signing of the CPA. The second code is specifically for journalists working in the south. However, that code is not in conformity with international standards, and journalists have agreed to have the code redrafted by the Association of Inter Media in consultation with other media associations.

Censorship and self-censorship occur daily at all levels of the media in Sudan, and it is a disease afflicting the whole country, said panel moderator David Aruai de Dau, a senior journalist with Southern Sudan Radio Service. Some reporters kill stories at the source in exchange for money, and sometimes reporters write good stories that end up not being published because of certain interests, he said.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Some broadcast media owners do not interfere with the daily management of their media outlets and are just interested in profits. Others, however, do interfere and go to the extent of dictating programs to be run at particular times. Other media owners undermine editorial independence by censoring some of the programs that they think do not serve their interests.

Most key events are covered by journalists, provided they hear about the event in time or are invited by the organizers. But according to the panelists, some media houses are blocked from covering some of these events. They gave the example of the signing of the CPA in Khartoum; some journalists were not allowed to cover this monumental event. In other cases, journalists are not allowed to cover some issues related to security.

Pay levels are very low in the south, with an average pay of \$200 to \$250 per month for a staff reporter. Some journalists working in the north receive between \$400 and \$600 monthly. Working for the state media is more lucrative, with salaries ranging from \$250 to \$600 per month, depending on the position. Freelancers in the south are paid about \$7 per story, and those affiliated with only one media outlet are paid a retainer of about \$250.

The panelists said that poor pay has resulted in increased corruption in the media, especially in Southern Sudan, where the standard of living has become disproportionately high for journalists. But the panelists added that even some of the editors and reporters who are well paid have been cited in cases of corruption.

According to the panelists, advertisements and entertainment are allotted more broadcast airtime than news. In the print media, however, stories are given more space than advertisements.

In the north, facilities and equipment for gathering news are relatively modern, and several printing companies are supporting the work of print media. However, Southern Sudan has no modern facilities or equipment. Private broadcasters lack good recording equipment, editing facilities, and cameras. Print media owners depend on Khartoum and Kampala to print their publications. The products are of poor quality and there are some delays in delivery and distribution.

The panelists suggested that if foreign assistance is to benefit journalists, equipment such as recorders, digital video and still cameras, and computers should be channeled through specific media houses identified with the help of Sudan's professional associations.

"We need training in the basics of journalism, but at the same time, even some editors need to be retrained, because many of them make obvious mistakes and end up causing problems for themselves," said panelist Apollonia Mathia, senior editor with The Juba Post.

A few journalists, especially those in the north, specialize in certain areas of reporting. There is need for training and encouragement to increase niche reporting, panelists said.

OBJECTIVE 3: PLURALITY OF NEWS

Sudan Objective Score: 1.61

The panelists agreed that Sudan has multiple sources of news. They include daily, weekly, and monthly newspapers; magazines; and television and radio stations. The majority are in the north. Southern Sudan has only one television station, which is state controlled and mainly used as a government mouthpiece. A number of radio stations are in operation in the south, with one being government-controlled and the rest in private hands.

According to the panelists, there is no clear demarcation between state-owned and private outlets, as most toe the government line. A few media houses that have tried to

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

According to the panelists, there is no clear demarcation between state-owned and private outlets, as most toe the government line. A few media houses that have tried to be more independent have faced various threats, ranging from closure to harassment of their reporters and editors.

be more independent have faced various threats, ranging from closure to harassment of their reporters and editors. Television is state-controlled in both the north and south, and both governments have monopolized television stations in order to spread their propaganda.

There is no community media in the north. In the south, community media exists but it is in its infancy. Private media outlets in Southern Sudan are totally independent of government and provide the public with alternative information unavailable from the state media.

Citizens in the north and south have free access to information, including Internet access for those who can afford it. The panelists agreed that urban populations have better access to the media and are able to compare different news sources available to them. Those who live in rural areas have no Internet access, and depend on radio as a major source of information. Most print media outlets include national and local coverage, but very few people can afford to buy newspapers.

Panelists agreed that the Khartoum Government places no official restriction on access to local and international media, nor laws to prevent access to foreign media. But through its security personnel and technical means, the government has managed to regulate access to mainly Western media. The Khartoum Government is more lax regarding media from Arab countries, panelists said. They agreed also that in the south, access to local and foreign news is not restricted and those who can afford it enjoy it fully.

Panelists noted that most state media broadcast time is dedicated to promoting government programs. In the north this also applies to other media, save a few newspapers that have tried to be critical of government but ended up closed, with their reporters prosecuted. However, the panelists agreed that state media promote educational programs in Arabic. In the south, educational, cultural, health, and peace-building programs are given priority on state radio and television.

The north has only one local news agency, Sudanese News Agency, which was established by the government. It is fully under state control and is not independent. It provides news for the electronic and print media that need information, but mostly for those that support the government. In Southern Sudan, media professionals made a failed attempt to establish an independent news agency, but the Ministry of Information has proposed setting up a state agency. In both the north and south, media houses selectively use news from foreign news agencies such as AFP, AP, and Reuters.

Private broadcasters do produce their own programs, but the degree to which they differ from state media programs depends on whether the outlet is in the north or south. Those in the north differ only slightly and do not offer a unique perspective. Programs in the south might differ but are guarded in their criticisms. The quality of programs is increasing, with facilities in the south improving but still wanting.

Media ownership is not very clear, and obtaining this information from any government office in the north is difficult. In most cases, media owners do not want the public to know their revenue, circulation figures, area of coverage, or audience size. But according to the panelists, most people have no interest in knowing this information. In the south, ownership of media can easily be determined, based on the content of print media and the programs aired by the electronic media, panelists said.

The panelists agreed that media in the north do not cover social issues that contradict Islamic laws, but this is not the case in the south.

OBJECTIVE 4: BUSINESS MANAGEMENT

Sudan Objective Score: 1.58

Panelists reported that private media are run efficiently and as profitable businesses. In the north, media companies employ professionally skilled staff in most management positions.

Printing and distribution of newspapers are carried out privately and are not subsidized by the state. Southern Sudan had one printing press before the signing of the CPA, but the facility was damaged and is currently being reconstructed. The facility is a government property and will remain under state control when it reopens.

Sources of revenue have remained the same for private media in Sudan. They include advertisements, sales of printed copies, and in the case of Southern Sudan newspapers, sponsorship

from the state and donors. Panelists said that the editorials of state media are often influenced by donors.

The panelists agreed that the independent private media outlets that exist in Sudan have problems operating due to a lack of funds. Some community media have been forced to close for similar reasons.

The size of the advertising market is difficult to judge, as media managers will not reveal their advertising revenues. But the advertising industry is clearly well developed in cities in the north, and several advertising agencies there work with all types of media. In Southern Sudan, the advertising sector requires significant development in order to streamline operations, panelists said. They also said that media houses employ commissioned salespeople to solicit advertisements from companies, but the salespeople are not trained.

According to the panelists, advertising represents about 15 percent of broadcasting time. In print media, advertisements are given more space as well because of the revenue they attract.

Officially, private media do not receive any subsidies from the government, but the panelists said that some media outlets in the north quietly receive support from the Khartoum Government, and in the long run that affects editorial independence. Only those outlets that are sympathetic to the government are given subsidies through advertisements from state agencies. Although common in the north, this phenomenon has yet to be observed in the south—some private media houses are given advertisements from government, but with no conditions attached.

To get feedback from their readers and listeners, a few media outlets conduct market research. Some of the

Only those outlets that are sympathetic to the government are given subsidies through advertisements from state agencies. Although common in the north, this phenomenon has yet to be observed in the south—some private media houses are given advertisements from government, but with no conditions attached.

outlets that follow and implement the research results have benefited through increased sales and volume of advertisements. Media have also used call-in programs, questionnaires, focus groups, and commissioned research to acquire information on the preferences of their readers and audiences. However, no companies monitor circulation figures or measure broadcast audiences.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Sudan Objective Score: 1.29

To defend their rights and advocate for their welfare, journalists have formed many new associations, especially in Southern Sudan. They include the Association for Media Development in Southern Sudan (AMDISS) and the Association of Inter Media.

The panel noted Sudan's other older associations, which include the Sudan Journalists' Association, covering the whole of Sudan; the Association of Independent Media in Southern Sudan, and; the Union of Journalists of Southern Sudan. Panelists said that although these associations still exist, some have been of no help to the journalists due to the political situation in the country and the high number of members not paying their fees.

The Sudan Journalists' Association is well funded—mainly by the state—and its independence is questionable, according to NGOs working in the media field in Sudan.

Some of these associations have tried to lobby government on several issues, but instead of being given attention, leaders have been harassed, intimidated, and arrested on fake charges. Those tactics have not stopped associations from advocating for their members' rights, however.

The panelists agreed that more NGOs are showing interest in media development. Among these organizations are

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Norwegian Church Aid, AMDISS, and the BBC World Service Trust. Their interest is focused on Southern Sudan and in the areas of defending press freedom and freedom of speech. They also assist in media training and providing facilities to some media houses.

Several universities and other institutions in the north offer journalism degree and diploma courses that are of good quality, according to the panelists. However, these courses are in Arabic, which is a big problem to the people of Southern Sudan, who are English speaking.

The government of Southern Sudan has introduced a degree course in mass communication at the Juba University, and the coursework has started benefiting a few journalists. The panelists also said that Juba Post Media is in the final stages of opening a new media training school, with funding from the UNDP. The school will be the first of its kind.

In-house trainings are held at some media companies, and opportunities to train abroad are also taken whenever they are available.

Several private printing companies exist in the north as profit-making businesses. They import newsprint for themselves. However, state security agents monitor most of these printing facilities, and the moment they detect any story critical of government, they immediately stop the printing. Media distribution agencies in the north are in private hands. In the south, each newspaper handles distribution informally.

The panelists noted that in the past, broadcast transmitters were controlled and owned by the government, but the situation is changing slowly. Today, some transmitters are in private hands but they remain monitored by the state. The panelists said also that the government still limits areas of coverage for all transmitters.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Charles Achire, journalist, *The Sudan Tribune*, Juba

Paul Jimbo, correspondent, *The Southern Eye* newspaper, Yei

Apollonia Mathia senior editor, *The Juba Post*; union committee member, Juba

Veronica Lucy, director, English news desk for Southern Sudan Radio/TV (Radio Juba/TV), Juba

Alcyone Poni Ruben, freelance journalist, *Juba Post* and others media outlets, Juba region

Christopher Opoka Amanjur, journalist, War and Peace Institute, Juba

Gladays Lanyero, journalist, Bakhita FM, Juba

Maal Maker, journalist, Miraya FM, Lumbek

The following participants submitted a questionnaire but did not attend the panel discussion.

Olwenyi Kinodo, member, Human Rights Defender Network for Sudan, New Site

Ahmed-Salif Bashir, journalist, *The Sudan Vision*, Khartoum

Amir Abdel-Magid, assistant coordinator, Sudan Press Watch, Darfur Region

Moderator

David Aruai de Dau, senior bureau chief, Sudan Radio Service, Juba

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda in cooperation with the Association of Inter Media

Currently, the media boasts nearly 4,000 journalists in print and electronic media. However, they are concentrated in cities and towns, where access to facilities is easier than in rural areas.



TANZANIA

Under the leadership of President Jakaya Kikwete, Tanzania's democracy has continued to grow with the formation of new political parties as the country prepares for the next general elections, scheduled for October 2010. The country is governed under a multiparty political system introduced in 1999 by the late Mwalimu Julius Nyerere before he died. So far, three elections have been held, with one party, CCM, winning all.

Likewise, the media sector in Tanzania has continued to grow, with new investors showing interest despite the high taxes demanded by the government. The Aga Khan Media Group recently started new newspapers and a radio and television station in Dar-es-Salaam city, joining other local businessmen like Mengi, who have begun to venture into the sector.

The number of journalists has also grown, with new graduates coming out of the many mushrooming media-training institutions. Currently, the media boasts nearly 4,000 journalists in print and electronic media. However, they are concentrated in cities and towns, where access to facilities is easier than in rural areas.

Freedoms of speech and association are widely enjoyed by Tanzanians, including the members of the opposition and journalists. The new media bill, which was in pipeline when the last MSI was conducted, has not yet been passed into law and consultations with all stakeholders are still on. There are fears that the passage of this bill will affect press freedom and the freedom of expression that journalists have enjoyed for many decades. There are also several draconian media laws that the Tanzanian government inherited from colonial rule: some of these laws have become entirely useless, while others are maintained on the books so that the government can use them whenever it wants to suppress press freedom.

The increasing number of journalists also has been reflected in the emergence of new journalists' associations. Many of them are small and target specific sectors of the media, such as the environment, education, health, sports, etc. Tanzania boasts more than 20 media associations, some of which have national, regional, and niche interests. The Tanzanian media, through their different associations, have occasionally challenged the new media bill and the colonial media laws, but without much success.

TANZANIA AT A GLANCE

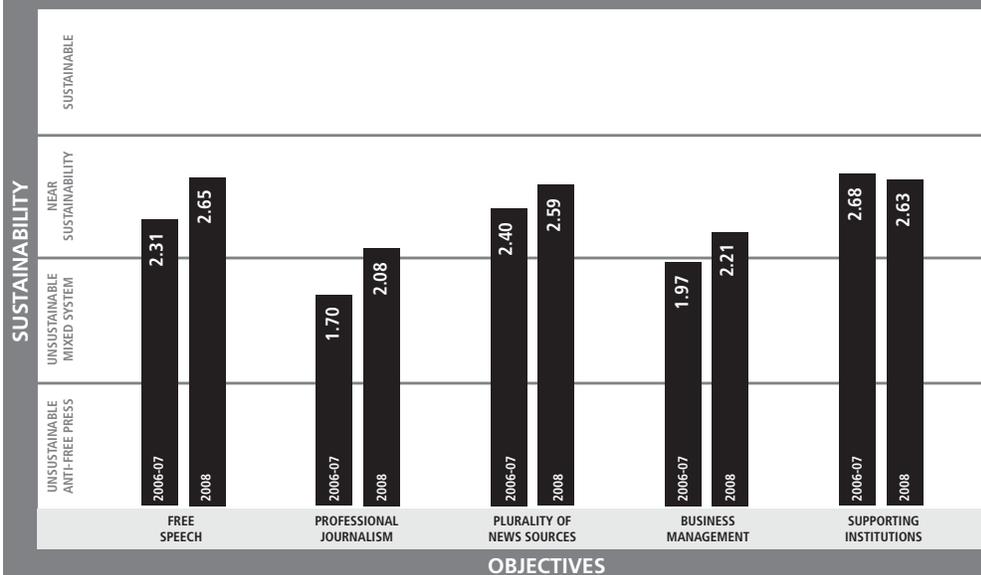
GENERAL

- > **Population:** 41,048,532 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Dar es Salaam
- > **Ethnic groups (% of population):** African 99% (of which 95% are Bantu consisting of more than 130 tribes), other 1% (*CIA World Factbook*)
- > **Religions (% of population):** mainland - Christian 30%, Muslim 35%, indigenous beliefs 35%; Zanzibar - more than 99% Muslim (*CIA World Factbook*)
- > **Languages (% of population):** Kiswahili or Swahili (official), Kiunguja, English, Arabic, many local languages (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$16.29 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$1,200 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 69.4% (male 77.5%, female 62.2%) (2002 census, *CIA World Factbook*)
- > **President or top authority:** President Jakaya Kikwete (since December 21, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 10+ (defined by panelists as "serious papers"); Radio Stations: 40+; Television Stations: 10+
- > **Newspaper circulation statistics: Top three by circulation:** *Mwananchi* (private, circulation 32,000); *Tanzania Daima* (private, circulation 28,000); *Nipashe* (private, circulation 25,000). Additionally, two government newspapers with significantly less circulation: *Uhuru* (circulation 12,000) *Habari Leo* (circulation 6,500)
- > **Broadcast ratings:** Radio One (private), Radio Free Africa (private) Tanzania Broadcasting Corporation Radio (state-run)
- > **News agencies:** Tanzania News Agency (state-owned), Press Services of Tanzania (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 400,000 (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: TANZANIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Tanzania Objective Score: 2.65

Tanzanians, including the media, continue to enjoy freedom of speech and of assembly, as there are clear provisions in the national constitution that guarantee these freedoms. The panelists noted that the judiciary is independent of government, and journalists have benefited from this by winning some of the cases filed against them or by them. Tanzanians have no restrictions on Internet access and use of Internet services or web sites.

However, there are still some laws in the country that some government officials use to restrict journalists from accessing “confidential” public information. Journalists who have accessed and published such information have become victims of government prosecution. These laws include the Newspaper Act of 1976, which limits access to some public information, the Official Secrets Act, and the Police and Prisons Act, which restricts freedom of the press.

Examples of this are journalists arrested by Songea District Commissioner Tarime Mabiti while they were trying to get information on ethnic clashes in his area.

Panelists view these laws as contradictory to the national constitution and feel that the state should abolish these laws.

The panelists agreed that licensing of broadcasting media has improved and become more transparent, compared with last year when the MSI study was conducted. They also noted that despite the problems with the licensing process, it is still better, in their opinion, than in any other country in the region and added that this also applies to print media. Electronic media are licensed by the Tanzania Communications Regulatory Authority, while print media are handled by a body called MAILEZO—the Tanzania National Department of Information Services—which works independently of government.

The restriction on area of coverage by a radio or television stations is still in place, but in reality it does not apply because of modern technology. One panelist said that it has become difficult for the government to monitor the coverage area of some radio stations’ signals.

The panelists said that media entry into the market is free aside from licensing. The only problem is the tax structure, which has set high rates on all inputs used by the media, especially in the newspaper sector. The taxes on newsprint and the VAT on advertisements and other materials needed for newspaper production are high compared with other businesses.

President Kikwete’s promise to reduce taxes on inputs required by media outlets during his campaign has not materialized. This has resulted in a high cost of newspapers and has pushed away some would-be consumers.

The panelists noted that cases of violence against journalists are increasing, which has brought about some fear in certain sections of the media, especially those who cover violent crimes.

They cited a case from January 2008 where thugs attacked a newsroom of *Mwana Halisi* newspaper at around 8:00 in the evening and poured acid on two editors, Saed Kubenea and Ndimara Tegambwage. They were rushed to hospital in Dar-es-Salaam city, where they were treated and discharged after a month.

The panelists noted that the police arrested five suspects, who they charged and remanded to prison, but the case has not yet been concluded. “What we are sure of is that justice is being done,” said one panelist.

The panelists agreed that both the state and private media are governed in the same way and that laws make little distinction between the two. However, in practice preferential treatment is given to the state media when it comes to accessing information from the government.

Moderator Godfrey Kambenga noted that although the government appoints editors and managers for the public media, they have some editorial independence. However, they cannot publish stories that are critical of the state. He added that they can only lift a story seen as critical from another publication and use it to defend the government.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Interference from the government or powerful businesses in the public media is common but in most cases indirect, said one panelist.

Libel is treated as a civil rather than criminal matter in Tanzania. Fines given by the courts are too high, and in some cases they have forced some media houses to close or be liquidated. However, the panelists noted that things have started to change with the establishment of the independent Media Council of Tanzania (MCT), which settles defamation cases.

If a media house or journalist is found guilty of an offense, they are asked to publish an apology and pay a small fee to the offended person or institution. The panelists added that the MCT is also respected by the government.

Public information is freely available, depending on how it portrays the government. If information is not considered "negative," it can be freely provided to both state and private media. Negative information is either withheld altogether or else reported with an angle favorable to the government by the state media.

The panelists stated that public information that may be useful is not easily available to the media from the state. The government gives information only to private media that favor it, said Alpha Isaya Nuhu, a panelist. He added that private media are sometimes turned away or blocked from covering certain functions organized by the government.

The panelists agreed that there is no restriction on accessing international news sources by media outlets, but the only problem that may prohibit access is affordability.

Entry into the journalism profession is open, and one does not need to be qualified. However, the panelists noted that this has resulted in many problems for the profession.

The government has come up with a proposal in the new media bill on minimum qualifications for someone wishing to be a journalist. A diploma may be required, but the stakeholders have not yet agreed on it.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Tanzania Objective Score: 2.08

The panelists agreed that most journalists in Tanzania report objectively and follow the required steps to prepare balanced stories. However, the objectivity varies and how it is perceived depends on the consumers of their products. Some journalists are seen as pro-government, while others are against the government. The panelists noted that there is a need to shed off this status from the community.

The panelists added that although a code of ethics in line with the international standards exists and most journalists respect it, there are still a few violations. However, they noted that the MCT, which is charged with its implementation, has done a great job by following up such cases and punishing culprits.

The panelists pointed to two cases in particular. One involves Zephania Mushendo, who demanded a bribe from the director general of the Tanzania Anti-Corruption Bureau and was arrested, charged, and sentenced to five years in prison. Another journalist, Patrick Chambo, was arrested on corruption charges and sentenced to three years.

Self-censorship continues to prevail in Tanzania at different editorial levels in most of the media outlets, but it is more common in state-owned media. Those who practice it do so for different reasons, ranging from financial gains and job protection to the editorial policies of the media houses they work for, political allegiance, etc.

"We have seen stories on corruption in government being dropped or blocked by our senior editor after receiving calls from state officials," said a panelist who works with a state newspaper.

Another panelist added that even in private media, big stories about some companies are removed because of business interests and fear of losing advertising money from such companies.

Journalists have continued to cover key events, especially when they are invited or tipped off, but security-related issues are rarely covered by the media because of their sensitivity, the panelists noted. One obstacle to covering some events is that journalists from some media houses have been turned away from certain functions by organizers for undisclosed

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

reasons, but the panelists said it is because the journalists are considered to be “negative.”

Pay levels for journalists have remained low, compared with other sectors, despite the rising inflation rate. The panelists said this has promoted corruption in the media profession. Reporters prefer killing good stories in exchange for money because they find it more lucrative than running them in their media houses.

As the rate of unemployment has risen, many journalists are working as freelancers under poor conditions, with little or no pay.

The broadcasting sector, especially program announcers and presenters, are better paid than their colleagues in the print media. The panelists noted that it is becoming a fashion in Tanzania for some journalists to want their name to appear in newspapers and get paid by the news source instead of the media house he or she works for.

The Employment Labor Relations Act of 2004, enacted in 2006, would have addressed the above problems but has never been implemented.

The panelists agreed that entertainment programming is most prominent in the media because consumers are more interested in entertainment than news.

A few media houses have managed to import modern facilities and equipment for use in news gathering and broadcasting. Such equipment includes digital studio equipment, recorders, and digital video and still cameras, which have helped to produce better-quality news reports.

OBJECTIVE 3: PLURALITY OF NEWS

Tanzania Objective Score: 2.59

There are many sources of information, encompassing both electronic and print media. There are more than 45 radio stations, 10 television stations, 15 cable television providers, 24 daily newspapers (some of them regional), and more than 60 weekly and monthly newspapers. Tanzania has also some newspapers that come out seasonally to target particular campaigns.

The panelists noted that most media outlets are concentrated in cities because of market and economic factors. However, both private and state media (broadcast and print) cover all parts of the country. Most people depend on electronic media, particularly radio, for information because it is more affordable than buying newspapers. Although radio is a vital source of information for rural people, in some areas they cannot afford to buy batteries for their radio sets.

Districts are setting up new radio stations for their areas, and some radio stations have been set up for refugees. The stations broadcast in Kinyarwanda and Kirundi languages, which are understood well by the beneficiaries.

There are no government restrictions on accessing foreign or domestic news sources. The panelists agreed that citizens mainly access foreign radio or television broadcasts rather than foreign print titles. For those who can afford it, the Internet also provides access to foreign news. The Internet is available primarily in cities and towns.

Changes in state media have started to take place, with allocation of a little time to opposing views despite the fact that it is fully controlled by the government. These gradual changes are seen mainly in the television sector.

A new private news agency, Press Service of Tanzania, has been started by the IPP Media group, which owns a television and radio station in addition to a newspaper. However, few media houses use news stories from this agency. There are also several foreign news agencies that are used by local media outlets on a subscription basis. The panelists agreed that their fees are affordable.

Private broadcast media generally produce their own programs, but news segments come from different sources, including the government. Therefore, these programs do not effectively add a different perspective.

The media ownership situation has not changed much from last year’s survey. The panelists said that most, if not all, media house owners are known and that anybody interested in finding this information may do so easily. However,

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

they noted a recent trend where groups of investors or companies have started to dominate media ownership. A case in point is the Nation Group, which owns a newspaper, radio station, and television channel. Another example is IPP Media, a consumer products company that also owns several publications, FM stations, and television channels.

A minority-language issue does not exist in Tanzania because all citizens speak Swahili, and most media use this language. However, one panelist noted that there is a group of people called “Bushmen” in Central Tanzania whom the media have failed to report on for decades.

OBJECTIVE 4: BUSINESS MANAGEMENT

Tanzania Objective Score: 2.21

The panelists noted that most media houses are well-managed, profit-making businesses, with owners employing professionals in senior positions. However, they said there are a few poorly managed media houses whose owners employ family members.

Community media are very difficult to sustain because of high operating costs and unsteady revenue. This has led to closures in some areas.

Private media owners finance their businesses through savings and bank loans to supplement sales of copies and revenue from advertising. Relying on subscriptions or proceeds from sales is risky, panelists said, because some agents and vendors at times run away with media house funds. This mainly affects small companies that depend on newspaper sales. The government does not subsidize private media.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

The panelists agreed that advertising revenue affects editorial independence at most media outlets because very few media houses can risk running stories critical of their clients.

Though the advertising industry is still in its infancy, efforts are being made by media owners, managers, and advertising personnel to establish an infrastructure to help its growth. In some cases, advertisements are already run at the expense of news space. News takes up 60 percent of space in newspapers, and advertisements typically occupy 40 percent. However, at times advertisements are allowed to take up more space if managers need to increase revenue. This sometimes causes stories to be dropped at the last minute to create space for late advertisements, panelists said.

Some media outlets conduct market research, but the results are rarely applied to a business strategy. This holds back media growth in terms of circulation and volume of advertisements.

In most cases, media houses hire independent firms, like Steadman, to carry out this research. But even the findings are not made public, especially when it comes to circulation figures and broadcast ratings. According to the panelists, most media owners want to keep their revenue and audience or circulation figures secret.

Some media houses have publicly opposed these findings, but anybody interested in such information can get it from Steadman at a fee. Some media houses prefer to conduct their own research and come up with unrealistic figures to attract business, noted Epton Raphael Luhwago, a panelist.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Tanzania Objective Score: 2.63

Several trade and professional associations exist in Tanzania, but some of them have been forced to close because of declining membership. Many of these associations benefited only their leaders and had become of no use to their members.

However, some strong associations have managed to survive, including the Tanzania Union of Journalists, the MCT, the Tanzania Media Women’s Association, and the Media Owner’s Association of Tanzania.

Most of these associations carry out several activities, including training, but they depend on donations as a source of revenue. Unfortunately, their members rarely pay their fees, yet they expect to benefit from the services offered, said Kambanga, the moderator.

Several NGOs support journalists and media-related causes. They include the Center for Basic Human Rights, the Tanzania

Gender Networking Program, and the National Organization for Legal Aid. Apart from defending journalists' rights, these organizations also fund some training programs.

The panelists noted that more new media training institutions have been started to supplement the existing colleges. Tanzania also has three universities that offer degrees in journalism and mass communications. They include the State University of Dar-es-Salaam, St. Augustine University, and Tumani University. Several other colleges provide diploma and certificate courses in journalism, but the panelists noted that the government has stepped in to control the quality of courses offered by these institutions after complaints from several members of the journalism profession.

Many graduates from these institutions end up as freelancers, as few media houses can hire them on a permanent basis.

In-house training opportunities also exist in some media houses and have benefited the journalists who work there. However, they cannot afford to attend the formal training institutions.

Training opportunities abroad and exchange programs used to be available but are not presently. However, some international organizations—like IFJ, which works with local NGOs—have assisted in training journalists in Tanzania through short courses. This has helped those who joined the profession without formal media training. These training efforts help journalists acquire new skills. Such courses are fully sponsored by the organizers, and attendees do not pay any registration fees.

Printing facilities and access to newsprint are now free, unlike in the past, when Tanzania was under one-party rule. During those times, the two biggest printers, Print Pack and Uhuru, were restricted to printing only state papers and those

that supported the government. There are several private printers today, and many businesses import newsprint and sell it to media without restriction. Panelists depicted printing companies as profitable, even lucrative.

Distribution of newspapers is done by private-sector companies through a network of agents and vendors who are able to reach significant parts of the country. State media also rely in part on private businesses for distribution. Vehicles and kiosks are used to distribute print media in cities, while papers are sold in supermarkets and small shops outside large cities. However, delivery delays regularly occur, especially for small print media. This distribution is carried out without political interference.

List of Panel Participants

Shani Kibwasali, journalist, gender coordinator, Tanzania Union of Journalists, Dar-es-Salaam

Epson Raphael Luhwago, editor, Uhuru Publications, Dar-es-Salaam

Mngumi Gaudensia, journalist and member, Tanzania Media Women Association, Mwanza and Dar-es-Salaam

John Ngunge, journalist, Radio One FM, Dar-es-Salaam

Hamid Yassin Russaulte, news editor, *Hoja* newspaper, Dar-es-Salaam

Pius Ntiga, reporter, Radio Uhuru, Dar-es-Salaam

Samuel Kamndaya, correspondent, Mwanainchi Communications, Arusha

Beatrice Bandawe, news editor, *Nipashe* newspaper, Dar-es-Salaam

Boniface Luhanga, chief sub-editor, *The Guardian* newspaper, Dar-es-Salaam

Alpha Isaya Nuhu, features editor, *Habari* newspaper, Mombasa

Paul Mallimbo, editor, Press Services of Tanzania, Dar-es-Salaam

Moderator and Author

Godfrey Kambenga, journalist and general secretary, Tanzania Union of Journalists, Dar-es-Salaam

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda in cooperation with the Tanzania Union of Journalists

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

All but a few journalists have become mouthpieces of political parties, which shamelessly use them to promote their agendas



TOGO

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For roughly a decade, Togolese media have been moving in two directions at once. The number of media outlets has been booming since the late 1990s. Today the country has 79 radio stations, 11 television channels and about 40 publications. Yet despite these numbers, the Togolese media lack professionalism. In fact, a turbulent political situation, despite signs of promise, has helped to diminish the quality of journalism in the tiny West African country.

All but a few journalists have become mouthpieces of political parties, which shamelessly use them to promote their agendas. The lack of qualifications of such journalists and their ignorance of ethical rules and responsibilities expose them to all sorts of influences that compromise their integrity and undermine their work.

Free-press advocates in Togo hope that recent political developments will reverse this downward course. In 2004, Togo adopted a press law that decriminalized media-related offenses. Soon afterward, the political turmoil that followed the death of longtime dictator Gnassingbe Eyadema showed signs of abating, and Togo held parliamentary elections in October 2007 that were certified as free and fair.

Media owners created their own association in 2008, though attempts to create a single journalists group have so far been unsuccessful. Media professionals lack the organization to address many of the problems facing the media in a cohesive way.

Togo's score fell by 0.19 points to 1.56 this year and it remains in the middle of the "unsustainable, mixed system" category. Although Togo's score for Freedom of Speech and Business Management edged up slightly, the more significant losses in Professional Journalism, Plurality of News, and Supporting Institutions caused the net loss of score.

TOGO

TOGO AT A GLANCE

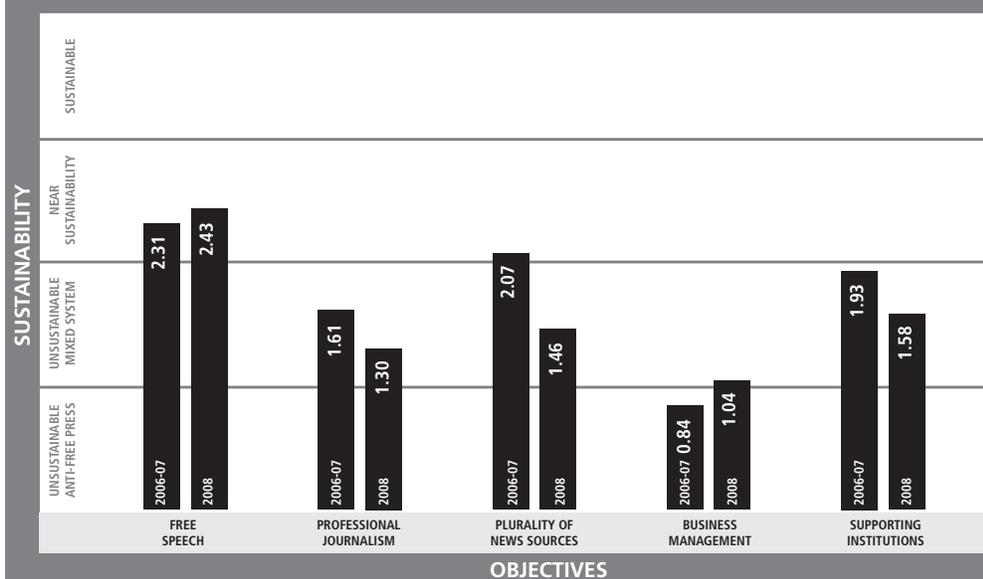
GENERAL

- > **Population:** 5,858,673 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Lomé
- > **Ethnic groups (% of population):** African (40 tribes; largest and most important are Ewe, Mina, and Kabre) 99%, European and Syrian-Lebanese less than 1% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 29%, Muslim 20%, indigenous beliefs 51% (*CIA World Factbook*)
- > **Languages (% of population):** French (official and the language of commerce), Ewe, Mina, Kabye, Dagomba (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$2.383 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$800 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 60.9% (male 75.4%, female 46.9%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Faure Gnassingbe (since May 4, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 400 regularly registered publications, out of which 45 are currently operational; Radio: 98 registered radio stations, 96 operational countrywide; Television stations: 8 registered television stations, 6 fully operational, 2 on test transmission
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** The Togo News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 320,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: TOGO



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Togo Objective Score: 2.43

The panel's score for this objective, 2.43, reflects the fact that free speech is granted by law but that the laws are only partially enforced in reality. While developments in the past years have eased political pressure on the media to a degree, overall the progress has not become entrenched and the government makes decisions that are not in line with the spirit of freedom of the press.

For example, in February 2008, the International Federation of Journalists (IFJ) reported that Daniel Lawson-Drakey, a journalist from privately-owned Nana FM, was banned from providing analysis, commentary, and other editorial material by the Higher Communications and Broadcast Authority. The Authority had determined that Lawson-Drakey had contravened "respect of the dignity of the human person and the ethics in the field of information and communication." IFJ asserted that the move was politically motivated and that regulation of journalists should not be overseen by the state, but rather the media itself.

The licensing of broadcast media is competitive and sometimes fair, but still subject to political manipulation. There is some confusion in the process because it is split between two state agencies: the Higher Communications and Broadcast Authority, which grants licenses, and the

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

When journalists are attacked, the people behind the crimes are never punished. In rare cases, the authorities announce the opening of investigations to find the perpetrators of such attacks, but these investigations have never led to anything.

Public Telecommunications Regulating Authority, which grants frequencies.

Broadcast media pay annual license fees, but print media do not. In general, the government does not give tax relief or other preferential treatment to the media.

When journalists are attacked, the people behind the crimes are never punished. In rare cases, the authorities announce the opening of investigations to find the perpetrators of such attacks, but these investigations have never led to anything.

State-run and public media only serve the government, although in the last two years their treatment of the news has improved slightly.

Article 58 of Togo's Criminal Code makes libel a criminal offense, but court judgments do not conform to guidelines set out in the law. Amendments in 2004 to the Criminal Code struck prison sentences for libel as part of a deal with the European Union to end sanctions.

Public information is not accessible by everyone. State media are given preferential treatment when the government releases information.

Media face no government restrictions on use of foreign press reports, however, sometimes it can be difficult for media to do so for technical reasons, such as poor Internet connectivity. There are no restrictions to entering the journalist profession.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Togo Objective Score: 1.30

Panelists said the lack of training opportunities and journalists' disrespect of ethics and responsibilities underpinned all of the Togolese media's shortcomings.

Most reports are biased and superficial, and ethical standards are often infringed when matters of survival are at stake. Most journalists and editors practice self-censorship: it is unusual to encounter reports in which nothing is held back. Togolese journalists often refrain from reporting on major events and

Practically all journalists, regardless of their medium, are poorly paid, if they are paid at all. This situation makes them vulnerable to corruption, political patronage, and pressures of all kinds.

issues such as national security and defense, corruption, and anything related to the way public affairs are managed.

Practically all journalists, regardless of their medium, are poorly paid, if they are paid at all. This situation makes them vulnerable to corruption, political patronage, and pressures of all kinds.

Broadcast media devote more than 75 percent of their air time to entertainment, while real news is minimal. Television and radio stations lack the financial resources necessary for producing their own programs. Although there are no specialized programs, some media air shows on health, education, and the economy on an infrequent basis.

In an age of new information and communication technologies, technical facilities and equipment are rudimentary. Rotary presses, film cameras, and outdated recording devices are still used.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

OBJECTIVE 3: PLURALITY OF NEWS

Togo Objective Score: 1.46

Togo has a variety of news sources, but they do not thoroughly cover the whole spectrum of opinions and interests. Rather, only two points of view are available at the national level: those of the opposition and the ruling party. The news appearing in the media does not meet citizens' expectations.

Citizens have unrestricted access to national and international media. But in rural areas that lack basic infrastructure such as electricity and telephones, people have trouble getting information. Rural populations have no access to the Internet. Community radio stations are still in their early stages.

Available sources of international news include Radio France International, the BBC, Gabon's Africa 1, Agence France-Presse, Panapresse, and Reuters, as well as the Internet and cellular and fixed telephone connections. Internet access, however, remains too expensive—when it is available at all—throughout the country. Also Radio and Television Lomé, the two national stations, cannot be picked up throughout the entire country despite its small size.

Most reports on state-run media are devoted to news about the government, and these media often do not present alternative points of view. There are few cultural or educational programs.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

The only domestic news service, the Togo News Agency, is run by the government. Media have access to news from international agencies, including AFP, Panapresse, Reuters, and the Associated Press, and their stories and content are used by all Togolese media, sometimes without accreditation or payment.

The private broadcast media produce very few news programs of their own. Instead, they rebroadcast the programs of foreign channels such as TV5-Monde, RFI, Deutche-Welle, Voice of America, the BBC, and others.

It is difficult to identify the real owners of most media outlets in Togo.

The Togolese media only address some social issues. There are no private newspapers in the national language.

OBJECTIVE 4: BUSINESS MANAGEMENT

Togo Objective Score: 1.04

The entire Togolese media sector functions informally in terms of business practices. Neither newspapers nor radio stations are managed as real companies, which would ensure their independence. Media owners have no knowledge of business management.

Media outlets and supporting companies are neither profitable nor professional. Advertising agencies are in reality little more than mediocre production studios or advertisement and commercial distribution outlets. The advertising market is not organized.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Media outlets and supporting companies are neither profitable nor professional. Advertising agencies are in reality little more than mediocre production studios or advertisement and commercial distribution outlets. The advertising market is not organized.

Since advertising provides little revenue, the media rely on handouts from businesses or politicians. Not even the state-run media, which must receive government subsidies according to law, have been given their due. In the local radio sector, three community radio stations are financed by the Organisation Internationale de la Francophonie.

The government-run daily newspaper, Togo-Presse, and the private written press are poorly distributed because of the lack of a distribution network. There are no real supporting enterprises for the media, hurting sales potential and reach of media outlets.

A government subsidy established by law for the private media is not yet available, though informal government grants have been made. The government granted XOF 50 million (\$95,000) to the private media in 2006 and XOF 37 million (\$76,000) in 2007, gestures that had the appearance of an attempt to buy journalists with public funds. In 2009, a state subsidy of XOF 300 million (\$650,000) is to be released.

At this time, no market research is available, and there are no organizations that measure broadcast ratings or print runs. In general, reliable statistics on the Togolese press are difficult to find.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Togo Objective Score: 1.58

Togo has a large number of independent organizations that might be expected to support the development of free media, but many do not.

A new media owners' association, the National Council of Media Owners, was created about one year ago through a merger of several existing owners' groups. So far, this board has not worked to uphold the professional interests of the media. Groups of media workers—the Independent Journalists Union of Togo, the Free Union of Communication, and the Union of Information Agents, Technicians, and

There are no national NGOs supporting the freedom and independence of the media. However, individual lawyers have helped journalists who have had to deal with the justice system.

Journalists from the Public Media—do work for the protection and defense of the rights of journalists. These associations also train their members through seminars and workshops. But neither the government nor any of these associations has implemented a journalist-training policy.

There are no national NGOs supporting the freedom and independence of the media. However, individual lawyers have helped journalists who have had to deal with the justice system.

Almost every Togolese with a journalism degree from a quality institution has retired. There is no school of journalism in Togo, only centers and institutions that offer training in business communication. Among journalists who were hired without training, many are resistant to obtaining any type of qualification.

Private newspapers have no printing facilities of their own, but instead are published by printing firms owned by private individuals.

Newspapers are sold in the open, or occasionally in bookstores and grocery stores. Itinerant salespeople also sell them. There is no distribution network to speak of, and newspapers cannot make money through an Internet presence.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Yacoubi Tchatchibara, journalist, trainer, ESTAC School of Communication, Lomé

Victor Toulassi, journalist, communication consultant Group for Reflective Action for Democracy and Development, Lomé

Edem Sowu, human rights activist; ACAT-Togo, Lomé

Ebénézer Latévi Lawson, director CFPC Communication Training School, Lomé

Komlan Adanlessoussi, manager, Radio Voice of the Plateau, Danyi

Claudine Assiba Akakpo, manager, Togo News Agency, Lomé

Komla Valentin Nyatika, journalist, president, Togolese League of Voters, Lomé

Mawuli Agbotse Kodjo, general manager, African Cultural Entrepreneurs Network, Lomé

Anoumou Kate-Aziaglo, managing editor, Togopresse, Lomé

Rita Afi Dovi Gbodui, journalist; president, Togolese Observatory for the Image of Women in the Media, Lomé

Kossi Dodzi Adigbo, attorney, Lomé

Michelle A.A. Nousseossi Aguey, jurist, GF2D, Lomé

Moderator

Assiongbon Francis Pedro Amuzun, publication manager, *Crocodile Newspaper*; secretary-general of the Togolese League of Electors, Lomé

Observer

Franck Ayawo Assah, correspondent, Panapresse and Media Foundation for West Africa, Lomé

Reporter

Ahlin Papou Kponton, journalist, webmaster, Lomé

The Togo study was coordinated by, and conducted in partnership with, Media Foundation West Africa, Accra, Ghana.

In response, President Museveni has on several occasions openly attacked the media. He has criticized the state-owned New Vision newspaper, charging that it is writing “lies” and being used by the opposition to fight his government.



UGANDA

In 2008, several new threats against the media sector emerged in Uganda. The situation has changed significantly since last year's survey, and signs indicate that the government is determined to stifle the freedom that journalists have enjoyed for the last 20 years.

The government has been reluctant to put regulations in place to aid implementation of the access to information act, passed two years ago. Uganda President Yoweri Museveni has set up a cabinet committee to review and amend the constitutional provisions that guarantee freedom of the press and freedom of speech. With stepped-up pressure from the media and human rights groups, Minister for Information Kirunda Kivejinja has promised that the committee will consult all the stakeholders before amendments are made to the law. Journalists are skeptical, however.

This comes at a time when the media has been critical of the ruling party, the National Resistance Movement (NRM), exposing accusations of corruption against its leaders. In response, President Museveni has on several occasions openly attacked the media. He has criticized the state-owned *New Vision* newspaper, charging that it is writing "lies" and being used by the opposition to fight his government. He has threatened to close down papers and radio stations for "misleading the peasants" and has said that media members should face charges for lying. The police have summoned journalists, mainly from private media, to the police Criminal Investigations Department (CID) headquarters, where the journalists have been interrogated and threatened.

Leaders of journalist associations have many times condemned the president, government, and police for their actions against the media. Activists have called on the authorities to not impede press freedom and to abolish media laws and any other laws that infringe on journalists' rights. The associations' efforts have been supported by local and international human rights groups, which have been issuing protest statements regarding the Ugandan government's actions against the media. And their efforts do pay off: on a positive note, the constitutional court recently abolished the law on publishing false news, after a petition filed by the media challenging the law.

Despite the mounting government interference, the media has continued providing coverage to Ugandans on all issues: political, business, development, human rights, and many others. A plurality of news sources of different types—particularly print and radio—has developed over the years to support what has come to be recognized as one of Africa's stronger media sectors.

UGANDA AT A GLANCE

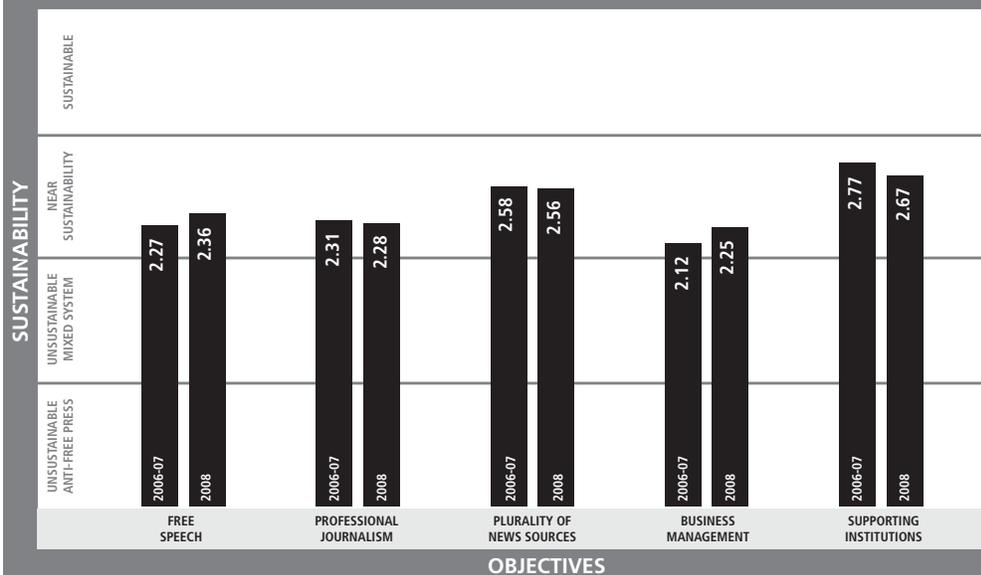
GENERAL

- > **Population:** 32,369,558 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Kampala
- > **Ethnic groups (% of population):** Baganda 16.9%, Banyakole 9.5%, Basoga 8.4%, Bakiga 6.9%, Iteso 6.4%, Langi 6.1%, Acholi 4.7%, Bagisu 4.6%, Lugbara 4.2%, Bunyoro 2.7%, other 29.6% (2002 census, *CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic 41.9%, Protestant 42%, Muslim 12.1%, other 3.1%, none 0.9% (2002 census, *CIA World Factbook*)
- > **Languages (% of population):** English, Ganda or Luganda, other Niger-Congo languages, Nilo-Saharan languages, Swahili, Arabic (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$11.31 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$1,040 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 66.8% (male 76.8%, female 57.7%) (2002 census, *CIA World Factbook*)
- > **President or top authority:** President Lt. Gen. Yoweri Kaguta Museveni (since January 26, 1986)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers, 5 weekly newspapers, several magazines; Radio Stations: 165; Television Stations: 45
- > **Newspaper circulation statistics:** Top three by circulation: *The New Vision* (60% state-owned, 40% public share holders, 40,000 circulation), *The Monitor* (privately owned, 35,000 circulation), *Bukedde* (60% state-owned, 40% public share holders)
- > **Broadcast ratings:** Top three radio stations: Central Broadcasting Service FM (private), Simba FM (private) and Uganda Broadcasting Service Radio (public)
- > **News agencies:** Uganda Radio Network (private)
- > **Annual advertising revenue in media sector:** KSH 17.4 billion (2007)
- > **Internet usage:** 2 million (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: UGANDA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Uganda Objective Score: 2.36

Constitution Article 29 (1) (a), which guarantees freedom of speech and freedom of the press, may soon turn into a hindrance, as the government plans to amend it in its move to crack down on the media. This may also violate several international human rights treaties to which Uganda is a signatory.

Panelists agreed that Uganda has pro-media constitutional provisions and human rights treaties, but the government has frequently violated them, leading to abuse of freedom of the press and freedom of speech. Oppressive laws, such as the Press and Media Law of 1995 and the Anti-Terrorism Act of 2002, contradict constitutional provisions but remain on the books. The state uses them regularly to intimidate and harass the media and the public. The government plans to introduce even more draconian press laws to suppress media freedom.

At one time, the current government promised to abolish legacy colonial laws it regarded as contrary to media freedom, but this later turned out to be an empty promise. Worse, the government passed legislation targeting the media, as described above. But after protests by the media, the government is in the process of amending some of these laws. The minister of information has asked for input to better inform this process, but no one, not even journalists' associations, has responded with anything concrete.

Panelists noted that the state's acts of persecution, harassment, and intimidation of the media continue unchecked. "We have no protection as journalists," said David Muwanga. "We are at the mercy of security personnel. Instead of protecting us, they are the ones who harass us all the time."

Ahmed Kateregga agreed. "Several of our colleagues have been battered intentionally by security personnel during political and civil riots," he said.

Muwanga Kakooza reported incidences of torture and harassment, including cameras being confiscated or destroyed. Journalists like Andrew Mwenda of *The Independent* magazine and Ibrahim Semujju Nganda of *The Weekly Observer* are frequently summoned to CID headquarters for interrogation, and their cases drag on for years without resolution, he said.

Another panel member, Malinga Doya David, told the panel of his own experience. Fox Odoi, a presidential assistant, pulled out a gun during an election and threatened to shoot him. The matter was reported to police, but nothing was

done to Odoi. Panelists Arerenge Micheal and Wokulira Ssebaggala said that they and a group of other journalists were held at gunpoint at the high court and ordered out; nothing was done in response. Other cases were named: Nkalubo was beaten at Kisekka market and his camera destroyed; Rebecca Wilbrod Kasujja from community radio station Buwama FM was raped and killed, and police took no action; Kiggundu Joseph of *The Independent* was kidnapped, blindfolded, and later on dumped. Panelists said that they plan to take legal action against the state and the police given the government's failure to assist them.

All these abuses are carried out without discriminating between journalists working for private and state/public media.

Arrests of journalists—especially those working for private media, and those who host political talk shows on private FM stations—have become more frequent. Panelists said that several opposition politicians, some civil society members, and journalists have faced arrests for organizing "illegal" assemblies and demonstrations to advocate for their rights. Journalists are grilled by police investigators and released without any charges against them, but others have ended up in courts, charged, and sent to prison. Some have been imprisoned on a Friday evening, when banks are closed and with no way to post bail.

However, despite threats by the president and other politicians, no media house was closed down last year.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The panel members said that the public has started losing trust in the judiciary, given how it handles cases of members of the opposition. More ruling party cadres have been appointed in the judiciary, which is seen as compromising its independence. Panelists said that the president boasted publicly of these new young judges, who he referred to as “our children” that will help “clean up” the judiciary.

Corruption in the judiciary has also increased. According to the recently released report by the Inspector General of Government, the judiciary is ranked as the number three most corrupt institution in the country.

The Uganda Broadcasting Council and the Uganda Communications Commission carry out radio station licensing. Members of these bodies are appointed by the president through the minister for information, so the licensing process can hardly be fair, the panelists said. The process needs to be streamlined as well as balanced, they said; government should designate one body for licensing and the body should include private stakeholders. Further, because most private broadcast stations are city-based, the government now enforces a policy that all new entrants to broadcast media must be in rural areas.

In some areas, especially where ministers own radio stations, licensing has been politicized and some applicants have been denied licenses, according to panelists. They gave an example of James Musinguzi, treasurer of the main opposition party Forum for Democratic Change. He wanted to set up a radio station in his area of Kinkinzi, but was denied a license. His rival, Amama Mbabazi, a cabinet minister and member of NRM, was granted a license for his radio station Kinkizi FM.

Uganda has liberal laws that clear the way for citizens wanting to start a business, including a media house. Taxes for the media industry are similar to those for other sectors; however, foreign and local investors in other businesses are given tax breaks at times. Kateregga said that given the media’s positive role, the government should provide these tax benefits to the media as well as reduce the tax on newsprint.

The panel agreed that although state media are supposedly independent, this is not the case in practice. In most cases, state radio and television outlets run stories that favor the government, which appoints all its editors. However, the panel noted that the public print media has long shown a sense of independence, despite the fact that the government appoints all the top editors and managers. The state-owned paper *The New Vision* and its sister papers have remained independent and write stories which are critical of government without any fear or favor. The president and other government officials have many times come out and

complained against articles written in these publications, noted Muwanga.

The panel noted that the laws that govern the media treat state and private outlets the same, but in practice, the state media are favored. One example is the relative easier access to public information by state media. In addition, powerful businesses do interfere with both state and private media’s editorial content, as they provide advertisements that are a major source of revenue.

Libel is handled by both criminal and civil laws. A journalist that loses a criminal case serves a prison sentence, after which the complainant is free to file a civil case for damages. The complainant has the burden of proving guilt beyond reasonable doubt. Very few libel cases have resulted in guilty verdicts against journalists. Panelists were concerned, however, that some journalists abuse freedom of speech to injure others.

Article 41 of the constitution guarantees citizens the right to access most information in possession of the state and authorizes parliament to promulgate laws to allow for such access. These laws have helped media outlets obtain needed information. However, the panel noted that these laws do not cover the files of the cabinet and that the procedure for acquiring information is too cumbersome and should be revised.

The government also needs to create a regulation to expedite implementation of the access to information act, panelists said. The act calls for the government to appoint spokespersons for all its departments, but this has only been done in a few ministries (the army, the police, and the prisons department).

Access to international news and news sources is unhampered, and several media outlets use stories from foreign news agencies such as AP, Reuters, and AFP. The panel noted that Internet access is not restricted and is available in most cities, towns, and urban areas.

In the past, the journalism profession was completely free to enter, but the Press and Media Law passed in 2005 put conditions in place. The law spells out who a journalist is, and requires journalists to have a diploma and to register with the National Institute of Journalists of Uganda (NIJU), an entity put in place by the government to oversee the media. “We have rejected NIJU because it’s a government body, and we shall continue to do so,” Kakooza said. “Under the law, NIJU has been directed to register not only us as journalists, but our addresses—which we are suspicious of, and we think is improper.”

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Uganda Objective Score: 2.28

The panelists agreed that most journalists do their work professionally and provide balanced and fair stories to their audience, but with multiple challenges. They said that most journalists could perform better if their bosses, the media owners, were professional as well—but owners are most concerned with profit-making.

Panelist Ouma Stephen, the Uganda Journalists Union (UJU) general secretary, said that the few weaknesses in the quality of stories published might be because of freelance reporters, who aim to publish more stories for better pay rather than focus on content. He added that some journalists might not bother checking their sources.

The Ugandan media sector has a code of ethics that aligns with international standards and was developed and agreed upon by all journalists' associations. However, panel members said that some journalists have violated the code by taking gifts for coverage and accepting bribes to kill stories. They said that this practice is more common in broadcast media. Those who have been caught have been punished through suspension of association membership, and others have been terminated from their positions.

The panel members gave examples of some politicians who have been paying some journalists to write stories featuring them while debating in parliament, while some women members of parliament have been complaining about the media ignoring them.

Self-censorship has persisted at different levels, but the panelists attributed this to different reasons: political pressure, business interests, fear of persecution or arrest, or losing a job when a story would go against the media outlet's editorial policy or bias. Most newsmakers have contacts for all media managers and owners, on whom they put pressure to drop or use a particular story; in turn, the bosses pressure the journalists, said panelist Ssebaggala Wokulira. He added that some media houses have been forced by government to drop certain stories, especially those related to security.

No legal restrictions prevent journalists from covering most key events. But in order to cover the president's functions, the first family, and all visiting heads of state, journalists need clearance or accreditation from security. The military restricts coverage by the media but only in war areas. Nonetheless, the panelists said that the media does not cover all key issues, but this is a weakness of the media, not a function of the state.

The panel agreed that pay levels for journalists, especially freelancers, have remained poor to the extent that some of them have been turned into volunteers. But they added that this is a regional problem that needs to be addressed nationally. In addition, the disparity between editors and journalists is too big, panelists said. Some editors are paid as high as USH 5,000,000 (\$3,000) per month, a highly paid reporter receives USH 1,500,000 (\$800), and the majority of reporters are paid an average of USH 100,000 (less than \$100).

Some panelists said that low wages have contributed to the increased corruption in the media. There are journalists that survive on attending parties where they get free food and drinks and brown envelopes. But Kateregga said that some journalists engage in corruption not because they are poorly paid, but because they are naturally dishonest. "I know of media managers who are well paid but are corrupt," he said.

Panelist Sarah Muwanga said that though the pay levels are not sufficient, pay levels have generally increased compared to 20 years ago. She said that the cost of living has also gone up, however.

When the Trade Union Act of 2006 is fully implemented, it will empower the government to set a minimum wage in consultation with the trade union leaders. The UJU is negotiating with media houses regarding their workers' remuneration, which has resulted in the signing of collective bargaining agreements, Ouma said.

Due to fierce competition with electronic media for music listeners, FM stations have allocated more time to entertainment programs than to news. About 80 percent of airtime is dedicated to entertainment programming, up from about 60 percent last year, and about 20 percent to news.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Muwanga gave the example of the news station Monitor FM, which failed and was re-branded as K-FM, a music station. Arerenge, a television news editor, said that age group matters when determining radio listening trends—the older generation prefers news and youth prefer music. Radio managers need to study the listening habits of the audience, he said.

The facilities and equipment for gathering, producing, and distributing news have improved gradually but have not reached the required standard. Most of the equipment is imported cheaply from third world countries and wears out quickly. Some television stations, such as Wava Broadcasting Service (WBS) and Nation Television (NTV), have managed to buy good cameras, but other studio equipment is still poor, thus affecting the quality of the programs produced.

Panelists said that some print media houses have acquired modern printing facilities and computers but lack good cameras and recorders for their reporters. Journalists, especially freelancers, need more modern equipment (still and video cameras, recorders, and laptops).

Panelists said that assistance groups that provide equipment should be channel their efforts through professional associations such as the UJU and the Uganda Journalists Association (UJA), which can devise better methods of distribution to beneficiaries.

Some media houses have trained and encouraged their reporters to specialize in particular issues. The UJU and UJA have also organized some seminars for the media on specific topics, but their efforts have been limited by lack of funds. The panel members welcomed any assistance in terms of training in niche and investigative reporting, but again through the trade union.

OBJECTIVE 3: PLURALITY OF NEWS

Uganda Objective Score: 2.56

Ugandans have access to several affordable state and private news sources. Media can be accessed easily in all parts of the country, and there are no restrictions on citizen access to domestic or international media. Viewers subscribe to cable or satellite television in areas that receive coverage. Some citizens depend on radio stations for information, while others prefer television and newspapers. In some villages and small towns, public address systems have been installed in order to relay news and programs from the large radio stations, Kateregga said.

Uganda has more than 15 newspapers and about 10 magazines, both private and public. Four are published daily, five weekly, and the rest monthly.

Uganda has 45 television stations, including cable channels. No new television stations have been founded since last year's MSI, but more foreign channels have been linked to existing television stations.

Internet facilities are available, and at fair rates, but mainly in urban areas and small towns. The panel agreed that the number of internet users has gone up, as facilities spread out beyond towns. Users have also started appreciating the importance of the Internet as a source of information.

Currently, Uganda has 200 licensed parent radio and booster stations, but only 165 are in operation—mostly private, commercial FM stations. The panel agreed that community media exist in some areas and the number has continued to grow year by year. They include the stations Maama FM, Radio Kagadi, and Tiger FM, among others, and they are doing well. Community print media outlets, however, have been forced to close down for economic reasons.

Businesspeople and politicians have also started regional and district-level radio stations, which they use for both their political mobilization and developmental issues. These are mistakenly referred to as community media; in actuality, they are operated as profit making/commercial enterprises and only air a few programs aimed at the community.

Media houses with staff stationed throughout the country have continued to do well and are expanding into new areas,

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

which has helped them increase sales as well as listenership, panelists said.

Areas that are not covered by private and commercial media are covered by the state media, which allocates more time to developmental, health, and educational issues than other outlets. However, state electronic media provide limited coverage of opposition or alternative views, allotting more time to governmental programs on development and politics. This breakdown is within their editorial policies, which must be followed both by editors and reporters. The panelists noted that state print media try to give equal coverage to all sectors.

The panelists were disappointed with the decline in provision of news services by the Uganda Radio Network (URN), the country's only private news agency. The shift has forced some media houses to stop using URN's services and resume recruitment of their own reporters. The government closed its Uganda News Agency in 2008.

Most private radio outlets produce their own programs, and the content differs greatly from state radio. Private radio's news broadcasts tend to be produced more for the benefit of the public, while those of state media are biased toward the government. Most television programs are produced externally, but some television stations, including WBS and NTV, are trying to produce their own programs.

The panelists said that in the past, information on media ownership could be obscured. Today, ownership of outlets is transparent and the information is available to any interested party. Doya said that the Eastern Africa Media Council published a book late last year listing all radio stations in the country and their owners, but the book was not widely read. Findings show that 75 percent of the registered FM radio stations are owned by politicians, and 75 percent of these are members of the ruling party. Those stations are private but broadcast many stories to promote NRM and mobilize their constituencies.

The concept of media conglomerates is new in Uganda, but it poses a threat to the sector, according to the panelists. They named the Nation Media Group, owned by Aga Khan; IPP Media, based in Tanzania; New Vision Group, and; Spear Group Media as companies that have started to dominate media in the region.

Social issues are covered well by the media, and the government does not restrict any aspects of this type of reporting. Panelists said that minority issues are not taken seriously in the media, and as such, minority-language speakers are at a disadvantage and have to read or listen to other media.

OBJECTIVE 4: BUSINESS MANAGEMENT

Uganda Objective Score: 2.25

The panelists noted that the level of professionalism in business management remained the same as in the last MSI study. Both public and private media operate as profit-generating businesses without direct support from the government, and are generally run efficiently. All sales outlets and distribution channels are in private hands, and managed as professional businesses. At times, transportation problems cause delays in newspaper distribution to remote areas, but in those cases, media houses have acquired their own transport. The panelists agreed that printing houses also are very well managed, and are numerous enough to support the needs of print media.

Although independent media do not receive any subsidies from the government, they do receive government advertising that is stopped at times when they run stories that are critical of the government. Kateregga gave an example of the *Monitor*, which lost government business for running stories seen as critical by the state. Big businesses also exercise influence over editorial content, as they threaten to hold back their advertisements from any media house that prints or broadcasts a critical story about the business.

Media are supported by different sources of revenue, including sale of copies, advertising, commercial printing, and sponsored programs. State broadcast media depend on both the government and revenue generated from advertisements. The public print media depend entirely on own-source revenue, and therefore government influence is much less effective.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

The largest percentage of revenue for most media outlets comes from advertisements, although some print media depend on sold copies and they secure advertisements to supplement their revenue. Most media outlets, state and private, enlist advertising agencies to facilitate advertising sales. Advertising is well developed and is handled by local and international agencies that match favorably in competition. Advertising firms work with all media formats, but mainly in cities and towns. Panelists noted, however, that some agencies ask for bribes from media houses to bring them business. Some media houses have recruited their own sales representatives and marketers, rather than depend on advertising agencies.

Some media outlets, such as *New Vision*, *Monitor*, and some radio stations, conduct their own market research and at times commission survey companies. Some outlets use call-in shows, focus groups, or questionnaires distributed to readers and listeners to gather marketing information.

Two companies, the Audit Bureau of Circulation and Steadman, produce circulation figures and broadcast ratings. Their findings are available for a fee to any media outlet. The panelists agreed that figures produced by these companies have never been disputed by any media outlets, although that does not prevent several radio stations from claiming they alone have the widest listenership.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Uganda Objective Score: 2.67

Uganda has several media associations. Organizations such as the Uganda Newspaper Editors and Proprietors Association and the Uganda Publishers Association work for the interests of owners and editors, but shy away from engaging in the fight for journalists' rights.

However, several other associations represent working journalists. In addition to the UJU and the UJA, the Journalists Safety Committee handles press freedom and media rights issues. The panel noted that many of these organizations have actively defended journalists' rights whenever they are threatened. Membership is determined by application and payment of membership dues. Panelists said that these associations should be left to develop their own programs and should not be directed by donors.

The panelists commended the two national associations for their continued struggle in defense of journalist's rights during this difficult time, when the government has tried to silence the press. They added that with this unity, the Ugandan media sector will be able to achieve total freedom.

Several NGOs in Uganda defend journalists' rights. Panelists said that the Uganda Law Society has been very helpful in areas of legal reform and has provided legal assistance for journalists arrested and taken to court. The Foundation for Human Rights Initiative has also been instrumental in defending journalists' rights when the media is attacked by the state. Other support comes from the Foundation for African Development and international institutions including Friedrich Ebert Foundation, Konrad Adenauer Foundation, and the Danish International Development Agency.

Uganda has many media training institutions that offer degrees and diplomas. Makerere University, a public institution, was the first to offer a degree program in journalism and mass communication in 1988. To date, 20 of Uganda's universities offer a degree in journalism and mass communication, though the quality of some programs is questionable.

Many other institutions offer diploma courses in journalism. The majority of these institutions produce high quality journalists, but graduates have difficulty entering the field because of a lack of vacancies in existing media houses. Some journalists have received scholarships to study abroad and then return to work in Uganda.

Some media outlets have designed and implemented short-term in-house training programs for their employees, and panelists said that these efforts have resulted in professional improvement.

Printing facilities are in private hands and are run as profit-making businesses without any government interference. The panelists agreed that even state printing facilities provide services to private media without any restrictions. Media distribution channels are also privately owned and are managed efficiently.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

Stephen Ouma, general secretary, Uganda Journalists Union, Kampala

Wokulira Ssebaggala Jr., program coordinator, Human Rights Network for Journalists, Kampala

Robert Mugagga, journalist, *Weekly Observer*, Wakiso

Jane Nakyondwa Matovu, journalist, Mama FM (owned by Uganda Media Women's Association), Kampala

Ahmed Kateregga Musaaazi, former president, Uganda Journalists Association, Kampala

Sarah Muwanga, journalist, Bukedde, Mukono

Muwanga Kakooza, Journalist, *The New Vision*, Kampala

Malinga Doya David, business writer, *East African*, Kampala

David Muwanga, freelance journalist, Jinja

Arengenge Micheal, editor, correspondent, WBS TV/VOA, Kampala

Justine Waibale, communications expert, Amiko Media Consultants, Mbarara Town

Moderator and Author

Muwanga Kakooza, journalist, *The New Vision*, Kampala

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala in cooperation with the Uganda Journalists Union

Of particular concern is the fact that despite the passing of the ZNBC Amendment Act of 2002 which provides for, among other things, an independent board to oversee the activities of the national broadcaster, this act has yet to be implemented and ZNBC is still under government control.



ZAMBIA



Zambia's position as measured by the MSI has slipped moderately during the year in review. In 2006-2007, the country was regarded as approaching sustainability (overall country score: 2.25), but it is now within an "unsustainable mixed system." MSI panelists suggest that, having made strides toward a more open media-friendly environment, the country is experiencing a reversion to conditions resembling those experienced under the socialist one-party United National Independence Party (UNIP) state. This time, however, media freedom has been limited through a mix of state-enabled oligarchic control and subtle as well as overt forms of intimidation.

The state controls two of the three daily and Sunday newspapers, *The Zambia Daily Mail* and *The Times of Zambia*. Of particular concern is the fact that despite the passing of the ZNBC Amendment Act of 2002 which provides for, among other things, an independent board to oversee the activities of the national broadcaster, this act has yet to be implemented and ZNBC is still under government control.

Zambian media houses are also exposed many forms of intimidation from government agencies and representatives. On March 30, 2007, officers from the Anti-Corruption Commission disrupted operations and sealed off the premises of Radio Mano, a community radio station in the Northern Province of Kasama.¹ The station manager, David Chanda, said officers produced a search warrant with no specific information regarding the goals of the search and termed the four-hour-long visit a "classified investigation."

In a second incident, Southern Province Minister Joseph Mulyata threatened to close the commercial radio station, SKY FM, for "unethical and unprofessional" conduct on May 4, 2007. The threat followed a program featuring Evangelical Fellowship of Zambia Executive Director Bishop Paul Mususu, who discussed Zambia's constitution-making process. Mulyata accused the station of propagating "anti-government views."

The country's minister of information and broadcasting services, Mike Mulongoti, made the most open display of state control of the media on September 10, 2007. In his address to trainee journalists at *The Post* newspaper, Mulongoti said the two state-owned newspapers should not criticize the government and that it is "unacceptable" for journalists working for these newspapers to do the same.

Three of the objectives for Zambia fell within the unsustainable mixed system category of the MSI, namely Objective 1, free speech (1.98), Objective 2, professional journalism (1.84), and Objective 4, business management (1.40). Those categorized as near sustainable were Objective 3, plurality of news sources (2.02) and Objective 5, supporting institutions (2.20). This is in contrast with the 2006-2007 review, where only Objective 4 fell within the unsustainable category while all others were regarded as approaching sustainability.

¹ MISA-Zambia Alert, April 4, 2007

ZAMBIA AT A GLANCE

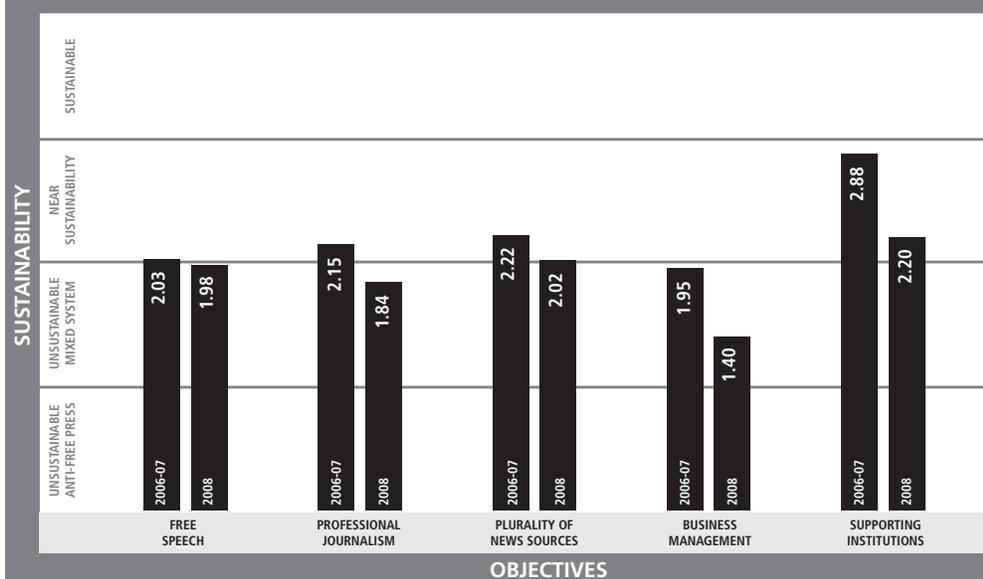
GENERAL

- > **Population:** 11,669,534 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Lusaka
- > **Ethnic groups (% of population):** African 98.7%, European 1.1%, other 0.2% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 50%-75%, Muslim and Hindu 24%-49%, indigenous beliefs 1% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), major vernaculars: Bemba, Kaonda, Lozi, Lunda, Luvale, Nyanja, Tonga, and about 70 other indigenous languages (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$9.479 billion (World Bank Development Indicators, 2008)
- > **GNI per capita (2007-PPP):** \$1,220 (World Bank Development Indicators, 2008)
- > **Literacy rate:** 80.6% (male 86.8%, female 74.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Rupiah Banda (since August 19, 2008)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 14 newspapers; Radio Stations: 18; Television Stations: 3
- > **Newspaper circulation statistics:** Top three by circulation: *The Post* (circulation 27,500, privately-owned), *Zambia Daily Mail* (circulation 10,000, state-owned), *Times of Zambia* (circulation 14,000, state-owned)
- > **Broadcast ratings:** Top radio station: Radio Phoenix FM
- > **News agencies:** Zambia News and Information Service (state-owned), Palesa (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 334,800 (2005 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ZAMBIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Zambia Objective Score: 1.98

Overall the score for this objective remained unchanged from last year, although the decrease did pull it below the level for “near sustainability” into “unsustainable mixed system.” Most indicator scores remained similarly unchanged, although Indicator 3 (market entry and taxation) received a somewhat higher score while Indicator 6 (libel laws) dropped modestly. Many of the indicators scored relatively close to the overall objective score, but there were four exceptions: Indicator 5 (preferential legal treatment and independence of state media) and Indicator 7 (access to public information) scored a half-point and a point lower than the objective score. On the opposite end of the scale, Indicator 8 (media outlets’ unrestricted access to international news sources) and Indicator 9 (free entry into the journalism profession) both scored about three-quarters of a point higher.

Panelists felt that while Articles 20 (i) and (ii) of the Zambian constitution offered some guarantee of freedom of speech and expression, many laws still exist that limit these rights. Article 20 (iii) also allows for exceptions where freedom of speech and expression are viewed as contrary to the public interest or threaten national security. The article is regarded as vague and open to interpretation.

Therefore, freedom of the press is not currently expressly guaranteed in the constitution. The National Constitutional Conference (begun in December 2007) is revising the constitution, and panelists stressed the need for extensive lobbying for the inclusion of media-friendly provisions in the new document. Such protections would “to some extent allow journalists and other stakeholders to operate in a favorable environment, as democratic principles will be truly embraced to spearhead development,” said Radio Lyambai station manager Mukeya Liwena. The outcome of the constitutional review, however, remains uncertain. This is the ruling Movement for Multiparty Democracy’s (MMD) third attempt at reviewing the constitution since Zambia’s return to multiparty democracy in 1991. Previous attempts have faltered following disputes over who has the power to endorse the new document.

Several incidents of state interference with the media during the past year highlight the need for constitutional protections. While suggesting that citizens did enjoy substantial freedoms, media law expert Patrick Matibini, from Pat Mat Legal Practitioners, warned that these needed to be safeguarded. Several examples of intolerant behavior were cited including:

Print media are particularly concerned about taxes imposed on both newsprint and advertising as both are taxed at 16 percent.

- A threat by Information and Broadcasting Services Minister Mike Mulongoti to revoke the license of a local commercial radio station, Petauke Explorers, in the Eastern Province of Zambia on May 17, 2007. The threat followed a program featuring a paid-for interview with Michael Sata, a vocal government opponent and leader of the opposition Patriotic Front (PF). The PF challenged the MMD domination of Zambian politics in the September 28, 2006 tripartite elections.
- The Ministry of Information and Broadcasting Services ban on phone-in programs at Radio Lyambai in Mongu in December 2007.² In a letter to the station on November 30, 2007, the ministry’s director of press and planning, Juliana Mwila, ordered that such programs be stopped while the station was investigated. Mwila alleged that the station had failed to handle calls professionally and had “become a platform for confrontation, controversies and a channel of insults and misinformation.” Describing the ban as “an unforgivable attack on the Zambian constitution’s guarantee of freedom of expression,” MISA-Zambia Chairperson Henry Kabwe said it effectively prevented “Radio Lyambai listeners from expressing their views on critical social, economic and developmental issues in the Western Province.”

For the indicator covering licensing of broadcast media, panelists observed that while two acts intended to reduce the government’s control of the airwaves came into effect in 2003—the ZNBC Act and the Independent Broadcasting Act—neither has been fully implemented. These acts required the government to set up independent boards to oversee the public broadcaster and to regulate broadcasting, but these boards have yet to be constituted. Consequently, the regulation of broadcasting and the governance of the ZNBC still remain under the direct control of the Ministry of Information and Broadcasting Services. The effect is that access to broadcast licenses remains at the minister’s discretion, enabling politicians to issue threats of closure or withdrawal of licenses at will.

The panel agreed that how the judiciary dealt with freedom of expression issues depended greatly on the sensitivity of the cases before them. For instance, the Minister of Home

² MISA-Zambia Alert of December 7, 2007

Several incidents of state interference with the media during the past year highlight the need for constitutional protections. While suggesting that citizens did enjoy substantial freedoms, media law expert Patrick Matibini, from Pat Mat Legal Practitioners, warned that these needed to be safeguarded.

Affairs had signed a deportation order in 2006 for *Post* columnist Roy Clark because the government was not happy with the satirical articles he had been writing and publishing. In a classic show of its independence, the Supreme Court of Zambia overturned the order. Nothing of a similar nature happened during the year under review.

Regarding the indicator covering market entry and tax structure, panelists agreed that taxes in the country were too numerous and too high, especially for the print media. Print media are particularly concerned about taxes imposed on both newsprint and advertising as both are taxed at 16 percent. It was also observed that entry for print media was open, while this was not the case for broadcast media because of the lack of implementation of the Independent Broadcasting Authority and the continued role of the Ministry of Information and Broadcasting Services. G TV, for example,

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

had many problems obtaining its operating license last year because civil servants under the control of politicians are still handling the issuance of licenses.

Regarding the coverage of crimes against journalists or media outlets, the panelists agreed that security for journalists depended on the nature of the assignment. Security was guaranteed for journalists covering pro-government or ruling-party activities, but this was not the case for journalists reporting on events organized by opposition parties or organizations critical of the government. They also remarked that the way in which the judiciary dealt with such matters depended on the case. A number of incidents involving threats, harassment and physical violence against media practitioners and their institutions have not been prosecuted, but the year under review experienced no physical violence against journalists.

Regarding the coverage of preferential legal treatment for, and editorial independence of, state media, the panel agreed that the state media (both print and electronic) are not editorially independent. Government appoints all heads of these institutions and, as Kabwe observed, "public journalists cannot bite the hand that feeds them." Community and private media have more independence, though they still face the threat of ministerial interference.

As for the indicator covering libel laws, panelists agreed that libel could be both a civil or criminal case. It was also noted that public officials are not held to a higher standard for having to prove falsity or malice. During the year under review, however, no journalists were prosecuted in terms of criminal defamation laws.

Journalists continue to struggle to obtain public information, and their ability to do so is compromised by the lack of access to information legislation. At the beginning of this year, the government promised to take back to parliament the Freedom of Information Bill that was withdrawn in 2002. To date, this has not been done. When it came to accessing international news and information from international news sources, however, panelists agreed that journalists faced few restrictions. The Internet is not regulated, and media houses can interview international news sources. Free-to-air and pay channels, such as those offered by MultiChoice, are available in the country, and journalists working for media houses who can afford these services have access to more than 10 international news channels.

It was noted that there were no restrictions for entering the journalism profession despite the government's attempts to oversee accreditation of journalists. The government views the current Media Ethics Council of Zambia (MECOZ) as powerless, mainly because not all journalists subscribe to it. Journalists,

in turn, argue that they are ethical and responsible enough to regulate themselves and that they believe that statutory regulation will infringe on the public's right to know and negatively affect some journalistic standards.

MECOZ does not register, license or accredit individual journalists. Its primary role is to enforce the code of conduct that media organizations and individuals voluntarily sign. On several occasions, the government has threatened to create its own regulatory body if the media fail to come up with one of their own.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Zambia Objective Score: 1.84

The score for this objective fell moderately from 2.15 to 1.84, with most of the loss coming from four indicators: Indicators 1 (objective and well-sourced reporting), 2 (journalism ethics), 4 (coverage of key events) and 6 (balance of entertainment and news). Indicator 5 (pay levels for journalists) improved somewhat but again received the lowest score of all indicators. All indicators scored within a half-point of the overall objective score.

This score declined from the previous year because, among other things, most panelists felt that a lot of untrained people had been attracted to the profession, coupled with corruption problems brought about by low salaries in the field. The panelists generally agreed that standards in the country are falling with journalists prone to receiving bribes from news sources, a practice that contributes to self-censorship. In addition, it was also accepted that many journalists fail to identify and cover key issues.

For the indicator covering fairness, objectivity and well-sourced reporting, it was observed that for all media, standards are again generally falling because often reporters leave many unanswered questions in their stories. The packaging of stories was also judged to be poor. Henry Kabwe added that the proliferation of unprofessional publications has had a negative effect with the government.

It was also generally acknowledged that the use of untrained volunteers, especially by community media, is contributing to problems of journalism quality because these people do not understand the ethical and professional requirements of the field. Premus Media's managing consultant, Edem Djokotoe, observed that working with the media requires a certain level of intelligence and extensive training.

It was noted that MECOZ, which was set up to monitor and respond to claims of unethical practice, does prescribe to a

It was also generally acknowledged that the use of untrained volunteers, especially by community media, is contributing to problems of journalism quality because these people do not understand the ethical and professional requirements of the field.

generally agreed-upon Code of Ethics for journalists, and has done so since the code was developed in July 2003. This code is currently under review. With the exception of *The Post* newspaper, all other major media institutions now subscribe to MECOZ, having accepted the code and its principles.

In its present form, MECOZ has no real power to enforce ethical practice. This is because it is a voluntary organization; members are not bound or even obliged to accept or respect MECOZ's rulings. To be effective, the members must be able to fund its activities. In addition, there is a need for a memorandum of understanding from all players undertaking to accept and abide by MECOZ's rulings.

As a self-regulatory body, MECOZ's major strength lies in the fact that it is a "court of honor" rather than a court of law. Kabwe said that MECOZ has not done enough to uphold professional standards in the country. Larry Njungu, executive secretary of the Press Association of Zambia (PAZA), reiterated that the reason for this failure is that "MECOZ is not supported by all."

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

The number of people who can access the Internet has increased in urban areas. In some provincial centers, the Internet is available but is more expensive than in Lusaka, so the number of people accessing the Internet in these areas is limited.

Summing up what panelists felt was the most significant ethical challenge facing Zambian media, news editor of the commercial Hot FM radio station, Changwe Kabwe, said, “We accept gifts.” Phiri elaborated, saying that gifts are very prevalent during coverage of elections, which he felt explained why certain candidates appeared to get more coverage than others. Panelists observed that the practice of receiving gifts for coverage impacted the credibility of the media, resulting in certain sections of the society accusing journalists of being corrupt.

For the indicator dealing with journalists and editors not practicing self-censorship, Djokotoe observed that “self-censorship is real.” He added that there was fear of tangling with powerful sources. As discussed above, “brown-envelope journalism” has had an impact on self-censorship because the subjects of unflattering stories can kill the coverage with a bribe.

Regarding whether journalists cover key events and issues, it was noted that journalists do not know what is key. They fail to identify issues worth reporting, and simply report on who has said what. For example, issues dealing with environmental degradation and rising food prices rarely find space in the media unless another news source reports on them.

Panelists observed that there are large discrepancies in the salaries earned by media practitioners but said that these are generally too low to discourage corruption. Salaries ranged from a ZMK 500,000 to ZMK 1.2 million per month (about \$150 to \$360) for both the private and public media houses, although scales at one private newspaper were significantly higher, ranging from ZMK 5 million to ZMK 7 million (\$1500 to \$2100) per month. Pay for media practitioners employed by community media, where a salary of ZMK 500,000 would be high, are especially poor. Generally, media pay is very low, prompting some journalists to solicit payments from sources.

Concerning entertainment versus news and information programming, it was observed that 55 to 60 percent of print media pages is most often reserved for advertisements, and just 40 percent for news and information. Most panelists felt

that more space should be given to news and information content despite issues of financial sustainability.

Even for the electronic media, it was observed that news and information programs are broadcast only at certain times, while more time is allocated to other programming. Recognizing profit motive, Djokotoe observed that “programming is now done in isolation of audience participation.” For instance, no audience research surveys are conducted to determine when particular programs should be aired.

Panelists also observed that many media houses are using outdated technologies and equipment for the collection, production and dissemination of news. Media houses are not actively investing in technology, and there is a direct relationship between how recently a media operation was established and how advanced their equipment is—the newer the organization, the more up-to-date their equipment. The cost of replacing outdated or broken equipment is prohibitive for many broadcasters, and older stations often use equipment meant for home use, not commercial broadcasting which has a negative effect on production quality. It was also felt that even when new technology is available, stations are not making optimal use of it due to a lack of training.

OBJECTIVE 3: PLURALITY OF NEWS

Zambia Objective Score: 2.02

This was the second-highest scoring objective for this year’s MSI, and only one of two objectives to fall within the near-sustainability bracket despite a small decline compared to last year. The decline came mostly because of drops in the scores of Indicators 2 (citizen access to media), 4 (news agencies), 5 (commercial media produce their own news) and 6 (transparency of media ownership). Balancing this slightly, the panelists revised their assessment of Indicator 3 (state media are nonpartisan and serve the public interest) by awarding a moderately higher score. Indicators 3 and 4 both scored more than a half-point lower than the overall objective average while Indicator 2 scored about three-quarters of a point higher.

Panelists generally felt that citizens do have access to a variety of news sources but that there are significant imbalances between rural and urban areas, with most of the media concentrated in the capital. Two of the three daily newspapers, *The Daily Mail* and *The Post*, are printed in Lusaka. *The Times of Zambia* is printed in Zambia’s second-largest city, Ndola. All three try to circulate their

products countrywide, but they reach only provincial centers with a few copies daily—sometimes quite late in the day.

As for broadcasting, only ZNBC radio and television have the capacity to reach the entire country, with some areas still experience problems receiving a signal. Radio Phoenix broadcasts along the rail line from the Southern Province through Lusaka to the Copper Belt. MultiChoice subscription television also has the ability to reach the whole country, but the cost of decoders and subscriptions is prohibitive for most Zambians, especially those in rural areas.

The number of people who can access the Internet has increased in urban areas. In some provincial centers, the Internet is available but is more expensive than in Lusaka, so the number of people accessing the Internet in these areas is limited.

For the indicator regarding a plurality of affordable public and private news sources, it was noted that multiple news sources exist, as evidenced by the number of community media in the country (there are now 34 community radio stations and four community newspapers; there are also three licensed television stations and one private television station currently on test transmission). Subscriptions for both media and the Internet are problematic, however. Newspapers have encouraged people to pay for them in advance for delivery, but this has not worked to their satisfaction. As for Internet services, all of the service providers require upfront payments.

Although community media are available for rural communities, Njungu observed that “there is imbalance in terms of access between rural and urban” communities. The

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

In a lot of the community media institutions, content and programming is being determined by the people working for the stations without soliciting listener input and participation.

content of the media was also another issue. In a lot of the community media institutions, content and programming is being determined by the people working for the stations without soliciting listener input and participation.

Concerning unrestricted access to domestic or international media, it was agreed that there were no attempts to stop the inflow of foreign media, although the government does block the direct airing of foreign news programs, such as the BBC News, on community media. The government feels that community media should focus on community issues. In fact, the government sometimes uses this argument in the issuance of community media licenses. It insists that community media should broadcast very limited foreign news content, if at all.

Regarding whether state or public media should reflect the views of the entire political spectrum and serve the public interest, it was observed that state broadcaster ZNBC is biased in its coverage and concentrates its attention on government officials. Djokotoe observed that the biggest problem is that “leaders—both media and political—can’t distinguish between state and public media.” The hierarchical presentation of news starts with what the head of state has done or said, followed by his vice president and then ministers, even if other things have happened that are more newsworthy.

It was observed that there is only one news agency in the country, the Zambia News and Information Service, but Zambian commercial and private media use news services from foreign agencies. Both the BBC and Xhina, the official Chinese news agency, provide their material to media houses free of charge. The stations also use foreign news gleaned from the Internet, although they have not subscribed to these services.

For the indicator regarding whether independent broadcast media produce their own news programs, it was agreed that most did “but can’t do good, full-length, documentaries,” observed Phiri. This may be because routine news presentations lacking innovation have become so entrenched in news programming.

With the exception of the stations and newspapers owned by the state, there are no other media conglomerates in Zambia. The Competition and Fair Trading Act, which is enforced by the Zambia Competition Commission, prohibits people or

In a lot of the community media institutions, content and programming is being determined by the people working for the stations without soliciting listener input and participation.

companies from owning multiple media platforms. The law also discourages multiple ownership of the same kind of media. One cannot, for example, own two newspapers. In its preamble, the act stipulates that its intention is to, among other things, “encourage competition in the economy by prohibiting anti-competitive trade practices; to regulate monopolies and concentrations of economic power.” Panelists agreed that there is transparency when it comes to ownership. The Registrar of Companies keeps a record of who owns which companies, and this information is freely available on request.

As for the indicator dealing with whether a broad spectrum of social interests are reflected and represented in the media, including minority-language information sources, it was agreed that media do not. This was especially so with issues relating to environmental degradation, poverty, poor sanitation and the high cost of food. In addition, language has been a national issue since the country gained independence in 1964; the official language of the country is English but the country has 73 indigenous dialects. Community media generally broadcast in the majority indigenous languages of the people in the communities in which they operate, but there is resistance to the use of some of the perceived “smaller” languages. For example, on Mazabuka Radio in the Southern Province, only Tonga and English are used on air even though people in the area speak other languages.

OBJECTIVE 4: BUSINESS MANAGEMENT

Zambia Objective Score: 1.40

Business management remained the lowest-scoring objective in the 2008 MSI, and panelists’ scores resulted in a drop of 0.55 compared to last year. Nearly all indicators fell to some degree, but most remained within a half-point of the overall score. The exceptions are Indicator 3 (advertising agencies support an advertising market), which was slightly more than half a point higher and Indicator 7 (audience and circulation measurement), which received a score about a point lower.

Regarding whether media outlets and supporting firms are efficient, professionally managed organizations, it was

observed that apart from the printing presses owned by the *Times*, *Daily Mail* and *The Post*, all printing units were private businesses. This has resulted in high printing costs for media without printing presses.

During the last election in 2006, the government was forced to bail out the two state-owned newspapers—the *Times* and *Daily Mail*—by purchasing vans to help with their distribution.

As for whether private media operate as profit-generating businesses, it was agreed that they do, but this has affected the professional standards of some media houses. Dickson Jere pointed out that at *The Post*, distribution starts very early so the paper must be “put to bed” early, and as such, some breaking stories are held for the next day. Jere added that these operational challenges are affecting the quality of the reporting.

For the indicator dealing with whether media receive revenue from multiple sources, it was observed that the advertising base in Zambia is relatively small but that media houses have developed a number of alternative revenue streams. The ZNBC derives about 80 percent of its revenue from advertising and program sponsorships, while 15 percent comes from television license fees. The corporation also receives capital from the government, but these subventions are not consistent.

Commercial television and radio stations are almost entirely dependent on advertising and program sponsorships, although some stations earn income from SMS initiatives involving partnerships between stations and mobile-phone service providers. Income is generated from listeners and viewers who send SMS messages to stations as a way of participating in discussion programs or transmitting greetings to friends and family. Community stations receive considerably less advertising support but are able to attract funds from donors. Smaller commercial and community stations have been relatively successful in generating advertising from small businesses and service providers who want to reach people within their specific communities.

For both the major state-owned and independent newspapers, revenue is split between advertising and circulation, with the cover price and subscriptions contributing between 20 and 50 percent of newspaper earning. *The Post*, for instance, generates 50 percent of its revenue from copy sales. Some papers, including *The Times* and *The Post*, generate income from providing courier services. Companies and individuals pay a fee to send mail and parcels, among other things, on the vans that distribute newspapers around the country.

Concerning advertising agencies and the advertising market, this was one of the few indicators whose score remained much the same. Panelists reported an increase in the number

of entrants into the domestic advertising industry. These emerging agencies provide the link between companies and media houses, with services including both the creative production of advertisements and assisting clients in planning, creating and rolling out campaigns. The market remains small, however, and as Jere observed, “advertises in the country are foreign-driven and foreign-dominated.” Local advertising firms have little share of the lucrative creative production of advertisements for large corporations such as MultiChoice, Celtel, MTN and Zambian Breweries. These companies produce their commercials outside the country—mostly in South Africa—and local companies’ involvement is limited to securing the placement of advertisements in the media. Panelists observed that international advertising agencies are also opening satellite offices in Zambia to manage advertising planning and placement. Douglas Hampande, a lecturer at Evelyn Hone College, said this trend suggested that there are not enough trained creative production personnel in Zambia.

Panelists discussed whether advertising revenue as a percentage of total revenue was in line with accepted standards at commercial outlets, and agreed that this was the case for some media houses. These included *The Post*, *The Daily Mail*, and *The Times of Zambia* (for print), and ZNBC Radio and Television, QFM, Phoenix, Muvi TV and Mobi TV (for broadcasting).

Panelists also agreed that independent media do not receive subsidies from the government, although some firms do benefit from preferential treatment in terms of the placement of government advertisements. Small newspapers with a circulation of fewer than 3,000 copies seldom benefit from government advertising. *The Post*, though privately owned, benefits from government advertising because it is

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

The ZNBC derives about 80 percent of its revenue from advertising and program sponsorships, while 15 percent comes from television license fees. The corporation also receives capital from the government, but these subventions are not consistent.

the country’s highest-circulating newspaper and therefore cannot be ignored because of its reach.

It was generally agreed that formal research is rarely conducted to formulate strategic plans, enhance advertising revenue and tailor products to the needs and interests of audiences. Muvi TV had recently completed an audience survey, however. Media houses do get some feedback in the form of letters to the editor and the monitoring of sales, but these were not considered to be adequate.

Independent research and media monitoring firms including Steadman Research, Ad Track Media Monitoring and Pengolin Consultancy regularly carry out market research. These research firms are mostly commissioned to conduct market research on readership, listenership and viewership by media institutions. The statistics, which include broadcast ratings and circulation figures, are used by media institutions that can afford the research in order to formulate strategic plans to attract advertisers.

Regarding whether broadcast ratings and circulation figures were reliable and independently produced, it was observed that they are not. Even the media houses themselves do not release correct figures.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Zambia Objective Score: 2.20

The score for Objective 5 was the highest of all the objectives again this year, but also suffered the largest drop in score of all five. Only Indicator 4, the quality of academic journalism programs, did not lose ground compared to last year. Panelists generally agreed that there appears to be a balance between the positives and negatives in this area. For instance, it was observed that there are no trade associations for the private media (Indicator 1 scored more than a point-and-a-half below the overall objective score), but there are other associations working for media rights (Indicator 3 scored more than half a point higher than the overall objective score). It was

Information and news distribution channels are plentiful, including television, radio, newspapers, magazines and the Internet. Access to most of these, however, is restricted due to various factors such as expense and reach (with the exception of radio to a slightly better degree).

also noted that although quality media-training institutions exist in the country, the mushrooming of poor colleges with insufficient resources has created problems for the industry as graduates without necessary training enter the market.

Panelists pointed out the existence of 13 professional associations in the country. They include the Zambia Women's Association, Zambia Community Media Forum, Press Freedom Committee of the Post, Society for Zambian Senior Journalists, PAZA, MISA-Zambia, the Commonwealth Press Union Zambian Chapter, and Southern African Editors Forum Zambian Chapter. Membership to these organizations is voluntary. Matibini observed that these organizations are quite vibrant and visible in the lobby for media law reform.

As for the indicator dealing with NGOs supporting free speech and independent media, it was noted that a number of NGOs support media causes, although there was no specialized NGO dedicated to media issues in the country. They include the Nongovernmental Organizations Coordinating Committee, OASIS Forum, National Women's Lobby Group, Churches Council of Zambia, Zambia Episcopal Council, and Zambia Congress of Trade Unions.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Regarding the existence of quality journalism degree programs that provide substantial practical experience, it was noted that the University of Zambia, Department of Mass Communication offers four quality degree programs. It offers one undergraduate program, the bachelor of mass communication; two master's programs, the master of mass communication and the master of communication for development; and a doctorate program. In addition, studies abroad are also available to supplement the local program.

Hampande observed, however, that the training of some "journalists" in substandard institutions has affected overall journalism standards in the country. He expressed the need for short-term training in the areas of online journalism, community media broadcasting as well as general management and business skills.

It was observed that short-term training and in-service training programs allowing journalists to or acquire new skills have existed for a long time through the Zambia Institute of Mass Communication (ZAMCOM) Educational Trust. In addition, international organizations such as the Nordic/SADCC Journalism Centre are available to offer this type of training. Henry Kabwe expressed misgiving saying, "Masquerading (as journalists) has increased as a result of short courses" because some people attend one- or two-week journalism workshops and believe they are properly trained.

The panelists also noted that the orientation change by ZAMCOM has had a big impact on the number of short-term and in-service training courses being offered by the institution. Like Evelyn Hone College, ZAMCOM now offers a three-year, full-time diploma qualification.

Concerning private, apolitical and unrestricted sources of newsprint and printing facilities, it was observed that newsprint is bought directly from Zimbabwe and South Africa by the main newspaper houses in the country (*The Times of Zambia, The Zambia Daily Mail and The Post*). These three also own their printing presses. *The National Mirror, Monitor, Guardian and Southern Guardian* newspapers also own their own printing presses.

For the indicator dealing with private, apolitical and unrestricted channels of media distribution, it was noted that there is no state control in this area. Each newspaper, for instance, manages its own distribution and all broadcast media have their own transmitters. Information and news distribution channels are plentiful, including television, radio, newspapers, magazines and the Internet. Access to most of these, however, is restricted due to various factors such as expense and reach (with the exception of radio to a slightly better degree).

List of Panel Participants

Changwe Kabwe, news editor, Hot FM Radio Station, Lusaka

Larry Njungu, executive secretary, Press Association of Zambia, Lusaka

Edem Djokotoe, managing consultant, Primus Media, Lusaka

Dickson Jere, media consultant, Brentwood Public Affairs, Lusaka

Henry Kabwe, chairperson, Media Institute of Southern Africa-Zambia, Lusaka

Mukeya Liwena, station manager, Radio Lyambai, Mongu

Masautso Phiri, freelance media consultant, Lusaka

Patrick Matibini, managing partner, Pat Mat Legal Practitioners, Lusaka

Albert Mwiinga, station manager, Mazabuka Radio, Mazabuka

Douglas Hampande, lecturer, Evelyn Hone College, Lusaka

The following participant submitted a questionnaire but did not attend the panel discussion.

John Kamwanga, station manager, FCC Radio, Solwezi

Moderator

Kenny Makungu, senior lecturer, University of Zambia, Lusaka

Observer

Brian Lingela, broadcasting and information manager, Media Institute of Southern Africa-Zambia, Lusaka

The Zambia study was coordinated by, and conducted in partnership with, the Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown, South Africa

Like all sectors of Zimbabwean industry, the media sector has fallen victim to the country's economic distress, marked by world-record hyperinflation, dilapidated infrastructure, and commodity shortages.



ZIMBABWE

Nothing about the Zimbabwean media environment has improved in the last year. Repressive media laws such as the Access to Information and Protection of Privacy Act (AIPPA), Public Order and Security Act, Broadcasting Services Act, and Interception of Communications Act are still used—separately and collectively—to gag alternative sources of information. The country is still without truly private daily newspapers, radio, or television stations. Journalists continue to be harassed, unlawfully detained, tortured, and/or murdered.

Like all sectors of Zimbabwean industry, the media sector has fallen victim to the country's economic distress, marked by world-record hyperinflation, dilapidated infrastructure, and commodity shortages. Media members have been affected in their ability to gather and publish adequate information for the benefit of their consumers.

Of significance on the political front is the historic harmonized presidential and parliamentary elections of March 29, 2008. For the first time since independence, the Zimbabwe African National Union/Patriotic Front (ZANU PF) party lost its majority in parliament to the Movement for Democratic Change (MDC).

Morgan Tsvangirai of the MDC outpolled Robert Mugabe of ZANU PF in a presidential election on March 29, but did not get sufficient votes to avoid a run-off in June. Mugabe claimed to have won the run-off after Tsvangirai pulled out of the race, citing unprecedented violence and intimidation against his supporters. The election was roundly condemned locally and internationally as a sham.

In light of this, Mugabe's re-election lacked legitimacy. After protracted negotiations mediated by former South African president Thabo Mbeki, the rival politicians signed an agreement to form a unified government on September 15, 2008.

While the leaders' efforts to put aside their differences in the interest of the nation should be applauded, of major concern is Article XIX of the agreement, "Freedom of Expression and Communication." Although the article acknowledges the need for a free media environment, it fails substantially to meet international standards of media freedom and is silent on repealing repressive media laws. The article also recommends that external radio broadcasts from foreign media be stopped. Whether or not the power-sharing era will lead to the opening up of media space remains to be seen. For now, repressive laws continue to be applied with full force, despite calls for extensive and meaningful media law reforms.

Reflecting the lack of development in the country, the overall score decreased slightly to 1.15 from 1.27 last year. A few of the objective scores remained more or less the same, while the decrease in score is mostly attributable to losses in Objective 1, Freedom of Speech, and Objective 4, Business Management. The relatively higher scores for Objectives 4—despite the lower score this year—and 5 (Supporting Institutions) offer some hope that should the legal situation change, media have a chance to rebound and better serve citizens as the country, hopefully, turns itself around.

ZIMBABWE AT A GLANCE

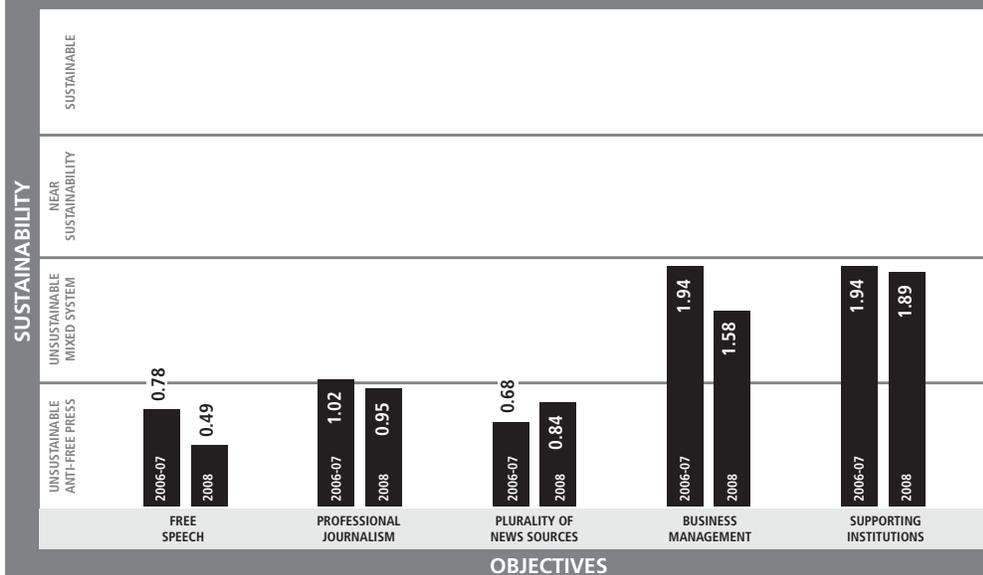
GENERAL

- > **Population:** 11,392,629 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Harare
- > **Ethnic groups (% of population):** African 98% (Shona 82%, Ndebele 14%, other 2%), other 2% (*CIA World Factbook*)
- > **Religions (% of population):** syncretism (part Christian, part indigenous beliefs) 50%, Christian 25%, indigenous beliefs 24%, Muslim and other 1% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), Shona, Sindebele, numerous but minor tribal dialects (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$4.466 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$340 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 90.7% (male 94.2%, female 87.2%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Executive President Robert Gabriel Mugabe (since December 31, 1987)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 15 total, mostly in Harare and Bulawayo; Radio: 4 main stations, with several other local ones that broadcast for a few hours a day; Television stations 1 (ZTV-state-owned)
- > **Newspaper circulation statistics:** Top two by circulation: *The Herald* (state-owned), *The Chronicle* (state-owned)
- > **Broadcast ratings:** N/A
- > **News agencies:** New Ziana (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1.351 million (2007 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ZIMBABWE



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Zimbabwe Objective Score: 0.49

The score for this objective fell notably from 0.78 to a rather dismal 0.49, reflecting the antipathy of the government to a free press. Six indicators received lower scores, driving the overall score down. Only three indicators remained unchanged: Indicator 2 (broadcast licensing)—which was already hovering near a zero—, Indicator 5 (legal guarantees of editorial independence for state broadcasters), and Indicator 8 (media access to foreign news sources). Indicator 8 was also the only one to score above 1.00, coming in more than a point higher than the overall score.

The Zimbabwe constitution has provisions guaranteeing freedom of expression, but these are made insignificant by other more restrictive laws. Many private media practitioners have been harassed, prosecuted, and forced to shut down. The MSI panelists noted also the government has not enacted legislation to make accessible the protections guaranteed in the constitution. “Zimbabwe today is a minefield for any journalist,” said panelist Irene Petras of Zimbabwe Lawyers for Human Rights. “No codified law [exists] to guide practice; hence, the government manipulates this to curtail the freedom of journalists. There is no protection of journalists.”

The panelists gave the example of the editor of *The Standard* newspaper, a weekly independent, who was arrested in May 2008 and detained overnight for publishing an article written by a political opposition leader.

The panelists were concerned about the manipulation and political interference by government in the affairs of the state media. The ruling party appoints print and broadcast media senior staff, thereby stripping the state media of any autonomy or independence. “State media does not allow for liberal thinking and is very frustrating, especially to junior practitioners,” Petras said.

The government has selectively applied a law aimed at curtailing the operations of private media. Broadcast licensing is not carried out fairly. Though amendments were made to the Broadcast Services Act in December 2007 to allow for licensing of more media outlets, not a single license has been issued since then.

Panelist Foster Dongozi from the Zimbabwe Union of Journalists (ZUJ) said that state media invariably receive preferential treatment over private media. He contrasted this scenario with an example of presidential visits to countries such as Nigeria. That country’s events are open to all journalists with no selective invitations, he said.

Entry into media is very difficult, due to a discriminatory accreditation and registration process. Under AIPPA, media institutions must register with the Zimbabwe Media Commission (formerly the Media and Information Commission). Journalists must be accredited to be able to work for different media organizations. Foreign journalists are required to partner with local media outlets, and this restricts those journalists from practicing in the country.

Media outlets also have burdensome tax obligations. Panelist Angela Makamure from the Federation of African Media Women-Zimbabwe cited the example of the recent listing of newspapers under luxury goods. She also stated that because of this burdensome tax regime, independent weeklies such as *The Zimbabwean* have seen circulation reduced from 200,000 to 60,000 copies.

The panelists also noted that crimes against journalists and media practitioners are dealt with in a biased and unprofessional manner. Dongozi said that many journalists are arrested but then released without charge. He noted that of all the assault cases with which he is familiar, only one has resulted in a conviction. Jaan Raath, a locally based correspondent for the *UK Times*, said that this year alone, numerous abductions, assaults, and arbitrary arrests of media personnel were witnessed, and one journalist was murdered.

“Journalists are not at all secure in this country—in particular, those perceived to be against the state,” said panelist Jestina Mukoko, director of Zimbabwe Peace Project. “There have been a number of journalists targeted. For example, Brian

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Hungwe, Frank Chikoore, Tsvangirai Mukwazhi, and recently, a female journalist of one of the private weeklies were assaulted for taking pictures of people in queues.”

The participants agreed that access to international news is not as restricted. Although state media controls release of foreign news and usually limits the release, journalists can access the same information through the Internet and they may reprint and rebroadcast it.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Zimbabwe Objective Score: 0.95

Very little changed in the state of this objective. The score remained much the same, with movement in only one indicator: Indicator 6 (balance of entertainment and news) received a somewhat lower score from the panelists. All indicators received scores similar to the overall objective score, with the exception of Indicator 5 (pay levels for journalists), which was nearly three-quarters of a point lower.

Zimbabwean reporting is not fair, well sourced, or objective. Panelists blamed a lack of financial, infrastructure, and human resources. Mukoko said that Zimbabwe’s public and private media are pigeonholed as either belonging to the status quo or advocating for regime change. Private media are better in terms of professionalism and objectivity, but they have limited access to state and public information, and some journalists sensationalize stories. Because most media outlets do not have sufficient resources to investigate and cover reports, they usually publish poorly sourced reports.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Panelists agreed that journalists in Zimbabwe do not follow recognized and accepted ethical standards. Most journalists are compromised because they accept bribes as a way of trying to make ends meet with their low salaries. Panelist Takura Zhangazha, the director of Media Institute of Southern Africa - Zimbabwe, said that private media try to follow ethical standards as much as possible, but the state media tend to follow unfair political codes of ethics.

Due to continued victimization and systematic targeting of journalists and media houses, media in Zimbabwe tend to self-censor as a form of protection. As John Masuku, executive director of Radio Voice of the People, described: “Editors in government-controlled media practice self-censorship. Most stories about the opposition and individuals perceived [as] controversial are not covered. Journalists in government-controlled media cover most of the state-sponsored events, and coverage of civil society and the private sector is treated with caution.”

The same can be said about key events—state media do not cover them impartially. Henry Muradzikwa, the immediate-past chief executive of Zimbabwe Broadcasting Services, characterized the coverage of local and world events as a monopoly of the private press, with the state media always seeking to give a pro-government slant and outright misinformation and propaganda. Panelists said that the private media always strive to cover most key events, although they are challenged by limited access to government and ZANU PF proceedings. Panelist Angela Makamure said that journalists tend to cover mostly political and business events while neglecting social and developmental issues.

The panelists agreed that pay levels for journalists are dismal, thereby negatively impacting the quality of work that journalists produce. Dongozi said that most journalists have to take up other jobs to meet their financial needs. The end result has been that most journalists submit sub-standard reports to their media houses while selling well-sourced reports to foreign media houses, which pay better. Low levels of remuneration have also promoted corruption and have seriously eroded the ethical standards of journalism.

The panelists agreed that Zimbabwean media houses use antiquated equipment. Muradzikwa said that both private and public media lack equipment and facilities, but the situation is worse with the national broadcaster, as the state provides inadequate resources except during the national election period. Private media institutions do not have facilities adequate to cover the whole of the country, and as a result, their reports are usually limited to urban areas.

OBJECTIVE 3: PLURALITY OF NEWS

Zimbabwe Objective Score: 0.84

The score for this objective improved marginally, but remained within the category of “unsustainable.” The improvement mostly came from slightly better scores for a few indicators: Indicator 1 (plurality of news sources), 5 (independent broadcasters produce their own news), and 7 (coverage of minority issues). Only Indicator 3 (objectivity of state media) stood out for not scoring within a half-point of the overall objective score; it received a score well below.

Due to the hyper-inflationary environment, newspapers have become expensive and unaffordable to many. Among the print media, the state dominates, with a daily and a weekly edition. The private media is only for the political elite, according to panelist Rutendo Mawere, a journalist for *The Standard*. Mukoko agreed, and added that most people do not have television sets, although a number of communities have benefited from shortwave radios sourced by NGOs.

The panel noted the prohibitively high cost for citizens in accessing domestic or international media. Some rural communities do not have television or radio signals for the local state channels. Masuku said that satellite dishes are only affordable for the higher class, and the Internet is available to a very small percentage of urban dwellers. Mukoko also explained that the notorious Interceptions of Communications Act is a threat to Internet communication.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

While it is not against the law for citizens to access foreign news, there have been incidences of people being harassed, intimidated, and at times assaulted for possessing private weeklies, foreign newspapers, and shortwave radios. Shortly after the March 29 general election, ZANU PF activists went around the high-density suburbs instructing people to take down their satellite dishes.

The panel was concerned that state media, which is always widely available, reflects the views of the ruling party and government. Panelist Raphael Khumalo of Zimbabwe Independent Publishers said that all broadcasting media is state-controlled and does not reflect the opinions of the majority of Zimbabweans. The views reflected are those of the ruling elite and those close to it. He also said that even the state print media is deliberately and unashamedly partisan.

International news agencies operating within Zimbabwe are mainly print agencies—for instance, Reuters, AP, and AFP. Major international electronic news broadcasters such as CNN, BBC, and Sky News have been denied access to cover Zimbabwe. For broadcast, only those perceived to be favorable and friendly in their reporting, such as Al-Jazeera and SABC, are licensed to operate locally.

Public knowledge of who owns what media house is not ubiquitous, but there is an understanding that the government owns most of the media in a very non-transparent arrangement, according to Zhangazha. The panelists agreed that this non-transparency allows for, and perpetuates, political manipulation of the Zimbabwean media.

Minority language media exists and is legal. Makamure noted that even though this is the case, most minority languages are not covered in the print media. However, broadcast media does cater to them, through radio stations such as National FM and Radio Zimbabwe.

OBJECTIVE 4: BUSINESS MANAGEMENT

Zimbabwe Objective Score: 1.58

This objective suffered a noticeable decline in score from 1.94 to 1.58, mostly due to lower scores in Indicator 4 (ratio of advertising to other revenue) and Indicator 5 (government subsidy of private media). Only Indicator 5 scored more than a half-point higher than the overall score; all other indicators fell within a half a point.

Panelists agreed that the private media and their urban distribution partners are generally well managed. According

to Zhangazha, independent media operate as profit-making enterprises in a very competitive business environment riddled with price controls and shortages of raw materials, among other constraints.

The private media is not subsidized by the state, and as such, it works hard to ensure that companies make enough profits to continue operations. Panelists noted that there is a high risk that agendas for private media are set by their sources of finance. Mukoko said that the public media are not operating efficiently because of political interference, and as a result, they hardly have enough profit generated to ensure that their employees are paid well.

Private media receive revenue from a multitude of sources, including supplements and advertising. The same cannot be said of the state media—it relies on state funding.

Most private media depend on revenue from advertisements. Panelist Irene Petras noted that more and more advertisements are appearing, especially in the print media, at the expense of news reports. She explained that the economic situation has made this unavoidable, despite the negative impact.

Advertisers in Zimbabwe are grouped together under advertising and marketing associations. Advertising agencies are free to support whichever media they deem fit, depending on the media's readership. Some market research was conducted in the past, but to date, no studies have been able to establish the needs and interests of consumers. The panelists acknowledged the Zimbabwe All Media Product Survey, but expressed concern that its findings lack detail and analysis.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Zimbabwe Objective Score: 1.89

The state of Objective 5 remained effectively unchanged based upon the panelists' scores. Indicator 3 (NGOs supporting the media) received a lower score, but, along with Indicator 2 (professional associations), it still scored more than a half-point higher than the objective score. All other indicators remained unchanged and scored close to the overall objective score.

Zimbabwe has a number of NGOs working to support free speech. Some are media organizations such as MISA, the Media Monitoring Project Zimbabwe (MMPZ), and ZUJ. Some are human rights organizations that advocate for free speech and media freedoms as a cornerstone for democracy. Such organizations have been advocating for the repeal of laws that restrict media freedoms.

Zimbabwe does have schools that offer college-level education in journalism. "Zimbabwe has been very lucky to be able to provide degree programs of high quality, but the progress has been hampered by the same problems affecting most tertiary institutions," Mukoko said.

One such problem is the large number of qualified and experienced teaching personnel who have left for greener pastures outside the country. In addition, training facilities for media students are inadequate. For instance, some institutions offer courses in broadcasting, yet they do not have studios available for students to gain practical experience.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Short-term training courses are available and are attended mostly by local journalists. Those conducted by international organizations are open to all, but few Zimbabwean journalists attend, due to restrictive costs and the reluctance of employers to release staff for extended periods of time. Organizations including MISA have provided training for journalists. But journalists working for state media hardly benefit, as the state perceives NGOs as political opponents and does not allow its employees to attend.

Although private media can access newsprint and they own their own printing facilities, most print jobs are done outside Zimbabwe. This has huge cost implications, affecting the price of paper and restricting circulation and access. Sources of newsprint are not entirely in private hands. Very few entities have their own dedicated source, and as a result, private media have difficulty meeting deadlines at times.

Broadcast transmitters are solely in the hands of the state. Although Internet kiosks are privately owned and managed, the prices are exorbitant and restrictive, and the kiosks are concentrated only in urban areas. The growth of Internet cafés has been tremendous, and the state has neither the resources nor the technical skill to control the flow of information in such places.

List of Panel Participants

Angela Makamure, national director, Federation of African Media Women Zimbabwe, Harare

Foster Dongozi, journalist, Zimbabwe Union of Journalists, Harare

Takura Zhangazha, director, Media Institute for Southern Africa, Harare

Henry Muradzikwa, former chief executive officer, Zimbabwe Broadcasting Holdings and Zimbabwe Television, Harare

Irene Petras, director, Zimbabwe Lawyers for Human Rights, Harare

John Masuku, director, Voice of the People Radio Station, Harare

Jan Raath, correspondent, *UK Times*, Harare

Raphael Khumalo, editor, *Zimbabwe Independent*, Harare

Rutendo Mawere, journalist, *The Standard*, Gweru

Jestina Mukoko, national director, Zimbabwe Peace Project, Harare

Moderator

Dzikamai Machingura, advocacy coordinator, Media Monitoring Project (Zimbabwe), Harare

Observer

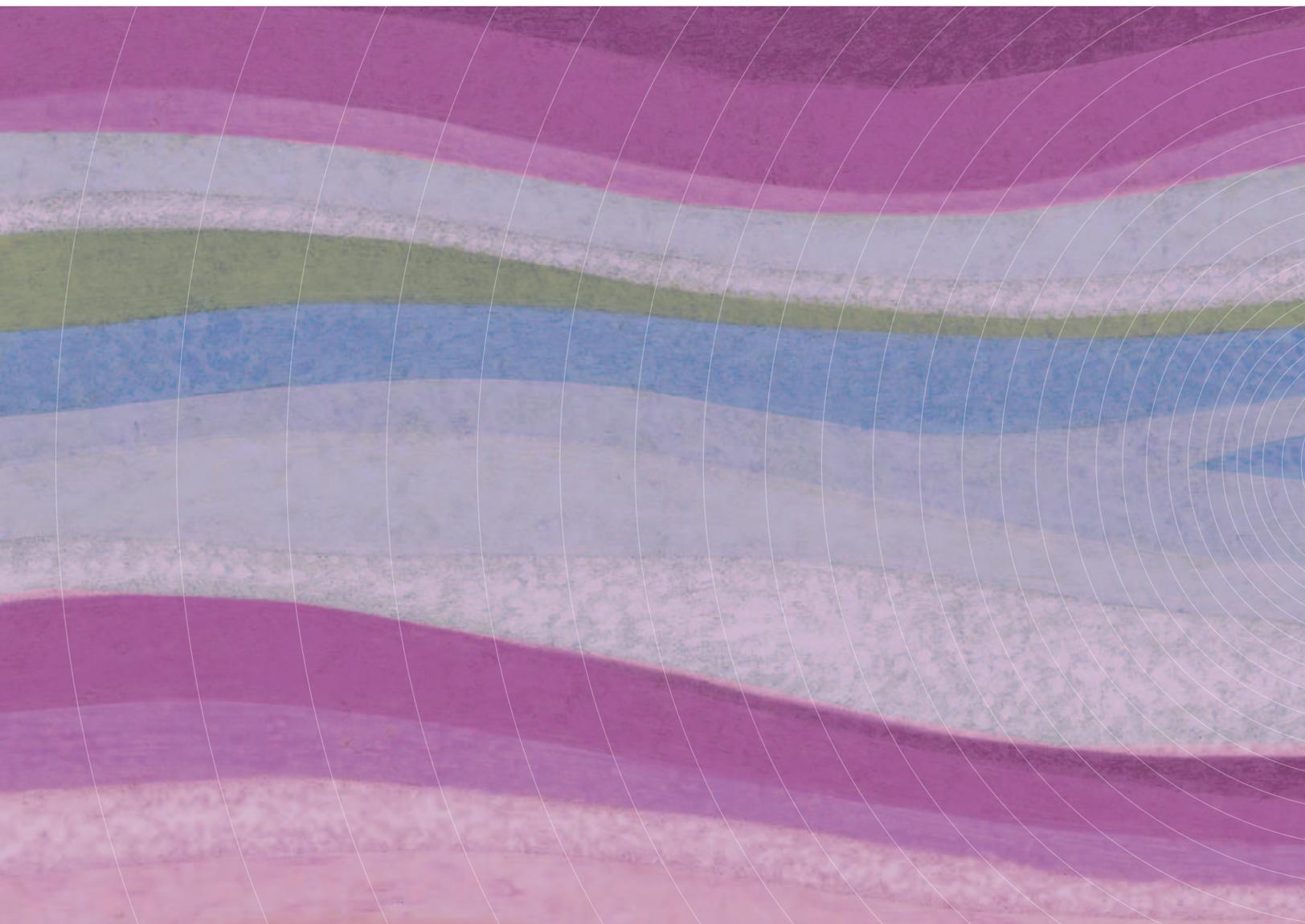
Andrew Moyse, project coordinator, Media Monitoring Project (Zimbabwe), Harare

The Zimbabwe study was coordinated by, and conducted in partnership with, Media Monitoring Project Zimbabwe.

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