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SENEGAL

The 2009 MSI panelists' conversations reflected the unease that Senegalese journalists and media outlets feel about the established authorities. Since the publication in 2003 of investigative journalist Abdou Latif Coulibaly's work on the allegedly misguided ways of President Abdoulaye Wade's political regime, titled *Wade, un opposant au pouvoir: l'alternance piégée?* (*Wade, an Opposition Figure in Power: The Poisoned Chalice?*), journalists in private media have been constantly accused of acting as members of the political opposition and have been treated as opposition figures. As a result, the media are often subjected to pressure at the hands of the government.

The panelists also confirmed a trend reported in 2008: Senegalese media enterprises are overwhelmingly unprofitable. As a result of difficult socioeconomic conditions and a lack of appropriate management strategies, media outlets are in a critical situation, and financial insecurity is an everyday reality for many journalists. In addition, the 2009 panel found that the professional shortcomings identified by the 2008 panel had not been eliminated. On the contrary, the media regularly violate the rules of professional ethics and conduct.

Nevertheless, the panelists did discern a few rays of hope. In the legislative arena, a new media code came out of the *Assises Nationales*, a forum for national dialogue. Between September 2009 and March 2010, the forum brought together journalists, Communication Ministry experts, associations of journalists, judges and magistrates, leading figures from civil society, and independent experts. The new code, which is intended to provide solutions to the problems being faced by the Senegalese media, is awaiting a vote of Parliament.

In the area of self-regulation, the Council on Compliance with Professional Ethics and Conduct (CRED) was restructured in 2009 and, to give it a clean slate, became CORED—the Committee on Observance of the Rules of Professional Ethics and Conduct. It should be noted, however, that Senegal's journalists have not reached consensus on those innovations.

Overall, Senegal's overall MSI score remained nearly identical to last year. However, some of the objective scores did change. Objective 4, business management, showed modest improvement but was offset by smaller declines in Objective 1, freedom of speech, and Objective 2, professional journalism.

# SENEGAL AT A GLANCE

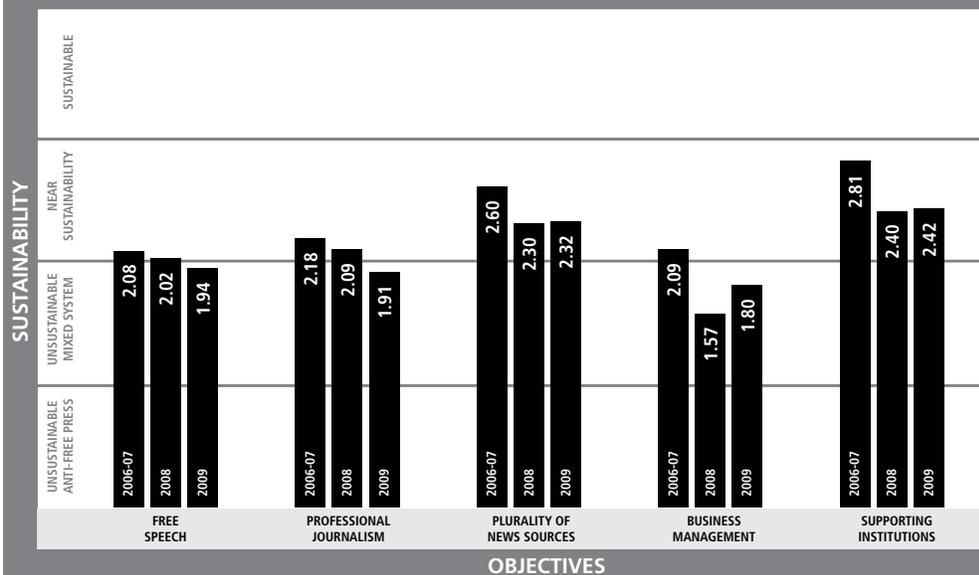
## GENERAL

- > **Population:** 12,323,252 (July 2010 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%; Europeans and Lebanese 1%; others 9.4% (*CIA World Factbook*)
- > **Religions (% of population):** Muslims 94%; Christians (predominantly Catholics) 5%; indigenous religions 1% (*CIA World Factbook*)
- > **Languages:** French (official language); Wolof; Pulaar; Jola; Mandinka (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$12.95 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,790 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 39.3% (male 51.1%, female 29.2%) (2002 estimate, *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: 18 daily newspapers, including *Le Soleil* (state-owned), 15 periodicals and 5 online newspapers; Radio: 1 state-owned radio channel, 18 private commercial radio stations, 30 community radio stations; Television Stations: 1 state-owned channel, 4 private stations (2008 estimate, Dakar Agency for Strategic and Research Studies (Agence Dakaroise d'Etudes Stratégiques et de Recherche))
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Senegalese Press Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1.02 million (2008 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: 1.94

The Senegalese media system is going through an unexpected crisis over respect for freedom of expression. Whereas the scores for this objective in 2006/2007 and 2008 were relatively stable in the early stages of “near sustainability,” the score for 2009 reflects a troubling downward trajectory.

The problem clearly does not stem from a lack of legal norms protecting freedom of speech. Souleymane Niang, executive secretary of CORED, said legislation is very favorable toward people exercising freedom of speech. Senegal's 2001 constitution, which was the principal framework in which the principle of free speech was affirmed, is, he said, very clear on that point. Article 8 of the constitution guarantees “the freedom of expression” under the heading “civil and political freedoms”; Article 10 guarantees the “right to express opinions freely, in words, in writing, in images, by peaceful marching...”; and Article 11 guarantees the “freedom of creation,” and permits the establishment without prior authorization of “press organs for the provision of political, economic, cultural, sporting, social, recreational, scientific... news and information.”

Niang said he was unaware of any legal norm against the freedom of speech and that journalists express their points of view freely. The population has access to the means of exercising their free-speech rights, and while there are limits

#### 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.

*At the same time, Diouf, speaking as a reporter for the national television service, said it would also be unrealistic to believe that journalists in private media are sheltered from pressure from their chief editors.*

on that access, they are not due to legal constraints but to material ones. Interactive programs on radio and television gave ample evidence of this, as do contributions to print media that are published with no legal limitations.

The other panelists generally shared Niang's view. However, René Massiga Diouf, a reporter at Senegalese Radio and Television (RTS), the state broadcaster, said freedom of speech is not to be considered absolute. He alleged that if people express a point of view that is critical of the country's institutions or authorities, they are often called in by the National Police's Criminal Investigation Division to explain themselves. He deplored the heavy infiltration of the Senegalese government by informers who report to the country's heavy-handed law enforcement agencies. Oumoul Khairy Diakhaté, a journalist at *Nouvel Horizon* newspaper, deplored the increase in telephone tapping by the authorities, which works against freedom of speech.

The score for the licensing of frequencies, though slightly higher than in 2008, was still below the overall objective score by more than half a point. The panel found that no standards of equity or transparency were observed in the licensing process. Younoussé Diédhiou, radio journalist at RTS Zinguinchor, said there was a great deal of favoritism: only people who are allies of those in power, or are expected to be, have access to radio frequency allocations. In the matter of television frequencies, Diédhiou deplored the fact that one must have the approval of the head of state, as was shown by the way in which the country's four private television channels were launched. In particular, the launch of Walf TV was announced after a presidential audience had been granted to its owner, Sidy Lamine Niassé.

Speaking as an expert adviser to the National Radio and Television Regulation Council, Bouna Manel Fall, professor of media law at the Center for the Study of Information Science and Technology Studies (CESTI) and technical adviser to the Ministry of Communications, said radio and television frequencies are public goods and must therefore be subject to invitations to tender rather than being granted by private agreement, as they currently are. Fall said that a tendering process is indeed provided for in the Telecommunications Code of 2001, which established the

*Diallo said that there is a sharp contrast between Francophone Africa, where neither the public nor journalists have access to public information, and Africa's English-speaking countries, where, he said, access to such information is a right.*

Posts and Telecommunications Regulatory Agency (ARTP), but that it is not being complied with.

That non-compliance with procedure reflected, in his view, the degree to which ARTP had become a political tool. For example, on the evening of March 22, an election day, while Senegalese were following the commentaries and analyses concerning the defeat being suffered by President Abdoulaye Wade's ruling Senegalese Democratic Party, ARTP announced that frequencies used by radio and television stations that were "not in good standing with their license fees" were suspended for 45 days and that the suspension would become permanent if the fees were not paid before the deadline. Under pressure from the public, civil society, and political parties, ARTP backed down. Although the Ministry of Communications said that the government had not had a hand in the statement, the public had strong suspicions to the contrary.

Niang said that currently 325 radio frequencies have been allocated and that ARTP is using that relatively high number to justify its refusal to grant frequencies to any new applicants, even though only a third of the frequencies allocated are in operation.

Bacary Domingo Mané, journalist at the private daily newspaper *Sud Quotidien* and a member of the national executive office of the Senegalese Information and Communication Professionals Union (Syndicat des Professionnels de l'Information et de la Communication du Sénégal, or SYNPICS), complained that individuals are obtaining radio frequencies in order to sell them.

Panelists expressed strong views on the subject of market entry and tax structure for media. Even though they agreed generally that market entry is not restricted—particularly for newspapers, which could be established simply by stating that it was so—there were differing opinions in respect of the tax structure.

Madior Fall, general coordinator of *Sud Quotidien*, said it is not enough for the state to authorize the establishment of a media outlet, but that authorization must go hand in hand with a favorable fiscal environment, which is not the case in Senegal, where, he said, there is no tax regime specific to media companies. Laity Mbassor Iba Amath Ndour, regional

correspondent in Kaolack for *L'Observateur*, a private daily newspaper, disagreed, saying media companies should not benefit from a special, favorable tax regime. In his view, to become true media businesses, the Senegalese media should have more sense of responsibility by complying with their tax obligations like other businesses.

In addition, panelists expressed regret that media businesses are systematically forced to pay their back taxes whenever the Finance Ministry or the Office of the President feels itself to be under attack by a newspaper.

In the area of crimes against journalists or media outlets, the Walf Fadjri media group's offices were vandalized in 2009, and the culprits were identified as followers of Mame Thierno Birahim Mbacké, half-brother of Serigne Modou Kara Mbacké, an important religious figure of the Mourid Brotherhood. The attack was triggered by an article published on September 25, 2009 by *Walf Quotidien* daily newspaper quoting Mame Thierno Birahim Mbacké, saying that if Serigne Modou Kara Mbacké supported the president, it was because he cared only about the privileges that the government granted him. However, the quote should have been attributed to Mame Thierno Birahim Mbacké Niang, another half-brother of Serigne Modou Kara Mbacké. Mame Thierno Birahim Mbacké felt that he had been defamed, and rather than request a clarification, the very same day he and his followers attacked the media group's offices: windows were smashed, computer equipment destroyed, journalists and security staff were injured, and the CEO of the group was kidnapped and held for a few hours. Reacting to public opinion, the state prosecutor started legal proceedings. Despite overwhelming evidence against Mame Thierno Birahim Mbacké, and despite his being interviewed by the National Police's Criminal Investigation Division, the case has so far gone nowhere.

All the panelists regarded the case as proof that journalists in Senegal could be attacked without judicial action ever coming to anything. Antanar Ndiaye, journalist at *L'Office* newspaper, said the feeling that anyone can attack a journalist with impunity had become a real mental impediment to working as a professional journalist. Oumar Diallo, head of the African Meeting for the Defense of Human Rights, a civil society organization, took the view that despite the increasing number of legal proceedings against those who had attacked journalists, the fact that they have come to nothing makes the situation even worse. Niang, the panelist from CORED, pointed out that crimes against the media had shifted from attacks on journalists to attacks on the tools they use to do their work, forcing media directors to change their editorial lines to appease their attackers.

The panel found no preferential treatment for state media at the expense of private media, at least in legislation and regulations. Niang, however, called on the panel to qualify its

judgment, stressing that while there was indeed no statutory difference in treatment, there were definite imbalances with regard to material and other assistance. The financial burden that state media bear is not the same as that borne by private media, because they have different missions. Nevertheless, it is not right that state media receive preferential treatment in broadcasting public information and news.

The panelists were unanimous in their agreement that state media are not guaranteed editorial independence. That lack of independence, they said, had less to do with the journalists in state media than with their superiors, who are appointed by the state and are obliged to ensure that its editorial line is followed. At the same time, Diouf, speaking as a reporter for the national television service, said it would also be unrealistic to believe that journalists in private media are sheltered from pressure from their chief editors.

On the subject of libel, the panel reported that it is not a civil law matter but rather one covered by the penal code. Two kinds of summons were mentioned: either a direct summons that gives the journalist 10 days to provide evidence, or a procedure whereby journalists can be handed over to the courts to await judgment. However, even though panelists agreed that existing legislation on libel is not good, they engaged in a lively debate over the proposed decriminalization of press offenses under the new draft press code, which was in its early stages of consideration. Some panelists welcomed the draft code, but others said that decriminalization would set journalists above the law, and could allow them to defame people without worrying about how their fellow citizens might react. Also, the critics said that replacing the possibility of criminal convictions with financial penalties posed a risk of media businesses going under if they lost a case and could not pay.

Gaining access to public information is difficult, even disgracefully so, panelists said. Diallo said that there is a sharp contrast between Francophone Africa, where neither the public nor journalists have access to public information, and Africa's English-speaking countries, where, he said, access to such information is a right.<sup>1</sup> Alassane Diallo, director of publication at *ferloo.com*, expressed regret that some sources of information are stamped "Confidential," "Defense Secret," or "Sensitive Information," to the point of being inaccessible to journalists. Bouna Manel Fall said that a recent government seminar on the matter, in October 2009, would not change anything, because the government seeks only to be better seen and heard in the way it wants, not to

<sup>1</sup> Editor's note: a quick review of panelist scores from English-speaking African countries shows that, with just a couple notable exceptions, the situation in practice is much the same in both francophone and anglophone Africa. Unfortunately, poor access to information plagues the media in many of the world's countries. The panelist's perception of differences is nonetheless interesting to take note of.

give an actual accounting to the public on the missions and responsibilities entrusted to it.

On the question of whether media outlets have unrestricted access to national and international sources of news, the panel was relatively positive. Furthermore, the panel reported no restrictions on access to the Internet.

The panel noted that there are no restrictions on entry into the journalism profession but that the process is not without its problems. Ndiaye recalled that the 1991 Convention of Senegalese Journalists clearly defined journalists as those who had gone through journalism college or who earned more than 50 percent of their income by working as journalists in the media. He expressed indignation that currently anyone could and did claim to be a journalist—and act as one—without meeting any of the criteria. Bouna Manel Fall said that it was regrettable that state media only hire new journalists from CESTI, a state college, and are completely uninterested in private media, which has influenced those entering into journalism training.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Senegal Objective Score: 1.91

Madior Fall said that Senegalese journalists do not have too much of a problem with reporting. Generally speaking, he stressed, they go into the field and report what they see and hear. Only investigative journalism, he said, poses objective limits inasmuch as the law does not give journalists access to companies' bank accounts. If reporting were not of a high quality, he concluded, journalists would appear in court every day on charges of defamation. Niang, 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).

*The community radio sector is a morgue for equipment declared unfit for service in Western countries. Senegalese journalists are still working on second-hand analog equipment.*

said he regretted that some reporters fill their work with commentary and opinion rather than reporting the facts and leaving it at that.

Ethical lapses do occur among Senegalese journalists and media, the panel said. Such lapses, panelists said, occur in two areas: at the professional level, and on the part of the society as a whole. On the professional level, Niang and Diédhiou pointed to the fact that journalists are very frequently unaware of the general rules that ought to govern their professional behavior. Madior Fall stressed that if there are corrupt journalists, it is because the media operate in a society where corruption has become an everyday, banal matter that affects almost all circles.

With the establishment of CORED, the panel expressed hope that the capacity of the Senegalese media to combat corruption will increase. Panelists recalled that CORED, a self-regulating body, was born out the ashes of CRED, the Council on Compliance with Professional Ethics and Conduct, which had been created toward the end of the 1990s but was no longer effective because it lacked legitimacy.

The panel found that, generally speaking, self-censorship exists among Senegalese journalists because when journalists return to their offices after reporting, they will sift out information that they consider excessively sensitive. Madior Fall recalled that in 1997, during a reporting trip in Casamance, where a rebellion had been going on since 1982, rebels systematically stopped vehicles and killed anyone who did not belong to the Jalo ethnic group, the predominant ethnic group in the region, based on the names on their identity documents. Out of concern for the stability of the country, Madior Fall and his fellow journalists avoided reporting what they had seen because, in his opinion, there was reason to fear that Jalo people living elsewhere in Senegal could become the victims of reprisals.

Similarly, Mané stressed that it was good that there was self-censorship, that it is a question of responsibility, because if journalists were to report everything they know, it would be a major source of social instability.

Moreover, censorship by others appeared, in the panel's view, to occur more frequently than self-censorship. Panelists said they believed that it is a frequent occurrence for a journalist

to get hold of information that he considers extremely important, only to have his media outlet suppress it for unclear reasons.

On the subject of whether Senegalese journalists cover all key events and issues in the country, the panel expressed regret that politics and human interest stories predominate. Madior Fall said human interest stories are so prevalent because sources with more interesting news and information do not disclose it. As a result, journalists have to make do with human interest stories because, as he put it, nature abhors a vacuum. However, Mané said political coverage should be seen in perspective; in his opinion, all subjects—society, education and so on—are covered, and only the front pages are political to the point where a person might think that the media are too politicized.

All panelists condemned the low salary levels prevalent in the Senegalese media. Mané said the most shocking thing is that many journalists do not even receive a wage slip. Also, it is unfair for a journalist with a degree, earned over five years of university education, to be paid XOF 200,000 (\$395) a month when someone with the same level of education working in a different sector earns more.

The Collective Agreement of 1991, which was supposed to settle that issue, not only is not complied with, but panelists considered it obsolete. They said the low salaries paid to most journalists encourage corruption, though Diakhaté that a good basic education and personal values are safeguards against it. Ndiaye said corruption is most common not among young journalists but among media managers. Madior Fall urged that corruption be seen in the overall context of a society in which civil servants, whose salaries in theory could not allow it, could own houses worth XOF 500,000,000 (\$1,000,000) or more. In such a context, he said, journalists cannot help being tempted. The panelists found that corruption has an obvious impact on how some information is handled, but found it difficult to assess the scale of that impact.

On the balance between entertainment programming and news and information, Niang said there are no accurate statistical studies. All panelists said, however, that the ratio is generally skewed toward entertainment. Madior Fall stressed that entertainment programming can serve society, but expressed a degree of outrage that instead of hiring professional presenters, press directors tend to hire people who MC family ceremonies and try to turn them into professionals. Bouna Manel Fall said that the increasing predominance of entertainment programming in radio and television could be attributed also to the fact that news and information cost money. He gave the example of national television that, given its current budget deficit, has latched onto South American soap operas, which cost almost nothing but attract viewers and advertisers.

The question of whether facilities and equipment for gathering, producing, and distributing news are modern and efficient, should be looked at on a sector-by-sector basis, Niang said. The print media have the latest software and modern equipment, he said, and have been able to follow every substantial change in technology, albeit several decades late. Only their printing presses are second-hand. But in radio and television media, Niang said, one cannot say the same. The community radio sector is a morgue for equipment declared unfit for service in Western countries. Senegalese journalists are still working on second-hand analog equipment. However, there are some initiatives in the area from Western partners.

The panel found little quality niche reporting. Diakhaté said that even when a journalist wants to cover a specialized subject such as fishing, industry, or agriculture, management seldom gives its backing, whether because of financial constraints or other, unspoken reasons. Diédhiou said the lack of training is also to blame, and that workshops need to be held to train specialized journalists.

Mané expressed the view that programming and reportage on minorities are poor relations in the media. He gave the Balanta ethnic group, to which he belongs, as an example; it had not been the subject of a single piece on RTS for the past year, even though the media are supposed to cover minorities as part of their public service mission. In more general terms, he noted that whenever minorities are mentioned in the media, it is to pass on the clichés or stereotypes that have grown up around them—for example, that “the Balanta are all cattle thieves.”

Niang said he would like to extend the minority question to the hard of hearing and the deaf, for whom there are no means of access to news and information.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Senegal Objective Score: 2.32

The panel reported no major problem in terms of the existence of a plurality of news sources. Some persistent disparities, however, were noted. Although radio and television are accessible almost everywhere in Senegal, the Internet remains an urban phenomenon because thousands of villages lack electricity and illiteracy remains rife in rural areas. The panel noted that daily newspapers can take between 72 hours and a week to arrive in parts of the country without good road access.

Regarding access to domestic and international media, the panel reported no restrictive policy on the part of the

*Diouf, of RTS, although recognizing the lack of plurality of opinion in the state media, urged the panel to recognize that state television has tried to change that since 2008, even though there has been a “system” in place for many years that will take time to change.*

Senegalese authorities. Bouna Manel Fall welcomed the fact that, apart from the disparities between city and country, Senegalese generally have access to international media with no state censorship.

Panelists said that the government media do not reflect the views of the political spectrum, are not non-partisan, and do not serve the public interest. All panelists deplored the state’s stranglehold on the public media, which Mané said is a serious problem. He gave the example of a news program that devotes seven out of 10 programming minutes to the activities of the president, and is followed by a special report on the same event.

Panelists went on to criticize the near absence of opposition political parties in the state media. Niang, however, balanced that general view by positing that things are worse elsewhere, particularly in Guinea, where Guinean Radio and Television is the exclusive medium of the army and the government.<sup>2</sup> Diouf, of RTS, although recognizing the lack of plurality of opinion in the state media, urged the panel 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.

*Diédhiou said that the question of information sources in minority languages was such a complex one that it could not be settled at the national level, but only locally. In that regard, he commended the community radio stations on the role they were playing.*

recognize that state television has tried to change that since 2008, even though there has been a “system” in place for many years that will take time to change.

The panel expressed overall satisfaction, however, with the professionalism of the domestic and international news agencies: the Senegalese Press Agency (APS), the sole domestic agency; and the foreign agencies accredited in Senegal, Agence France Presse, Reuters, Associated Press, African Press Agency, and Panapress, among others. Cheikh Thiam, CEO of the government-run daily newspaper *Le Soleil* and chairman of CORED, said that if he were to give a score to the Senegalese and foreign media operating in Senegal, the agencies would score better, as their work was so good and so non-partisan. The panel stressed the Senegalese media still pick up agency stories without citing the source, particularly in the case of APS, whose Internet site offers public access.

On whether the broadcast media produce their own news programs, the panel reported that the bulk of production is local. Niang said that radio stations produce 85, 90, or even 100 percent of their own material. Panelists recognized that for international news, Senegalese radio stations pick up news agency stories, but they pointed out a new trend: partnership agreements between some Senegalese radio stations and foreign stations. For examples RDV and Top FM have agreements with Voice of America, and Manoré FM community radio has an agreement with Radio France International. The panel also noted that on the local level, for some time, Chinese radio stations have entered into partnerships with Senegalese stations such as RDV. All those foreign stations have broadcasting slots on their Senegalese partner stations.

There is no lack of transparency regarding ownership of the major Senegalese media, allowing consumers to judge their objectivity, said Naby Sylla, a reporter with Radio Futurs Médias in Saint-Louis. In his view, the public knows that the Walf Fadjri media group belongs to Sidy Lamine Niassé, the Futurs Médias group to singer Youssou N’dour, and the Express News group to former government minister Farba Senghor. But Thiam urged the panel not to place too much

emphasis on apparent ownership, because behind many media outlets are shareholders whom the public knows nothing about. There, he warned, lies danger.

Panelists said Chinese penetration among local media reflects their desire to someday become shareholders. Thiam said this is because the Chinese are interested in being able to influence media outlets’ editorial lines. After Senegal, he said, the Chinese are interested in the media in other West African countries as a means of countering the European Union in terms of trade in Africa.

On the question of whether a broad spectrum of social interests is reflected and represented in the media, including minority-language information sources, the panel recognized that efforts have been made but that there is still a long way to go. Mané said national radio is doing quite satisfactory work in that area, given its status as a public-service medium, but he criticized resistance among private radio stations, which generally favor Wolof, the dominant language, for commercial reasons. Niang said that such resistance violates licensing requirements, which obliged private stations to play a minimal public service role. Diédhiou said that the question of information sources in minority languages was such a complex one that it could not be settled at the national level, but only locally. In that regard, he commended the community radio stations on the role they were playing.

#### **OBJECTIVE 4: BUSINESS MANAGEMENT**

### **Senegal Objective Score: 1.80**

The panelists found that even though Senegalese media have the advantage of multiple sources of income and a rather well-functioning advertising market, apply accepted standards for the percentage of advertising relatively well, and receive state subsidies, there are still enterprises that are unprofitable and unprofessional. They carry out no serious market research and have no reliable statistical indicators at their disposal.

From the panel’s discussions, it was clear that most media businesses in Senegal are in a fragile financial situation. Niang said one reason is that they operate in a difficult economic environment. Ndour deplored the informal management style characteristic of the Senegalese media, in particular the lack of proper accounting, including in media groups that have the reputation of being proper businesses. In Niang’s view once media managers feel that they have ensured a comfortable old age for themselves, they cannot care less about their employees’ futures. Thiam said the problem is more serious than that: several generations of journalists face disaster when they retire because they have no proper employment contracts and, as a result, are not paying into

social security coffers. Another problem is that most media companies are not up to date with their taxes, and if the state decides to shut them down, it has not only the means but the legal right to do so.

The Senegalese media draw their funding from several sources: advertising, sponsorship, circulation, and subsidies. Niang said the question of which source predominates depends entirely on the economic model chosen by the particular company. Sports newspapers rely primarily on sales, second on advertising, and annual assistance from the state is subsidiary. Sponsorship from non-governmental organizations benefits community radio stations in particular, although there are some traditional media groups that also receive sponsorship funding. It should be noted that another category of media relies on owners who finance their companies out of their own pockets. Such companies are mainly the political media, which are legion in Senegal, such as Radio Océan FM, which belongs to Pape Diop, the president of the Senate.

The advertising market was assessed at between XOF 12 billion and XOF 13 billion (\$24.5 million and \$26.5 million) a year. Bouna Manel Fall said that figure has not changed since 2000. The main problem with the advertising market is how the money is distributed: state-run RTS is assumed to monopolize XOF 4 billion or XOF 5 billion (between \$8 million and \$10 million) of total advertising, with the rest split among other outlets. Mané said that, generally speaking, the media face ever greater competition from advertising agencies, which negotiate directly with advertisers before going to the media; he expressed concern that this not only limits media company earnings, but also sidelines their commercial services, whose role it is to seek out advertising contracts.

#### 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.

*Another problem is that most media companies are not up to date with their taxes, and if the state decides to shut them down, it has not only the means but the legal right to do so.*

On whether advertising revenue as a percentage of total revenue is in line with accepted standards, Bouna Manel Fall said that despite the law that sets advertising at a reasonable percentage, there is no generally accepted standard. In a 12-page daily newspaper, there will generally be only three or four pages of information and news, particularly in the popular press, such as *L'Observateur* and *Le Populaire*.

The government did not provide subsidies to the press in 2008 and 2009 on the pretext that the private media are hostile to the president and his administration. The subsidy for 2009, totaling XOF 300 million (\$590,000), was finally paid out in January 2010. Bouna Manel Fall said it was regrettable that the subsidy was paid directly to press directors, who he said used it for personal purposes at the expense of their press businesses. Mame Diarra da Sylva, journalist at Radio Manoré FM community radio, said the money paid to her station had gone directly into the bank, and she expressed the belief that at Youssou N'Dour's Radio RFM, the assistance received had been shared out among the various members of the staff. But apart from those two outlets, she said, the money had gone straight into the pockets of the directors. The panel also condemned the fact that the criteria for allocating the assistance were not observed, causing division among the media.

On the question of whether market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of the audience, the panel deplored the lack of reliable polls. All panelists agreed that whenever a media outlet financed a poll, the poll almost always ranked that outlet first. Thiam said that, in Senegal, polls are ordered not to find out the sponsor's real position in the market, but to be able to say to advertisers that the sponsor ranked first, even if the figures had to be manipulated. It was, in his view, necessary and urgent for a regulatory body to be put in place to supervise polling results, as is the case in France, for example.

Regarding circulation figures, the panel found that nothing could be relied upon, for the same reasons given on the subject of market research. Mané said that in the print sector, a newspaper might boast that it had a circulation of 11,000 when it printed only 4,000 copies. Another difficulty is that newspapers are often victims of fraud on the part

*The government did not provide subsidies to the press in 2008 and 2009 on the pretext that the private media are hostile to the president and his administration.*

of printers who, instead of printing the number of copies ordered, produce more so that they can sell them themselves on the black market. Thiam, speaking as CEO of *Le Soleil* government newspaper, confirmed that this indeed happens. However, printers are committing this fraud with the complicity of production teams designated by the newspapers to supervise printing, sharing the payoffs at the papers' expense. The panel found that because of these practices, there are no reliable circulation figures. The panel made the same observations in regard to broadcast ratings and Internet statistics.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Senegal Objective Score: 2.42

Within the Senegalese media system, the trade association with the highest profile is the Senegalese Council of Press Publishers and Broadcasters (known by its French acronym CDEPS), which brings together the owners of radio and television stations, daily newspapers, and so on. Whereas the panel for 2008 gave CDEPS a rather lackluster assessment, in 2009 its image had changed for the better, even if only a little. Thiam, speaking as CEO of *Le Soleil* and a member of CDEPS, said that press directors are beginning to understand that the problems in their economic sector require collective and not individual solutions. He pointed out that when the directors of the media had seen that they were not represented at the media sessions of the National Inquests, they immediately held a meeting, in October 2009, on the need for them to participate so that their interests were taken into account in the new legal texts being contemplated. They also discussed the statute of the CDEPS, which, he stressed, even saw participation by press directors who had until then remained distant.

The Union of Associative and Community Radio Stations is another trade association, working in the interest of non-profit radio stations.

The principal associations working to protect journalists' rights, panelists agreed, is SYNPICS. The union was credited with good leadership; Bouna Manel Fall, said that Diatou Cissé, the secretary general of SYNPICS, represents the union with a single voice that is loud and strong. Ndiaye, despite her critical stance on SYNPICS during the 2008 panel

discussions, recognized that the union has been making efforts for some time, particularly in the area of training and capacity-building seminars for journalists. SYNPICS was also credited with being behind the resurrection of self-regulation by the Senegalese media—the birth of CORED in replacement of CRED. If the media seem to be succeeding in bestowing a degree of legitimacy on their self-regulation mechanism, it is because two years of consultations took place under SYNPICS' supervision, involving the entire profession and all media directors. Ndiaye and Diakhaté stressed, though, that efforts still have to be made, particularly in involving SYNPICS in helping young reporters fight for better salaries. Diakhaté also said that he had the impression that SYNPICS speaks up only when condemning violations of press freedom.

Other niche professional associations exist, such as the Convention of Young Reporters.

There are several non-governmental organizations working with media outlets to support free speech and independent media, including the African Meeting for the Defense of Human Rights. Foreign organizations or their local affiliates, such as the Konrad Adenauer Foundation, Friedrich Ebert Foundation, and Panos Institute-West Africa are also active in supporting Senegalese media. Panelists said those organizations play an undeniable role through instant condemnation of violations of press freedom, organization of training and capacity-building seminars for Senegalese journalists, and so forth.

Niang was the only one to rebuke those organizations, saying they have a minimalist approach. They start at the bottom so that they will have visibility, he said, but that is not a viable approach. In other countries, non-governmental organizations play a more decisive role, engaging in high-level intervention

### 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 collaboration with the state to exert influence on press legislation, and high-level participation in press funding in consultation with the state. What Senegal is seeing, he said, is NGOs that know to carry out small actions in favor of the press, which are reported by journalists, giving the NGOs press clippings to show their backers. Niang concluded that in the area of support for the press, NGO scopes of work must be redefined.

On the question of quality journalism degree programs, the panel agreed that two establishments have a positive image: CESTI, the state college that recruits students based on their high school examinations or on their master's degrees; and the private Higher Institute for Information and Communication Sciences. The panel reported that there are a burgeoning number of private colleges that award diplomas of doubtful quality. Mané said the state should intervene with respect to the content of their curricula. Panelists insisted also that in the two colleges that function relatively well, there remains a need to bring them up to standards, and to train specialized journalists.

Regarding short-term media training, in addition to NGO initiatives in that area, Mané applauded moves SYNPICS had taken with respect to regional correspondents. The union is holding regular training seminars in some regions of the country, generally over two days, to teach regional correspondents the basics of journalism: how to gather and handle news and information, professional ethics and conduct, and press law. In his view, the teaching is very practical and is showing positive results in the field.

The panel reported that in the area of printing, printing businesses are almost entirely in private hands and are credited with having a strictly professional, apolitical, and non-restrictive attitude. It was noted that some newspapers possess their own printing facilities.

In the area of distribution, there is a formal and an informal sector. In the formal sector, the bulk of distribution is carried out by the Press Distribution Agency, a subsidiary of the New Parisian Press Distribution Service, a French company that also has a presence in other Francophone West African countries. It charges newspapers a commission of 30 percent, sells copies at 20 percent markup to wholesalers, who then sell them to the retailers at 10 percent markup. The informal sector takes copies at 30 percent from the publishers and sells them on to street sellers at 20 percent. The panel concluded that the informal sector was gaining the upper hand. No discriminatory practices in distribution were noted, other than the informal sector making its own rules, in particular the fact of demanding a commission of 30 percent from the newspapers, which the panel found exorbitant, with no basis in any investment on the part of the wholesalers operating in

that sector. Thiam underscored the latter point, which in his view called for a reconsideration of that type of partnership.

## List of Panel Participants

**René Massiga Diouf**, television reporter, Senegalese Radio and Television, Dakar

**Madior Fall**, general coordinator, *Sud Quotidien*, Dakar

**Souleymane Niang**, executive secretary, Committee on Observance of the Rules of Professional Ethics and Conduct, Dakar

**Alassane Diallo**, director of publication, ferloo.com, Dakar

**Younousse Diédhiou**, radio journalist, Radio-Television Senegal, Zinguinchor

**Naby Sylla**, reporter and correspondent, Radio Futurs Médias, Saint-Louis

**Antanar Ndiaye**, journalist, *L'Office*, Dakar

**Laity Mbassor Iba Amath Ndour**, regional correspondent, *L'Observateur*, Kaolack

**Oumar Diallo**, head, African Meeting for the Defense of Human Rights, Dakar

**Oumoul Khaïry Diakhaté**, journalist, *Nouvel Horizon*, Dakar

**Bouna Manel Fall**, expert adviser, National Radio and Television Regulation Council; professor of media law, Center for Information Science and Technology Studies, Dakar

**Cheikh Thiam**, CEO, *Le Soleil*; chair, Committee on Observance of the Rules of Professional Ethics and Conduct, Dakar

**Mame Diarra da Sylva**, journalist, Radio Manoré FM community radio, Dakar

**Bacary Domingo Mané**, journalist, *Sud Quotidien*; member, the National Executive Office of the Senegalese Union of Information and Communication Professionals, Dakar

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