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togo zimbabwe
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malawi niger equatorial guinea
cameroon rwanda the gambia
namibia somaliland tanzania
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democratic republic of congo
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south africa guinea
mauritania zambia burkina faso
côte d'ivoire

MEDIA SUSTAINABILITY INDEX 2010

DEVELOPMENT
OF SUSTAINABLE
INDEPENDENT MEDIA
IN AFRICA



MEDIA SUSTAINABILITY INDEX

2010

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



MEDIA SUSTAINABILITY INDEX 2010

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

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Implementing Partners

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

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

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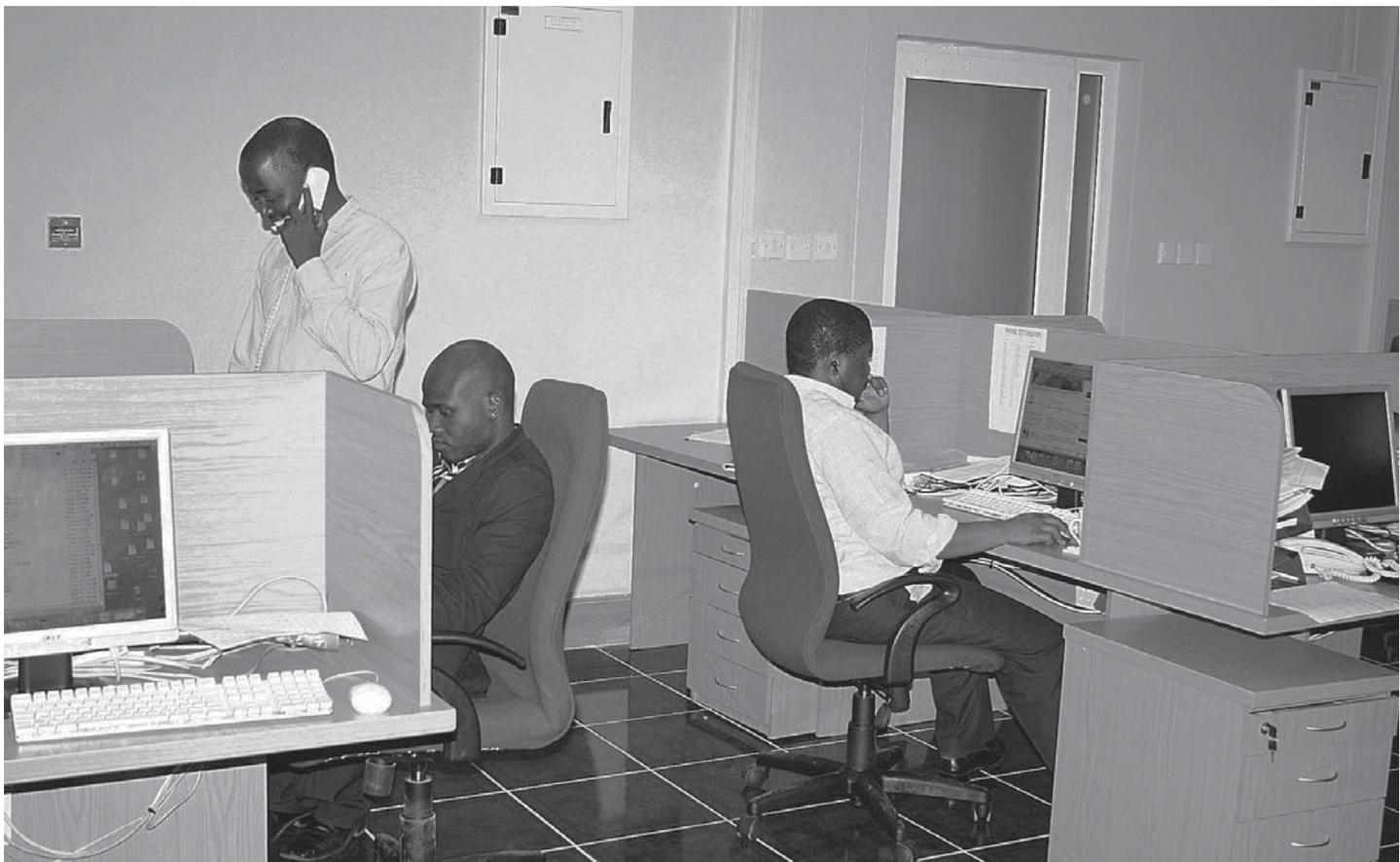
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<http://www.spiml.co.za/>



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The fourth annual study by the Media Sustainability Index (MSI) of African countries expanded slightly in 2010, growing from 40 to 41 countries with the first inclusion of Angola.



I am pleased to introduce the 2010 Africa Media Sustainability Index (MSI), the fourth such study of the region. The MSI provides an analysis of the media environment in 41 countries of Sub-Saharan Africa during 2010 and also shows trends in the media sector since 2006/2007. 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 2010. 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 assistance from Dayna Kerecman Myers and Evan Tachovsky. 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

The news is strangled by lack of financing as much as by political intervention. Earlier MSI Africa studies underscored the imperative of shoring up sources of independent funds for the media, strengthening business management and developing a diverse advertising base.



The fourth annual study by the Media Sustainability Index (MSI) of African countries expanded slightly in 2010, growing from 40 to 41 countries with the first inclusion of Angola. The picture of the Angolan media sector painted by the panelists there stands in stark contrast to the oil wealth generated by the country. Years after the loosening of the media environment from the grip of a Marxist government, the government has licensed only a handful of private broadcasters and a wide gap exists between constitutional guarantees of media freedom and the day-to-day reality faced by working media professionals. Self-censorship prevails in newsrooms. Like so many of its neighbors, Angola's non-state media outlets suffer from anemic revenue streams, with a shallow advertising market and no tradition of market research. Also like many of its neighbors, Objective 5, supporting institutions, drew the highest scores from panelists, even if not quite breaking out of the "unsustainable, mixed system" score category.

Notable Country Developments

Elsewhere in Africa, many countries showed little change in overall score. Of the 40 countries studied last year, 26 moved up or down by less than a tenth of a point. The continental average remained 1.89, although Objective 2, professional journalism, edged up to 1.84 from 1.81 while Objective 4, business management, slid to 1.64 from 1.67.

It was a momentous year for Sudan, as South Sudan looked forward to a referendum in 2010 expected to ensure its independence. The panelist noted that all sharia laws are applicable only in the north; they no longer apply to the south. However, the SPLM government is busy drafting media laws likely to be similar to those used by the Khartoum government—a point of concern for some panelists.

Other countries, such as Senegal, reported progress. With thawing tensions between the media and the government in 2010, boosted by a new press code, violence against and intimidation of journalists decreased significantly. Although at the time the MSI was prepared, the Senegalese Parliament had not yet voted on the code, its provisions decriminalize libel, improve access to information, and are expected to stimulate the production of more local content. Interestingly, the new code also addresses the financial disadvantages that plague the independent media, steering at least 70 percent of the advertising from public companies to the private media.

Eritrea, which has no independent media presence at all, it is challenging to even obtain enough information to assess the media, requiring a modified approach for the MSI. Djibouti and Zimbabwe do not have any registered independent broadcast media.

Another West African country, Ghana, is also moving inexorably closer to sustainability on the MSI scale. The MSI panelists cited the strength of Ghana's media legislation and supporting regulations for creating the proper foundation for a pluralistic and sustainable media, for an overall progressive verdict on the MSI scale.

Kenya's panelists reported progress as well, noting that a new draft constitution, if endorsed, could correct the previous failure to include press freedom alongside the freedom of expression. However, as is the case in many other countries across the continent, other restrictive laws prohibit freedom of speech and of the press, giving the state security forces a tool to bypass the constitution and muzzle opposition voices. For example, the controversial Communications Amendment Bill of 2008, which was highly contested by journalists and media owners, remains in force, with no changes in the offending provisions. The government enacted the Communications Amendment Bill into law over strong objections by journalists and media owners, giving excessive powers to the Minister of Internal Security to raid media houses and seize equipment in "emergency" situations.

There are still countries with little independent media at all to assess. Eritrea, which has no independent media presence at all, it is challenging to even obtain enough information to assess the media, requiring a modified approach for the MSI. Djibouti and Zimbabwe do not have any registered independent broadcast media. On a positive note, the Zimbabwe Media Commission at last moved to register 15 new media outlets and independent newspapers, among them four dailies, bringing to an end a seven-year monopoly of the daily print media market by the state-controlled Zimpapers.

In other countries that allow a little more breathing room for the media, political turmoil nonetheless continues to hold back the media. For example, MSI scores for Madagascar, which has not recovered politically or economically from the violent protests and political crisis of 2009, sank in all objectives.

Some of the most striking changes came from three countries, and unfortunately these have been negative changes. Rwanda slid into the "unsustainable, mixed system" category; Zambia, which had once been in the "near sustainability" bracket, continued losing ground; and Burundi's freedom of speech score slid into the "unsustainable, mixed system" range for the first time.

Rwanda's political landscape is contentious and opposition media are vocal in their criticisms of the Kagame government. There is little doubt that in this atmosphere the media representing each side oversteps lines of professionalism and ethics. Objective journalism is clearly not the goal of most political reporting. Nonetheless, non-objective political content in the media is still worthy of protection under the umbrella of freedom of speech. The falling scores, particularly in Objective 1, freedom of speech, are commensurate with and directly related to actions taken by the government against its critics in the media. If the government is interested in improvements in journalism quality, it is in their interest to strengthen their commitment to the spirit of free speech and free media enshrined in their constitution. Oppressive measures—closing media outlets or barring their reporters from government press conferences—will not achieve better media content. Such measures, at best, rather serve to create an obedient media, not one able to independently create content that meets international standards of professionalism.

Rwanda's neighbor to the south, Burundi, also suffered lower scores as a result of animosity between the government and the media. After controversial municipal elections in May 2010, the head of the National Communications Council accused the media of "inflaming the country by their reporting and siding with the opposition by helping them to dispute the elections." A short time later a senior staffer at an online newspaper was charged with treason and jailed for several months. Like Rwanda, until this year Burundi had in all previous studies scored in the "near sustainability" range for freedom of speech, even if somewhat behind its northern neighbor. This year it slid to 1.85.

The deteriorating situation in Zambia, which has been reported by the MSI for a few years now, continued to become worse. Zambia's free speech score fell slightly, but kept the country on a downward trajectory from its opening high of 2.03 in 2006/2007. Likewise, its overall score has fallen to 1.77 from 2.25 in the initial study.

With elections in 2011 looming, the government of Zambia displayed a similar attitude toward the media as in Rwanda and Burundi. Politicians levied public condemnations of

both public and private media for favoring rivals. The government claims that media self-regulation has failed and uses that as grounds to consider legislation that would curb the media. A long-stagnant piece of legislation, the Independent Broadcasting Act, was passed in 2002 that promised to strengthen the independence of public media and protect private media; key provisions, however, were not implemented. In 2010 amendments were proposed that would severely weaken the ability of that law to achieve its stated aim; in fact it would do the opposite and entrench politicization of public media there. Coupled with a similar stagnation of freedom of information legislation, panelists' pessimism increased this year that relief for Zambia's media is in sight.

A Crisis in Funding and Business Management

In so many countries in Africa, financing and media management is the weak link, threatening sustainability and independence. With four years of tracking the business side of media health as well as the political and professional features, it is clear that business management and sources of funding for the media, measured by Objective 4 in the MSI, is the missing foundation for many other aspects of media health, such as professional standards (measured by Objective 2 of the MSI). The news is strangled by lack of financing as much as by political intervention. Earlier MSI Africa studies underscored the imperative of shoring up sources of independent funds for the media, strengthening business management and developing a diverse advertising base.

Even in the DRC, where panelists recalled several cases where journalists were assassinated, threatened, or arrested and discussed the difficulties foreign media face in a consistently tainted and unsafe environment, a look at the compiled scores from all panelists show that the weakest link in the Congolese media system is the financial instability of press companies. Most Congolese journalists are either badly paid or not paid at all due to the economic precariousness of their employers—making them sitting ducks for manipulation and corruption.

Examining the financial side of the media in Burundi reveals another common problem incompatible with sustainability: dependence on outside donors. In Burundi, MSI panelists reported that the overwhelming majority of radio stations could not survive without external financial support. Most were created using international funds, and some are entirely financed from abroad. They concluded that if the lack of a developed advertising industry is not addressed, the media has little hope of reversing this trend.

Oppressive measures—closing media outlets or barring their reporters from government press conferences—will not achieve better media content. Such measures, at best, rather serve to create an obedient media, not one able to independently create content that meets international standards of professionalism.

These warnings are particularly relevant to Senegal, which is on such a promising media sustainability trajectory in so many other aspects, anticipating significant legislative improvements. Yet poor management practices at many media businesses, coupled with the global economic crisis, have pushed many outlets to the brink of financial disaster. Many panelists blame poor management; one reported that Senegal has accountants and financial experts capable of managing media businesses effectively, but even if media companies employed experts, they would not have much room to do their jobs. Press owners treat media outlets as their personal pockets; they can just take out cash as they please, regardless of standard management rules. This problem has the potential to undo the positive strides Senegal has made; if the media are not well managed and financially secure then sustainability and editorial independence is not possible in the best political and legislative context.

Some countries did report progress on this front. Positive advertising trends were identified in Sudan, in the North. True advertising is well developed there, attracting many new companies to buy advertisements. Many media houses have full-fledged advertising departments that bring in revenue. There are signs that this effect could help South Sudan, where advertising remains low, but there are signs of a growing appreciation of the importance of advertising to a healthy media. Other countries, like Madagascar, have fairly well managed media, but not to the point of guaranteeing their editorial freedom.

On a related note, few countries offer training for media managers, but this is changing in DRC. The École Supérieure de Journalisme de Lille is offering a degree of Master of Management to a few media managers in Kinshasa.

Panelists in Nigeria argued that social networking sites and new media have brought a certain degree of independence to reporting that is unprecedented in the country, bringing to the public's attention issues that the traditional media cannot or do not cover through these platforms.

New Media Use Continues to Grow, but does Access?

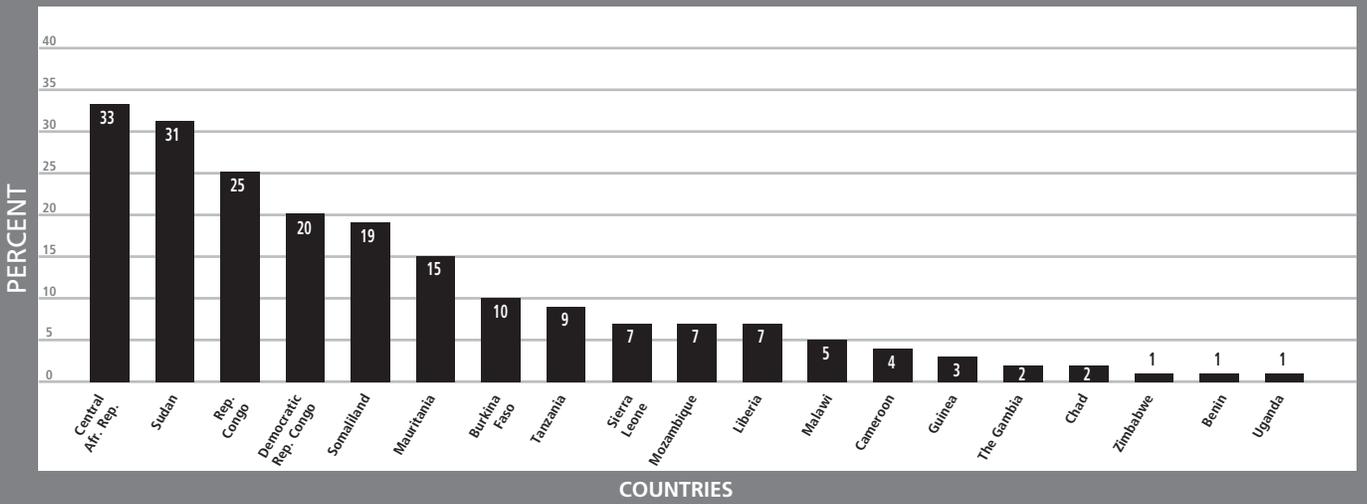
In many countries across the continent, from Kenya, where Internet facilities are spreading beyond the main cities, to Mauritania, where there is not a single press newsroom without access to the web, online media and news blogs continue to grow. Even in Ethiopia, where Internet access remains low and the government actively filters and blocks sites it deems threatening, bloggers and online journalists within and beyond Ethiopia's borders are providing alternative news sources and fueling political debate. A small but growing number of Ethiopians are tapping social media websites as a method to exchange information, as well.

In Sudan, MSI panelists revealed that Internet use for information has increased, especially in the North, where the rates are relatively low, although the government filters and blocks some sites. In the South, it is mainly available in the city and big towns, and the cost is prohibitive. Other news and information sources like blogs, SMS platforms for news alerts, Twitter, YouTube, Facebook exist in Sudan—and people depend on them.

Similarly, Nigerians now rely heavily on social networking tools for information sharing. Panelists in Nigeria argued that social networking sites and new media have brought a certain degree of independence to reporting that is unprecedented in the country, bringing to the public's attention issues that the traditional media cannot or do not cover through these platforms. Citizen journalists are also stepping in to fill in the gaps in reporting; as one panelist said, "pushing and stretching the elasticity of traditional media more than ever and challenging their status quo, offering the missing link and an informed eyewitness account."

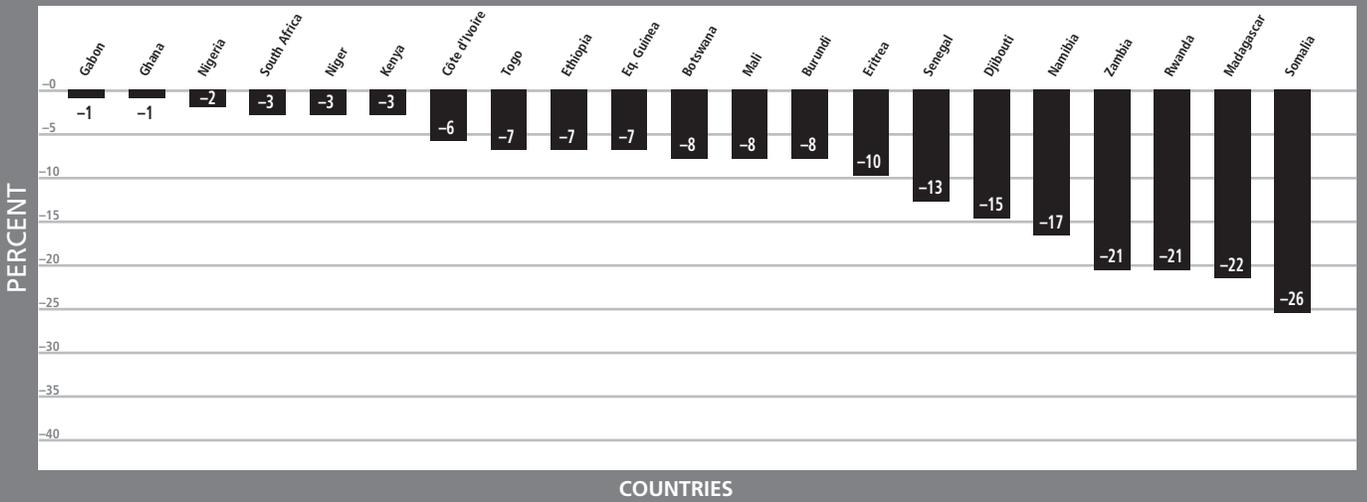
However, it is clear across the continent that access remains uneven, highlighting the gaps between rural and urban, literate and illiterate, and rich and poor consumers. Language is an obstacle for some, as well; for example, panelists from Namibia called for more localization of content on the Internet, especially translating content to local languages.

PERCENT CHANGE GAINS IN MSI 2006–2010: AFRICA



Data for Angola will be included in this chart in future editions once three years of data are available.

PERCENT CHANGE LOSSES IN MSI 2006–2010: AFRICA



Data for Angola will be included in this chart in future editions once three years of data are available.

MEDIA SUSTAINABILITY INDEX 2010: PROFESSIONAL JOURNALISM

▲ Eritrea (0.45)	<ul style="list-style-type: none"> □ Djibouti (1.35) ▲ Eq. Guinea (1.11) ▼ Ethiopia (1.12) ▼ Somalia (1.25) ▲ Zimbabwe (1.40) 	<ul style="list-style-type: none"> □ Angola (1.70) ▼ Burkina Faso (1.93) □ Cameroon (1.84) ▼ Cent. Afr. Rep. (1.56) ▲ D.R. Congo (1.62) ▲ Rep. Congo (1.69) ▲ Côte d'Ivoire (1.85) ▼ Gabon (1.84) □ The Gambia (1.99) ▲ Liberia (1.96) □ Madagascar (1.68) ▼ Mali (1.81) □ Mauritania (1.51) ▼ Niger (1.73) ▼ Nigeria (2.00) ▼ Rwanda (1.70) □ Senegal (1.99) □ Sierra Leone (1.86) ▲ Sudan (1.75) ▲ Togo (1.57) ▼ Zambia (1.57) 	<ul style="list-style-type: none"> ▲ Benin (2.26) ▲ Botswana (2.37) ▼ Burundi (2.17) ▼ Chad (2.02) ▲ Ghana (2.17) □ Guinea (2.18) ▲ Kenya (2.28) □ Malawi (2.41) □ Mozambique (2.07) □ Namibia (2.20) ▲ Somaliland (2.02) □ Tanzania (2.25) ▲ Uganda (2.20) □ South Africa (2.88) 				
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 2010: PLURALITY OF NEWS SOURCES

□ Eritrea (0.24)	<ul style="list-style-type: none"> □ Eq. Guinea (0.90) ▲ Ethiopia (1.29) ▲ Zimbabwe (1.03) 	<ul style="list-style-type: none"> ▼ Burkina Faso (1.96) □ Cameroon (1.90) □ Cent. Afr. Rep. (1.85) ▲ Chad (1.98) ▼ Gabon (1.85) □ The Gambia (1.52) ▼ Madagascar (1.61) ▲ Mauritania (1.68) □ Niger (1.97) ▼ Rwanda (1.99) ▲ Somalia (1.60) ▲ Sudan (1.89) ▼ Zambia (1.76) 	<ul style="list-style-type: none"> ▲ Botswana (2.44) ▼ Burundi (2.10) ▼ D.R. Congo (2.09) ▲ Rep. Congo (2.14) □ Côte d'Ivoire (2.23) ▲ Guinea (2.42) ▲ Kenya (2.35) ▲ Liberia (2.29) ▼ Malawi (2.15) ▼ Mali (2.22) □ Namibia (2.27) □ Nigeria (2.25) ▼ Senegal (2.11) □ Sierra Leone (2.27) ▲ Somaliland (2.31) □ Tanzania (2.38) ▲ Togo (2.05) 	<ul style="list-style-type: none"> □ Benin (2.64) ▲ Ghana (2.80) □ Mozambique (2.63) ▲ South Africa (2.98) □ Uganda (2.58) 			
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 2009

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

Annual scores for 2006 through 2010 are available online at http://www.irex.org/system/files/Africa_msiscores.xls

MEDIA SUSTAINABILITY INDEX 2010: BUSINESS MANAGEMENT

		<ul style="list-style-type: none"> □ Angola (1.24) ▼ Benin (1.49) ▲ Cameroon (1.37) □ Chad (1.45) ▲ D.R. Congo (1.32) ▲ Rep. Congo (1.12) □ Djibouti (1.01) ▼ Ethiopia (1.16) ▼ Gabon (1.46) □ The Gambia (1.37) □ Cent. Afr. Rep. (0.96) ▲ Eq. Guinea (0.91) □ Somalia (0.86) □ Eritrea (0.15) 	<ul style="list-style-type: none"> ▼ Burkina Faso (1.78) □ Burundi (1.57) ▼ Côte d'Ivoire (1.85) ▲ Liberia (1.73) ▼ Madagascar (1.73) □ Mali (1.59) ▼ Niger (1.55) ▼ Rwanda (1.60) ▼ Senegal (1.69) □ Sierra Leone (1.60) ▼ Mauritania (1.21) ▼ Sudan (1.47) □ Togo (1.09) ▲ Somaliland (2.00) ▼ Zambia (1.53) ▲ Zimbabwe (1.67) 	<ul style="list-style-type: none"> □ Botswana (2.17) ▲ Ghana (2.36) ▲ Guinea (2.20) ▼ Kenya (2.42) ▲ Malawi (2.23) ▼ Mozambique (2.11) □ Namibia (2.41) ▲ Nigeria (2.14) □ Tanzania (2.28) ▲ Uganda (2.49) □ South Africa (3.08) 			
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 2009

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

Annual scores for 2006 through 2010 are available online at http://www.irex.org/system/files/Africa_msiscores.xls

MEDIA SUSTAINABILITY INDEX 2010: SUPPORTING INSTITUTIONS

				▲ Botswana (2.49)			
				□ Burundi (2.17)			
				□ Chad (2.07)			
				▲ D.R. Congo (2.12)			
			□ Angola (1.91)	□ Côte d'Ivoire (2.26)			
			▼ Cameroon (1.86)	▲ Guinea (2.42)			
			□ Cent. Afr. Rep. (1.91)	▼ Kenya (2.27)			
			▲ Rep. Congo (1.79)	□ Malawi (2.49)	▼ Benin (2.69)		
			▼ Gabon (1.76)	▼ Mali (2.05)	▼ Burkina Faso (2.54)		
			□ The Gambia (1.80)	▼ Mozambique (2.28)	▲ Ghana (2.77)		
			▼ Madagascar (1.81)	□ Niger (2.23)	▲ Liberia (2.51)		
			□ Mauritania (1.72)	□ Senegal (2.48)	□ Namibia (2.59)		
		□ Djibouti (1.13)	▼ Rwanda (1.87)	▲ Sierra Leone (2.48)	□ Nigeria (2.70)		
	□ Eq. Guinea (0.72)	▼ Somalia (1.16)	▲ Sudan (1.61)	▲ Somaliland (2.26)	▲ Tanzania (2.75)		
▲ Eritrea (0.30)	□ Ethiopia (0.89)	▼ Togo (1.31)	▼ Zimbabwe (1.54)	▲ Zambia (2.15)	□ Uganda (2.62)		
						▼ South Africa (3.12)	
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 2009

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

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Of the 40 countries studied last year, 26 moved up or down by less than a tenth of a point. The continental average remained 1.89, although Objective 2, professional journalism, edged up to 1.84 from 1.81 while Objective 4, business management, slid to 1.64 from 1.67.



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 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, 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 between seven and 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 local experts is assembled in each country, drawn from the country’s media outlets, nongovernmental organizations (NGOs), professional associations, and academic institutions. Panelists may be editors, reporters, media managers or owners, advertising and marketing specialists, lawyers, professors or teachers, or human rights observers. Additionally, panels comprise the various types of media represented in a country. The panels also include representatives from the capital city and other geographic regions, and they reflect gender, ethnic, and religious diversity as appropriate. For consistency from year to year, at least half of the previous year’s participants are included on the following year’s panel. IREX identifies and works with a local or regional organization or individual to oversee the process.

Panel participants are provided with a questionnaire that explains the objectives, indicators, and scoring system. Each panelist individually reviews the questionnaire and scores each indicator. Descriptions of each indicator explain their meaning and help organize the panelist’s thoughts. For example, the questionnaire asks the panelist to consider not only the letter of the legal framework, but its practical implementation, too. A country without a formal freedom-of-information law that enjoys customary government openness may well outperform a country that has a strong law on the books that is frequently ignored. Furthermore, the questionnaire does not single out any one type of media as more important than another; rather it directs the panelist to consider the salient types of media and to determine if an underrepresentation, if applicable, of one media type impacts the sustainability of the media sector as a whole. In this way, we capture the influence of public, private, national, local, community, and new media.

The panelists then assemble to analyze and discuss the objectives and indicators. While panelists may choose to change their scores based upon discussions, IREX does not promote consensus on scores among panelists. The panel moderator, in most cases a representative of the host-country institutional partner or a local individual, prepares a written analysis of the discussion, which is subsequently edited by IREX editorial staff. Names of the individual panelists and the partner organization or individual appear at the end of each country chapter.

IREX editorial staff review the panelists' scores, and then score the country independently of the MSI panel. This score carries the same weight as an individual panelist. The average of individual indicator scores within each objective determines the objective score, and the average of the five objectives determines the overall country score.

In some cases where conditions on the ground are such that panelists might suffer legal retribution or physical threats as a result of their participation, IREX will opt to allow some or all of the panelists and the moderator/author to remain anonymous. In severe situations, IREX does not engage panelists as such; rather the study is conducted through research and interviews with those knowledgeable of the media situation in that country. Such cases are appropriately noted in relevant chapters.

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.

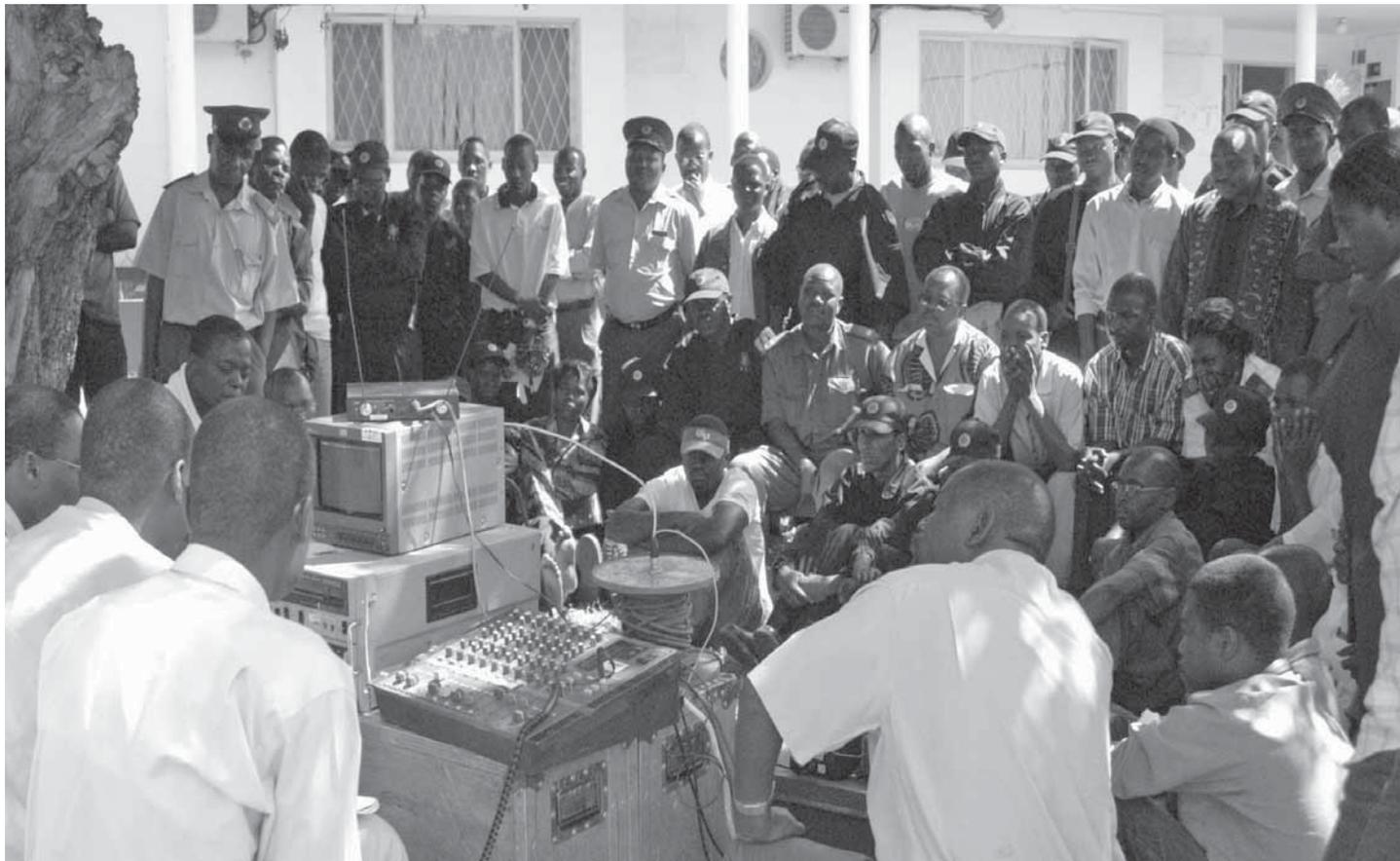
Near Sustainability (2–3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed 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

During the civil war, the media were exclusively state controlled. All private radio stations (there were about 13 in 1975), were nationalized and conglomerated into the current nationwide National Radio of Angola (RNA) in 1976.



ANGOLA

Angola attained independence on November 11, 1975 after a 14 year liberation war conducted by the National Front for the Liberation of Angola (FNLA), the People's Movement for the Liberation of Angola (MPLA), and the Union for Total Independence of Angola (UNITA), founded in 1968 by Jonas Savimbi. Immediately after independence, the country embarked on one of the most bitter and longest civil wars in Africa. The FNLA conducted armed actions in the north until 1978, when it gave up. UNITA conducted a guerrilla war throughout the country that finally forced the opening of the MPLA's communist regime in 1989. Peace accords were signed in 1991 and general elections were organized in September 1992 under the supervision of the UN. UNITA lost the elections, refused to accept the results, and went back to war.

After a two-year effort to secure peace, the UN managed to bring together the two warring parties in Lusaka where another peace deal was established. That also collapsed in December 1998 when UNITA, who in the interim managed to acquire heavy weapons from former Soviet bloc countries, launched a massive offensive aiming to seize power. The conflict ended only in February 2002 when Savimbi died in combat and UNITA surrendered. Its leadership was pardoned and allowed to take seats in the parliament and hold cabinet positions in the Government of Reconciliation and National Unity. In the second elections in 2008, UNITA was badly beaten and MPLA acquired an 82 percent majority.

The nature of Angola's media has been a reflection of these events. During the civil war, the media were exclusively state controlled. All private radio stations (there were about 13 in 1975), were nationalized and conglomerated into the current nationwide National Radio of Angola (RNA) in 1976. The last was Radio Ecclésia, owned by the Catholic Church, which followed the same fate in 1977. Approximately 15 newspapers were also nationalized; all of them were grouped into the current *Jornal de Angola*. In that context, according to Marxist-Leninist principles, the media and journalists became propaganda tools of the MPLA.

That situation persisted until 1989 when, following the gradual migration to a free market economy, the first newsweekly, *Correio da Semana*, appeared. About 15 others followed. Many of these have since disappeared, including *Imparcial Fax*, whose founder and director was shot dead at his own door in January 1995, a murder so far unpunished. That same year, arsonists attacked the weekly newspaper *Agora* in a case that remains unsolved.

Private broadcast media also began operations. In 1990 the first four private FM stations began operating, followed by the reopening of Radio Ecclésia in 1997. However, since then only Radio Mais has opened, in 2009. Only one private television station (ZTV, formerly TV Zimbo) has been licensed and is broadcasting. This relative lack of plurality, given the size of the country, is certainly one reason that Angola did not score better in this, its inaugural, MSI study.

ANGOLA AT A GLANCE

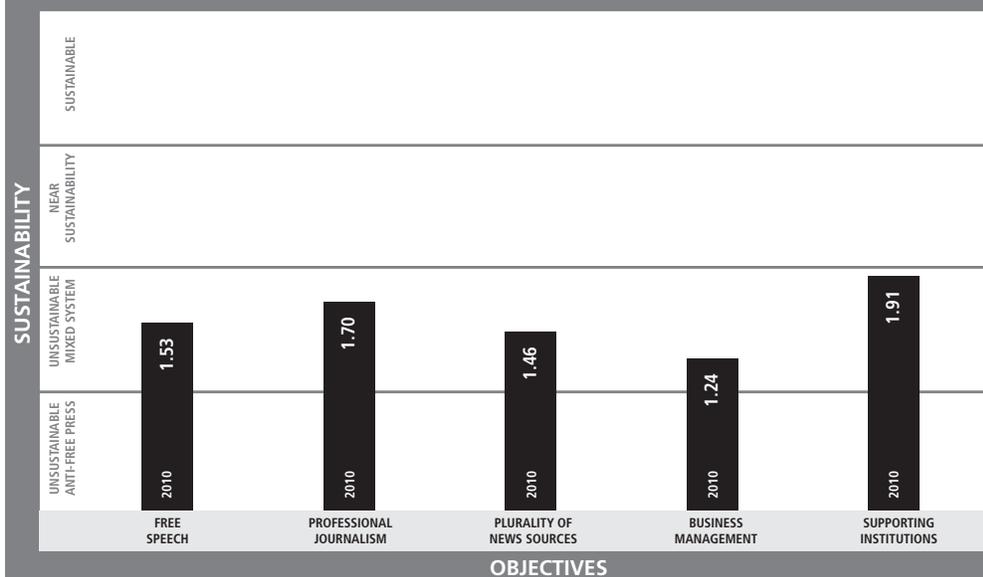
GENERAL

- > **Population:** 18,056,072 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Luanda
- > **Ethnic groups (% of population):** Ovimbundu 37%, Kimbundu 25%, Bakongo 13%, mestico (mixed European and native African) 2%, European 1%, other 22% (*CIA World Factbook*)
- > **Religions (% of population):** indigenous beliefs 47%, Roman Catholic 38%, Protestant 15% (1998 est., *CIA World Factbook*)
- > **Languages:** Portuguese (official), Bantu and other African languages (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$75.15 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$5,430 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 67.4% (male 82.9%, female 54.2%) (*CIA World Factbook*)
- > **President or top authority:** President Jose Eduardo Dos Santos (since September 21, 1979)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 12 reasonably regular newspapers (1 national daily (state-owned), 11 national private weeklies). Radio Stations: 1 state-owned with national reach and 7 private local FM stations. Television Stations: 1 state-owned with national reach and 1 private local station. Online: 2 private digital journals.
- > **Newspaper circulation statistics:** No verifiable statistics exist; *Semanário Angolense*, *Novo Jornal*, and *O País* (all privately owned) are regarded as the widest circulating newspapers
- > **Broadcast ratings:** N/A
- > **News agencies:** ANGOP Angola Press (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 606,700 (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ANGOLA



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

Angola Objective Score: 1.53

On paper, freedom of speech is widely and thoroughly safeguarded in the newly approved constitution, which came into force in February 2010; panelists felt that these safeguards are some of the most advanced in Africa. However, they equally agreed that the discrepancy between constitutional rights and reality in regards to the right to freedom of speech as practiced and protected by the authorities undermines largely the spirit of the constitution. Valentino Mateus, a correspondent for Rádio Ecclésia in Lubango, was quite candid, saying, "The Constitution of our country safeguards freedom of speech, either through freedom of speech, or through freedom of demonstrations. Yet, its application in practice has been systematically violated as reports from human rights activists can attest. Civic activists are on trial in Cabinda, and demonstrations are impeded throughout the country."

The panelists agreed generally that while theoretically anyone who wants can apply for a license to operate a media outlet, the regime exercises indirect methods to control who actually can maintain the capacity to keep them running. Those methods are basically full financial support to the public media and literally no support to the private media. Another method is channeling advertisements away from private media considered too critical, as the government is the main advertiser (it is the chief business conglomerate and largest employer).

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 licensing of the media is quite free," said Mateus. "However, that is not so in the interior of the country." Suzana Mendes, director for information at *Angolense*, added that the licensing process depends totally on the state, with no participation from any professional or civil society organization. Mário Santos, senior editor for Rádio Ecclésia, concurred and noted that there is too much political interference in the process of licensing and operation of any kind of media in the country.

The tax regime neither unfairly burdens nor provides advantages for media companies. Interestingly, panelists admitted that they do not concern themselves that much in paying their taxes. The reason they gave is that the government has pledged to help the private media either with financial subsidies or with tax and customs exemptions (media depend totally on imported materials to operate); the government has never fulfilled that pledge. Perhaps because of this the government has historically turned a blind eye to this lack of compliance on the part of media outlets.

However, what has appeared as general laxity on the part of the government may be at a close. As this report was being finalized, the government announced a deadline for all companies to regularize their tax payments or face suspension and several other sanctions. Edna Martinho, senior editor for ZTV, noted, "There is disorganization among the media companies, as nothing should justify the non-payment of the taxes." This state of affairs is not unique to private media. A recent audit of the two biggest media companies, Televisão Popular de Angola (TPA) and Rádio Nacional de Angola (RNA), revealed that they have not been paying taxes, including social security for their employees, for decades.

The year 2010 was not a safe one for Angola's journalists. A Rádio Despertar (believed to be close to UNITA) reporter, Alberto Chakussanga, was murdered in November. A month later António "Jojó" Manuel, also from Rádio Despertar, was knifed on his way home from work. Jojó's program is quite popular and often critical of the regime. Around the same time a journalist from the private ZTV was also attacked on his way home from work. Because of incidences such as these, a Reporters Without Borders report released in December 2010 called Angola "the worst Lusophone country to exercise journalism." Mendes said, "Crimes against journalists are not frequent, but when they occur are quite brutal and never investigated. By the end of last year we had the murder of Chakussanga from Rádio Despertar and so far there has not been any explanation from authorities on where the case stands."

Panelists agreed that there is heavy direct interference from the government on the editorial lines of the public media. As indicated above, public media enjoy full financing from the government and preferential access to advertising.

Libel cases are tried in criminal courts and those found guilty may be fined heavily or even imprisoned.

There was a general agreement among panelists that access to public information is not equal between public and private media. Public media representatives are invited to cover the main state activities, including presidential trips, while those from the private media seldom are. Private media coverage of presidential trips has recently been extended to private media believed to be owned by friends of the ruling party: reporters from *O País*, ZTV, and Radio Mais have been included on some recent presidential trips.

Entry into the journalism profession is free, the panelists agreed, and in practice the government imposes no licensing restrictions or special rights for journalists. Yet, draft laws that are under public discussion and will be submitted shortly to parliament propose that entrants into the field must hold a university degree in social communication or a related field or else hold a university degree in a non-related field and complete a 12-month professionalization course in journalism.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Angola Objective Score: 1.70

All panelists agreed that the level of technical performance of journalists in the country is far from adequate due to “historical reasons.” Those reasons include the lack of formal training in communication sciences for the first 30 years of Angola’s post-independence existence. The few journalists who had specific training during that time received it in Soviet-bloc countries teaching a Marxist-Leninist curriculum. Adriano de Sousa, reporter for *Semanário Angolense* and the youngest panelist, agreed with other panelists regarding the lack of technical quality in journalism, but added, “It has been improving gradually over the last years.” Luisa Rogério, senior journalist at the public and only daily *Jornal de Angola* and secretary general of the Syndicate of Journalists concurred. “There have been some improvements, and the journalists themselves have applied lots of effort to improve their training academically and professionally,” she said. “Yet there are still many shortfalls. The Press Law and the constitution itself place emphasis on the concept of public service but in practice those gaps exist,” she added.

The panelists cited insufficient pay as a major reason why news pieces produced by both public and private media journalists too often are not objective, rational, or well-founded. Panelists also generally agreed that current journalism in Angola is quite superficial. Poor pay is also the reason, panelists said, for the breaks in ethics that so often occur among journalists and other media professionals.

Panelists said the same applies to self-censorship. Strong interference from politicians in the public media, added to their capacity to control the stream of advertising—the main revenue source for private media—often persuade editors to avoid or even kill those stories that might harm the government. Rogério said, “The interference of the public powers, the ghost of self-censorship, and the fear of reprisals—denial of access to material goods and/or economic advantages—contribute to the disrespect of the standards of journalism fidelity.”

Panelists agreed that coverage of key events is neither uniform nor equal among journalists and media outlets. For example, most of the private media are not invited (and sometimes barred on the spot) from coverage of high profile state functions and events, such as presidential and parliamentary activities. These are reserved for public media who, in turn, seldom cover events of the opposition parties and civil society that may be perceived by the government as opposing them. Nateus provided some specific examples: while private media are barred from covering state events and parliamentary sessions, journalists from the public media were barred from covering March 7 demonstrations called for the opposition.

Another consensus among panelists was that journalists do not earn sufficiently well to make them immune to corruption. A panelist who asked to remain anonymous pointed out that, at best, low pay encourages lack of distinction between serving as a journalist and being for hire as a media or public relations consultant. Private media journalists say public media ones earn better salaries; public media journalists affirm this, but claim what they earn is still insufficient to cover basic needs. While there is a salary scale for journalists in the public media (as part of the general salary scale for public servants) there is no such tool for professionals in the private media.

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 panelists, like Guilhermina de Fátima, a marketer with the advertising agency Movimento in Namibe, said that in the public media there is a balance between entertainment and news, while that is not so in the private media, with the balance tipping toward entertainment. Martinho had a different opinion. In her view, entertainment in the private media, and in general, does not obscure news programs. However, the private media depend heavily on revenue from advertising; therefore programming must be attractive to the public to ensure a large audience that advertisers will be attracted to. The public media is immune to this pressure as it is fully funded by the state.

In general, the public media enjoy more modern facilities than their counterparts in the private media. Overall, though, the technology used is quite modern: most media outlets have entered the digital era.

OBJECTIVE 3: PLURALITY OF NEWS

Angola Objective Score: 1.46

The panelists agreed that Angola does not offer its citizens a full plurality of public and private news sources—in print, on the air, and online. Nationwide radio and television broadcasting is the sole domain of state broadcasters. Private radio stations only cover Luanda and a few other cities; private ZTV is only available in Luanda. While there is plurality in the print media, this again is limited largely to urban areas. Poor transportation and spotty ICT infrastructure, combined with poverty and illiteracy, in rural areas limits severely the ability of citizens in those areas to access the plurality of media sources that is available to city dwellers.

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 regional radio stations controlled by RNA play a very important role in the interior of the country, community radio stations have not been licensed to date. The explanation given by the authorities was that these must wait for the development and enactment of the Press Law, in which they are included. Nine years have passed since the law was enacted, however, and still community broadcast licenses are not considered by the government regulators.

Panelists agreed that the access to national and international media is generally unrestricted, especially now with the dissemination of satellite television dishes. They also agreed that whatever restriction that may exist in this regard has its origin in cultural, rather than political, factors. "There is a big deficit in broadcasting in local languages," explained Mendes, seconded by Martinho. Because of that, Mateus said, access to international media is higher in urban than in rural areas.

All panelists agreed that the state media do not reflect the opinion of the whole political spectrum. On the contrary, they tend to ignore certain events or distort the message of the opposition or civil society organizations understood as unfriendly to the government. Opposition parties, civil society, and the National Council of Social Communication (known by its Portuguese acronym CNCS), the body that regulates the performance of the media in the country, have repeatedly complained of this behavior exhibited by the state media. The CNCS's resolution of June 2011 was particularly adamant, appealing directly to TPA, RNA, and *Jornal de Angola* to revise their approach and grant equal treatment to all actors on the political landscape.

There is only one news agency—ANGOP—and it is state-owned. Mendes summarized the situations as follows: "Independent news agencies are non-existent; only ANGOP, which is public, and whose administration board is nominated by the minister of social communication, who in turn is nominated by the president of the republic."

However, bolstering plurality is the variety private media outlets producing their own news programs. All media outlets, public and private, produce their own news programs, and that makes the news spectrum quite wide in terms of topics covered. Yet, that independence was perceived to be at risk by all panelists. "The risk of monopolies or even oligopolies in the private media is increasingly bigger. 'Unknown owners' are now acquiring the most important private media newsweeklies, radios, and even a TV station," Mendes said. It is noteworthy that in the current Press Law, monopolies and oligopolies, as well as anonymous ownership of media companies, are forbidden. Nonetheless two anonymous cartels bought the newsweeklies *A Capital* and *Semanário Angolense* in mid 2010 and another company, Medianova, operates simultaneously a radio station (Radio Mais), ZTV, the newsweekly *O País*, and a printing company (*Damer*).

The state broadcasters offer programming in the twelve major local languages; RNA even has a channel (Radio Ngola Yetu) that broadcasts solely in local languages 24-hours-a-day. However, private media do not offer such services. There is absolutely no print media, public or private in, local languages. Panelists pointed to this as something that the media sector should rectify.

OBJECTIVE 4: BUSINESS MANAGEMENT

Angola Objective Score: 1.24

Objective 4 received the lowest score, but generated disagreement amongst the panelists. All panelists, with the exception of Mateus, believe that the independent media are not managed in a way that generates sufficient income to ensure editorial independence. Mateus supported his dissent, saying, "Taking in account that the private media are not funded by the government, they have established a relationship with advertising agencies, which ensures editorial independence." Mendes, who is the only female manager of a newsweekly, countered, "The management of the independent media is very informal and that jeopardizes the ability to access revenue." One of the panelists from the state media, who requested not to be identified, shared the opinion that state media are generally well managed.

All panelists agreed that advertising is the only source of income for the private media; sales of copies are negligible for private print media. Yet they pointed out that the advertisement market, according to one panelist, "is still very weak and not strong enough to ensure sufficient income to warrant editorial independence for the 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.

One of the panelists, who asked to remain anonymous, pointed out that religious advertising is becoming increasingly important for the financial sustainability of the private media. He gave the example of the Universal Church of God's Kingdom, founded in Brazil, which floods the private media with advertising. He also noted that the price media pay for receiving such advertising is to not criticize any of the church's activities, otherwise it pulls advertising immediately. Salas Neto, director of *Semanário Angolense*, said that this church stopped advertising in his newspaper after they published a news report the church found unflattering.

Panelists agreed that independent media do not receive any subsidy from the government, although that is provided for in the Press Law. The law also includes financial incentives such as discounted prices for paper and other essentials, but to date these have not materialized.

Panelists also agreed that there is no tradition or practice of using market research to formulate strategic plans, enhance advertising revenue, or tailor media products to the needs and interests of audiences. In the few cases where such research has been undertaken, media organizations use questionnaires, phone interviews, and other feedback systems to elicit the views of their audiences or targeted populations. But, the panelists said, that even in such cases media outlets very rarely follow through on the findings by changing content or program schedules.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Angola Objective Score: 1.91

Objective 5 received the highest score of all objectives. All the panelists felt strongly that civil society in general, and NGOs and professional associations specifically, provide useful support to all media, public and private, with an emphasis on helping private media.

The issue of trade associations was one exception: the panelists noted that they are very weak. "There is a long way to go for them to be efficient and truly represent the interests of the media people," said Martinho. "The support for the private media from trade associations is almost non-existent," agreed Santos.

All panelists agreed that there is at least one professional organization, the Syndicate of Journalists of Angola, which offers solid support to its members. Syndicate members are drawn from the ranks of both state and private media outlet staff. At one time the government-backed Union of Angolan Journalists operated as well, but it ceased operating in the early 1990s.

The Syndicate has proved to be extremely effective in its defense of the professional rights of journalists, especially

in efforts regarding the decriminalization of laws regulating journalists in the pursuit of professional activities. The panelists agreed that the situation of the media in general could be worse if not for past actions taken by the Syndicate.

Panelists also agreed that NGOs support actively freedom of speech. "There is no doubt that they lend strong support to freedom of speech by facilitating and financing airtime for controversial programs, especially on the private radios" said Mateus. Three such NGOs were mentioned in particular: a lawyers human rights organization called Free Hands (*Mãos Livres* in Portuguese), another called Association for Justice, Peace, and Democracy, and the Angolan branch of George Soros' Open Society Foundation. Two days before the panelists met, these three organizations started a campaign against a law that would criminalize certain uses of ICT tools, which had been surreptitiously approved by the parliament the week before. The bill would give security forces broad powers to search and confiscate data and create harsher penalties for activities described in existing laws (including the state secrets law and state security law) surrounding the collection and dissemination of information, photos, and videos.¹ As a result of the lobbying by these NGOs, the ruling party was compelled to withdraw the law from further discussion.

There were no graduate-level courses in Journalism or Social Communication between Angola's independence in 1975 and 2002, when the Private University of Angola started the first program. Currently, three more have followed suit, including the Faculty of Literacy and Social Sciences at the public university. Panelists disagreed on the quality of those graduate programs. Martinho, herself a graduate from one of

the universities, said that the quality is acceptable; Mendes, who also graduated with distinction from another program, said courses could benefit from more practical, hands-on training. "They are very theoretical," she complained.

Panelists agreed in general that short-term professionalization courses are of good quality and ensure that all those who did not attend journalism and/or social communication universities supplement their on-the-job training with formal journalism training. Panelists mentioned the Center of Training of Journalists (part of the Ministry of Social Communication) as the leading institution in this regard, ensuring that at least some training was available during the years the country did not have university training.

Panelists had complaints about the state of the printing industry. "[Printing companies] are too few, only three for more than 10 weekly newspapers plus their other [non-media] clients," said Mendes. Martinho agreed: "They are too few to give solid support to the media," she said. Another complaint from the panelists is that the private newspapers circulate almost exclusively in Luanda and a few provinces along the coast. In addition to logistical and geographical obstacles, there are consistent and recurrent reports of authorities in the provinces of the interior blocking the circulation of print media in the territories under their jurisdiction.

List of Panel Participants

Suzana Mendes, director for information, *Angolense*, Luanda

Luisa Rogério, senior reporter, *Jornal de Angola*; secretary-general of the Syndicate of Journalists of Angola, Luanda

Salas Neto, director, *Semanário Angolense*, Luanda

Mário Santos, senior editor, Radio Eclézia, Luanda

Edna Martinho, senior editor, ZTV, Luanda

Guilhermina de Fátima, marketer, Movimento advertising agency, Namibe

Adriano de Sousa, reporter, *Semanário Angolense*, Luanda

Valentino Mateus, correspondent, Radio Eclézia, Lubango

Amor de Fátima Mateus, freelance journalist and media adviser, Luanda

Two additional panelists participated only on condition of anonymity.

Moderator and Author

Celso Malavoloneke, deputy head, Department of Social Communication and International Relations, Private University of Angola, Luanda

¹ "Angola: Withdraw Cybercrime Bill." Human Rights Watch website, May 13, 2011. Available at: <http://www.hrw.org/news/2011/05/13/angola-withdraw-cybercrime-bill>

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.

Although the sudden shutdown of RFI was a setback, it also elicited a sharp response from the media community, and the authorities realized fairly quickly that there is a line in the sand that they must not cross.



BENIN

B

Benin is a country where crimes against journalists are rare, no journalists were jailed in 2010, and the laws generally support a free press, Benin's media enjoy some securities that have eluded many of its West African neighbors. Yet stubborn challenges persist, revealing a government fearful of losing control over the media, and a disconnect between the laws and reality for journalists on the ground. In radio and television, the status quo remains: the government continues to block the Audio-Visual and Communication High Authority (known by its French acronym HAAC) from allocating any new frequencies. Widespread self-censorship, corruption, poor professionalism, and a lack of attention to media management also hold back the media.

In perhaps its most brazen attempt to control the media, in August 2010 the government shut down Radio France Internationale (RFI) for 14 hours and interrogated its correspondent following a news report covering parliament's request to charge President Boni Yayi with abuse of authority and perjury amid corruption allegations. Although the sudden shutdown of RFI was a setback, it also elicited a sharp response from the media community, and the authorities realized fairly quickly that there is a line in the sand that they must not cross.

Complaints against the public media sector underscored by last year's MSI continue. Many public sector journalists try to provide high-quality service, but the MSI panelists said that national television has "sold out," content to let the executive branch of government appoint its leaders and steer its editorial direction. Complaints from opposition political parties to HAAC have failed, although the HAAC has attempted to bring those in charge of national television into line.

Despite this rather gloomy picture, freedom of speech is broadly guaranteed in Benin, particularly thanks to the private media, which ensure the availability of a steady stream of news sources and viewpoints—at least in the major urban centers. Benin's supporting institutions, especially professional associations, continue to gain strength as well, increasing their capacity to improve prospects for a more sustainable media.

BENIN AT A GLANCE

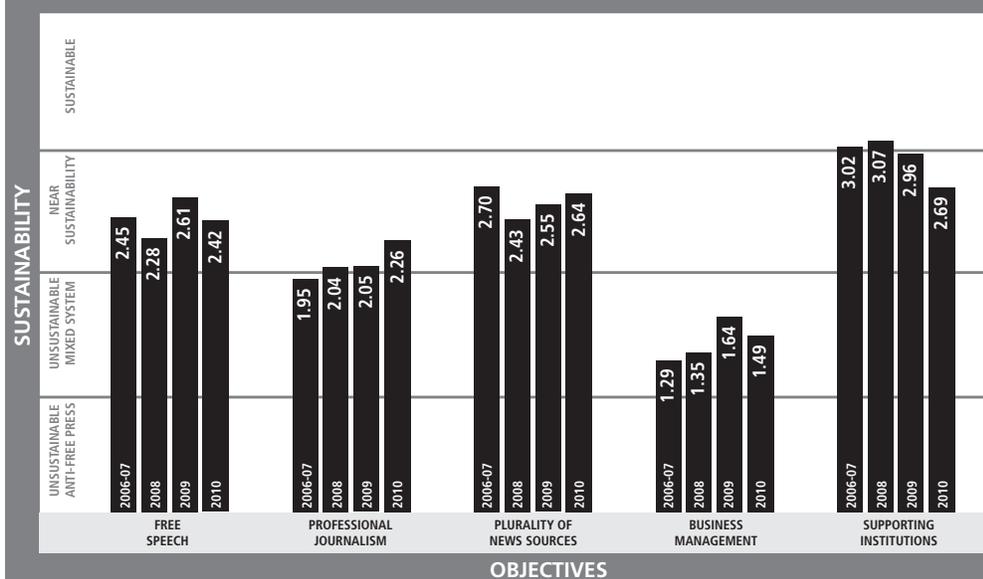
GENERAL

- > **Population:** 9,325,032 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Porto-Novo
- > **Ethnic groups (% of population):** Fon and related 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 (2010-Atlas):** \$6.945 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,510 (World Bank Development Indicators, 2011)
- > **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 Stations: 73; Television Stations: 5, including 1 public channel
- > **Newspaper circulation statistics:** Top newspapers by circulation: *La Nation* (state-owned), *Gazette du Golfe* (privately-owned)
- > **Broadcast ratings:** Top three radio stations: National Radio (state-owned), Golfe FM (privately-owned), Capp FM; Top three television stations: National Television (public channel), Canal3 (privately-owned), Golfe TV (privately-owned)
- > **News agencies:** Agence Bénin Presse (state-owned), Agence de Presse Médiane Afrique (privately-owned), Agence Proximités (privately-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 200,100 (2009 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: 2.42

Articles 23 and 24 of the Constitution of Benin, along with certain provisions of the organic law of the Audio-Visual and Communication High Authority (known by its French acronym, HAAC¹), expressly guarantee and protect the inalienable right to freedom of speech.

The panelists were unanimous that the legal environment in Benin is favorable to freedom of speech. Célestin Akpovo, a journalist, law professor, HAAC councilor, and former chair of the Beninese Union of Independent Journalists (UJIB), stressed that legal and social norms protect and favor the freedom of the press, but still ought to be strengthened to ensure more effective protection. Bruno Houessou, communications manager for Social Watch Benin, noted that although there are provisions in the constitution that protect the freedom of speech, the government fails to respect the laws.

The issue of licensing fueled much discussion: some panelists followed Armand Covi, director of Radio Benin Culture, in considering the granting of licenses to the broadcast media to be fair, competitive, and apolitical, but others expressed the view that it was not at all so in reality. Houessou commented that the government appears set against allocating radio frequencies, despite the existence of HAAC, the regulatory body.

¹ Haute Autorité de l'Audio Visuel et de la Communication

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 question of ease of market entry particularly stirred the press owners on the panel. They pointed to differences in the treatment of print media and broadcast media; the latter are required to pay annual license fees to the government. The owners also described their efforts to reduce taxes paid by press businesses struggling to stay afloat.

Beninese journalists practice with little fear of violence; there continue to be virtually no reports of crimes against journalists. The few chance attacks by vandals are controlled quickly, and police brutality at official events has grown rare. In the past, such instances, generally associated with street demonstrations, always provoked an automatic protest from the professional associations.

The panelists noted that since the current regime came to power, the public media have continued to enjoy certain privileges; the price is editorial influence by the government. The panelists pointed to flagrant discrimination, particularly with favoritism of the Beninese Radio and Television (ORTB), and national television in particular. For example, as noted in last year's MSI, the public television channel received huge subsidies (in one year, amounting to CFA 8 billion (\$16 million) whereas the rest receive only CFA 350 million (\$700,000). Additionally, opposition politicians complain that ORTB covers their activities far less than the ruling party.

Although, as noted earlier, no Beninese journalists were arrested and thrown into jail in 2010, Benin's libel laws keep the possibility open. Libel is still a criminal law matter punishable by prison or heavy fines. Worse, in a complicated evidentiary procedure, the burden of proof rests on accused journalists who must collect evidence for their defense in seven days. These facets make libel a difficult and complex issue in Benin. First, the period of seven days is too short for defendants to collect their evidence. Furthermore, after a criminal conviction, journalists face the likelihood of heavy fines. The panelists noted that the new press code, pending adoption, made no counter-proposal to reverse the trend: that aspect of procedure is to remain exactly the same after the new code is adopted. However, although legal complaints against media personnel continue, the courts exhibit greater reluctance to send journalists to prison.

Access to public information is notoriously challenging for journalists; the panelists feel that the authorities are determined to screen information to prevent the release of anything unflattering. Unfortunately, Benin still lacks a law to regulate and ensure better access.

Beninese journalists do have access to a variety of news sources, particularly international news. With the Internet, they can tap international press agency websites with ease. However, some panelists commented that not all media outlets have room in their budgets for Internet access, particularly up country.

Although there is no law restricting access to the journalism profession, there are criteria to establish whether people are considered true journalists. HAAC, for example, handed down an exhaustive list of criteria that media professionals must meet to receive a press card.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Benin Objective Score: 2.26

In Benin, the authorities, associations of media professionals, and development partners work to promote standards of professional quality within the press, deploying capacity-building measures and technical training aimed at reducing complaints levied against journalists.

Journalists tend to be motivated by the desire to please someone, panelists observed. This sometimes leads them to stoop to broadcasting or publishing one-sided stories, without taking the trouble to gather all the relevant evidence or to seek sources to round out the other side of the story. The result is frequent reporting that is neither fair, objective, nor well documented. Furthermore, all too often, journalists are just out to collect their per diems, giving their best only when they are full-time, regularly paid employees.

In Benin, the Observatory for Professional Ethics in the Media (ODEM) regulates media ethics. Nevertheless, ethical lapses continue. For many of the panelists, working conditions and the economic strain on press businesses negatively impact

journalists' professional objectivity, and create the conditions for ethical standards to slide.

Self-censorship continues to be an entrenched practice among journalists. Journalists who want to avoid provoking their superiors often try to avoid publishing articles that could damage their employer's relations with certain political or business circles. As Covi put it, self-censorship is regularly practiced in Benin because a majority of press outlets are controlled by the financially and politically powerful.

Some issues, such as those that relate to national defense, public safety, or pending court cases, are subject to legal restrictions. Journalists must exercise professional prudence and discretion to cover these sensitive topics. Otherwise, journalists generally cover major events and issues in the news.

In the private sector media, the very low wages, coupled with the lack of proper contracts, are seen as incitements to corruption. To get the coverage they hope for, event organizers pay transport costs and per diems to journalists from local media, which then broadcast the information or publish it in their newspapers. To make ends meet, some journalists accept money to lend their byline to articles handed to them by politicians.

Although the broadcast media adhere to fairly specific schedules for news programming, the total time allotted on air for news is far lower than airtime devoted to entertainment programming. Proportionally, out of every 24 hours of airtime, news programs and bulletins fill less than a third; entertainment shows flood the rest of the schedule, not unlike the print sector, where tabloids crowd out serious newspapers.

For the print media, the quality of equipment has improved. However, serious problems continue in radio and television, painfully apparent by the picture quality displayed on televisions. Additionally, many radio stations still use dreadfully outdated analog recording equipment, which diminishes the sound quality of broadcasts. While media outlets make notable efforts to offer quality productions, production quality is inextricably linked to the availability of the necessary material and human resources.

As noted in previous MSI studies, the state broadcast media acknowledge all of the country's ethnic groups in their programming. Private and community radio stations focus on producing material of interest to ethnic groups living within their coverage area.

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

Benin Objective Score: 2.64

Radio continues to be the principal source for news, especially in rural areas. News media are concentrated in the major urban centers. Although in the cities you do not have to look far for private newspapers, private print media rarely reach rural residents, given the underdeveloped press distribution services. Local radio stations fill this vacuum, passing on the news published by the newspapers.

No official restrictions hamper citizens' access to domestic or international radio, television, or print media. Access to the Internet is free from restrictions as well, but given the costs associated with Internet access and computer equipment, very few people can tap this source of news.

The public service media are tantamount to government media, given the powerful influence of the executive branch on their operations and content. The panelists all maintained that the public or state media suffer from this influence, especially as the government names officials overseeing the media. Additionally, more airtime is devoted to the activities and points of view of the government than those of the opposition parties or non-political organizations. Nevertheless, apart from state media officials who seek to please the government with biased reportage and comment, there are a few journalists who try to make the state-sponsored media live up to their public service obligations.

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.

Currently, there are three private news agencies: Médiante Afrique, Proximités, and Sud Presse, which, failing to make their traditional services profitable, are investing in secondary activities such as training, studies, and research. Newspapers, with sluggish sales, cannot afford the services of press agencies, but make abundant use of the information available on the Internet.

To compete in the sharply competitive radio environment, private radio stations do create original productions for their audiences, but such productions cannot compete with national radio programming in terms of quality.

In Benin, the sources of finance behind the media are difficult to pinpoint. Figureheads front media outlets while the real owners are shielded from the public, preventing the public from judging the objectivity of the news put out by those media. Sometimes, politicians or businessmen use the media to protect their interests, leading them to undue influence on the editorial content, flouting the rules that govern the journalism profession.

Apart from a few local restrictions, most social interests are represented in the media. Alongside the local radio stations (cultural radio, faith-based radio, etc.), there are specialized print media (company newspapers, student press, sports and cultural press, religious media and so on) that cater to various interests.

OBJECTIVE 4: BUSINESS MANAGEMENT

Benin Objective Score: 1.49

Business management continues to be a weakness for Beninese press outlets. Most press enterprises are structured poorly and managed badly, and are largely unprofitable. In the absence of business plans, accounting services are often lumped in with sales and administrative services, handled by inadequately trained personnel.

Media revenues come from sales (for the newspapers), advertising, and media campaigns. The panelists were unanimous that revenue made by press enterprises pales in comparison to sales figures of other businesses. Among the community media, the situation is so strained that at times local governments have stepped in to provide infusions of financial support. Panelists noted that this might also be intended to guard against unwelcome coverage of the mayor's activities.

Apart from three or four dailies that rely on sales and subscriptions of their newspapers to boost their income, advertising remains the major source of revenue for most media. There is one noteworthy exception: *La Nation* boasted

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.

better sales figures (thanks to all government services holding at least one subscription), and it served as the newspaper for legal announcements to compensate for the irregularity of the state-run *Official Journal*.

As for advertising, the sector is badly organized, only benefiting a small number of press outlets. Yet, as noted in last year's MSI, the pages of the handful of newspapers that receive disproportionate shares of advertising are overflowing with advertisements, crowding out news. The panelists explained that given the disorderliness of the advertising market, each press business negotiates directly with businesses interested in placing advertisements. The panelists repeated calls for a regulatory agency capable of mobilizing and managing advertising opportunities.

The panelists noted that independent media receive an annual subsidy from the government, but they are more concerned with the unfairness of the allocation process rather than the possibility that the funds could undermine media objectivity. The panelists criticized the selective allocation of the funds by the HAAC.

Few of the media recognize the value of prospective market research. Instead, program planning and positioning is done instinctually. Press owners seemingly prefer to manage on a day-to-day basis without innovation or differentiation in the presentation of products. Little except the titles set apart many newspapers, which are strikingly similar graphically.

In radio and television, program listings differ hardly at all: news bulletins air at the same time, interactive programs resemble each other, and broadcasts of major debates present nearly the same format. Only the tone changes, and picture

quality differs simply because of the different technical equipment used.

There are no reliable statistics to guide the media sector, either. The circulation and sales figures provided by each press enterprise appear to shift to fit the purpose of the person requesting the data.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Benin Objective Score: 2.69

The structure and organization of professional associations related to the press continues to improve, and these associations also enjoy advocacy support from civil society organizations.

Back in 2002, after a plenary meeting of the Beninese press, the publishers and press magnates merged into a single association. It organized training opportunities for its members, and also went to bat to help level the economic playing field for the press, lowering taxes and levies, creating a central procurement service, setting up an advertising brokering agency, and getting a law on advertising passed. All of these moves aimed to put an end to economic dependency and improve the performance of press enterprises.

Journalists and other media professionals were also organized, after the plenary meeting, into a single umbrella union that acted independently of management and government. The union has specialized departments, each responsible for a certain area of the media: economics, parliament, politics, environment, and so on. Regional representatives of the union serve professionals in all regions

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- > 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.

of the country. Over the past few years, it has mobilized to support journalists in difficulty, whether in prison, facing trial or other battles.

Civil society organizations provide visible support to the defense of press freedom, but they remain focused primarily on the major urban centers. For example, back in 2008, Human Rights, Peace, and Development reported on the negative effects of government contracts with the media. La Maison des Médias du Bénin has also worked to promote press freedom and solidarity among media professionals, and offers training opportunities for media professionals.

A few private colleges provide journalism training, such as the Centre Africain de Formation et de Perfectionnement des Journalistes, and the University of Benin is set to open a school of journalism in October 2011. One program even offers a master's degree in media management, and since 2009, a government scholarship program has supported training for 40 working journalists, from all types of media, at a local institution. Yet, as they are still relatively new to the scene, the journalism colleges are not drawing large numbers of students, because of high tuition.

Several supplementary professional training opportunities are available for the media, as well. Sessions on editorial techniques and specialized reporting are the most commonly offered programs, typically funded by international institutions and the Beninese government. Training opportunities offered by HAAC tend to be more structured and methodical; they are generally offered every other year.

The printing and distribution aspect of media enterprises remains free and independent. The newspapers use printing facilities that are independently managed, and are under no government restrictions. In Benin, around 10 newspapers have had their own print shops for some time now, further bolstering their independence.

The existing distribution and broadcasting channels are apolitical, and are run by the private sector. Distribution of the print press is still in the embryonic stage, though; a press distribution company still needs to be organized to provide timelier distribution of newspapers up country. Although the major urban centers are well served, rural areas have very limited access to newspapers. The same limitations apply for the Internet, which is not used very widely yet because the accompanying infrastructure—electrical power, computer, telephone lines—remain underdeveloped outside of the major cities. Private operators provide Internet access.

List of Panel Participants

Emérico Adjovi, journalist; former secretary general, Beninese Media Management Council, Cotonou

Alain Zanou Adoun, editor, *Le Choix*, Cotonou

Célestin Akpovo, counselor, High Authority for Audiovisual and Communication, Cotonou

Georgette Akuesson, member, Supporters of Cotonou Radio Stations, Cotonou

Akuété Assevi, general director, National Office of Press Editors; editor of *La Nation*, Cotonou

Filbert Toïdé Béhanzin, lawyer, Beninese Civil Society Platform, Cotonou

Armand Covi, director, Radio Bénin Culture, Porto Novo

Wilfrid Gbegan, station manager, Sèdohoun Alodalomè of Agbotagon, Toffo

Bruno Houessou, communications manager, Social Watch Benin, Cotonou

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

Marie Richard Magnidet, journalist and manager, *La Presse du Jour*; president, Observatory for Deontology and Ethics in the Media, Cotonou

Moderator and Author

Clément Adechien, journalist and manager, *L'Informateur*; vice-president, Beninese Media Management Council, Cotonou

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

The passage of the MPA prompted local civil-society and media organizations to form an umbrella organization, aptly named the Coalition for the Freedom of Expression (COFEX), in 2009 to lobby for media rights.



BOTSWANA

P

President Ian Khama of the ruling Botswana Democratic Party (BDP) won the parliamentary elections held in October 2009, a process that completed his succession to former president Festus Mogae. Although the BDP won 53.26 percent of the popular vote, various local media report that the ruling party is beset with deep factional rivalries, and its poor relations with the private media are believed to weaken its support. The government's 2009 decision to place the Ministry of Communications, Science, and Technology under the Office of the President, and the Media Practitioners Act (MPA), ushered in at the end of 2008, did not help to improve government-media relations.

While Botswana's constitution guarantees the freedom of expression, it is subject to limitations by statutes such as the Directorate of Corruption and Economic Crime Act, the Botswana Defense Force Act (BDF), and the National Security Act (NSA), along with the MPA. Furthermore, access to public information remains contentious. "There is no access to information legislation, and access to some types of information is often denied under the guise of national security," said Gladys Ramadi, a broadcasting specialist at the MISA Regional Secretariat. Along with the government's attempts to financially undercut the private media, hindering their access to advertising revenue, some MSI panelists question whether principles of a free press have been infused into modern public administration. And yet, despite these obstacles, Botswana's social norms promote and guarantee free speech, attested by the Tswana adages that translate to "everyone has the right to express his mind and thoughts freely."

Furthermore, the media community and civil-society organizations are not taking the legal attacks on press freedom lightly. The passage of the MPA prompted local civil-society and media organizations to form an umbrella organization, aptly named the Coalition for the Freedom of Expression (COFEX), in 2009 to lobby for media rights. In August 2010, the group filed a petition with the country's High Court challenging the constitutionality of the MPA.

Still, given the existence of draconian laws and uncertainty surrounding the MPA, MSI scores for Objective 1 (freedom of speech) declined. Objective 2 (professional standards of journalism) scores increased slightly, indicating that efforts were being made by local media to remain professional despite the punitive media legislative environment. Objective 3 (media plurality) scores also increased, while Objective 4 (business management) scores remained roughly the same despite concerns over the threat of emerging concentration of private media ownership in Botswana. Objective 5 (supporting institutions) increased to 2.49 compared with 2.28 in the previous period, reflecting the panelists' recognition that more NGOs have stepped up to work with Media Institute for Southern Africa (MISA) Botswana to challenge anti-media laws and practices.

BOTSWANA AT A GLANCE

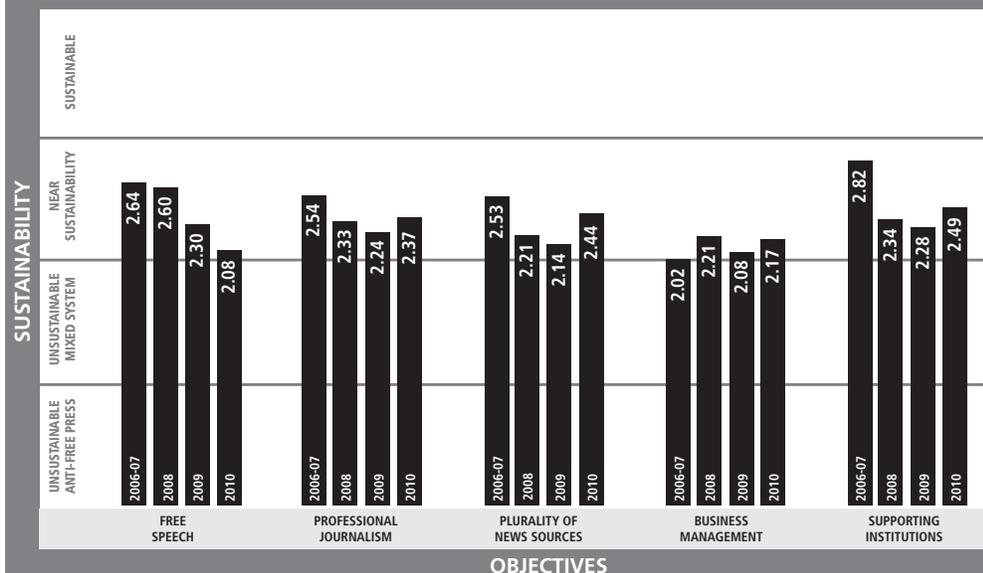
GENERAL

- > **Population:** 2,065,398 (July 2011 est., *CIA World Factbook*).
- > **Capital city:** Gaborone
- > **Ethnic groups (percent of population):** Tswana (or Setswana) 79%, Kalanga 11%, Basarwa 3%, other, including Kgalagadi and white 7% (*CIA World Factbook*).
- > **Religions (percent of population):** Christian 71.6%, Badimo 6%, other 1.4%, unspecified 0.4%, none 20.6% (2001 census, *CIA World Factbook*)
- > **Languages (percent 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 (2009-Atlas):** \$13.63 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$13,910 (World Bank Development Indicators, 2011)
- > **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. 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% of the population has access to national (state-owned) radio. Broadcast dominated by state-owned BTV.
- > **News agencies:** Botswana Press Agency (BOPA) (State-owned)
- > **Annual advertising revenue in media sector:** Approximately \$45 million (MSI panelists).
- > **Internet usage:** 120,000 (2009 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.

OBJECTIVE 1: FREEDOM OF SPEECH

Botswana Objective Score: 2.08

At 2.08, Objective 1 (freedom of speech) scored below average, with the panelists agreeing that concern lingers over a number of legal restrictions and exemptions that limit freedom of expression. While Botswana continues to enjoy the general guarantees for freedom of expression in the constitution, restrictions continue under the guise of national security, protection of human rights, protection of public order, and protection of the freedom of civil servants to perform their duties. As Bonolo Dinokopila, an attorney with the Botswana National Front, pointed out, "The statutes that limit the freedom of expression are not only limited to the Directorate of Corruption and Economic Crime Act, the BDF Act, the National Security Act, and the Public Health Act, but of late include the Directorate of Intelligence and Security Services (DISS) as well." The DISS is an intelligence agency with the power to make arrests without warrants if the agency suspects a person has committed or is about to commit a crime.

The consensus established among the panelists was that the constitution poorly protects the freedom of speech and the press, especially given the government's introduction of the MPA. The panelists expressed concern over the compulsory registration of journalists living in Botswana mandated by the MPA and said the MPA undermines efforts toward a

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.

As Ramadi pointed out, "The existing broadcasting regulator is not independent from government, and the licensing procedures are controlled by the minister of the day."

self-regulatory system by the media, among other restrictions. As John Churu, editor of *Business Diary*, noted, "Freedom of expression, which has been rated high over the years in Botswana, has been increasingly restricted in the last two years following the government's passage of the Media Practitioners Act." Some NGOs, including the MISA, have joined the independent media and opposition members in criticizing the Act for restricting press freedom, especially because the government passed it without either debate or consultations with stakeholders.

Discussing Indicator 2 (broadcast licensing), the panelists feel that the challenges to license public broadcasting remain. The government continues to dominate domestic broadcasting, as it controls the state media. The view held by most participants is that media licensing is still politically driven and at times seems aimed at limiting the freedom of the press, despite the presence of the National Broadcasting Authority. As Ramadi pointed out, "The existing broadcasting regulator is not independent from government, and the licensing procedures are controlled by the minister of the day." She added, "The government refuses to license community radio stations for reasons it alone knows. In a country where the population is widely dispersed and government media have the largest reach, community media are essential to build awareness around development and strengthen democracy."

However, panelist Dikarabo Ramadubu, head of the investigation desk at the *Botswana Guardian* and *Midweek Sun*, opposed this view, saying, "Despite the poor score, the broadcast media are the nascent industry in the country." He went on to argue that the processes of licensing of operators are free and fair as well as competitive," adding that "competitive bidding and tendering is strictly enforced. The law encourages citizen ownership by guaranteeing citizens majority shareholding."

In other licensing developments, panelists noted that by the end of 2009, no licenses had been withdrawn, while the first ever community broadcast initiative, the Naledi Community Media, was still under test transmission since its launch in 2008. The local, privately owned Yarona FM, Gabz FM, and Duma FM had expanded their broadcasts from Gaborone to cover most of the major towns, such as Francistown.

Regarding market entry, the panelists were unanimous that Botswana offers no special privileges to media operators; all are bound by the same tax regime, under Botswana Unified Revenue Services (BURS), as any other industry. Media owners are free to engage in peaceful business activities, without undue pressure, like any other business. The overall mandate of the BURS is to assess and collect taxes on behalf of the government, as well as to take appropriate measures to counteract tax evasion on the one hand and to improve taxpayer services on the other.

Harassment of journalists persists. Most crimes mentioned by panelists involved assault, threats, and verbal abuse; for example, publications such as the *Sunday Standard* have been summoned to court and at times restrained from covering court cases. Regrettably, according to the panelists, these incidents are not prosecuted vigorously, nor do they cause public outrage. Trials in the civil courts are public, although trials under the National Security Act may be held in secret.

State-owned media generally feature uncritical reporting on the government and are susceptible to political interference. As Maungo Mooki, director of the NGO Childline, observed, "When the opposition political parties complain that they are not getting enough coverage, the state media always explain that according to their editorial position, cabinet ministers, the president, and his deputy are given priority." Back in July 2007, the minister of communications, science, and technology stated that the licenses of journalists who did not report "correctly" would be withdrawn. The introduction of MPA soon after, in 2008, which strives to regulate journalists' conduct, reinforced this sentiment. The panelists took this as a threat to private media. Generally, concern is growing that the state wants to gag the private media, under the guise that they publish falsehoods. "Some publications in the last year, such as the *Sunday Standard*, have been summoned to court and at times blocked from covering court cases," commented Churu. Furthermore, noted Chapelo Ndlovu, director of the MISA Botswana National Chapter, state-controlled media dominate the market.

The panelists also recalled President Khama's inaugural speech on April 1, 2009, which referred to the need for "discipline" in the media. To most panelists, these thinly veiled warnings seriously compromise editorial independence and make it very difficult for private media to write solid stories.

Although the panelists noted that libel is criminalized, it is rare for journalists to be imprisoned for such violations. According to Dinokopila, "The law puts the burden of proof of libel on the complainant, and the journalist only has to prove beyond reasonable doubt that his/her report was in the public interest." Despite this, he added, "In civil proceedings, the courts continue to order newspapers to pay hefty sums in

defamation suits, as at times the reports cannot be classified as in the public interest." Defendants have the right to be present and consult with an attorney in a timely manner, but the state provides an attorney in capital cases.

As for the indicator measuring access to public information, panelists cited the government's ongoing restrictions in handing out low scores. The government relies on laws, including the National Security Act of 1986 and the Directorate of Corruption and Economic Crime Act of 1994, to prevent journalists from reporting on subjects under investigation until a case reaches the courts or investigations are concluded.

"The government is notorious for classifying information," noted Ndlovu. "It was sometimes more difficult for private media organizations to obtain access to government-held information, despite the introduction of public-relations officers in government ministries," he added. In the past year, lobbying efforts to improve access to information have remained low-key. Some panelists argued that these lobbying efforts have been mostly confined to commemorative days, such as Press Freedom Day, or through project support led by the MISA Botswana National Chapter. Yet the importance of access to information in Botswana, as in any other democracy, is unquestionable. The panelists were unanimous that better information access not only would improve reporting and protect whistleblowers, but also would mitigate the effects of the State Secrecy Act by shortening the time that state secrets are kept outside the public domain.

The panelists agreed that Internet access is unrestricted in Botswana. Individuals and groups can engage in the peaceful expression of views via the Internet, including via e-mail. However, they feel that media outlets have restricted access to international news and news sources via mobile telephones under the BDF Act; in 2009, the Botswana Telecommunications Authority demanded the registration of all cell phone SIM cards, including those of visitors. Those who fail to register risk losing their access to the mobile-phone services. In addition, under the Police Act, law enforcement officials monitor communication made via landlines and cellular telephones.

The panelists delivered fairly low scores on the questions of entry into the journalism profession, following changes brought by the onset of the MPA in 2008. Under the terms of the MPA, all are not free to practice, even if they meet standards agreed to by the profession. With the MPA, the government has effectively empowered the minister in charge of communications and information to define who is a journalist. To most of the panelists, this is just another way that the MPA threatens freedom of expression by any individual.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Botswana Objective Score: 2.37

The panelists unanimously argued that journalists in Botswana do meet professional standards of quality. Except for indicator 5 (pay levels for journalists are high enough to discourage corruption), which scored the lowest, and indicator 3 (self-censorship) the rest of the indicators scored above 2.00 points. Indicator 2 (ethical standards in journalism) fared the best, but still scored with a half-point of the objective score.

Weighing indicator 1 (reporting is fair, objective, and well-sourced), some panelists took the view that litigation against the media has become a fad in society—frequently following mere sloppiness on the part of journalists who fail to double-check their facts. The rush to meet newspaper deadlines and the lack of proper supervision create room for lackluster reporting. “Journalists rush for a deadline and fail to check their information. This often leads to lawsuits that could have been avoided,” said panelist Kabo Mokgoabone, a reporter with the *Sunday Standard*.

While the high scores for the related indicator indicate that journalists in Botswana adhere to ethical standards, there is room for improvement, as Dikarabo added, “The most pressing concern is the need to upgrade the skills and technical abilities of journalists to adhere to internationally accepted standards and professional ethics.” Ndlovu said that while the media operate within a code of ethics, their operations are compromised by lack of capacity. Panelists affirmed, however, that the continued development of

“The quality of news reporting has increased in that the newspapers are able to cover stories that are of importance to the public, such as the recent Masire/De Beers saga and other stories,” said Dinokopila.

the degree program at the Department of Media Studies at the University of Botswana is helping to improve the professionalism of media reporting in Botswana.

The indicator measuring self-censorship scored far lower. Regarding private media, the panelists feel that generally, these media express a wide variety of views; however, they are sometimes subject to pressure from the government to portray government, and the country, in a positive light. Gwerevende Hamufari, owner and editor of *Business Diary*, pointed out, “The problem is that the private media depend on government advertising, compromising editorial independence.” Hamufari’s comment draws attention to the sentiment of most media companies that government-owned enterprises reduce their advertising in reaction to critical reporting. Panelists attributed this long-held view to local newspapers’ heavy dependence on government advertising support, which is centrally controlled by the Botswana Government Communication Information System (BGIS). Nevertheless, individuals, including journalists, can generally criticize the government publicly or privately without reprisal. However, the government occasionally censors stories that it deems objectionable, and government journalists sometimes practice self-censorship.

Notwithstanding the above, discussions of indicator 4 (journalists cover key events and issues) revealed some optimism. “The quality of news reporting has increased in that the newspapers are able to cover stories that are of importance to the public, such as the recent Masire/De Beers saga and other stories,” said Dinokopila. In the Masire/De Beers saga, former president Ketumile Masire admitted that he received financial assistance from De Beers to stay in power.

However, concerns remain about the need for niche reporting and investigative journalism. Panelists were unanimous that the stories are made and killed by the media before their full coverage. “Reporting is not done in a manner that sees a story covered to its end,” commented Dinokopila. The state media have been accused of acting in concert with government to the extent of excluding critical information, making it difficult for private media to prove otherwise.

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).

"[This] deprives rural communities of independent voices from the private media," pointed out Mokgoabone.

Indicator 5 (pay levels for journalists) performed poorly again. Seasoned journalists, panelists said, have left the private media over the past year for both state institutions and the private sector. Paltry remuneration and the prevalent lack of security in private media—both electronic and print—make journalists vulnerable to various external pressures. For example, "The private media lost Bashi Letsididi to the Office of the President. Award-winning sports writer Letshwiti joined the Ministry of Trade and Industry as a public-relations officer, and Moabi Phia, a reputable journalist for the *Botswana Guardian* and *Midweek Sun* newspapers and the national correspondent for Reuter's news agency, joined the parastatal Botswana Export Development and Investment Agency (BEDIA)," noted panelist Sello Motseta, editor of *The Tswana Times*. Ramadi added, "It is no wonder there is a lot of brain drain from the private media to the public-relations field. Pay levels for journalists in the private media remain low compared to government." Arguably, salaries for journalists in Botswana are estimated to be based mostly on comparable industry salary levels, between \$750 and \$2,000 per month. Yet over time in Botswana, most private media institutions have struggled to survive and keep up with payrolls due to inadequate financial cash flow.

As last year's MSI panelists underlined, the entertainment-to-news ratio has traditionally been considered a strength of Botswana's media—especially radio. Radio stations air news every hour in both Setswana and English, along with coverage of current affairs, call-in interactive programs, and sports as well as entertainment and local music.

Another strength is the facilities and equipment used by the media, which panelists consider adequately modern and efficient. As previous panels have noted, growth in the country's communication and technology sector have positively impacted the media's technical capacity.

As noted above, the panelists expressed concern that niche reporting and investigative reporting need to be strengthened, as many stories are killed before investigations are seen to completion. As reported in previous MSI studies, journalists need more specialized training to cover business, health, and other news beats. However, there are a number of local magazines in Botswana that center on specific topics, particularly *Hotel and Tourism*, the environmentally focused *Wena*, the youth publication *Lapologa*, and *Kutlwano*, a contemporary magazine published by the government.

OBJECTIVE 3: PLURALITY OF NEWS

Botswana Objective Score: 2.44

Despite fairly high scores, the panelists claimed that Objective 3 (media plurality) remains a controversial topic in Botswana, leading to conflicting scores at the indicator level. Some panelists scored indicator 3 (state or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest) very low, while others gave it much more favorable ratings. Similarly, indicator 7 (the media's reflection of a broad spectrum of social interests) also drew a wide range of scores. Panelists also raised concerns that most media sources do not reach rural areas. Government print and broadcast media continue to be the dominant information source for Botswana's rural residents. Internet access is typically limited to urban areas. Nonetheless, all indicators scored within a half point of the objective score.

The biggest changes to the media landscape in the past couple of years are the introduction of E-Botswana and the licensing of three private radio stations. The government *Daily News*, published by the Department of Information Services under the Ministry of Communications, Science, and Technology, continues to be distributed widely, for free, in most areas of the country. It still boasts the largest circulation, around 80,000, of any print publication in Botswana. Alternatives include 11 private weekly, mostly national newspapers, including the *Botswana Gazette*, the *Guardian*, *Echo*, *Midweek Sun*, *The Mirror*, *Monitor*, *Ngami Times*, *Sunday Standard*, and the *Sunday Tribune*. In contrast 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.

the government's circulation, these newspapers' circulations range from 8,000 to 28,000.

Six radio stations broadcast in Botswana:

the government-owned Radio Botswana 1 and 2 (the latter has more of a commercial focus) and the private and commercial stations Duma FM, Gabz FM, Ya Rona FM, and Voice of America. Duma FM began broadcasting within the past two years. Two local television stations are located in Gaborone: the state-owned Botswana Television (BTV) and the private Gaborone Broadcasting Company (GBC), transmitted within a 25-kilometer radius of Gaborone. Viewers can also subscribe to the South African satellite subscription service, DSTV, through Multi-Choice Botswana. There are still no community media, print, or broadcasting services in Botswana.

Despite giving high scores for plurality, panelists expressed serious concern about the predominant focus of the private media on the urban areas, creating an information gap in rural areas. Urban residents benefit from a mix of state and private media, while rural residents tend to rely on the government's *Daily News*, Botswana Television, and state radio stations.

In general, the panelists feel that the lack of access to both private and state media due to distribution limitations hurts the prospects to increase plurality of public and private news sources in the country. Botswana private broadcast media have been based primarily in cities since their inception, but the government's issuance of broadcast licenses to three private radio stations in 2007 is set to change this perception. Motseta also highlighted the well-known distribution woes in the private media: "Private media, especially newspapers, are by all means trying to reach out to the whole country. But there are limitations. They rely heavily on advertising to cover all their costs, including printing, staff salaries, and transportation costs. [Media], therefore, focus on urban areas, where there is a return on their investment."

Giving high scores to indicator 2 (citizens' access to domestic and international media), panelists cited the government's granting of national licenses to three private radio stations. To most panelists, this positive development has improved the accessibility and diversity of news sources. Some panelists, however, expressed reservations about this development. Ramadi argued, "The granting of national licenses to private radio stations was not enough, as many still rely solely on state media, whose coverage of issues is not balanced."

Panelists agreed that government media are, by extension, mouthpieces of the ruling party. As Bonolo argued, "Government media disseminate news for the benefit of members of the ruling party under the guise of public

Motseta also highlighted the well-known distribution woes in the private media: "Private media, especially newspapers, are by all means trying to reach out to the whole country. But there are limitations."

interest." Other panelists noted that the government media exclude coverage of certain issues. "Case in point, the state media, acting in concert with the defunct Ministry of Communications, Science, and Technology, refused to implement the ruling of the broadcast regulatory body, the National Broadcasting Board (NBB), to ensure impartial coverage of political activities after a formal complaint lodged by opposition Botswana Congress Party (BCP) in the run-up to the October 2009 general elections," noted Mooki.

As for the independence of news agencies, most panelists agreed that independent news agencies gather and distribute news for print and broadcast media in Botswana. Local media also depend on popular international news agencies, such as Reuters, AP, AFP, BBC, and CNN, although the expense places their services out of reach for some media houses. As a result, most journalists resort to website sources instead of subscriptions. A notable entrant in 2009 was the news agency E-Botswana, an offshoot of South Africa E-News channel, which appears to be dominated by news from South Africa. Other local news agencies include the Botswana Press Agency (BOPA), led by the government; the only active independent news agency is Silas Press Agency.

Indicator 5, concerning whether local, independent broadcast media produce their own news programs and current affairs, proved to be a source of contention among panelists. Some argued that most programs do not differ significantly from those provided by public broadcasters, while others countered that over time, independent productions have improved significantly. The panelists who see little or no improvement cited their impression that in most cases, news subjects are leading government officials from both private and public media. Panelists related indicator 5 to indicator 7, emphasizing the lack of a broad spectrum of social interests reflected and represented in the media, as well as the lack of minority-language news.

Regarding the transparency of media ownership, panelists reported that the government is still the major player, and private media ownership is intensely concentrated in a few conglomerates. The Dikgang Publishing Company is a major media conglomerate that has acquired sole

“Media now employ accountants and general managers to run their businesses, and some media houses are owned by businesspeople who are interested in turning a profit,” said Mokgoabone.

ownership of the *Botswana Guardian* and *Midweek Sun*, two newspapers in which it previously held shares, as well as *Mmegi*, the *Monitor*, and some shares in the private radio station Gabz FM. The panelists expressed concern over the implications of this concentration of media in Botswana. The anti-competition legislation for private companies, shelved by the Ministry of Trade in 2007, remains. Yet there is no strict, enforceable legislation regulating competition in the economy as a whole—although now, there is specific legislation for the media sector, under the controversial MPA. While the MPA does provide regulation on this issue, its ability to reverse the concentration of media remains to be seen.

As indicated earlier, Botswana still has not licensed community broadcast media outlets. Ndlovu noted, “The country still does not have any space open for community media [broadcasting].” He added, “Rural people tend to access the government’s *Daily News*, Botswana Television, and state radio stations, and they are deprived of independent voices from the private media.”

Panelists delivered relatively low scores for the indicator assessing whether the media reflect a broad spectrum of social interests. As highlighted earlier, most panelists feel that media houses do not take local minority languages, like Kalanga and Sekgalagadi, seriously enough. Botswana are confined to news in English and Setswana. “We have people in Botswana who speak in San, Afrikaans, or Kalanga and do not understand Setswana or English—yet news is confined to these two languages,” stressed Mooki. Furthermore, Hamufari noted, “Societal discrimination against immigrants, especially Zimbabweans, women, people with disabilities, homosexuals, people with HIV/AIDS, people with albinism, and members of the San ethnic group, is a problem, but very little is reported on these issues—and what little reporting exists is done insensitively.” However, some panelists feel that the media have taken up a broad spectrum of social interests, especially with the new licenses to private radio stations that have national reach.

OBJECTIVE 4: BUSINESS MANAGEMENT

Botswana Objective Score: 2.17

For Objective 4, panelists noted signs of strengthened management systems in Botswana’s media institutions. The panelists believe that the media are conscious of the national and global economic recession and are doing everything possible to survive. Equally, the general perception of panelists is that independent media managers understand the ethos of protecting editorial independence. But the panelists continue to underline concerns over the private media’s dependence on the pool of government advertising revenue.

Delivering fairly high scores for indicator 1, panelists generally agreed that media outlets operate as efficient, professional, and profit-generating businesses. “Media now employ accountants and general managers to run their businesses, and some media houses are owned by businesspeople who are interested in turning a profit,” said Mokgoabone. Hamufari added, “Today, media houses function as businesses. Television, radio, and newspapers sell advertising space, and in return these revenues have to be applied to the costs involved in running a media house.”

The panelists agreed that media receive revenue from a multitude of sources. However, the panelists feel that the independent media are forced to compete unfairly for revenue in a minuscule market dominated by the pampered state media. “The government’s *Daily News* is subsidized by taxpayers and charges nothing for cover sales. It presents unfair competition to the private media sector,” noted Motseta. To most participants, the challenge remains in

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.

obtaining reasonable advertisements to sustain a media outlet, whether electronic or print. To this end, said Ndlovu, “The international standard of a 60/40 ratio of advertising to editorial is being compromised by poor demand for advertising space and dependency on government sources of advertising revenue.”

Regarding government subsidies for the private media, panelists asserted the Botswana government, through its citizens’ empowerment schemes under organizations such as the Citizen Entrepreneurship Development Agency (CEDA), has continued to be a large source of financial loans to the private media. To Mooki, this situation is not ideal, if editorial independence is the goal. “Self-censorship is almost inevitable in an economy where about 80 percent of all the support for [small, medium, and micro-enterprise] SMMEs comes from government. Because of our small economy, everyone has to suck up to the government,” Mooki said.

The panelists agreed that some market research is conducted in Botswana to inform its revenue readiness and retain its consumers (readers and listeners), but these are conducted erratically, and, in most cases, the information produced is subjective. In some cases, individual media houses take on the task, and in other cases, independent research bureaus, like the ABC of South Africa, conduct the research. Despite this research, though, Motseta said there is no evidence that advertising agencies base their advertising support on verifiable empirical data. Furthermore, Bonolo pointed out that most advertising flows from the government in the first place.

In some cases, panelists confirmed that print media outlets take circulation audits, conducted by professional circulation bureaus, seriously—but regard the results with a dose of distrust. To Churu, the upside is that “advertisers have confidence in these audits, as demonstrated by growth in the number of new advertisements every time the results are announced.”

OBJECTIVE 5: SUPPORTING INSTITUTIONS
Botswana Objective Score: 2.49

Panelists hailed the introduction of the Coalition for Freedom of Expression (COFEX), comprised of various NGOs, as a reason to return even better scores for Objective 5 this year. The COFEX aims to enhance the collaborative capacities of non-state actors for the protection of journalists and the promotion of quality journalism, especially given the threats to civil liberties posed by the MPA. Panelists also praised the steep increase in the use of social networks, such as Facebook,

and blogs to circulate information among members of the COFEX.

Indicator 1 (trade associations represent the interests of media owners and provide member services) scored fairly high, but not without controversy. Panelists feel that despite the score, a number of serious concerns remain. Mokgoabone, for example, pointed to the lack of a publishers’ association.

Although indicator 2 scored highly as well, the panelists said most civil-society actors, except for some led by women, are reluctant and unwilling to go beyond paying lip service to support the media. Individually, however, journalists are aided by MISA-Botswana and other oversight bodies, such as the Editors’ Forum and the Press Council of Botswana.

Claiming that media unions are non-existent or defunct, Ramadi added: “Media advocacy and professional organizations exist, but they are weak.” Over the years, there have been attempts to introduce a media workers’ union, but they have failed. The reasons behind the failure, according to the panelists, include rampant competition among private media and the lack of resources (both financial and human) to pull media together. On a more cynical note, Hamufari added that independent media do not want to pay membership fees.

In addition, as Ndlovu, who is at the center of the newly established COFEX, stated, “Despite some civil-society organizations coming on board to support media, most NGOs are not ready to put their heads on the block for media freedom.” Considering the introduction of the MPA in December 2008, panelists agreed on the need for media NGOs that support professional development and legal rights, such as MISA-Botswana, the Editors’ Forum, and the

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.

Over the years, there have been attempts to introduce a media workers' union, but they have failed. The reasons behind the failure, according to the panelists, include rampant competition among private media and the lack of resources (both financial and human) to pull media together.

Press Council of Botswana, to strengthen their governance structures and financial resources.

Despite Ndlovu's comment above, the indicator measuring NGO support toward free speech and the independent media scored the highest of Objective 5 indicators. Yet, panelists underlined the absence of international support to fledgling independent media, citing donor fatigue and Botswana's relative prosperity within the context of Africa. "There is little apolitical support of a financial nature that is provided to the media. Donors believe that Botswana are rich and have multiple sources of revenue, but this is not true," argued Motseta.

The panelists believe that quality journalism degree programs exist in Botswana, with a perception prevalent among panelists that the Department of Media Studies at the University of Botswana has helped to improve the professionalism of media reporting in Botswana. Other local institutions providing media qualifications also exist, such as Likomkwing Technical University.

Praising short-term training options as well, the panelists highlighted programs that allow journalists to upgrade their skills or acquire new skills. However, they noted that short-term training and in-service training institutions are insufficiently funded.

Indicator 6 (sources of newsprint and printing facilities are in private hands, apolitical, and not restricted) was found contentious. Some panelists believed that as much as printing is considered a business, it is also political. For example,

according to Motseta, "The printing and publishing industry is dominated by Mmegi, a Botswana company owned by the ruling party BDP member Satar Dada. The government has also a printing press." The panelists did concur that political interests in printing facilities ultimately hurt private media entrepreneurs, given Botswana's minuscule market size. The chances that this could be reversed in the short-to-medium term are slim, considering the costly nature of acquiring and maintaining printing machines.

The panelists also debated indicator 7 (channels of media distribution). While most Internet kiosks are in private hands, apolitical, and not restricted, they remain centered in urban areas with higher population concentrations. The government still refuses to offer any means of support for distribution or transmission to the private national broadcast operators, such as Gabz FM and Yarona FM, to reach out to rural areas—as they view these stations as competition, not complementary outlets that could help extend reach to neglected segments of the population.

The panelists feel that the print media deserved more support, as well. "The government-owned *Daily News* has a private courier for its distribution countrywide, making it the biggest distributor," said Hamufari. Regarding missed opportunities for private media to band together in the face of this competition, Ndlovu commented, "Despite the need for the local private media to work more cooperatively as a network to improve their distribution in Botswana, no effort has been made." Of all the newspapers existing in Botswana, only *The Voice* and the Dikgang Publishing Company (*Botswana Guardian*, *Midweek Sun*, *Mmegi*, etc.) had opened separate distribution outlets as of 2008. Furthermore, by 2008 some private newspapers in Botswana had reduced their print runs, due to increases in the costs for printing and distribution. *The Voice*, for example, was printing 38,000 copies per week in 2008 but reduced its print run to 30,000 by 2009. Although a few opportunities exist for local newspapers to sell in South African-owned retail outlets in Botswana, South African newspapers and magazines continue to enjoy better distribution in these outlets.

List of Panel Participants

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

Maungo Mooki, director, Childline, Gaborone

John Churu, editor, *Business Diary*, Maun/Francistown

Hamufari Gwerevende, editor, *Business Diary*, Jowaneng

Sello Motseta, publisher, *The Tswana Times*, Gaborone

Kabo Mokgoabone, journalist, *Sunday Standard*, Gaborone

Bonolo Ramadi Dinokopila, lawyer, Duma Boko, Gaborone

Tautona Chaba, media officer, Botswana Network on Ethics, Law and HIV/AIDS, Gaborone

Gladys Ramadi, broadcast media specialist, MISA Windhoek Regional Secretariat, Windhoek

Dikarabo Ramadobo, head of investigation, *Botswana Guardian*, Gaborone

Moderator

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

Co-Authors

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

Sello Motseta, publisher, *The Tswana Times*, Gaborone

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

Although formal educational opportunities continue to grow, there is a need for greater hands-on, short-term training opportunities. In particular, MSI panelists have called for formal in-house training programs.



BURKINA FASO

Little changed on the political front in Burkina Faso in 2010, as Burkina Faso's president, Blaise Compaoré, easily won re-election in the November 2010 election, as expected. The media environment also saw few surprises. The media's strengths—such as laws that support the freedom of expression on paper, an independent media critical of the government, and few crimes against journalists—provide several important pieces for a sustainable foundation for the press. However, critical shortcomings continue to hamper progress and sustainability, and contributed to MSI scores dropping moderately during the period of study. Challenges include poor access to information; hindered investigative reporting; laws on the books that criminalize libel; widespread self-censorship; the lack of a true, independent news agency; and a public media sector that serves the government rather than the public interest.

Efforts have been underway since 2007 to provide journalists with a collective agreement and a press card to help govern the profession. The 2009 MSI panelists were encouraged that the effort finally succeeded that year: the agreement was signed into force by the Association of Journalists of Burkina (AJB) and Société des Éditeurs de la Presse¹ (SEP) under the auspices of the country's main media regulatory, Conseil Supérieur de la Communication² (CSC) in the presence of the prime minister. Yet in 2010, by the time the MSI panel convened, the agreement had still not been implemented, as SEP had not yet put in place its required accompanying measures.

At the professional level, Burkina Faso has dedicated journalists, but ethical lapses (such as accepting payments to cover stories) persist. Although formal educational opportunities continue to grow, there is a need for greater hands-on, short-term training opportunities. In particular, MSI panelists have called for formal in-house training programs.

The growth of new media has slowed somewhat, as Internet use is still quite low—around one percent—in a country with widespread poverty and illiteracy. As a result, radio remains the major source of news.

The overall average lost more than a quarter of a point, and scores for Objective 1 (freedom of speech) fell significantly, especially because panelists continue to lament poor access to information, the criminalization of libel, and the non-transparent broadcast licensing process. Although Objective 5 (supporting institutions) received the highest overall score for the study, the average fell dramatically from last year's MSI. Scores for other objectives also lost ground.

¹ Society of Press Publishers

² Higher Communication Council

BURKINA FASO AT A GLANCE

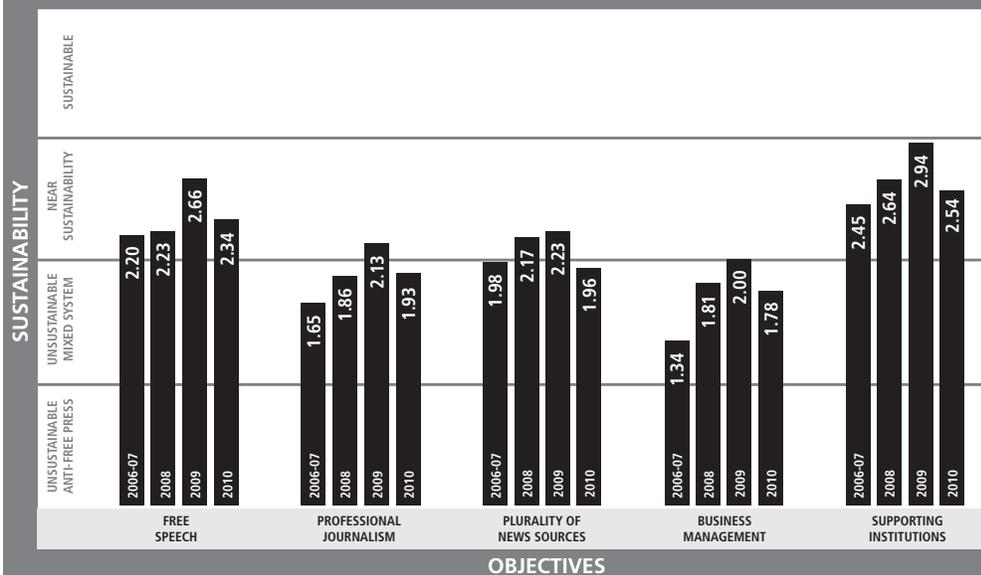
GENERAL

- > **Population:** 16,751,455 (July 2011 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 (2010-Atlas):** \$8.036 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,170 (World Bank Development Indicators, 2011)
- > **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: 5 daily newspapers, 10 weekly publications, 17 newspapers in the national languages; Radio Stations: 12 public, 19 commercial, 23 community, 19 religious, 4 international; Television Stations: 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:** 178,100 (2009 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: 2.34

According to Zénabou Tarpilga, a journalist with Burkina Faso National Radio, the country's legal and social norms encourage the creation of media outlets—but do not encourage anyone to be a journalist. Citizens can speak out in the media; however, their comments are only welcome if they comply with government policy. Otherwise, they are criticized or even censored. The Information Code of December 30, 1993 remains in force, even though professionals in the information field and human rights activists have criticized the code sharply.

Kassoum Kambou, a magistrate and a member of the Mouvement Burkinabè des Droits de l'Homme et des Peuples³ (MBDHP), expressed the view that legal instruments are fairly well designed and protective of press freedoms. He himself had not encountered any threats to the freedom of the bench. However, in his view, often the politicization of the administration presents a serious obstacle to press freedom.

Pierre Dabiré, secretary general of AJB, said that on a positive note, Burkina Faso has legal underpinnings in favor of freedom of expression and the press that approach accordance with international standards. However, people are skeptical over the implementation of the laws; in Dabiré's

³ Burkina Faso Movement for Human Rights

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.

Libel remains a criminal offense that can lead to prison, and as an additional penalty, press outlets might face suspension. Furthermore, in libel cases, it is up to the journalists to prove their innocence, or that they acted in good faith.

view, government officials and media professionals share the responsibility for implementation. The panelists also pointed to a problem with the justice system: the insufficient separation of powers between the executive, legislative, and judicial branches.

CSC bears responsibility for allocating frequencies—a fact that has generated controversy in previous MSI studies, as CSC is structurally and politically dependent on the government, and is made up primarily of government-appointed members. According to Kambou, CSC shows a degree of balance and independence in the granting of broadcast licenses. Yet, he noted, some applications move a little faster, while others hit roadblocks. For example, whenever a political body, a town hall, or an assembly applies for a frequency, the CSC loosens its rigor and restrictions.

Dabiré added, “The texts say that political parties are not entitled to frequencies, but when you look at the media landscape, we realize that there are political parties that have frequencies, clouding the impression of independence.”

As for the ease of market entry, Dabiré said that the media are not penalized relative to other types of businesses. Rabankhi Abou-Bakr Zida, editorial director of Sidwaya Publications, commented that a ministerial delegation with customs officers visited the state-owned *Sidwaya* to draw up a list of the material that the press uses, to report back to the minister. Later, the financial authorities and members of the media planned a meeting to exempt some of the media's materials from taxation.

Regarding crimes against journalists, Firmin Gouba, director of the Department of Journalism and Communication at the University of Ouagadougou, said that over the past three years, no journalists in Burkina Faso had been harassed for their opinions. Yet Tarpilga recounted the case of a radio journalist who covered a story about fraud related to university examinations, and found the window of his car broken.

Jacob Sou, station owner and chair of the Association of Community Radio Stations, added that the authorities

sometimes intimidate media outlets, or look for ways to shut down stations. He provided the example of a radio station that had been off the air for a few weeks because its transmission mast had fallen down. Stations have the right to go off the air for up to three months in cases of technical issues. But a regional director of culture wrote to his ministry to say that he had heard that a radio station had been off the air for ages, and without even checking, he asked his ministry to withdraw the station's subsidy. Eventually, CSC became involved, and while initially the station was permitted to continue broadcasting, eventually the authorities shut down the station.

Considering the topic of preferential legal treatment for the public media, panelists noted that political interference is evident through the appointments of those in charge of public outlets.

Libel remains a criminal offense that can lead to prison, and as an additional penalty, press outlets might face suspension. Furthermore, in libel cases, it is up to the journalists to prove their innocence, or that they acted in good faith.

Zida said that access to information remains a real obstacle course for journalists. Sophie Ouattara Traoré, a journalist with *Sidwaya* and treasurer of SYNATIC, agreed. Even though the law gives journalists the right to information, that principle is not always upheld in practice. The journalists on the panel said that despite a circular from the prime minister dating back to 2008 aimed at facilitating journalist access to public information, access has become more difficult. Before, when the sector was less formal, journalists would call someone and explain that they wanted an interview, and that did not stir any particular resistance. Journalists would meet up with their sources and write their stories. Now, however, when a journalist calls, the source will agree to a meeting, but demand that the journalist fill out an application. From there, it takes at least a week before the meeting—complicating efforts to get information quickly on a deadline. Journalists can also petition for information, but often they wait several months before they receive any answers. Tarpilga noted that the problems with information access hamper investigative journalism especially.

Franceline Oubda, a journalist with the Government Information Service, said that within the service, often staffers meet journalists at press briefings. However, now, the journalist has to make clear up front what type of information is needed.

Panelists noted one positive development—press cards, which the government began issuing in 2009, have facilitated journalists' access to some information and some places when doing their professional work. CSC launched the press card

officially on May 4, 2009. Implementing the card had proven impossible before then, even though its decree was signed into law in 1995. A technical committee of 12 members is responsible for issuing the card. The committee includes two representatives from CSC, two from the Ministry of Information, four from media professional organizations, and four from media employer organizations. In 2009, the committee issued 240 cards.

Eric Sibiri Kam, jurist and chair of Ligue de Défense de la Liberté de Presse, said that everyone recognizes that public information is not readily accessible. For example, if a student wants to know how many officials are in the administration, finding out will be an uphill battle. A proposed new law, accompanied by pleas from journalists for its passage, has failed so far.

Entry into the profession is fairly free. The downside of that, panelists noted, is that some practicing journalists have little or no training, and are almost completely ignorant of the rules of professional ethics and practices. Journalists are free to organize to defend their rights—a right they exercise.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Burkina Faso Objective Score: 1.93

The panelists were highly critical of journalistic practices in Burkina Faso. Traoré had the opinion that poor initial training for journalists is at the core of the problem. Many journalists are trained on the job; they arrive without any basic training on professional ethics or practical skills. Moreover, their overall educational level is relatively low, especially among

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).

members of the community and religious media. On the other hand, well-informed and experienced journalists can be found in the public media and some private media.

Tarpilga said that selective, high-quality programming and reportage exists, but not in sufficient quantity. The private press carry out investigations on sensitive political and economic issues, whereas the public press are more oriented toward social matters.

In Dabiré's view, Burkinabè journalists are average—neither qualitatively good nor bad. Common flaws include inadequate fact checking, failure to abide by professional ethics and practice, self-censorship arising out of social and cultural pressures, and the predominance of entertainment in radio and television. Mediocre salaries, particularly in the private sector, and a lack of resources for journalists contribute to the problem.

Self-censorship persists, particularly in the public media. As an example, Kam pointed to the longstanding debate on article 37 of the constitution that sets a two-term limit for the presidency. Before the party in power took an official position on term limits, there was radio silence on the matter—hinting at censorship. The state media (in particular national television) ignored the controversy as well, until the ruling party publicly proclaimed its desire to amend the article by removing the limitation. Then the debate really got stirred behind the scenes, as though permission had been given to start the public dialogue.

Kam said that the great majority of Burkina Faso press outlets do not deal with key issues. Tarpilga questioned Burkinabè journalists' grasp of such issues. When journalists begin an investigation, all too often they base it only on the words of a single party and the direction that their supervisors urge them to pursue. The result is compromised balance and mostly superficial reporting. For example, a journalist might be assigned to cover the opening or closing of a seminar or event, but will report without delving into layers of meaning or making broader connections.

Wages are low in the media, particularly in the private sector. Media executives say that they cannot afford to pay proper salaries, but many view these claims skeptically, given the apparent prosperity of media owners. The 2009 CSC report highlighted the insecurity and poverty among media professionals, who have paltry salaries, no welfare benefits, and no career development opportunities.

Again this year, panelists agreed that entertainment outweighs news on radio and television. Last year's report

cited a poll by the Centre National de Presse Norbert Zongo⁴ that confirmed that overwhelmingly, the population turns to television as an escape, not a source of news.

Local stations lack adequate equipment and technical facilities, preventing them from producing their own programs. As a panelist noted last year, the poor equipment and material resources lead to third-rate productions that are not adapted to the digital era. The 2009 CSC report also highlighted some recurring problems in this regard, including the local media's need for high-performance equipment, their inadequate facilities, and their non-compliance with technical standards.

OBJECTIVE 3: PLURALITY OF NEWS

Burkina Faso Objective Score: 1.96

In discussing Objective 3, panelists emphasized the lack of home-grown production, the shortage of quality news programs, and the absence of a real news agency. Panelists also criticized the ability of the state media to reflect the views of the political spectrum and serve the public interest.

During 2009–2010, plurality of the media did not change significantly. Burkina Faso has approximately 60 radio stations; five daily newspapers; a number of weeklies and periodicals; five private television stations; and a national

⁴ "Results of a poll about the media in the four main cities of Burkina Faso: Ouagadougou, Koudougou, Bobo-Dioulasso, and Ouahigouya," Norbert Zongo National Press Center, April 2009.

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.

Dabiré said that several factors affect citizen access to news—low incomes, illiteracy, and an electrical supply that is limited to the large cities. Legally and theoretically, though, access to news is not limited.

television station that has been broadcasting via satellite since 2006, in addition to a number of newspapers in national languages. The people of Burkina Faso have free access to satellite channels and international radio stations (some of which broadcast on FM also, through local radio stations with which they have signed partnership agreements). Tarpilga noted that many community radio stations are providing local news; they take into account the social interests of local people, but their signal coverage areas are small.

In a country with widespread illiteracy, radio is still the primary source of news. Internet access is still quite low. According to Freedom House, “infrastructural deficiencies and poverty limited access to the Internet to just over 1 percent of the population in 2009, but there were no reported restrictions on content.”⁵ In its annual human rights report, the U.S. Department of State confirmed that use is low, and is attributable partly to poverty and the high illiteracy rate, not the authorities. “There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail,” the report stated.⁶

Dabiré said that several factors affect citizen access to news—low incomes, illiteracy, and an electrical supply that is limited to the large cities. Legally and theoretically, though, access to news is not limited. As for the public media, they still face infrastructural challenges in ensuring nationwide coverage. In some parts of the country, stations have had relatively long signal interruptions. That was the case in 2009, with major cities such as Koudougou and Gaoua.

Turning in low scores for indicator 3 (public media reflects the political spectrum and serves the public interest), panelists said that in the public media, government activities take precedence, and every effort must be made to gather, process, and disseminate news about the government at the

⁵ *Freedom of the Press: 2010*. Freedom House, 2010; p. 75. Available online from this page: http://www.freedomhouse.org/template.cfm?page=350&ana_page=371&year=2010

⁶ 2010 Human Rights Report: Burkina Faso. United States Department of State, April 8, 2011. <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154333.htm>

expense of other news that might be of greater interest to the public. According to Tarpilga, the public media are aware of their service role, but they are not always apolitical. As CSC noted in its 2009 report, “The public media are encountering difficulties, and they are not small ones, either. The difficulties arise out of their legal status, which prevents them from really being public service media. In practice, the quest for profit easily took precedence over their cultural and other public service missions.”

Radio stations do produce some programs, often funded by UNICEF, Oubda said. Usually, this means that the productions are made to order and influenced or controlled. The radio stations are given money then asked to produce programming on a given theme.

Oubda said that most local radio stations air music until 1 p.m., then synch to national Radio Burkina’s news broadcast. After that, they return to music, or sometimes interactive programs. Even if those stations wanted to, they could not produce their own news programs, because they lack the necessary personnel, technical means, and equipment.

The media are allowed to broadcast foreign programs. In the provinces, sometimes they air Radio France Internationale (RFI). RFI has provided training as well, and given computers and memory sticks to some community radio stations to allow them to copy RFI radio programming. People appear content with the mix of national Radio Burkina and foreign programs, panelists said.

Speaking as a member of CSC, Oubda said that normally, the agreements that radio stations forge with the council set out specifications and responsibilities for each station. Unfortunately, faced with practical challenges on the ground, people do not follow through. The council has not yet managed to enforce strict observance of the program. Although the council does not tend towards laxity, she said, it does take into account of some of the realities.

Panelists underlined several concerns regarding transparency of ownership of press enterprises. Traoré expressed the belief that there is a lack of transparency even regarding private media ownership, even though most outlets are family businesses, living off the backs of their workers. Kam commented that the public at large does not always know who owners or shareholders are. Media owners, meanwhile, seek to shield their earnings.

Prométée Bako, director of publication and a journalist for *La Voix du Sahel* in Gorom-Gorom, said that rather than being concerned over the lack of transparency, he objected to the near-obsessive way that some people want to know who owns the media in Burkina Faso—using that knowledge to label the content. He said that he has been asked three or

four times in ministerial offices who is behind his newspaper. In other words, it is no longer a matter of the public seeking the information, but rather the political powers that be. In addition, the explanations that they give are never believed, according to Bako.

Government officials tend to reject the notion that a journalist might attempt to express opinions that differ from the views of media owners. Some panelists had the opinion that media owners dare to cover certain subjects only when they have political protection.

On the media's coverage of minorities and reflection of social issues, Bako's impression is that the printed press does not report sufficiently on the views of minorities. Kambou commented that in society as well as in the media, some social topics (such as homosexuality) are considered taboo or are discussed rarely. Oubda shared her view that that in matters related to sexual orientation, family planning, and reproductive health, media coverage is not prohibited, but culturally, these issues call for the media to use a sense of delicacy.

In another example of social issue coverage, the Ministry for the Promotion of Human Rights was called into the United Nations over the treatment of the Fulani ethnic group, amid claims that the group is threatened with extinction. This subject appeared in the Burkina Faso press just once, despite the seriousness of issue—and even though the United Nations ordered the government of Burkina Faso to produce a report on the matter.

Regarding minority languages, Tarpilga said that Burkina Faso National Radio provides news in the majority languages (Mooré, Dioula, Fulfulde, and Gourmantchéma) in addition to French, the official language. From Monday to Friday, the national station allocates five minutes to 17 other languages, in the hope of reaching all the other languages—although this is a symbolic gesture at best.

OBJECTIVE 4: BUSINESS MANAGEMENT

Burkina Faso Objective Score: 1.78

Panelists said that press businesses in Burkina Faso are not economically viable, professional, or profitable, and operate in an environment with no audience ratings, circulation figures, or market research. Private media management, despite some grounds for satisfaction, continues to face difficulties related to the fragility of press businesses.

Dabiré said that the private media are not subject to laws obligating them to manage their businesses effectively in

Noting the Collective Agreement, Gouba questioned how media executives claim that they are too unprofitable to pay their journalists accordingly, yet still manage to keep their businesses afloat—and some of those in charge manage to lead luxurious lifestyles.

the higher interests of editorial independence. As a result, a number of their practices—such as accepting payments for reports—are far removed from recommended professional and ethical standards, and often turn press outlets into publicity platforms.

Gouba commented that most press businesses are family owned, and not rooted in a rigorous approach or reliable data. Noting the Collective Agreement, Gouba questioned how media executives claim that they are too unprofitable to pay their journalists accordingly, yet still manage to keep their businesses afloat—and some of those in charge manage to lead luxurious lifestyles. Gouba commented that companies that do not have the means to look after their staff are not viable, but Kam said that this is not necessarily so, because the sector is mixed—some media owners do flaunt their success, but others are just scraping by.

Pierre Kaboré, deputy director and director of marketing and publications of the Edifice McCann Erikson Communication Agency in Ouagadougou, observed that Burkina Faso has many private media companies that are not profitable, but there are success stories. Some private outlets

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.

Owned by a private individual for business interests only, Impricolor is the only printer in the country with a rotary printing press.

employ journalists and manage to ensure that their staff members receive professional training and take part in international meetings.

The panelists said that they believe that the prospect of economic sustainability and profitability at least exists, with varied sources of income including sales, advertising, and subsidies. Traoré remarked that even bearing in mind the need to turn a profit, press outlets exceed the norms regarding the number of pages devoted to advertising.

Sou said that his association arrived at the conclusion that in order to be viable, media companies should not rely on their outlets' income for their existence; they must offer additional services that cover their cost of their operations. That would then free journalists to focus on content production. Otherwise, he asked, how could the media companies finance their own activities, when radio stations do not bring in even XOF 200,000 (\$400) a year? The fees that Bureau Burkinabé des Droits d'Auteurs (copyright bureau) charges alone amount to more than that, and the ARCE fees are even higher. The XOF 200,000 might just cover taxes.

Kam expressed the belief that the media ought to be able to make money than they do, given the numerous projects and NGOs that request to use press outlets. Even though the national broadcasters always say that they do not have the resources to cover their expenditures, in his view, they cannot meet the demand, given that they are so heavily sought after to provide coverage of events.

All media outlets in Burkina Faso receive government subsidies. But the panelists expressed confidence that subsidies do not influence the media, because the state does not distribute the funds to the media directly—parliament approves a package amount and a committee distributes the funds. According to Kam, it is money that passes under the table and off the books that presents the real problem. Tarpilga added that the state is the largest purchaser of advertisements, but it does not distribute ads equitably—placements are made depending on the editorial lines taken by the media outlets.

In recent years, there have been no studies or statistics on media trends to inform media businesses or content strategy. Similarly, as noted in last year's MSI, Burkina Faso does not have independent institutions publishing circulation statistics—and despite a law requiring them to publish print run numbers, the print media never follow through on the obligation.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Burkina Faso Objective Score: 2.54

Again this year, the panelists awarded their highest scores to Objective 5.

The panelists said that Burkina Faso has trade associations that represent the interests of their owners and provide strong services to their members, defending them very well. Several panelists agreed that generally, publication directors and newspaper publishers are well organized. However, press owners—even if they are journalists also—are most interested in the profitability of their businesses. Furthermore, trade associations do not always represent the collective interests of owners, as often they do not agree among themselves.

The country has several general and specialized associations and media groups. The major players are SEP, Union Nationale de l'Audiovisuel libre du Faso (UNALFA)⁷ of Burkina Faso, l'Association des Radios Communautaires,⁸ Association des Médias Communautaires,⁹ Réseau des Radios et Revues

⁷ National Union of Independent Broadcast Media

⁸ Community Radio Association

⁹ Community Media Association

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.

Rurales,¹⁰ and Réseau Informel des Journalistes.¹¹ These associations lobby to improve access to public information and to decriminalize press offenses, and protest violations of the freedom of the press. Last year's MSI panelists heaped praise on some of these organizations, including UNALFA and SEP, for their efforts to pass the Collective Contract. Traoré said that some professional associations, such as AJB and the Réseau d'Initiatives de Journalistes (RIJ), are prioritizing capacity building for journalists. Still, many of these associations face criticism for lending more theoretical than practical support, sometimes doing little beyond issuing press statements.

Formal degree options continue to expand in the country, with more and more private facilities entering the mix, such as the Free University of Burkina and the Pan-African Media, Information and Communication Studies and Research Institute (IPERMIC). In addition, as noted in last year's MSI, the University of Ouagadougou's Department of Journalism offers graduate programs and a certificate course; and the Vocational Training Center of Information, run by the Ministry of Information, offers journalism courses. Also, students commonly study journalism abroad—in other African countries (Senegal, Togo, Côte d'Ivoire) and in Europe.

As for short-term training options, the Centre National de Presse Norbert Zongo, the Regional Press Union, and the media development department under the Ministry of Communication have organized other training sessions for the media in Ouagadougou and Bobo-Dioulasso. Yet, as Dabiré noted last year, they still offer no formal in-house training programs. Sou emphasized that the training needs are great, especially for executive-level private media staff.

Some media outlets have learned that there is money to be found for training if they are proactive enough; for example, an evangelical radio station in Gaoua raised a fair portion of the funds needed to train one of its journalists, then asked the Association of Community Radio Stations to pay for the remainder. However, getting funds released for training and education can be difficult.

Dabiré said that the company Impricolor prints nearly all the country's private newspapers and even some state media (such as the state-owned *Sidwaya*), and is not biased. Owned by a private individual for business interests only, Impricolor is the only printer in the country with a rotary printing press.

Distribution services are concentrated in the capital. As last year's MSI noted, Burkina Faso is still without a national distribution service; each newspaper outlet distributes through its own sales network.

¹⁰ Rural Radio Stations and Publications Network

¹¹ Informal Journalists' Network

List of Panel Participants

Zénabou Tarpilga, journalist, Burkina Faso National Radio, Ouagadougou

Rabankhi Abou-Bakr Zida, journalist, *Sidwaya*, Ouagadougou

Hervé Taoko, journalist, *Le Reporter*, Ouagadougou

Prométée Bako, editor-in-chief, *La Voix du Sahel*, Gorom-Gorom

Souro Dao, journalist, *L'Express du Faso*, Bobo-Dioulasso

Cheikh Belg'or Sigué, editor-in-chief, *Le Pays*, Ouagadougou

Kassoum Kambou, magistrate; member of the Burkinabè Movement for Human Rights and People, Ouagadougou

Eric Sibiri Kam, jurist; chair, Press Freedom Defense League, Ouagadougou

Firmin Gouba, chair, Department of Journalism and Communication, University of Ouagadougou, Ouagadougou

Pierre Dabiré, secretary general, Association of Journalists, Ouagadougou

Sophie Ouattara Traoré, journalist, *Sidwaya*; treasurer, Independent Union of Information and Communication Workers, Ouagadougou

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

Franceline Oubda Naré, journalist; member, High Council for Communication, Ouagadougou

Jacob Sou, station owner; chairman, Association of Community Radio Stations, Dédougou

Moderator and Author

Abdoulaye Diallo, coordinator, Norbert Zongo Press Center, Ouagadougou

Assistant Moderator

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

Still, objective observers tend to agree that Burundi's media, and particularly community radio stations, played a significant part in bringing back peace to the country.



BURUNDI

In June 2010, Burundians re-elected President Pierre Nkurunziza, who first took office in 2005, in a landslide. It was an overwhelming victory for the ruling party, the Conseil National pour la Défense de la Démocratie et Forces de Défense de la Démocratie (CNDD-FDD). But the win came only after six other opposition candidates withdrew to protest irregularities in May municipal elections. The withdrawals, and a wave of grenade attacks in June, revived fears of a return to the violence that rocked the country between 1993 and 2006 and killed at least 300,000.

In a press conference in July in Bujumbura, Vestine Nahimana, chair of the media regulation agency Conseil National de la Communication (CNC), made statements illustrative of the bad relations between the government and the press. She strikingly accused journalists of “inflaming the country by their reporting and siding with the opposition by helping them to dispute the elections.” She accused the media of offering too little airtime to Nkurunziza during the campaign. She also pointed to a low election turnout rate ranging from 30 to 50 percent—numbers that conflict with the official rate of 80 percent, announced by the electoral committee.

A few days after Nahimana’s statement, the publication director of the online newspaper Net Press was jailed for several months. The government charged him with treason for an article questioning Burundi’s defense and the ability of security forces to deal with a potential attack by Al Shabaab Somali Islamists, the group responsible for grenade attacks in the capital of neighboring Uganda.

Still, objective observers tend to agree that Burundi’s media, and particularly community radio stations, played a significant part in bringing back peace to the country. Cyprien Ntamagara, chair of the Organisation des Médias d’Afrique Centrale (OMAC), said the media allowed “the people to speak and distance themselves from the official platform, RTNB [Radio Télévision Nationale Burundi].” In Ntamagara’s opinion, it was the responsible attitude of the associated radio stations that democratized Burundi’s institutions. He noted that in the 2005 elections, radio stations banded together in a show of solidarity, deploying more than 120 journalists to cover the elections in every district and contributing to election transparency. Commission Electorale Nationale Indépendante (CENI) itself conceded that without the media, it could not have stamped out electoral fraud and other irregularities for that election. Judging by the results of the May municipal elections, however, it is clear that work remains to ensure the fairness of future elections.

Nevertheless, the MSI panelists recognized the importance of the media in reinforcing democratic values, peace, and reconciliation—so much so that some urged the media to expand traditional roles.

BURUNDI AT A GLANCE

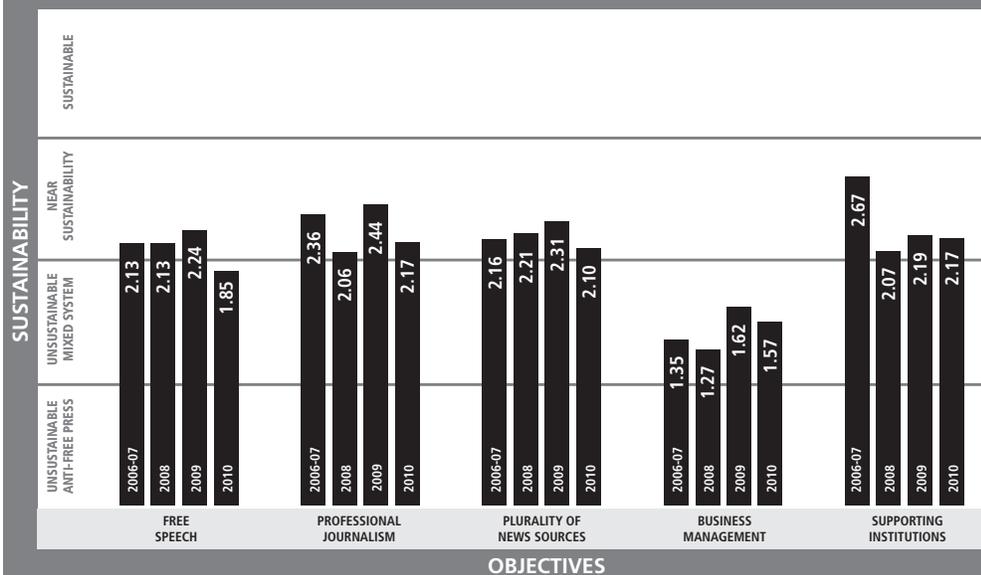
GENERAL

- > **Population:** 10,216,190 (July 2011 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 (2010-Atlas):** \$1.402 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$390 (World Bank Development Indicators, 2011)
- > **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); Radio Stations: 7 main stations including Radio-Culture, Radio-Umwizero or Radio de l'Espoir, Radio-CCIB FM+, and African Public Radio; Television 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:** 157,000 (2009 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: 1.85

The MSI panelists reported major recent developments in terms of freedom of the press. The past several decades have seen momentous change in press freedom in Burundi. One of the panelists recalled that before the 1992 constitution, Burundian media were governed by a 1976 law which stated among its provisions that “journalists of Burundi must always act as staunch patriots, be deeply aware of the ideals of the party, the only body responsible for the life of the nation.” Until 1992, freedom of the press was nonexistent and effectively no independent press existed.

The constitution lays the foundation for free speech, stating in Article 26, “...everyone has the right to freedom of opinion and expression in accordance with public order and the law.” Major Buyoya’s rise to power after the 1996 putsch had an enormous impact on Burundi’s media because he suspended political parties—the main sponsors of newspapers. Many rights of the press were derailed with the passage of the very restrictive Decree on the Press on March 21, 1997.

On November 27, 2003, a new press law replaced the 1997 decree. The newer press law represents a major step forward for the Burundi media, incorporating the fundamental rights of journalists and ensuring greater freedom for journalists and media managers. It guarantees the protection of sources; does away with pre-publication censorship; and guarantees

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.

Ernest Nkurunziza of the human rights group Ligue ITEKA commented on the difficulties with licensing. “In these last five years, freedom of speech has been seriously violated, as though criticizing political acts was a bad thing. The licensing agencies in Burundi are heavily politicized,” he said.

the conscience clause, which allows journalists to resign in case of conflict with their employers. Although the law is more liberal, it still provides for heavy prison sentences for press offenses.

Consideration of this history provides perspective on the progress that Burundi made regarding freedom of speech. However, despite some democratic progress, laws are powerless without enforcement. At least two of the reforms—a bill declaring CNC independent of the president, and another creating a media promotion fund—have not yet been put into effect. “Burundi has taken a step forward in terms of freedom of speech and access to public information,” said Joselyne Nzobonwanayo of OMAC. “But unfortunately, the media are protected by laws that are not enforced.”

Félix Nzorubonanya, of Radio Publique Africaine (RPA), pointed out holes in the press law. He said that there is a lack of clarity surrounding libel laws, for example, and signs of bias in access to public information. Muhimpundu, too, noted several problems with Burundian law. He concluded that the justice system is neither free nor independent. And more than enforcement, he said, the way the courts interpret laws causes great harm to media and journalists. The press law does not mention breaches of the right to privacy as offenses, and political authorities influence the judiciary as well—particularly in cases involving journalists, he said.

Fiacre Muhimpundu of *Le Visionnaire* noted that the only agency granting licenses is run by the government and vulnerable to political pressure. Ernest Nkurunziza of the human rights group Ligue ITEKA commented on the difficulties with licensing. “In these last five years, freedom of speech has been seriously violated, as though criticizing political acts was a bad thing. The licensing agencies in Burundi are heavily politicized,” he said. He cited two cases as examples. “RPA faced restrictions when it tried to create community radio stations, and Star FM in Makamba managed to set itself up much more easily because of its closeness to

the government.” Nkurunziza also decried the fact that the Burundi media receive no tax relief.

Nkurunziza said as well that Burundi journalists are at the mercy of public authorities, with no law specifically protecting them. As last year’s MSI noted, while no media workers have been murdered in Burundi, journalists suffer from other forms of intimidation. Local correspondents in particular are sent to prison and persecuted with phone threats, and their reporting equipment is seized by the national information service. Journalists value freedom, but they face threats if they write anything displeasing to the public authorities. Publishing information related to national security or to budding rebellions exposes journalists to threats and unlawful arrest, as in the aforementioned case of Jean-Claude Kavumbagu of Net Press.

Nadège Irambona, also with OMAC, decried the fact that heads of public media are appointed politically.

As for access to public information, Nzobonwanayo noted that all media have the right to access public information according to the law, but in reality, the law is not enforced. Irambona gave an example: “During the latest press conference by the head of state, only the public and pro-government private media were allowed in,” she said. There are no laws to guard against such restrictions, she added. Nzobonwanayo gave another example: only the public media and those outlets close to official circles were authorized to enter the presidential palace for a recent interview with the head of state. Private media were denied access.

However, journalists have unrestricted access to domestic and international media sources, and the government does not intervene or set terms regarding entry into the profession.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Burundi Objective Score: 2.17

In a country with more than 30 years of serious ethnic violence (which the media has fed in some cases), professionalism is equated sometimes now to “peace journalism.” The unprofessional approach that many journalists exhibit has both ethical and financial roots. Some journalists, even those not necessarily poorly trained, cultivate special friendships with political actors to gain access to press conferences, and often repeat official messages in exchange for money and other benefits.

The panelists acknowledged that within Burundi remain good and trustworthy journalists that, despite pitiful salaries,

do their jobs admirably while striving to maintain honesty. Professional standards in Burundi are spelled out in the texts that regulate the profession: the press law and the Code of Ethics and Practice of the Press in Burundi of 2004. Both are available to reporters. The panelists said that the profession is well regulated but still has deficiencies, which some try to explain away or even justify. Panelists also called into question the neutrality of CNC, the media regulation agency. One panelist added that mistrust and suspicion among media partners is quite harmful to the freedom of the press and to the solidarity of media professionals.

Panelists pointed out that Burundi has no school of journalism, but in the wake of the conflicts that tore the country apart, NGOs and other external partners have implemented “peace journalism” training projects. Journalists from private and community radio stations have capitalized on these training opportunities more so than their counterparts in print and television.

In 2009, during the most recent workshop for Burundian journalists, the participating professional organizations and media regulation agencies reinforced the theme of compliance with professional ethics. According to one panelist, “The point was not to explore the journalists’ code of ethics and practices, but to discuss with managers and the organizers what lies at the root of violations of the code and how to remedy the situation.”

In terms of ethics, Irambona provided a far-from-glowing summary of the current situation: “Some media flouted ethics and balance in the news. During the elections, several media outlets spread false news, in service to the ruling party. Self-censorship is common, especially in the public media. Since they support the ruling party, media chiefs block any

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).

news related to insecurity and the activities of other political parties, to avoid upsetting their appointers.”

News censorship is a reality in the public media as well as the private media, because of journalists’ fear of threats, intimidation, and harassment. In fact, many media outlets choose not to cover sensitive social and political news. Kabanyana Spes-Caritas, a journalist with Radio Isanganiro, gave a personal example of self-censorship. “I am afraid to report the policemen who looted a village up-country because they will come after me and eventually arrest me,” she said.

Muhimpundu blamed the politicians that influence the editorial policies of the media they control. Most of those media, he said, operate using free labor from unpaid interns. Rema FM and Salama radio stations, which are close to the government, were particular targets of his criticisms.

In general, Burundian journalists are not well paid, so they migrate from one press outlet to another looking for a better situation. These paltry salaries affect quality of news negatively, and corruption is rampant. At some outlets, journalists work without contracts, leading to a great number of freelancers.

As for equipment and facilities, Irambona commented, “Burundi’s media are not very well equipped. Some of them do not have Internet access, and there are other obstacles to handling certain kinds of information.” In 2009, MSI panelists noted that equipment shortages for field correspondents in particular are so severe that they lack computers or even recorders, and broadcast journalists based in some regions are forced to produce soundless reports.

Quality niche reporting is still rare, with limited training or funding for specialized journalism in diplomacy, trade, health, or economics. Irambona commented that only RPA has the resources to conduct investigative reporting. It has investigated sensitive news items, particularly on human rights and investigations into political and economic crimes committed by those in power. In contrast to RPA, Irambona said, “Rema FM radio blindly defended the interests of the president’s circle of influence and did not hesitate to delve into the private lives of certain well-known members of the opposition, trampling journalistic ethics underfoot all the while.”

Kabanyana Spes-Caritas, a journalist with Radio Isanganiro, gave a personal example of self-censorship. “I am afraid to report the policemen who looted a village up-country because they will come after me and eventually arrest me,” she said.

OBJECTIVE 3: PLURALITY OF NEWS

Burundi Objective Score: 2.10

In the last few years, press outlets have become abundant in Burundi. The newly created newspapers and radio stations have broken a de facto news monopoly in a country that had long been accustomed to an exclusively state-run press. When Burundi and its neighboring countries introduced multiparty political systems in the 1990s, an opening of the media—especially print—accompanied the changeover. During the civil war, however, the Burundian press were accused of inflaming the conflict. Reporters sans Frontières (RSF) described many press outlets as “hate media” until 1996, when the newly re-elected President Buyoya suspended many of these controversial outlets. In the past decade, an opposition force critical of the government and emphasizing peace has also emerged.

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.

One panelist commented that many people live in a state of total ignorance. “A nation cannot develop if it is not informed and educated,” he said.

The early 2000s brought change and a commitment to peace among some media. Examples include the creation of Studio Ijambo at the initiative of the Belgian-American NGO Search for Common Ground. Studio Ijambo stresses unifying factors such as peace, reconciliation, and dialogue over divisive factors, such as ethnic differences. New private radio stations inspired by Studio Ijambo launched as well, dedicated “to the service of peace” and giving a voice to underrepresented people. Before long, the government started to harass the outlets, accusing them of treason for allowing militias to be heard on air. Nevertheless, despite pressure, these private radio stations are holding their ground and allowing ordinary Burundis an opportunity to speak—something that RTNB has never done, panelists said.

Radio stations have played a particularly significant role in this shift. They can be accessed everywhere by everyone, while the general public considers newspapers and television more elitist. The first private radio stations appeared as early as 1995. These were CCIB+ FM, run by the Chamber of Commerce and Industry of Burundi; and Radio Bonesha. In 1999, Radio Culture appeared, followed in 2001 by RPA. In 2002, it was the turn of Radio Isanganiro, and in 2004, Radio Renaissance and Radio Maria began.

Faced with this new atmosphere of openness and competition, RTNB, which the government had long used as a propaganda tool, was forced to refocus and open to diverse points of view—or risk losing its audience. Still, the national radio channel is the only station that covers a large portion of the country.

Currently, the country has some 20 radio stations—including community radio stations, although they are not very well developed. One panelist commented that many people live in a state of total ignorance. “A nation cannot develop if it is not informed and educated,” he said. “Hewing to the logic of keeping the Burundi people under-informed, the government prevents some media from covering certain news objectively by threatening journalists. In this context, public authorities harass civil society and opposition political parties when they voice opinions on political issues or try to provide the public with the results of real social and political research.”

At the same time, the proliferation of private radio stations dealt the printed press a lethal blow. Burundi’s oral cultural

tradition and high illiteracy create audiences, and as radio has become more diverse, even the elite once loyal to the newspapers have moved away from print media. Today, the print landscape is strikingly sparse. The three newspapers created in the early 1990s survive, specifically the two public newspapers, *Le Renouveau* and *Ubumwe*, and the Catholic paper *Ndongozi*. Only one private weekly newspaper, *L’Arc-en-ciel*, manages to carry some weight in the press sector.

Today, *Ndongozi*, the most consistently published private paper, has an average circulation of 3,500 to 5,000 every two weeks, selling for a symbolic 150 Burundi francs (BIF) (\$0.12). Other private publications struggle to hold on, living hand-to-mouth. They are not published at all regularly and their circulations—restricted to the urban centers—are a minuscule 300 to 500 copies. Most of the titles registered with the CNC exist only in the abstract, since they appear on newsstands only sporadically.

The authorities do not restrict access to domestic or international media. Moïse Gahungu of Union Burundaise des Journalistes (UBJ) said that, at first glance, everybody has access to news sources; however, there are some anomalies. For example, radio’s success owes much to the fact that a high percentage Burundis cannot read or write, and that traditionally, predominantly rural African societies have lent themselves to oral communication. “If we also bear in mind that televisions are almost completely beyond the financial reach of most Burundi people, and having to pay every time one wants to read a newspaper has a psychological impact, there is no doubt that the popular vote goes to radio as the news medium par excellence,” in the words of one panelist.

With about 8,000 registered Internet users in a total population of 8 million, access to Internet news remains quite limited. Nzorubonanya commented, “Access to the Internet remains severely limited in the country. Newspapers do not reach the whole country—except for *Iwacu*, which is distributed in all regions. *Iwacu* is written in the national language, Kirundi, which is accessible to most of the population.” Radio stations and television channels are clustered in the large towns. Television remains a luxury in some parts of the country. RTNB cannot be picked up nationwide. In the north of the country, people can watch only Rwandan television.

Ruston Uwimana, a journalist, said that private newspapers as well as public are rather expensive relative to the average person’s purchasing power. A newspaper costs between BIF 500 and BIF 1,000 (\$0.40 and \$0.80), with the exception of the bimonthly Kirundi-language Catholic *Ndongozi* at BIF 150 (\$0.12).

Turning to media content, Burundi has independent media with their own editorial policies; however, those media are not transparent, and are at the beck and call of their sponsors. Meanwhile, the panelists said, the public media are politicized and favor the interests of the ruling party. Uwimana noted that the public media are searching in vain for independence. Their journalists are considered to be state officials, while the government appoints their directors. For example, the head of RTNB radio was a member of the ruling party, the CNDD-FDD. Some official sources refuse to release information to journalists from the private press. Since the point at issue is the equal distribution of information and ideas, according to the panelists, RTNB neglects its mission by serving as a mere conduit for the government.

Regarding the existence of news agencies, panelists had the opinion that the weakness of the printed press helped fuel the creation of many news agencies. In addition to the Agence de Presse Burundaise (APB), a public agency created in 1976 and financed by the state, there are the private news agencies Net Press, Aginfo and Zoom.net. Most of their subscribers are public servants or NGOs. Net Press is the best known, often attracting the unwanted attention of the government; the director of Net Press, Jean-Claude Kavumbagu, was in prison even as the MSI panel convened, the panelists noted. These news agencies owe their survival to the Internet for distributing news, even though Internet access remains quite limited in the country.

Independent broadcast outlets do produce original content and programs, often in partnership with foreign media, but they are inhibited somewhat by a lack of funding. As previous MSI panels have noted, independent media content differs markedly from the content of the state-run public media.

Media ownership in Burundi is not transparent, as noted in last year's MSI. Only rarely do media owners declare publicly the sources of funding for their outlets. While some media receive funds from abroad, foreign investment in the media sector is considered insignificant.

Previous MSI panelists have said that the media reflect a broad spectrum of social interests, including minority issues. However, stories focusing on social issues, such as agriculture and the environment, are rarely covered in the media. Last year's panelists confirmed that the media can broadcast freely in any language they choose, and journalists cannot be prosecuted for writing or reporting on minority issues. Swahili is the main minority language, but Burundi has only one newspaper in Swahili and English, owned by Karenga Ramadan. When CNDD-FDD became the ruling party, the national television station began to broadcast a news program in English and Swahili.

OBJECTIVE 4: BUSINESS MANAGEMENT

Burundi Objective Score: 1.57

According to the panelists, human rights organizations find funding with greater ease than the media. The issue of financing is a significant weak link in the Burundi media sector, and a threat to independence.

Nzorubonanya wondered whether the sector has any business management of which to speak, under such circumstances. The reality is that recruitment and financial management are not transparent. Muhimpundu underlined key shortcomings in the financial management of press outlets, noting: "Most private media do not have access to qualified accounting services. Bookkeeping is vague and not fit for the purpose of balancing income and expenditure." Furthermore, centers for media research, assessment, and production need better management and organization, he said.

Spes-Caritas observed that 20 years earlier, *Ndongezi* had had 4,000 subscribers, while today the figure sits at no more than 2,500. She attributed the decline to poverty aggravated by the civil war. The Burundi media are financed from sources ranging from NGOs to political authorities. The Catholic Church funds radio stations *Ndongezi* and *Voix de la Paix*, while the ruling party funds *Radio Rema FM*.

The panelists agreed that the overwhelming majority of radio stations live on external financial support. Most stations were created using international funds, and some are financed entirely from abroad. Such external funding has provided a certain degree of financial autonomy and strengthened their editorial independence. Also, it has bought them operational

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.

stability with employees, who are better paid than their colleagues in the private and the public press. Yet the panelists noted that such funding has drawbacks, including dependency on donors: “None of the media financed by foreign sources could survive without their sponsors,” a panelist said.

At the heart of the problem, advertising revenue is not solid enough to allow the media to be viable financially. The media are extremely vulnerable to various forms of influence as a result. With no income from advertising, Burundi media businesses cannot hope to be self-sufficient, pay their employees’ salaries, or produce their own programs.

The lack of a developed advertising industry is a key issue that must be addressed if journalists are to be compensated properly, panelists said. Anaïs Niragira, journalist in Bujumbura, said that telecommunications companies place advertisements using their own subjective criteria and at prices they set. Additionally, a number of cellular telecom companies, such as Ucom, Africel, and Smart, give the broadcast media cell phones and toll-free numbers, asking in exchange that the media run their commercials free of charge.

Gahungu countered that Burundi press companies are able to operate despite the difficulties, although the revenues that they generate vary, depending on their level of planning. To illustrate, he mentioned Radio Isanganiro, whose daily receipts exceeded \$1,500 thanks to the remarkable work of the station’s marketing team. For perspective, those receipts cover the salaries of six of the 50 people on its payroll.

The independent media are not financed by the state. Panelists did not debate the pros and cons of government subsidies, but noted that the government’s promises to create a fund to support the media have not materialized. At any rate, Irambona expressed the belief that even foreign sponsors try to control the reporting of the media outlets that they support.

Burundi has little to no market research to inform media programming. An agency called Observatoire de la Presse Burundaise (OPB) collects statistics on ratings, circulation, and Internet use, but largely, its staff members are untrained.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Burundi Objective Score: 2.17

As the reconstruction of Burundi depends upon the rule of law, the nation’s radio stations have worked hard as “watchdogs,” denouncing the evils of society—in particular,

bad government, human rights violations, and financial crimes. Their work has not come without a price. Some radio journalists have been imprisoned; others have entered voluntary exile after physical threats. Despite this, advocacy efforts have proceeded, in the form of roundtables, lobbying and advocacy workshops on tax relief and public assistance, and discussions on the role of radio in the post-election period, among other efforts. The country’s highest officials have taken part in interviews and meetings, easing tensions between the media and the authorities. International organizations and media support associations have offered support as well.

Muhimpundu mentioned that the country still has no associations for publishers, although one for radio broadcasters exists. The only union movement is Union Burundaise Journalistes (UBJ), which tackles major issues, reportedly including a journalists’ collective agreement that it has in its sights. Irambona confirmed that Association Burundaise des Radiodiffuseurs (ABR) and UBJ lobby on behalf of journalists. Recently, the two associations have intervened in cases of wrongful arrests and other violations of journalists’ rights. For example, UBJ and International Federation of Journalists (IFJ) met with Burundi’s first vice president to plead for the release of Kavumbagu.

The panelists concluded that the existing professional associations are doing their best to defend the professional interests of journalists and the media, but lack financial resources. At the same time, Burundi civil society members have created associations that visibly support the freedom of speech and independent media. They react to violations of media freedoms by denouncing them publicly and organizing assessment meetings with a view to change the laws governing the 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.

NGOs support the freedom of speech and media also, actively providing equipment and funds to train media professionals. Institut Panos Paris (IPP) is the most engaged. Likewise, private universities such as Université du Lac and Université Lumière have communications departments that could train journalists. A number of other NGOs, such as GRET (Groupe de Recherche et d'Échanges Technologiques), USAID, and others work to build journalist capacity in specific areas. Local media support organizations include Observatoire de la Presse Burundaise (OPB), which serves as a peer tribunal; and Media Organization of Central Africa (known by its French acronym, OMAC), whose monitoring efforts allow the media to assess their own production values and encourage journalists to produce high-quality news. However, with the exception of Journalistes en Danger or Human Rights Watch, these organizations almost never react in cases of violations of journalists' rights.

Still other organizations fund the media's capacity to conduct investigations and denounce gross misconduct. For example, the NGO Search for Common Ground and the United Nations Office of the High Commissioner for Human Rights offer journalists training courses in human rights.

Currently, a few private universities in Burundi offer degrees in communications. In general, though, the lack of journalistic training is one of the greatest academic shortcomings of the entire Burundi education system. Several projects have attempted to remedy that; two particularly bright spots include a master's degree in journalism led by UNESCO, and the forthcoming reopening of the School of Journalism, which has been closed for almost 20 years. The panelists commented also that many graduates leave the field. Institutions outside the media often recruit graduates of journalism and communications master's programs on financial terms far more attractive than media outlets can offer.

Several short-term training opportunities are available that are quite useful to journalists. The problem is that some programs are redundant, uncoordinated, and lacking attention to practical applications. That certainly held true for legal and environmental journalism training programs. Many journalists have been trained in these techniques, yet still it is rare to see professional coverage of these subjects. Also, panelists highlighted the need for radio journalists and technicians to have more hands-on training, which the panelists said is inconsistent at best.

Newspaper printing houses are run privately and independently, and the owners act out of business interests. The only newspaper that has its own printing house is *Ndongozi*, which is owned by the Catholic Church. The only state-run printing house, INABU, went bankrupt. Yet

In general, though, the lack of journalistic training is one of the greatest academic shortcomings of the entire Burundi education system.

according to Karihungu, the managers of these companies are concerned with their own welfare and not the welfare of the newspapers. As noted in last year's MSI, the public authorities can interfere and stop print runs, including those for newspapers and books.

With no established media distribution network, most services are apolitical and protective of their own business interests. Typically, newspapers are sold at various grocery stores and in some offices, or mailed directly to subscribers.

List of Panel Participants

Moise Gahungu, member, Union of Burundi Journalists, Bujumbura

Amissi Karihungu, journalist, Radio Bonesha Bujumbura

Fiacre Mahimpundu, journalist, *Le Visionnaire*, Bujumbura

Anais Niragira, freelance journalist, Bujumbura

Christella Niyonzima, student, Bujumbura

Ernest Nkurunziza, member, Iteka League, Bujumbura

Kabanyana Sprès Caritas, journalist and producer Radio Isanganir

Ruston Uwimana, journalist, *Ndongozi*, Bujumbura

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

Jocelyne Ininahazwe, monitor, Media Organization of Central Africa, Bujumbura

Félix Nzoroubonanya, correspondent, Radio Publique Africaine, Bururi

Fabrice Niyokuru, journalist, Bujumbura Communications Agency, Bujumbura

Moderator and Author

Alain Gashaka, correspondent, Journalist en Danger, Bujumbura

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

In fact, journalists are paying the high price for freedom of the press and for unveiling corruption, as evidenced by events in the beginning of 2010.



CAMEROON

At age 77, Cameroon President Paul Biya has ruled for 28 years—the majority of the nation’s half-century of existence. Yet those years have not been enough for Biya to transform his country into what it was supposed to be: a bastion of development and democracy. In his speech marking the 50th anniversary of Cameroon, Biya himself summarized the state of affairs: “bad management, judicial insecurity, bureaucratic apathy, customs fraud and corruption are among the ills that must be systematically combated in Cameroon.”

Such great ills require great remedies, one might say. And yet, the government’s “Operation Sparrowhawk,” begun in 2004 to track down corruption and offenders against the commonwealth, is not yielding expected results. In fact, journalists are paying the high price for freedom of the press and for unveiling corruption, as evidenced by events in the beginning of 2010. The public prosecutor at the central Court of Appeal issued a statement then, warning journalists about the cases underway as part of Operation Sparrowhawk. Specifically, the prosecutor noted that the law forbids journalists to become involved in such cases, and pointed to confidential information from the operation’s ongoing trials that had found its way into the headlines of newspapers and radio programs without prosecutorial approval. The prosecutor warned the media about the risks—including prison—of publishing such information.

Days after the threat, Alex Gustave Azebaze Djouaka, Thierry Ngongang, and Rabbier Annanie Bindzi—all journalists working in the private press—were prosecuted by the Cameroonian justice system. They had anchored a televised debate on cases related to Operation Sparrowhawk and the Albatross affair (regarding President Biya’s aircraft, which was acquired under questionable circumstances). Moreover, the prosecutor claimed that the journalists were in possession of a document classified as a “professional secret”: the statement of a political figure that the Judicial Police questioned in Yaoundé.

According to the panelists, journalists feel that it is unacceptable in a democratic country such as Cameroon to be condemned for exercising the constitutional freedom to inform. The mission of true journalists, they argued, is to disclose information. One panelist noted that in other job sectors, “professional secrecy” means silence, while journalism requires practitioners to make facts and events public. Cameroon has no legal provision that orders journalists to maintain confidentiality of sources, and when someone who is obliged to maintain secrecy breaks that silence, it becomes news and journalists are beholden to report it. But Charles René Nwe, of *La Nouvelle Expression*, said that overzealous authorities prevent constitutional freedoms from being enforced properly.

During 2010, overall relations between the public (political and judicial) authorities and the independent press were quite tense in Cameroon. The government viewed private journalists as subversives, so arrests, imprisonments, beatings, and threats became the everyday lot of journalists in Cameroon.

CAMEROON AT A GLANCE

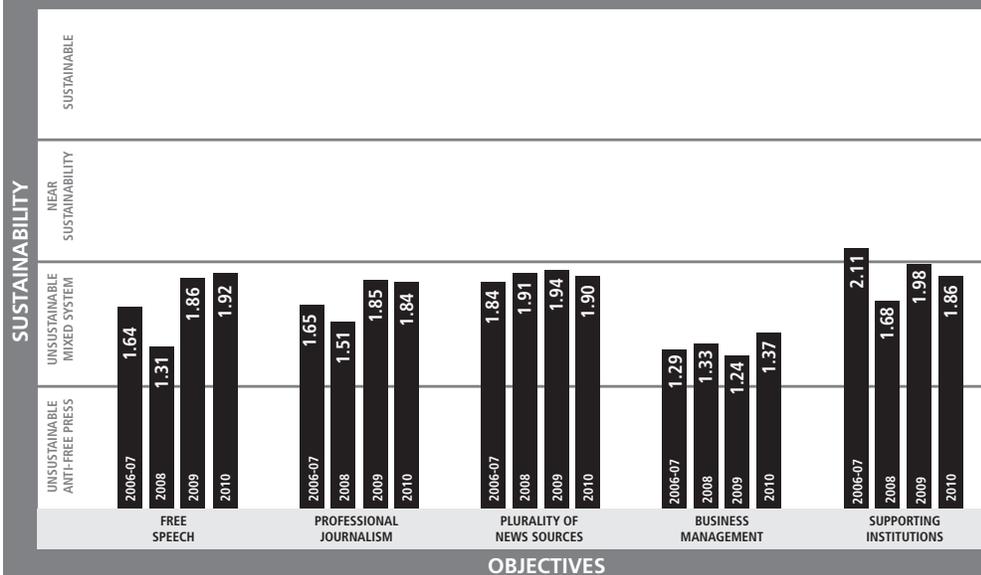
GENERAL

- > **Population:** 19711,281 (July 2011 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 Nigritic 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:** 24 major African language groups, English (official), French (official) (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$23.17 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2010-PPP):** \$2,190 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 67.9% (male 77%, 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 Stations: 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:** 749,600 (2009 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: 1.92

Despite longstanding censorship and oppression in the private press, Cameroonian newspapers did not wait for passage of the 1990 “Rights and Freedom” laws to begin exercising freedom of the press. In addition, the promulgation of Law 96/04 on January 4, 1996 sparked an explosion in freedom of speech: a proliferation of titles, a hardened tone in the newspapers, and a huge increase in virulent critiques of the government. However, the government responded almost immediately with arrests of journalists, censorship, seizures of equipment, and bans on publishing.

Notwithstanding the laws on paper, the freedom of the press is monitored heavily. Access to official information is bolted and barred, especially for the private media; the press receive no financial support; and the justice system serves the political powers that be—and the power of money.

Sending journalists to prison has become the rule, and freedom the exception. Several journalists have been arrested and sent directly to jail without trial. An example weighing heavily on the panelists is the case of Serge Sabouang and Robert Mintya, the publication directors of bimonthly newspapers *La Nation* and *Le Devoir*, respectively. They were held in “pre-trial detention” beginning March 10, 2010. Their imprisonment was based on a complaint by Laurent Esso, secretary general of the Office of the President, accusing

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.

them of “forgery and use of forged documents and imitation of the signatures of senior officials of the Republic.”

The two journalists shared a cell with Germain Ngota Ngota, director of the newspaper *Cameroun Express*. Forty-five days later, Ngota died in prison of hypertension and asthma. The government ordered an inquiry into the conditions surrounding Ngota’s tragic death, which drew the attention and indignation of Cameroonians and the international community. The government publicized “the results of the inquiry” surprisingly quickly, blaming the death on “opportunistic infections” related to AIDS. Outraged, Ngota’s family came to his defense, and the Cameroon Medical Council reacted with indignation to what they termed “a breach of patient confidentiality” by the doctors at Kondengui prison. It was rumored that the government bought off the doctors in order to hush up the truth in the Ngota affair. The year closed on an encouraging note, however, with the release of Sabouang and Mintya in November 2010.

Blaise Djila Mba, a panelist from CRTV public radio and television, was optimistic regarding distribution of broadcasting licenses, describing efforts to simplify the system. However, other panelists criticized the procedures for granting of radio and television licenses as incomprehensible and biased. François Xavier Eya, from *La Nouvelle Expression* daily newspaper, said that legal provisions exist but enforcement is lacking. Currently, he noted, many television channels and radio stations are operating without licenses. Additionally, sometimes the government grants provisional licenses and can shut down media outlets based simply on the tone of broadcasts; panelists mentioned Magic FM and Equinoxe TV by name. On the other hand, self-censorship is rife in the media deemed close to the government.

Jean David Mihamle, a BBC correspondent, noted that the legal framework governing radio and television media relies heavily on the tolerance of bureaucrats. Journalists censor themselves to avoid being shut down by government. The cases of Magic FM and Equinoxe TV, shut down in the midst of the food riots, were symptomatic. The tone they used was too free, Mihamle said, and they were closed for “failure to comply with the laws in force.”

The panelists said that is clear that a number of political and economic restrictions dampen the freedom of speech. Simon Patrice Djomo Nkouandjo of the weekly newspaper *Germinal* noted that in radio and especially in television, tax costs are very high. As a result, the owners of those media must operate in a climate of uncertainty, constantly fearing that they could be shut down for not being able to pay their tax bills. Media outlets are forced also to keep a low profile and practice self-censorship over certain kinds of news

so that they appear “politically correct” in the eyes of the government. Otherwise, what happened to the radio station Freedom FM, part of the Le Messenger group, could happen to them.

Press owners, media backers, and journalists must fight to survive in an environment where there are no Queensberry rules to keep the fight fair, and that often works against the interests of the profession, the news, and the public.

Journalists face paying high prices, too, enduring harassment and intimidation. Jean Bosco Talla, the panel moderator and *Germinal's* publication director, was arrested in December 2009. He was charged with insulting the Cameroon head of state after his newspaper published an excerpt from a book by Ebale Angounou, a former colleague of President Biya. The book, *Sang pour Sang*,¹ discusses the alleged secret pact between Biya and Ahmadou Ahidjo, the first president of Cameroon. The Department of State for Defense held Talla in a cell before transferring him to prison, where he spent almost a month. Ultimately, a court gave him a suspended one-year prison sentence, three years' probation, and a fine of CFA 3 million (\$6,500), and he paid legal costs of CFA 154,000 (\$340). As noted in previous MSI studies, usually such incidents do not cause a public outcry.

Cameroon's Kondengui prison is familiar to many journalists. Lewis Medjo, publication director of the newspaper *La Détente Libre*, was arrested in 2008 and sentenced in 2009 to three years in prison and a fine of CFA 2 million (\$4,200) for an article entitled, “Paul Biya limoge Dipanda Mouelle.” The article described an alleged maneuver by the head of state to force the president of the Supreme Court to retire in 2009. Medjo was freed on May 26, 2010.

Libel and defamation are subject to both criminal and civil law.

Again this year, panelist underlined the extreme difficulties journalists face in accessing official information. Although the 1990 social communication law addresses information access, Cameroon has no law applicable to the press specifically. To help encourage a normal framework for relations between the independent media and official news sources, some foreign cooperation providers (for example, the Agence Française de Développement) organize press conferences regularly.

As for the media's access to foreign and international news, the government does not restrict access to news sources, the Internet, or international media. Cameroon has many well-established foreign broadcast networks, including BBC, CNN, and RFI, and Internet and satellite availability is improving.

¹ Angounou, Ebale. *Blood for Blood*. Sphinx, Yaoundé: 2001.

On the subject of access to the profession, last year's MSI study noted that the government requires journalists to carry identification documents, such as press cards and accreditation. Such materials must be issued by a public institution and can be difficult to obtain. Still, previous panelists expressed concern that standards for entry into the profession are too lax; they called for better regulation to prevent further damage to journalism's reputation.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Cameroon Objective Score: 1.84

The panelists expressed a negative view of the status of the journalism profession in Cameroon, noting that reporting is often biased and falls short of balance. Panelist Cathy Yogo, a journalist, claimed the field is infested with non-professionals. Very few abide by the rules of the profession, she said. The panelists blame poor training, low salaries and Cameroon's climate of corruption—noting that the press is not immune from the corruption that plagues the government. All the panelists agreed that many articles amount to nothing more than advertorials, or even outright advertising, without calling it such. Naturally, the reputation of the profession has suffered, and journalists have lost credibility. Another panelist added that the public views journalism skeptically, with consumers openly doubting some stories.

But who is to blame for the poor reputation of the press? Panelist Nestor Nga Etoga, a journalist from Yaoundé, said media as a whole are making a clear effort to double-check their facts, but sometimes in the process of fact checking,

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 are accused of attempting to blackmail sources. In 2008, this led to the arrest and imprisonment of three journalists who dared to question Ecole Nationale d'Administration et de Magistrature (ENAM) leaders about some complaints lodged against them. At other times, when journalists approach experts to shed light on a complicated subject or provide a different perspective, doors are shut in their faces.

Alongside the collapse of democracy, the disintegration of the state, and the spread of corruption throughout Cameroon, many media members commit serious ethical breaches. This includes journalists in the private press, who still practice something resembling "combat journalism," with excesses and abuses of professional conduct and ethics.

At the same time, journalists in the public sector are far from professional role models. François Bikoro Oba'a, journalist from Yaoundé, remarked on the bias that public service journalists often display, in clear violation of standards of professional conduct. As but one example, the public press covers ruling party meetings systematically, but not meetings of the opposition. Nwe blamed institutional laxity, as well, for the failure to ensure that media members observe the laws and standards of the profession.

Cameroon does have a regulatory agency in place, the Conseil National de la Communication (CNC). Its role is to police compliance with the Code of Ethics and Professional Conduct, as well as provide a mechanism for dialogue between the state and the media. In the panelists' view, CNC has failed partly due to lack of resources, but largely because of politicization. In fact, CNC has become one of the government's weapons of repression against the independent press.

Self-censorship is common, and the media's poor financial health has rendered it vulnerable and dependent on providers of official notices and advertisements. Given this widespread dependence, no media outlet can speak freely or denounce the excesses of companies that advertise, which include the state betting agency PMUC and the Orange and MTN mobile telephony companies. Press owners act in self-defense by imposing biased news reporting.

In a country where press owners must be very strong both economically and politically just to survive, it is not a given that journalists can practice their profession under proper working conditions. Poor facilities, insufficient investment, and low salaries lead to unstable footing for media workers. A collective agreement for setting journalist salaries was negotiated and signed in 2008, but never implemented—and salaries remain below the terms of the agreement. Some press outlets pay journalists virtually no salary at all, citing the lack of government subsidies for the press as an excuse.

Social protection of salaries and medical insurance are not guaranteed. The panelists agreed that low pay increases the temptation for journalists to veer toward corruption. For example, journalists often cover institutional news just to rake in *per diem* allowances and make ends meet.

According to the last MSI study, entertainment and news shows are clearly balanced. However, in terms of facilities and equipment, media outlets still have obstacles. While the broadcast media have sets and studios acceptable from a technical standpoint, low-powered transmitters and poor working conditions pose other problems. Some press outlets have the appropriate technical equipment to gather and process news, but most of them lack adequate workspace.

As noted as well in the 2009 MSI's discussion of niche journalism, the media focus heavily on political topics, while neglecting social, health, and environmental subjects. Additionally, outlets have difficulty finding funding to support specialized news development.

OBJECTIVE 3: PLURALITY OF NEWS

Cameroon Objective Score: 1.90

Cameroon's radio and television landscape is extremely uneven. After a long period of state monopoly of the sector, in April 2000 the government finally agreed to allow private operators to produce and broadcast radio and television programs. Decree 2000/158 of April 3, 2000 set the operating terms and conditions for private media. Up to that point, Cameroon was one of the few countries in the region

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.

that had not liberalized its airwaves. But the legal vacuum preceding that decision did not prevent the development of community or religious radio stations—nor the growth of pirate cable operators broadcasting foreign stations, panelists noted. They said that middle-class and wealthy people watch foreign channels mainly, so the number of pirate operations increased.

A few small private radio stations have made halting appearances, in addition to rural and community stations created through a partnership between the state, international agencies (such as Agence de la Francophonie, UNESCO, and other Swiss and Canadian associations) and local grassroots communities. The stations include Radio Lolodorf and Radio Dana in Yagoua, Radio Kembong in Mamfé, Radio Oku in Kumbo, and Radio Fotuni in Bafang. These stations broadcast over a 40–50 kilometer (25–30 mile) radius. Categorized as not-for-profit local radio stations, they operate under agreement with the government and the Ministry of Communication. Still, it is proving difficult for community radio stations to gain secure footing—which, in combination with the poor quality of public media, has driven the success of international radio stations in Cameroon. A study carried out in 1995 by the Research Center on Economics and Survey Studies (known by its French acronym, CRETES) backed this idea, showing that Cameroonians prefer news from foreign radio stations.

As for the print media, the official 2000 census counted 1,300 legal newspapers in the county. In reality, only 30 actually published, and only 19 of those appear regularly. The rest publish in fits and starts.

Quite a few of the old pre-liberalization Cameroonian press continue to appear. *Le Messenger*, founded in 1979, is one of the oldest African independent newspapers and has long been held up as an exemplary private paper. Its editor-in-chief, Pius Njawa, is an international symbol of the independence of the press. Other long-running papers include the *Cameroon Tribune* (since 1974), *Aurore Plus* (since 1988), *L'Effort Camerounais* (since 1955), *Cameroon Post* (since 1969) and *Le Patriote* (since 1984). Other newspapers arose after 1990, including *Mutations*, *Perspectives Hebdo*, *Popoli* (the satirical version of *Le Messenger*), *La Nouvelle Expression*, *Dikalo*, *Ouest Échos*, and *Le Front Indépendant*. Some newspapers are published in English, such as *The Herald*, *The Sketch*, *The Messenger*, and again *Cameroon Post*. All are weekly, biweekly, or triweekly publications. The government-run *Cameroon Tribune* is the only daily newspaper (published weekdays), and is bilingual, published in English and French.

Apart from those leading newspapers, other irregular publications are filled with advertorials (prepaid articles).

They do not deserve to be called newspapers, said panelists, who view their very existence as harmful to the media sector as a whole.

Some newspapers (*Le Patriote*, *Cameroon Tribune*, and *La Nouvelle Expression*) have an online presence, while *Cameroon Actualité* is an exclusively online publication.

Comparing the Cameroonian press to their counterparts in other West African countries, panelists emphasized the striking absence of an independent daily newspaper (the only “almost daily” is a state newspaper, and the most significant independent papers appear only two to three times a week), and noted the decline in the quality of the Cameroonian private media.

According to Yogo, the existence of multiple news sources favors an exchange of ideas. Mihamle cautioned, however, that the plurality of news sources does not always guarantee objective news reporting. The independent press cover news stories abundantly, although there is a regrettable tendency (forwarded not by journalists, but special interest groups) to protect certain behind-the-scenes interests.

For example, advertisers and influential business people are able to skew the news in their favor. The Commercial Bank of Cameroon, for instance, managed to get a primetime interview on the major television channels, as an effort to overhaul its image. Following a lackluster performance in the World Cup, soccer star Samuel Otoo also appeared on the major television channels in primetime for a similar rehabilitation effort. Albert Moïse Njambe, a political and business mover and shaker, was able to promote a singular and unchallenged current of thought by funding some 20 newspapers. For years on end, he appeared on front pages, thanks to the sheer power of money. The playing field is leveled only by the foreign press and other domestic media.

Still, Djila Mba said that given the boom in computer and communications technologies, people are now able to obtain information from many sources, and access to domestic and international media is unrestricted. Janvier Njikam, a journalist from Yaoundé, noted that multiple sources of news are broadcasting to urban areas. While coverage is lower in rural areas, community radio stations and regional newspapers do relay news. But the panelists stressed that wide distribution does not at all preclude complaints about news objectivity and credibility.

Bikoro Oba'a, for his part, expressed satisfaction with the breadth of news media. The opening up to foreign competition has allowed citizens to get their news from the best sources, he noted, and that in turn forces the local press to up its game. Djomo Nkouandjo granted that multiple news sources are accessible freely in Cameroon, but

emphasized that the news is not always objective or reliable, because journalists have scant training and people have little money to purchase media. Nwe agreed that most people cannot afford to buy newspapers, instead congregating at newsstands to read.

The panelists also concurred that public media are unabashedly allied to the political party in power. As one panelist noted in last year's MSI study, CRTV, the official radio/television station, trains its attention to information about the presidential inner circle, neglecting much else. In the electronic media, the lack of properly updated websites for state agencies is a major problem, and editorial control remains in the hands of a few people within the Ministry of Telecommunications.

The country is still without a strong news agency; the national news agency, CAMNEWS, is experiencing financial difficulties that prevent it from producing its own programs. Instead, it distributes stories from New China (Xinhua) news agency. The international news agency Syfia, meanwhile, is funded by the Agence de la Francophonie and by French, Swiss, Canadian and Belgian cooperation. Last year's panelists did confirm that independent media produce their own original content.

Media ownership remains rather murky. Often the true financiers of the media prefer to remain in the shadows, which has prompted previous MSI panelists to argue in favor of government regulation of funding sources.

As for minority language coverage, last year's MSI study noted that the liberalization of broadcast media, combined with the proliferation of community radio stations, has facilitated the development of programs in local languages other than French and English. Although cable television and the Internet have helped to stimulate debates on social and minority issues, journalists still tend to approach issues related to tribal minorities cautiously.

OBJECTIVE 4: BUSINESS MANAGEMENT

Cameroon Objective Score: 1.37

All the panelists recognized that, in general, existing press outlets are not businesses in the full sense. Proper business ventures have start-up capital, make appropriate investments both in human resources and physical plants, plan their activities, and know their sales figures—none of which can be said of most Cameroonian press outlets.

Still, the economic and financial situation of the press is no different than most media in underdeveloped African countries. Most Cameroonian publications are small private

or family-owned businesses, managed haphazardly on a shoestring budget. When owners die, their press outlets tend to die out, too. Nga Etoga observed that good management in the private media depends on the particular outlet's resources.

Onohiolo Souley, a journalist from Yaoundé, concluded that the financial and technical management of press companies—particularly private press companies—is not transparent. Financial information is treated as owners' well-kept secrets. One panelist commented that Cameroon has more than 600 press outlets, but fewer than 10 are actual press businesses.

The Cameroonian press fell into a state of generalized bankruptcy because of a collapse in sales, which the panelists attribute to readers' lack of confidence in newspapers. A wave of corruption, mediocre writing and reporting, and the tense relationship between the authorities and the private press all contribute to the wider problem.

The circulation numbers tell the story. In the early 1990s, the biggest newspapers printed 80,000 copies. *Challenge Hebdo* had a circulation of 60,000. Owning a press outlet was a lucrative business, and sales were strong—though journalists were paid little. Today, newspapers print between 2,000 and 8,000 copies. The regular version of *Le Messager* has a run of 6,000, and the satirical version, *Popoli*, 7,000.

Economic factors behind the decline of newspapers include the devaluation of the CFA franc and the economic crisis, which reduced purchasing power greatly—while at the same time, newspapers were forced to raise their cover prices to compensate for increased production costs. On average, the cover price of newspapers went from 200 to 300 CFA francs

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.

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(from \$0.43 to \$0.65). Thus, revenue from copy sales is small, and journalists are paid badly.

The public's spreading disillusionment also hurt the media. Ten years earlier, a critical stance toward the government proved the recipe for upping sales. Now, faith in political change and democracy has all but evaporated, and newspapers have suffered a great deal from the nation's loss of interest in politics. Even though the press have softened their tone, they have not adapted to the change in popular demand for a different kind of news that is closer to people's everyday concerns. They have attempted to allocate more space to news briefs and sports, and soccer in particular—supposedly in line with demand—yet most newspapers still seem to fail to understand their readers' interests effectively.

According to Nga Etoga, access to advertising is spotty for most Cameroonian press outlets, and employees cannot count on being paid. Editorial content suffers as a result. Mounting public distrust of the press has also hurt the media's advertising prospects, as no advertiser will risk placing advertising with newspapers that have no visibility or impact. Henri Etene Tobie, a journalist from Douala, added that advertising is allocated by political affinity or through professional networking, with a chilling effect on media freedom and independence. Oba'a expressed regret over the absence of any advertising agencies.

Njikam concluded that the independent media live from day to day in a state of near-permanent cash flow crisis, and noted that the tense relationship with the government discourages assistance from the public purse. Furthermore, government-sponsored advertising favors press outlets funded by public capital. Support is granted based on evaluation of the press outlet's editorial policy. However, the panelists did not explore whether or not government subsidies could further harm the editorial independence of private media outlets.

Although previous MSI studies have indicated a dearth of market research, accurate ratings, or circulation figures, some

foreign organizations have ordered research. In addition, the private company CRETES has conducted audience and readership surveys.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Cameroon Objective Score: 1.86

For some years now, the Cameroonian media sector has been in serious crisis, partially attributable to the disaffection of the public and the government with the media. Although some associations of media defenders and publishers exist, they are not organized well enough to defend the interests of their members properly in Cameroon's challenging media climate.

Djila Mba noted that the country has associations and other unions that defend the professional interests of journalists. Union des Journalistes Camerounais (UJC) is an organization supported by UNESCO and intended to include all journalists, but some journalists consider it a tool of the government. Organisation Camerounaise pour la Liberté de la Presse (created by Pius Njawe, former head of *Le Messager*) fizzled after going through a militant and enthusiastic phase. The Association des Journalistes Economiques, supported by the Friedrich Ebert Foundation, established the Observatoire Déontologique des Médias, but has limited scope, focusing on economics.

Panelists said that overall, journalists' attempts to organize into unions and associations have not been very successful, with journalists apparently lacking a sense of solidarity or shared ideology. Many issues divide journalists as a group, ranging from political and ethnic differences to splits

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.

between public and private journalists, salaried employees and freelancers, and owners and journalists. Some journalists on the panel said that such associations do not do enough for journalists facing trials, and commented that any training that associations provide for journalists is done on the cheap.

The activities of the various NGOs and cooperative ventures to support media development are limited and low-profile, especially at the local level. The principal ventures supporting the media are bilateral French, German (the Friedrich Ebert Foundation), and Swiss efforts, and multilateral between Agence de la Francophonie, UNESCO, and the World Bank. Catholic NGOs also lend some support, and Reporters sans Frontières intervenes actively on behalf of imprisoned journalists. UNESCO and the Friedrich Ebert Foundation have focused on supporting the professional associations. In addition, the UNESCO International Programme for the Development of Communication (IPDC) donated equipment and technical materials to the media regulatory body Conseil National de la Communication (CNC), while the Friedrich Ebert Foundation supports the media self-regulatory economic group Observatoire Déontologique des Médias.

Even before the state had defined the framework for private broadcast operations, several local and community radio stations were founded with support from the Catholic Church, Agence de la Francophonie, UNESCO, and the government of Switzerland. Unfortunately, the donors did not seem to have much coordination or dialogue between them. Most of their interventions were one-off actions, rather than part of a structured, long-term effort to support the sector.

Yogo said that Cameroon has unions and associations of journalists, but the bulk of the advocacy work is done by international NGOs. Mihamle agreed that journalist associations exist, but their activities leave something to be desired. Often such associations are springboards for media owners, who use them to their own ends and to the detriment of their own guild. International associations are extremely helpful, though, Mihamle said.

With regard to training, Cameroon has quality state and private institutions that provide theoretical and practical training. Two private colleges, Siantou and Ndi Samba, offer established programs to train journalists. Ndi Samba also runs a university radio station, Radio Lumière. However, short-term internships and work experiences are the most common type of basic professional training for journalists, and the panelists expressed regret that more opportunities are not available—especially for journalists interested in upgrading their skills. Specialized opportunities are offered

sometimes; the World Bank, for example, has led training programs in economic journalism. Panelists noted that donors have stopped funding the regional journalism training center, ESSTIC, which offered basic theoretical training to journalists. Earlier, ESSTIC had developed a communication program that covered advertising, public relations, publishing, and documentation.

The two major printing houses are Macacos (which is owned by the Catholic church and run independently) and Sopecom (run by the state and in control of the content of private newspapers). However, most newspapers and most printing houses belong to the private sector, as do newsstands and Internet service providers. Although media distribution channels are owned privately, they cannot be described as apolitical. As noted in previous MSI studies, the government interferes at times, shutting down television and radio transmitters when an outlet has run afoul of the government somehow.

List of Panel Participants

Henri Etene Tobie, journalist, *L'éveil Républicain*, Douala

François Xavier Eya, journalist, *La Nouvelle Expression*, Yaoundé

François Bikoro Oba'a, journalist, Vision 4 TV, Yaoundé

Onohiolo Souley, journalist, *La Nouvelle Expression*, Yaoundé

Charles René Nwe, journalist, *La Nouvelle Expression*, Douala

Nestor Nga Etoga, publication manager, *Gestion et Perspectives*, Yaoundé

Djila Mba Blaise, journalist, CRTV public radio and television, Yaoundé

Djomo Nkouandjo Simon Patrice, reporter, *Germinal*, Yaoundé

Yogo Cathy, journalist, *Mutations*, Yaoundé

Jean David Mihamle, correspondent, BBC Cameroon, Yaoundé

Janvier Njikam, journalist, *Frontières d'Afrique*, Yaoundé

Moderator and Author

Jean-Bosco Talla, publication director, *Germinal*, Yaoundé

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

The media landscape that experienced significant growth in the 1990s is now limited to a handful of media, most clustered in the capital, Bangui.



CENTRAL AFRICAN REPUBLIC

Independent observers of the media landscape in the Central African Republic (CAR) agree: while not perfect, the media environment and the freedom of the press are far from alarming. Much has changed since the days when former president David Dacko (1960-1966) and Emperor Jean Bedel Bokassa (1966-1979) kept tight control of the press and systematically repressed any “subversive text.” Under Bokassa’s regime, for example, criticizing the government or simply publishing a cartoon was unimaginable and the press was limited to photographs that largely sang the government’s praises.

With the advent of a multiparty system in 1992, the population was free once again to speak out. Small opposition newspapers, with circulations in the thousands of copies, boomed, and political cartoons were excellent. When the tenure of President François Bozize began in 2003 and press offenses were decriminalized in 2005, the media environment improved further, despite a few but consistent attacks and threats against the media and journalists.

Improvements notwithstanding, the MSI panelists reported that the state of the media still reflects a country marked by repeated conflict and severe economic hardship. The media landscape that experienced significant growth in the 1990s is now limited to a handful of media, most clustered in the capital, Bangui. The government does not have an official press outlet, other than the state-run news agency. Most newspapers, often linked to political trends in the country, favor the opposition but maintain “gracious neutrality” toward the government, one MSI panelist said.

To weather the tough economic environment and meet extremely high production costs, newspaper managers are forced often to resort to governmental assistance. Publications from the capital do not reach the provinces, sales are low, and they have almost no impact on the population outside of the cities. According to Albert Mbaya, chair of the Groupement des Editeurs de la Presse Privée Indépendante de Centrafrique (GEPPIC), “French is the language of the written press despite a majority of people who cannot read the language, not to mention that buying newspapers in such a poor country is definitely not a priority for most households.”

On the new media front, CAR remains a country where many journalists still do not have an e-mail address, and many citizens do not yet know how to use the Internet.

CENTRAL AFRICAN REPUBLIC AT A GLANCE

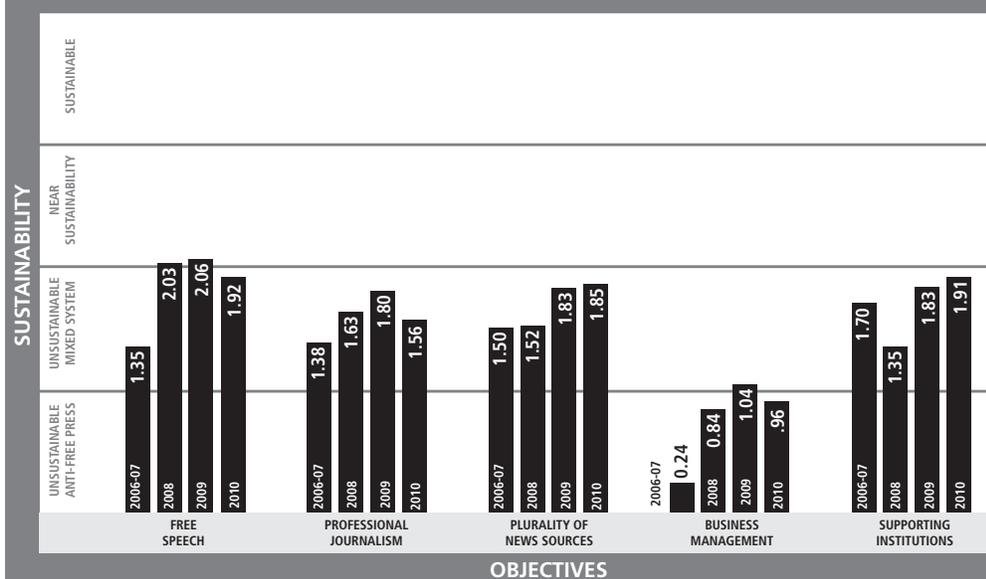
GENERAL

- > **Population:** 4,950,027 (July 2011 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:** French (official), Sangho (lingua franca and national language), tribal languages (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$2.067 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$760 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 48.6% (male 64.8%, female 33.5%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** 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:** Agence Centrafrique Presse (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 22,600 (2009 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: 1.92

Gains in the freedom of the press in the CAR are widely accepted. “No journalists in prison. No murdered journalists. These are facts. But still, there are threats, fines, various kinds of pressure and harassments,” the panelists stated almost unanimously.

The panelists also recalled that the violations of the press laws were decriminalized in 2005 and that other laws officially recognize the freedom of the press. And yet, people complain that the reality does not match the words on the paper. Mathurin Momet, the publication manager of *Le Confident*, remarked, “There is a huge gap between the law and its enforcement. Journalists are arrested by political-administrative authorities and kept in jail with the approval of the judicial authorities. Pascal Chirhalwirwa, the coordinator of the Institut Panos Paris, pointed out that there is much political interference in the media. The politicians in government who are supposed to enforce the law are instead the first to break it.

As for broadcast licensing, Tchendo Joseph-Vermond, a member of the Haut Conseil de la Communication (HCC), explained that the HCC guarantees the freedom of communication in the CAR and is the sole issuer of broadcast and publication licenses, while also methodically ensuring the maintenance of professional ethics. Chirhalwirwa, however,

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.

Bogoto said that the state-run media are subject to a different set of rules, he said, which leads to unfair advantages for the state-run media.

said that operating licenses are not fairly granted by the size, context, and purpose of each media. Nevertheless, anyone may create a media outlet, but the time to market can vary greatly according to how many “friends in high places” one has.

Sammuel Bogoto, a journalist with Radio Integrated Community Development International (ICDI), denounced attempts to suffocate private papers with high taxes, adding that the media companies are subject to tax laws at the same rate as any other businesses.

Joseph-Vermond expressed regret that the private print outlets must pay enormous taxes to the state, despite the low circulation and an acute lack of advertising. Ewango Ndouwa, head of the Media Resource Center with Radio Centrafrique, disagreed with that assessment, however. According to him, there are privately owned press companies that are operational and papers in print every day. What they lack is an office—meaning they pay no taxes.

Ndouwa said that criminal acts against journalists or media outlets are consistently prosecuted, but such crimes are quite rare. For example, a woman journalist was raped as she was returning from the provinces where she was on assignment to raise awareness on Independence Day. Her fellow journalists and the civil society rallied to demand that the perpetrators be prosecuted and tried. Simon-Pierre Ndouba Beret, recording secretary of the Observatoire des Medias, countered with a few cases that show, in his opinion, that the enforcement of the legislation is not only questionable, but the authorities themselves are sometimes behind attacks. For example, in August 2010, men in military uniforms attacked a television camerawoman. Furthermore, according to last year’s MSI, the public does not always react with outrage when journalists are victimized.

In practice, Felicite said, journalists face many difficulties, not excluding mistreatment at public events by the presidential bodyguards. “One radio journalist was assaulted by a security agent and was hit on the forehead,” she recalled. Chérubin-Raphaël Magba-Tutama, a freelance journalist and trainer, noted that the authorities were also harassing fellow journalists Jean Claude Gnapougo and Mathilde Gbate of the local Berberati (community) radio station at the time the MSI panelists met.

Journalists also endure arbitrary arrests; Magba-Tutama pointed to the case of his fellow journalist Alexis Remangai, who was recently arrested without good cause. He was released without trial by the state prosecutor. Also, in September 2010, an editor from the private paper, *Le Confident*, was held unlawfully by police for publishing a letter written from the mining associations protesting the actions of the principal private secretary of the Minister of Mines. In another incident, the Minister of Communications was accused of suspending a national radio program after its anchors made statements critical of several politicians.

Charges of official favoritism of the state-owned media persist, along with charges that public media journalists serve the authorities, reflecting the official point of view and failing to give the opposition and civil society any airtime. Bogoto said that the state-run media are subject to a different set of rules, he said, which leads to unfair advantages for the state-run media. Furthermore, the government reserves the right to appoint public media managers, and Bogoto noted that the local authorities in the provinces go so far as to interfere with the local community radio stations by appointing subservient managing committees.

Momet commented that the public media are privileged over privately held media at events and in access to news sources. Sometimes, the private media are blocked from covering events sponsored by the president. Members of the cabinet and high-ranking administration officials withhold information from journalists in the private sector.

For most, the 2005 decriminalization of press offenses in the CAR is seen as a significant development. And yet, despite official protection, Albert noted that journalists are still questioned, harassed or threatened, and accused of "libel." Félicité Gakara Virginie, an editor with Radio Télé Centrafrique, denounced the fact that when a journalist is tried, magistrates still refer to the criminal code, a legal maneuver that is no longer possible under article 71 of the 2005 law on freedom of the press. And, the burden of proof still rests with journalists.

Mbaya emphasized that journalists' access to public news sources is an important indicator of freedom of speech. On the one hand, access to news is extremely limited nationally. On the other, the rise of the Internet has removed certain difficulties and roadblocks. But many doors remain shut to journalists, even as they are officially described as open.

As noted in last year's MSI, while the government does not restrict access to the Internet, it may be a case of the authorities simply not having the resources to control Internet use. Furthermore, there are signs that journalists continue to underuse the Internet as a research and reporting tool; many

do not even have e-mail addresses. Nonetheless, the media are allowed to distribute or rebroadcast foreign media production or news from press agencies.

Entry into the profession is fairly free; anyone can attend journalism school, become a journalist, and create supporting associations. Some panelists noted that in November 2009, President Bozize issued two decrees regulating the creation, organization, and operation of a national committee to issue press cards and a committee to grant annual subsidies to the privately owned media. But, since that date, neither committee has been operational. Joseph-Vermond noted that Central African journalists are free to organize themselves but are very slow to do so.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

CAR Objective Score: 1.56

The panelists are deeply circumspect in assessing their profession and agree that improving the professionalism of journalists in the CAR is an enormous challenge. The printed press is an opinion press, where personal comments are more important than facts. One panelist said that with the exception of Radio Ndeke Luka, managed by the Hirondelle Foundation, the other Central African media do not produce high-quality, fair, and objective news. The news-reading population complains frequently about the poor-quality, opinionated positions and lack of professionalism displayed in the two main daily newspapers, *Le Citoyen* and *Le Confident*.

Magba-Tutama noted that there is a great deal of amateurism due to the lack of qualified journalists. Balance completely

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).

escapes the public-sector media, which must sing the government's praises. But Mbaya believes that professional standards of quality are difficult to meet, mainly due to technical, financial, and logistic challenges. The need for and lack of training is another concern. Young people throw themselves into the field without training in quality standards necessary for professionalism. Ndouba Beret concluded that in general, journalists fail to meet professional quality standards due to serious deficiencies in training and equipment, but also owing to political and economic pressure. Many journalists are trained "on the job," and the country lacked a school of journalism until 2009. This explains the blunders—particularly by independent newspapers—that have touched off angry replies and arrests, and reinforced the public perception of all media as "press of opinion" rather than fact.

Magba-Tutama said that professional ethics are monitored by professional organizations, such as the Union des Journalistes de Centrafrique (UJCA), but are never enforced. This is particularly true of certain privately owned newspapers in search of sensational news/materials to improve sales. One panelist told the story of journalists who, during a training session, revealed that it was hard to write an article without "spicing" it up, to which a member of the HCC replied that those who "spice up" their stories end up with burned eyes and tongues.

News is not balanced but is delivered in "the master's voice." Self-censorship is the norm. And, Momet commented, "In the public media things are not much better; self-censorship is common, as politicians publicly discuss not wanting to pay journalists who criticize and insult them." Self-censorship in the public media is common by journalists hoping only to protect their status as state employees. As a result, public media refuse to cover events organized by the democratic opposition. In other cases, political restrictions prevent journalists from covering certain issues. A kind of moral pressure weighs on journalists, hindering their work.

However, according to some panelists, journalists at private radio stations supported by international organizations can cover all domestic and international events, and they have access to training and requalification processes. They actively observe professional ethics and rules of gathering, processing, and reporting news. The working and living conditions of media professionals at the religious radio stations are decent as well. For community radio stations sponsored by municipalities, however, professional life is an ordeal. They are badly paid and receive no training.

Salaries are a foreign concept to most, and contracts are almost non-existent. Such poor working conditions do not favor professionalism. In the few media outlets that offer salaries, journalists are overloaded to the point of inefficiency.

Magba-Tutama said that professional ethics are monitored by professional organizations, such as the Union des Journalistes de Centrafrique (UJCA), but are never enforced. This is particularly true of certain privately owned newspapers in search of sensational news/materials to improve sales.

The working and living conditions for media professionals in the public sector are poor, and they have asked the government for a salary increase. Momet believes each sector deserves a different approach. Journalists in the public sector face a different situation than those in the privately owned media, who are supported by international organizations without state subsidies, and those differ from the community and religious media.

Speaking of the public media, Gakara Virginie reports that management censors journalists, especially for political news. She said that, in terms of salary, journalists are the "poor relatives"; they are badly paid and enjoy no perks of the trade or social status. They work in "appalling" conditions, especially at the national television channel, rendering them vulnerable to corruption.

Momet said that, with respect to salaries, journalists in both the public and private sectors are "thrown nickels and dimes" comparatively, exposing them to corruption. Panelists also described two incidents that they said reveal the sorry state of journalism in the CAR. Two years ago, a trainee at a privately owned media outlet stole the cell phone of a diplomat, and, more recently, a journalist from the public press was held in custody for taking money from a lost-and-found bag that had been returned to the station.

As last year's MSI reported, the preference for entertainment programming is clearly evident in the broadcast media; last year a panelist estimated that entertainment outweighs news by 70 percent on some stations, including the national radio.

Furthermore, technical equipment is outdated and insufficient. Gakara Virginie commented, "I confirm that in the public-sector media it is obsolete—particularly at the Television Centrafricaine, where the equipment is still analog." The lack of funds, equipment, and training all hinder the development of investigative reporting and specialized reporting; many journalists cannot even access the Internet or conduct proper investigations.

OBJECTIVE 3: PLURALITY OF NEWS

CAR Objective Score: 1.85

The Central African printed press has a lot of small publications, but only half a dozen or so titles appear regularly. The two main dailies, *Le Citoyen* and *Le Confident*, print fewer than 2,000 copies, distributed only in the capital of Bangui. In the audio-visual sector, CAR public television broadcasts only four hours a day. The country has relatively few television sets. Two satellite television packages are available, but only the wealthy can afford it.

As in most African countries, radio is the preeminent medium. An estimated two-thirds to three-quarters of households own a receiver. There are three core branches of radio in the CAR: public, religious, and independent stations comprised of Radio Ndeke Luka and three FM community outlets.

The religious branch is made of Catholic stations that broadcast evangelical and educational programs (such as Radio Notre Dame) and Protestant stations that focus on evangelization, broadcasting in FM in Bangui and the larger provincial towns. The public branch includes the state-run radio station and rural stations, but the latter are having technical difficulties of late. The national radio station broadcasts in FM from Bangui, while in the rest of the country it broadcasts in short-wave (HF) and hectometer-wave (MF) bands between 6:00 am and 5:00 pm only. Aside from the national station, only Radio ICDI, the local station of Boali, and Radio Ndeke Luka are broadcast on shortwave and only for a few hours each day.

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 the provinces, the population enjoys access to one or two local radio stations, the national station, and Radio ICDI and Radio Ndeke Luka via shortwave. Only a few have access to television, and newspapers are non-existent.

Momet said that since the law on the freedom of communication was passed, there has been an explosion of newspapers and private, religious, and community radio and television channels, plus free online access to news agency dispatches. Citizens are free to choose which newspapers and which radio stations to follow. Competition forces the private media to work harder to improve their productions and to strive for fairness and objectivity.

In the same vein, Magba-Tutama expressed satisfaction with the existence of multiple news sources, such as radio stations, a television channel, and newspapers with diverse editorial policies, offering a variety of news.

And yet, Bernadette Doubro Sekamaboyo, vice president of the Association de Femmes Professionnelles de la Communication (AFPC), said, "The population's access to domestic and international media is unrestricted, but despite a plurality of private and public news sources, there is a big problem: information does not penetrate far enough beyond the capital and large cities. Not many citizens have access to the Internet or know how to use it." Mbaya commented, "If the public media have limited reporting possibilities, the privately owned media are free and largely manage to fill that gap. Nonetheless, there is no national coverage, as the private media are not equipped to spread beyond a certain limit. One cannot truly speak of universal access to news so long as it essentially covers only the capital, Bangui, while more than 70 percent of the population lives in rural areas and are generally cut off from news."

Large areas of the country are virtual media deserts reachable only by shortwave. Unfortunately, the national television channels do not cover the entire country, and the media have only a handful of local correspondents spread across the provinces. There is no media distribution service—newspapers are available only in Bangui. Cell phones provide users the freedom to communicate focused information. The lack of telecommunication networks also complicates news distribution: there are just six cybercafés in the provinces, and those are available only thanks to a sponsor. Since new information and communication technologies are lagging in the CAR, blogs are as yet out of the question.

Meanwhile, the public media serve the interests of the ruling party in all their activities, panelists said. The opposition leaders are systematically excluded from public media despite a 1992 law that guarantees access by all political parties. The public media are not independent but beholden to

government as state employees. However, there are signs that the government would like to change this image, at least; panelists commented that on October 19 of last year, the chair of the Assemblée Nationale went so far as to ask publicly that diplomats ignore claims that the press is a government tool and instead champion training initiatives to improve.

There are no foreign news agencies active in the CAR. Foreign investors do not view the market as lucrative enough to invest. RFI is the most widely used news source in the CAR. The community radio stations broadcast RFI programs live, particularly the news bulletins, and newspapers reprint some RFI programs. Some media use news from the Internet, but they fail to check facts and sometimes simply copy and paste the news. However, despite modest resources, the privately owned radio stations are able to produce original programs, according to the panelists.

The privately owned media—the newspapers, in particular—actively cover political issues but rarely address other social issues. Ethnic minorities receive very little media coverage. It remains difficult to publish in Sango (the national language) or in the various minority languages. Nonetheless, there are occasional programs on the Ba Aka pygmies supported by NGOs.

OBJECTIVE 4: BUSINESS MANAGEMENT

CAR Objective Score: 0.96

While all the panelists are satisfied that the Central African constitution guarantees freedom of the press and the government claimed rehabilitation of the media as one of its priorities, none dispute that the media face an unfavorable economic context and a glaring lack of human and technical resources. Chirhalwirwa pointed out that management is a primary weakness of the Central African independent media. Besides Radio Ndeke Luka, *Le Confident* is the only media with a reasonably organized administrative structure, he added. Press companies are not profitable because they lack management and resource-use policies. Chirhalwirwa also reminded the group that from 2006 to 2009 RFI offered management training to the community media, with few real results.

According to Magba-Tutama, it is a widely held belief that the Central African press does not provide for its people. The community radio stations likewise walk on crutches and long ago were abandoned to their own means. As for print, panelists pointed out that newspapers cannot live off sales and subscriptions. They rely on advertising from UN agencies

As for print, panelists pointed out that newspapers cannot live off sales and subscriptions. They rely on advertising from UN agencies and some NGOs.

and some NGOs. The lack of advertising and distribution makes commercial management difficult and unfair, and the presence of new income sources might keep the independent media afloat and shelter their employees from the temptation of unethical practices.

Momet denounced the failure of attempts to unite newspapers to seek financial support from their partners, which fell apart due to the individualism of their managers. To stay afloat, certain papers must serve political figures or commercial interests.

The advertising market offers little hope of a solution. The prevalence of monopolies in many economic sectors means it is unlikely that advertising will flourish. Advertising has fallen through the cracks, exacerbated by a general lack of advertising agencies. Chirhalwirwa pointed out, however, that Radio Ndeke Luka created an advertising department whose receipts are now close to 30 percent of its operation budget. This success is the fruit of good organization and consistent management.

In the view of the panelists, the professional challenges to the media field are exacerbated by the lack of government subsidy for privately owned press. The panelists favored speeding up the granting of this subsidy and enforcing the recommendations of the first general assembly of the Central

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.

African media held in 2007. The government accepted the subsidy in principle and opened a CFA 5 million budget line for it in 2010. As noted earlier, in 2009 President Bozize issued a decree on the organization of a committee to grant annual subsidies to the privately owned media, but the committee has not yet materialized. Gakara Virginie noted that the government does offer subsidies to the independent media—for instance, on international press day and similar occasions. The panelists did not discuss whether such subsidies could give the government undue influence over independent outlets.

Ndouba Beret concluded that sustainability of the independent media is questionable and noted that most privately owned newspapers have no market research or business plan in an environment that is rather hostile. There are still no audience studies, ratings, circulation statistics, or Internet-news user statistics, nor is there any agency to support such efforts.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

CAR Objective Score: 1.91

On May 3, 2010, as the world celebrated World Press Freedom Day, the chair of the Union des Journalistes Centrafricains (UJCA) thanked UNESCO, BINUCA (Bureau Intégré des Nations-Unies pour le Centrafrique), OIF, the European Union, the Institut Panos, Cordaid, France, and all the countries friendly to the CAR for their support of professional associations and their efforts to improve Central African media, such as training and equipment supplies.

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 were pleased that, as part of this support, a Press House opened in a building in Bangui that was renovated thanks to a UNESCO project co-financed by Canada. The Press House offers media organizations and journalists a common space complete with Internet access and production equipment. The Press House is also a place of collaboration where exchange of ideas is free and where domestic media and journalists can connect. The Press House also organizes short-term training and skills-development activities for media professionals.

Many media professionals attended the inauguration of the Press House. Joining them were the chair of the UJCA, Maka Gbossokotto, the state minister for communications; Abdou Karim Meckassoua, the UNESCO representative for Central Africa; Bernard Hadjadj, the representative of Canada in the CAR; and Ambassador Jean Pierre Lavoie. While an important day for CAR media, the inauguration was only the first step toward the ultimate goal of securing a "framework for media support and strengthening the freedom of the press in the Central African Republic," envisioned by UNESCO in partnership with media associations and domestic and international associates.

According to several panelists, most of the associations supporting journalists and press owners are weak and vulnerable, and their members are divided by petty leadership conflicts that hinder media solidarity. There is the Groupement des Editeurs de la Presse Privée Indépendante de Centrafrique (GEPPIC), a private press owners' group; UJCA, the Association Centrafricaine de la Presse Indépendante (ACERI); and the Association des Radios Communautaires (ARC), a product of the Catholic media, which supports community radio stations. For Magba-Tutama, GEPPIC and ACERI are the most important national press associations in the CAR. GEPPIC defends the interests of private media, their owners, and their members, and trains journalists. GEPPIC also protests violations of the freedom of the press. While very active in the beginning, GEPPIC lost power due to systematic problems, and the two domestic associations have failed their lobbying role. Momet mentioned that GEPPIC faces a credibility crisis because its leaders are not the managers of the well-established papers. On the other hand, many snub the media professionals' union due to the perceived lack of management transparency. In general, Magba-Tutama said, the associations for communications professionals appear so apathetic that it cannot be said they are defending the rights of journalists.

In conclusion, Ndouba Beret believes that professional associations have structural difficulties that make them less effective. GEPPIC, for instance, which includes twenty newspapers, has just moved into a new office after a

two-year transition imposed by a crisis. The UJCA faces a similar problem, as its lease has expired. And yet, they were able to organize, in August 2010, a peaceful rally supporting the implementation of a specific status for journalists in the public media. Despite structural weakness, the professional associations somehow manage to make themselves heard, however, thanks to the constant support of the human-rights organizations. Nonetheless, there is work to be done to secure that specific status and a collective work contract to improve salaries and advanced training programs for the media professionals.

Since 2009, the Institut Panos Paris has developed a project to support the Central African media. The project has three components: support for media regulation, support for the organization of the media landscape, and an enhanced interaction among the media, authorities, and civil society. While these needs are huge, the Institut Panos Paris remains the only support organization involved in the sector. Despite progress, the gap between hope and reality is enormous.

In addition, the Ligue Centrafricaine des Droits de l'Homme and the Central African Bar Association collaborate in support of the media, denouncing arrests of and attacks against journalists. These groups, and the School of Communication at the University of Bangui, offer short-term training to instill the fundamentals of journalism, strengthen reporting techniques, and provide other pro-journalism programs. The cartoonists at the Press House have benefited greatly from these programs, but so have some journalists.

During the Press House inauguration, a call arose for funding other projects to further support the Central African media and strengthen the freedom of the press. Suggested projects include the creation of a university radio station in the Department of Journalism at the University of Bangui, a monitoring network for attacks on the press and professional printing equipment for the Press House to standardize the A4 format for the first time in the country.

Momet informed the panel that UNESCO will also help with technical support in training news journalists as part of the new Department of Journalism at the University of Bangui. That department is an outgrowth of the South-South cooperation project in partnership with the sub-regional excellence center, the École Supérieure des Sciences et Techniques de l'Information et de la Communication de Yaoundé (ESSTIC), in Cameroon. In its most recent meeting, the PIDC office funded a project to create a pilot community radio station in the CAR. UNESCO also announced a continuous training program for media professionals funded by the Japanese through the Programme International pour le Développement de la Communication (PIDC).

Most papers, if not all, are in the private sector but lack a quality printing house. In Bangui, for instance, there is only one state-owned printing house; the others are privately owned and apolitical. The private audio-visual media own their own studios, antennas, and transmitters, and technical failures are fixed by their own technicians. Such technical autonomy allows the private radio stations to avoid the politicization of their editorial policy.

List of Panel Participants

Julie Ewango-Ndouwa, director, Media Resource Center, Bangui

Simon-Pierre Ndouba Beret, Central African Media Observatory, Bangui

Sammuel Bogoto, journalist, Radio Integrated Community Development International, Bangui

Pascal Chirhalwirwa, coordinator, Institut Panos Paris, Bangui

Virginie Félicité Gakara, editor, Télé Centrafrique, Bangui

Mathurin Momet, publication director, *Le Confident*, Bangui

Albert Mbaya, chair, Groupement des Editeurs de la Presse Privée Indépendante de Centrafrique (GEPPIC), Bangui

Joseph-Vermond Tchendo, advisor, High Communications Council, Bangui

Bernadette Doubro Sekamaboyo, vice president, Association of Professional Women in Communication, Bangui

Chérubin-Raphaël Magba-Tutama, freelance journalist and trainer, Bangui

Guy Dingote Kossani, secretary general, Union of Central African Journalists, Bangui

Jean-Magloire Issa, journalist, Radio Ndeke Luka, Bangui

Moderator and Author

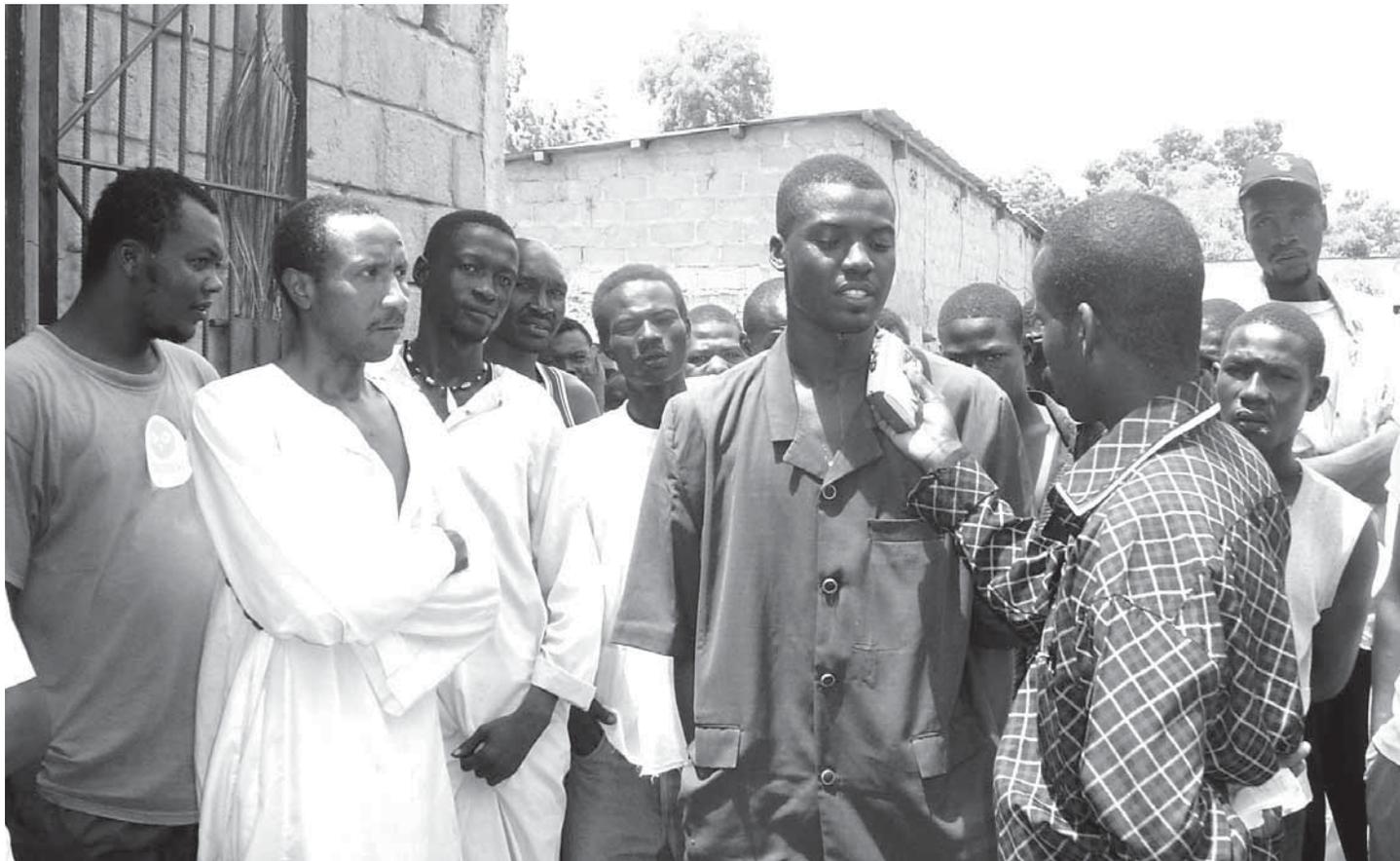
Mathurin Constant Nestor Momet, manager, *Le Confident*, Bangui

Co-Author

Donat M'baya, president, *Journaliste en Danger*, Kinshasa, Democratic Republic of Congo

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

Given Chad's almost-nonexistent advertising market, media outlets face enormous economic difficulties. In addition, press companies are managed badly: at some outlets, the director of publication, the sales manager, and the administrator are members of the same family.



CHAD

In 2010, Chad was one of the 18 African countries that celebrated 50 years of independence. During those 50 years, many waves of internal political turmoil and years of bad blood with its neighbors—particularly Libya and Sudan—have impacted Chad, and it now ranks among the poorest nations in the world. Despite this bleak picture, and the serious problems remaining with press freedom, the 2010 MSI panelists said that they felt generally optimistic. They noted signs of improvement compared to previous years regarding press freedom in Chad, and even described an atmosphere of cooperation between the private media and the government.

The panelists noted that no journalists have been sent to jail since January 2010, despite some isolated threats. Also, in 2010 the government invited all media outlets to cover official events, and opened up access to some sources of information. For example, in an Independence Day press conference, President Idriss Déby invited journalists to ask him anything, and encouraged his ministers to adopt the same approach toward the media.

Other moves contradicted the spirit of growing cooperation, with the authorities interfering and preventing journalists from covering sensitive events. Also, in August, Chad's National Assembly passed a new media law that drew concern quickly. Although the government touted the law for decriminalizing certain press offenses, press freedom advocates leaped to criticize the law for its mere transference of the threat of journalist prison sentences to other offenses, such as inciting racial and ethnic tension or violence.

Censorship and self-censorship persist, and essentially the state holds a monopoly over television.

Poor training and pay for journalists, along with limited sources of revenue for the media, have hurt Chadian media as well. Given Chad's almost-nonexistent advertising market, media outlets face enormous economic difficulties. In addition, press companies are managed badly: at some outlets, the director of publication, the sales manager, and the administrator are members of the same family.

The panelists conceded that they have seen clear improvement in observation of professional standards. Although the sector still has some glaring exceptions, the professional media organization Observatoire de la Déontologie et de l'Éthique des Médias au Tchad (ODEMET) ensures that such lapses are corrected swiftly. Professionalism is lacking in part because Chad still has no university-level college of journalism. The panelists concluded, though, that the country does have great journalists, and their work alongside young journalists can be considered teaching in an informal school of journalism.

CHAD AT A GLANCE

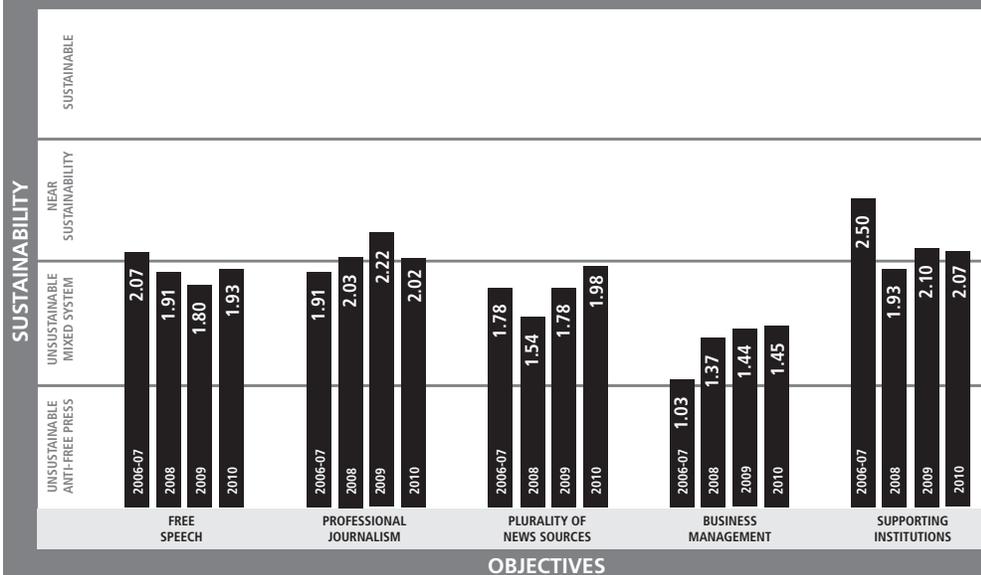
GENERAL

- > **Population:** 10,758,945 (July 2011 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:** French (official), Arabic (official), Sara (in south), more than 120 different languages and dialects (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$ 6,929 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,180 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 25.7 % (male 40.8 %, female 12.8%) (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 newspapers, 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 (state-run)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 168,100 (2009 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: 1.93

Along with the other African states that began moving toward democracy in the early 1990s, Chad's press renaissance started in 1990. However, the abundance of new titles was short-lived, as the economic crisis that took out many newspapers was followed by a wave of repression against journalists.

This repression contradicts Chad's substantial legislation recognizing and guaranteeing fundamental rights and freedoms. For example, Law 29/PR/94 of August 22, 1994 on the press in Chad states in Article 1, "All citizens are free to express their ideas and opinions through all means of communication. The right to information is one of the inalienable rights of the citizen." Article 2 continues in this vein: "The press and printing houses are free." Consequently, no one needs to obtain prior authorization or deposit a bond before publishing a newspaper. Any party interested in setting up a newspaper simply needs to write a statement of publication, signed by the publication director and with the appropriate stamps, and file the statement with the office of the public prosecutor (as stipulated in article 15 of Law 29/PR/94).

Furthermore, Article 1 of Law 43/PR/94 of December 12, 1994 on radio and television states that any Chadian national or person subject to Chadian law can create, install,

The media do not receive any tax exemptions; one panelist complained that although Chad ratified the Florence Agreement on the Importation of Educational, Scientific and Cultural Materials on November 22, 1990, the agreement is not observed.

and operate an FM radio service broadcasting out of the country's territory.

The panelists decried the residual effects of the long years under dictatorship that still haunt Chad's citizens, despite all the legal safeguards for freedom of speech. Many Chadians have not yet summoned the courage to voice their ideas and opinions. Some panelists attributed this partially to citizens' lack of awareness of their rights to freedom of speech; however, Chad's judiciary is weak, and poor enforcement of the law is another hurdle.¹

The president's Independence Day overtures to the press turned out to be ineffectual, as the National Assembly passed Law No. 17, a new media law, on August 18. Law No. 17 drew praise (for decriminalizing many press offenses, including libel and offending the president) as well as concern (for barring journalists from inciting racial or ethnic hatred or condoning violence, under penalty of prison terms up to one year, harsh fines, or the suspension of the publication).² The law replaced the 2008 presidential decree, Ordinance 5, which governed the press under a state of emergency during a period of rebellion. "Reporters Sans Frontières (RSF) noted, "The Chadian authorities claim to have taken a big step forward by decriminalizing press offences but no one is fooled... Prison sentences for journalists have not disappeared. They have been eliminated in one place but they have reappeared in another."³ RSF objected to the new prohibitions as unclear and with potential to be used against journalists.

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.

¹ 2010 Human Rights Report: Chad. U.S. Department of State: April 8, 2011. Available at: <<http://www.state.gov/g/drl/rls/hrrpt/2010/af/154338.htm>>. This report notes, "The constitution and law provide for an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, and subject to executive interference. Intimidation and violence against judicial members were also problems, and members of the judiciary sometimes received death threats or were demoted or removed from their positions for not acquiescing to pressure from officials. Courts were generally weak and in some areas nonexistent or nonfunctional."

² U.S. Department of State, Ibid.

³ "Parliament adopts new media law that is still too repressive." Reporters San Frontières: August 19, 2010. <http://en.rsff.org/chad-parliament-adopts-new-media-law-19-08-2010,38183.html>

Some of the MSI panelists—including Maryse Ngarlal Djim, of the Association Tchadienne pour la Promotion et la Défense des Droits de l’Homme (ATPDH) and Tolyam Madjimtoide, a journalist for Radio Alnadjā—agreed that the new media law restricts the freedom of speech, just as Ordinance 5 did.

Chad’s High Media Council grants operating licenses to radio and television services for renewable five-year terms. Broadcasters are subject to specific terms and conditions. Owners of private radio stations run by associations must pay an application fee of CFA 100,000 (\$210) and an annual fee of CFA 250,000 (\$525). Commercial station owners pay significantly more. Edouard Takadji, a journalist for *L’Observateur*, noted that the High Media Council grants licenses for radio stations but not to everyone—and especially not to opposition outlets.

Chad’s legislation on starting up press businesses is fairly liberal, allowing anyone to create a media outlet. However, Article 36 of Law 29/PR/94 limits Chadian citizens to owning no more than three press outlets, and the laws of the market impede freedom, as does an economic environment that is unfriendly to businesses. The media do not receive any tax exemptions; one panelist complained that although Chad ratified the Florence Agreement on the Importation of Educational, Scientific and Cultural Materials on November 22, 1990, the agreement is not observed.

Although, as noted earlier, no journalists were sent to prison in 2010, journalists are subject to threats and intimidation. According to some panelists, the freedom of speech is much more tangible in N’Djamena than in most provincial towns and villages, where the traditional, administrative, and military authorities threaten journalists and those who attempt to exercise their right to freedom of speech. Takadji noted that journalists often receive threats, and those behind the threats are not always punished.

It remains to be seen how the new media law will affect punishment for libel. Panelists noted that despite the law’s support in the constitution, some repressive provisions of Law 29/PR/94 test the freedom of the press harshly. Authorities commonly level charges of disturbing public order and libel against journalists. One panelist recalled the case of Yaldet Begoto Oulatar, director of publication of *N’Djamena Bi-Hebdo*. Oulatar was summoned to appear in court in December 2009 as part of a lawsuit against his newspaper filed by Taher Sougoudi, the former Minister of Environment. Sougoudi was sacked after *N’Djamena Bi-Hebdo* published an article denouncing the misappropriation of funds within the Ministry of Environment.

In another example, Innocent Ebode, the Cameroonian director of the opposition La Voix, was expelled from

N’Djamena and his newspaper was banned from publishing for a period in January 2010, after it ran an official report by the Ministry of Defense about money that the Chadian government spent buying weapons in France.

Despite the official line, Chadian journalists—particularly those who work in the printed press—face enormous difficulties trying to obtain information, according to Takadji. No law specifically guarantees journalist access to information or compels sources of official information to make it available. As a result, either out of fear of punishment by their superiors or because they reject the notion of transparency, state officials often claim their duty to protect information, when in truth they simply want to avoid releasing information on certain topics to journalists. Since Ordinance 5 passed in 2008, covering stories related to rebel movements and the like has been strictly forbidden, and the regime releases only information sure not to cause it harm. Such difficulty in accessing information affects journalists in the public sector as well as the private. Madjimtoide added that the public media are not free to do anything and submit to the will of the government.

Chad has no laws restricting the access to journalism as a profession. Under Law 29/PR/94, a professional journalist is anyone whose main, regular, and remunerated occupation is the practice of journalism at a print, radio, or television press outlet; and who derives the bulk of the income required for subsistence from this work. However, under Article 9 of the law, media professional associations and print media owners negotiated and signed a collective agreement in May 2007. The agreement set forth a number of professional standards that must be met for those wishing to practice in the news media.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Chad Objective Score: 2.02

Panelists said that they deplore the lack of professionalism among many media, and described several factors at the root of the deficiencies. They noted the high number of untrained, unpaid workers that are not required to prove any prior qualifications to practice journalism. Lacking in education, journalism training, and relevant experience, these workers make serious mistakes sometimes.

Bias in news reporting is common also. Public media journalists tend to side with the government, and those who work in the private media do not conceal their sympathy for opposition parties or civil society organizations. On the other hand, media outlets show a degree of impartiality in

reporting on social and economic issues. The main problems are with political news, leaving the impression that political parties manipulate media outlets. The tendency to voice opinion instead of sticking to the facts, and the scarcity of professionals willing to comment on the record, contribute to the unprofessional air. Ngarlal Djim said that poor access to news sources affects the quality of reporting; most of the time, media houses fill newspapers with coverage of seminars, training workshops, and the like.

Some panelists working for private publications rejected the “opposition press” label that had been applied to them, and explained that the label stems from the fact that the private press is highly vocal regarding what is wrong in the country. Others said that journalists compromise objectivity by accepting incentives from organizers of events such as press conferences, seminars, and workshops in exchange for favorable coverage.

Given that entering the profession has few restrictions, often journalism in Chad is considered an “in between” job. Anyone with a degree can become a journalist until he or she finds a better-paying position, and as a result, the rules of the profession are trampled underfoot, sometimes leading to superficial, subjective news.

Nearly a decade ago, Chad’s professional media organizations implemented a Code of Ethics and Professional Practice, which is accepted by most journalists. In 2004, media members established ODEMET to ensure that everyone complies with the code, and last year’s panelists noted that ODEMET has been instrumental in upholding professional quality standards. Still, the group is not universally respected; media outlets have challenged some of its decisions, and not all media outlets have joined ODEMET, limiting its

Alain Mbetissal of ATPDH said that with such low salary levels, some journalists are underfed, and because they do not have enough money to present a professional image, often they are poorly dressed.

effectiveness. Certain panelists also questioned the capacity and competence of ODEMET’s members.

Self-censorship is pervasive; editors justify self-censorship citing Ordinance 5 (from 2008). According to the U.S. Department of State, “Individuals who publicly criticized the government said they risked reprisals, and the government reportedly attempted to control criticism by intimidating critics and monitoring opposition meetings.”⁴

Self-censorship and a lack of professionalism also prevent some journalists—particularly those working for the public media—from publishing or broadcasting news concerning the military, security services, or even government activities that could be deemed compromising or sensitive. For example, journalists say they are afraid to cover the armed conflicts between Chad and Sudan, which are considered too controversial.

Journalists refrain from covering many other topics and events; they are not free to criticize the handling of public affairs, for example. Also, Chadian media do not cover the whole country because they lack the necessary human and financial resources.

The panelists agreed that journalist salaries are low and contribute to shortcomings in professional standards, including corruption and manipulation. In most cases, salaries in the private media range from CFA 25,000 (\$53) to CFA 75,000 (\$159). Journalists are vulnerable to job instability, prompting them to hop from one media outlet to another and to turn to all kinds of corruption. Private radio stations are sometimes so overstuffed that they have trouble paying anyone. With poor job security at private press outlets, press organs provide opportunities and connections, and journalists on the lookout for grants or other jobs use them as springboards. Currently, journalists in the public sector earn an average salary of CFA 50,000 (\$105), while freelancers earn only the national minimum wage of CFA 30,000 (\$63). In the public media, efforts to grant special status for professional staff have not been successful.

⁴ 2010 Human Rights Report: Chad. U.S. Department of State: April 8, 2011. Available at: <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154338.htm>

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).

An Association des Editeurs de la Presse Ecrite Tchadienne study on press distribution showed that establishing a press distribution company would be costly, and its viability doubtful.

Alain Mbetissal of ATPDH said that with such low salary levels, some journalists are underfed, and because they do not have enough money to present a professional image, often they are poorly dressed.

Entertainment programs continue to take precedence over news.

The problem of outdated equipment remains a problem as well across the media sector. Last year's MSI study noted that journalists still use equipment dating back 40 years, leading to inferior sound quality in broadcasting. However, there are indications that the public media enjoy more modern and efficient news gathering equipment, and most radio stations are adopting digital broadcasting, which could ease the challenges. Another hurdle for journalists is the lack of transportation—making it difficult for journalists to cover a range of stories.

Niche reporting is still in need of development. Investigative articles are rare, because it is hard for reporters to access official information—particularly on economic issues—and because journalists are not taught specialized topics such as economics. Most media professionals are generalized journalists with skills gained through on-the-job training.

OBJECTIVE 3: PLURALITY OF NEWS

Chad Objective Score: 1.98

Chad's media landscape is characterized by a degree of plurality and independence, and legislation guarantees pluralism and competition. Still, the press lacks diversity. As Madjimtoide explained, all the newspapers, radio stations, and television channels cover the same stories.

Radio is the most popular source for information, and Chad has at least 15 private radio stations. The national radio station does not extend across the whole country, although regional stations in four provincial cities (Moundou, Sarh, Abéché and Faya) relay national radio news bulletins. Ten community and association radio stations broadcasting on FM provide additional access to news.

On the print media side, newspaper circulation is low, and does not exceed 30,000 copies per week. The Chad Press Agency (which panelists said is a news agency in name only) publishes a daily bulletin, and at least 10 titles appear more or less regularly, including one private daily publication. However, only a minority of intellectuals read newspapers.

As for television, the only public channel extends in just a 10-km (six-mile) radius around the capital. Chad has no private television channels, although foreign channels such as France 24, Africa 24, TV 5, etc. are available through their online formats. However, Internet access remains very poor in the capital, and is almost impossible to access in the rest of the country. Two mobile telephone companies offer Internet access to a certain segment of the population, but in general, Internet access remains insignificant.

François Djekombe, a journalist with Radio FM Liberté, said that the public's access to news sources is unrestricted, and access to Chadian television, foreign satellite television channels, the printed press, and the Internet is all free. Although generally the government does not restrict citizen access to domestic and international media, some panelists pointed to certain exceptions. During some situations, such as political coups or rebel attacks, the signals for certain foreign media outlets—and sometimes even the telephone lines—are blocked or cut to keep people in the dark.

Rural media access remains a major problem. The poor state of roads and communication networks restricts information access for most rural residents. Even in the larger provincial cities, only four or five newspapers circulate. An Association des Editeurs de la Presse Ecrite Tchadienne study on press

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.

distribution showed that establishing a press distribution company would be costly, and its viability doubtful.

Even though French is the official language in Chad, and often news is published in French, 80 percent of the population is illiterate. Arabic is the other official language of the country.

The public media do not reflect all the opinions in the political spectrum or serve the public interest. Rather, they serve the state, or perhaps the current regime. Florent Indinta Remadji, a journalist, agreed that the state media are not apolitical. The public media take their instructions from the Ministry of Communication, which also determines the content of public newspapers. According to one panelist, some state media journalists consider themselves essentially public servants, bound to promote the opinion of the government and entailing censorship of contrasting opinions. As a result, the ruling party's point of view dominates the public media distinctly.

The news agencies neither gather nor distribute news as they should, panelists charged.

Ngarlal Djim said that the independent and private media produce their own programs, but they face enormous difficulties in accessing news sources to fuel content. Furthermore, some media outlets follow their owners' ideologies blindly. Those set up by opposition politicians tend to display a harsher stance against the government, creating a sense of mistrust between the government and press outlets.

Last year's MSI panelists reported a lack of transparency surrounding media ownership. Such obscured information makes objective analysis of the news difficult.

The panelists said that Chad's media do reflect a broad spectrum of social issues. The sector includes news sources in the minority languages, but only the national radio station broadcasts in 13 languages. Most private radio stations broadcast in three main languages—French, Arabic, and Sara. One of last year's panelists noted that often languages are determined based on the outlet's allegiance to the ruling party.

OBJECTIVE 4: BUSINESS MANAGEMENT

Chad Objective Score: 1.45

Most private media outlets do not operate as efficient, professional, profit-generating businesses. Furthermore, the financial management of some outlets is not transparent, and management problems are common. Few media

The state has provided subsidies to the media—a measure praised by some panelists. Those panelists expressed the opinion that the subsidies have not affected private media independence. However, Ngarlal Djim said that the subsidy is very trivial and has not helped the media—particularly private and independent outlets—to cope with their difficulties.

outlets have trained, designated staff filling accounting and human resources positions. Fidèle Remadji Monodsi of the Association of Journalists for Human Rights commented that some local press managers handle their newspapers' finances themselves, and have trouble paying their journalists. Vata Khan Tchanguiz, editor-in-chief at Brakoss Radio, remarked that Chadian media are poor and poorly managed. With some journalists making less than CFA 30,000 (\$63) a month, he wondered how journalists could resist succumbing to corruption. Mbetissal concluded that the independent media have serious management problems that jeopardize their editorial independence.

Press outlets are considered businesses: they are subject to taxation, and their employees must be registered with the national social security fund. Radio and television license fees are very high, and people cannot afford to pay. Copy sales are low; given the VAT applied to the printed press,

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.

Djekombe, however, said that other supporting institutions have not displayed very high profiles in the event of difficulties. He said that when journalists are arrested or press outlets are shut down, some groups show little mobilization.

few newspapers circulate many copies, and revenue from newspaper sales does not come close to covering expenses. Ngarlal Djim said that the media owe their survival to press releases.

Although many press outlets receive income from various sources, they fall short of the bottom line, and professional organizations have made unsuccessful efforts to find enough sources of indirect support. Some press outlets receive support from abroad (the European Union and the embassies of France and United States, for example) to provide training to improve management and operational methods, but more work remains.

As a result of this economic hardship, of the 50 newspapers founded during the democratization euphoria of the 1990s, only 10 or so survive. The remaining newspapers, and the 15 radio stations currently broadcasting, have trouble managing their human resources. Salaries are low, and staff turnover high.

Advertising keeps most media outlets afloat, even though the advertising sector is underdeveloped and functions without advertising agencies. Since oil production opened up in Chad in 2003, the advertising market has seen clear progress, but still very few companies provide advertising. Earlier MSI studies reported that the dependence on advertising is quite heavy; advertisements represented almost 80 percent of private media revenue in 2008.

Ads also take up more space than allowed under article 34 of Law 29/PR/94, which stipulates that in order to qualify for state aid for the press, a newspaper must devote 65 percent of its column inches to news.

The state has provided subsidies to the media—a measure praised by some panelists. Those panelists expressed the opinion that the subsidies have not affected private media independence. However, Ngarlal Djim said that the subsidy is very trivial and has not helped the media—particularly private and independent outlets—to cope with their difficulties.

The state provides the entirety of public print media funding. Some panelists condemned the government's attempts to throw its weight about in allocating advertising contracts in order to influence media content. But one panelist said that the fault lies with certain well-known figures close to the government that object to opposition voices in some newspapers, and refuse to let them receive advertising.

According to Ngarlal Djim, the media still have no access to market research to guide strategic planning or improve advertising revenue. Audience ratings and circulation figures are rejected as unreliable.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Chad Objective Score: 2.07

Business associations representing media owners and managers remain absent, but Chad does have professional associations for journalists, as noted in last year's report. Their effectiveness varies according to the strength of their leadership, according to panelists. In some cases, when their leaders are called upon to take on other responsibilities, the organizations they leave behind fall dormant.

The panelists expressed different opinions on professional associations and NGOs and their efforts to support press freedom. Ngarlal Djim said that in theory, most NGOs, associations, and supporting institutions work to uphold the professional interests of the independent media. For example, Union des Journalistes Tchadiens (UJT), human rights defense associations, and a few other organizations for media professionals are quick to denounce abuses of power when journalists are arrested or threatened. Remadji Monodji

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.

added that along with UJT, Union des Radios Privés Tchadiens (URPT) has a history of getting involved to aid journalists who have been jailed or kidnapped by the authorities.

Djekombe, however, said that other supporting institutions have not displayed very high profiles in the event of difficulties. He said that when journalists are arrested or press outlets are shut down, some groups show little mobilization. Takadji added that the supporting institutions act only in their own interests, not in the interests of journalists or the media. Also, last year's MSI noted that tight finances limit the scope of support.

Still, as noted in last year's report, Chad does have human rights organizations that advocate for the freedom of speech. For example, eight human rights organizations came together to create Radio FM Liberté in N'Djamena. Several domestic and international civil society organizations speak out on behalf of journalists and provide legal support to journalists facing charges.

Journalist training programs and skill upgrades are rare among press outlets. Most journalists have never taken any degree-level journalism courses, as there is no school of journalism in Chad. Only a communications training institution, the Department of Communication at the University of N'Djamena, has trained journalists and business communications agents. Some press outlets keep an eye out for grants that provide training opportunities in Chad as well as abroad. Short-term training opportunities enable journalists to expand their skills, but some of those programs have shortcomings in content.

The panelists recalled that in 2002, the European Union funded "Support for the Professionalization and Restructuring of the Chadian Media," a project piloted by the NGO GRET (Groupe de recherche et d'échanges technologiques) as part of the European Initiative for Democracy. A total of 10 local media members participated in the training initiative of the project. Later on, these trainers established an association called Média Excel'Formation (ME'F), which offers training courses on the printed press and radio. GRET also trained journalists in their field in the run-up to the elections.

Printing houses in Chad either depend on the government or are kept under close surveillance. The Chad Printing House holds a monopoly essentially; as noted in previous MSI studies, the minister of communications is a shareholder. As for alternatives, only *Le Progrès* newspaper has its own printing house, but the government still provides support and keeps it under its thumb. The panelists also reported that some newspapers are censored at the printing house.

Media distribution is still handled informally, although the media community has expressed interest in creating a service.

List of Panel Participants

Tolyam Madjimtoide, journalist, Radio Alnadja, N'Djamena

Sony Mekondo, activist, Appeal for Peace and Reconciliation Monitoring Committee, N'Djamena

Talo Nouba, journalist, N'Djamena

Fidèle Monodsi Remadji, Association of Journalists for Human Rights, N'Djamena

Florent Indinta Remadji, journalist, N'Djamena

Lame Assane, lawyer and journalist, National Radio, N'Djamena

François Djekombe, journalist, Radio FM Liberte, N'Djamena

Tchanguiz Vatakhani, journalist, Brakoss Radio, Moissala

Alain Mbetissal, activist, Association of Journalists for Human Rights, N'Djamena

Edouard Takadji, journalist, *L'Observateur*, N'Djamena

Mérodie Neloumta, activist, Association for the Promotion and Defense of Human Rights, N'Djamena

Hamit Koumy, journalist, N'Djamena

Moderator and Author

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.

Journalists can no longer muster the courage to cover so-called sensitive stories. Instead, they file “rent-paying” stories that merely help them to get by financially.



DEMOCRATIC REPUBLIC OF CONGO

Four years have passed since the first presidential and legislative elections in 2006 ended years of destabilizing rebellions and armed conflicts, and one year remains until the next elections in 2011. Security in the Democratic Republic of the Congo (DRC) remains a concern, and destabilization is a real possibility.

A sense of insecurity has heightened since the assassination of a prominent human-rights activist, Floribert Chebeya Bahizire, chief executive officer of La Voix des sans Voix (VSV; the Voice of the Voiceless), in Kinshasa on June 1, 2010. The murder chilled human-rights advocates and media professionals alike. Journalists can no longer muster the courage to cover so-called sensitive stories. Instead, they file “rent-paying” stories that merely help them to get by financially. All the panelists admitted that self-censorship driven by fear is now the greatest threat to the right to inform and be informed in the DRC. Accordingly, the indicator concerning professional journalism scored lowest in this year’s MSI.

Other incidents stemmed from insecurity in the eastern provinces. Chebeya Bankome, a media professional, was assassinated in April 2010. In another incident, a journalist accused of “treason” was arrested and thrown into jail for five months because he had published a press release of the Forces Démocratiques pour la Libération du Rwanda (FDLR), a Rwandan rebel group based in the mountains of the eastern DRC. The release, taken from a website, accused the Armed Forces of the Democratic Republic of the Congo (AFDRC) of atrocities against civilians. Congolese authorities accused Radio France Internationale (RFI) of a smear campaign against the AFDRC fighting the FDLR rebels and halted the FM broadcasting arm of RFI for over a year across all of the DRC.

After these incidents and other violations of the freedom of the press, Reporters sans Frontières (RSF) and Journaliste en Danger (JED) sent an open letter to the president to point out the deterioration of working conditions for journalists and the decline of freedom of speech. Panelists recalled several cases where journalists were assassinated, threatened, or arrested and discussed the difficulties foreign media face in a consistently tainted and unsafe environment.

Nonetheless, the compiled scores from all panelists show that the weakest link in the Congolese media system is the financial instability of press companies, which must deal with an environment unfriendly to business and being managed like small, family corner shops. The majority of Congolese journalists are either badly paid or not paid at all due to the economic precariousness of their employers. They are sitting ducks for manipulation and corruption.

The panelists pointed out that there is a direct connection between the “professionalism of journalists” (measured by Objective 2 of the MSI) and the economic sustainability of press companies (Objective 4). “The ultimate guarantor of the freedom and independence of a journalist is his/her employer, who must secure the conditions that will shelter him/her from manipulation and corruption,” one panelist noted.

DEMOCRATIC REPUBLIC OF CONGO AT A GLANCE

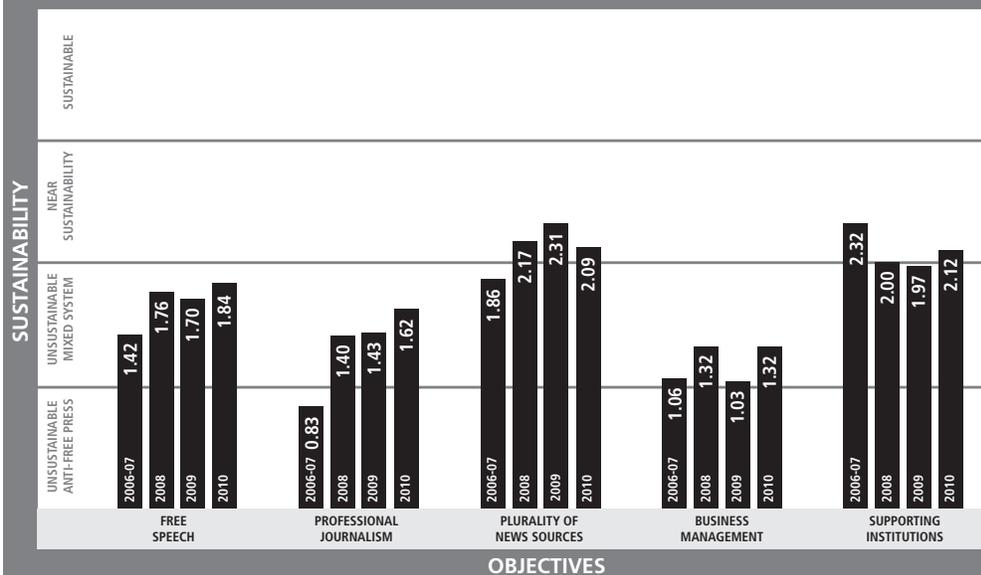
GENERAL

- > **Population:** 71,712,867 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Kinshasa
- > **Ethnic groups:** Over 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 (includes syncretic sects and indigenous beliefs) 10% (*CIA World Factbook*)
- > **Languages:** French (official), Lingala (a lingua franca trade language), Kingwana (a dialect of Kiswahili or Swahili), Kikongo, Tshiluba (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$11.95 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$310 (World Bank Development Indicators, 2011)
- > **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 Stations: 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 FAM; 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:** 290,000 (2008 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: 1.84

In the latest worldwide Freedom of the Press Index, published in 2010 by RSF, the DRC dropped to 148th out of 178 countries. The French organization attributes the ranking to violence against and arbitrary arrests of journalists.

For the sixth consecutive year, a media professional has been assassinated. Chebeya Bankome was shot dead on April 5, 2010, in his home in the eastern DRC. A high-profile trial was promptly organized 72 hours later and ended 12 days after that. Two military servicemen were found guilty and sentenced to death, but the verdict failed to satisfy human-rights defenders. As in other cases of murder of journalists, pre-trial investigations and the subsequent trial failed to meet the professional standards of fairness. Thus, indicator 4—related to the punishment of freedom-of-the-press violations—was the lowest among Objective 1 scores.

All the panelists agreed that the DRC has on its books the necessary legislation to guarantee freedom of speech. Godefroid Kabongo Nzengu, an attorney with the Kinshasa Bar Association, noted other deficiencies within the freedom-of-the-press laws: “Journalists can be found guilty even when their facts are true. In other words, journalists can be held responsible merely for exposing someone to criticism. More importantly, journalists charged with treason may be sentenced to death, a hugely disproportionate response.”

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.

Continuing in the same vein, Nzembebe Muika Natasha, a JED legal assistant, adds that the law no. 96-002 of June 22, 1996, regulating the exercise of the freedom of the press in the DRC, is in fact killing the same freedom due to its direct link to the criminal code. “Let’s remember the case of the journalist Jullson Eninga, the publication manager of the Kinshasa *Le Journal*, who came close to getting a death sentence after his paper published a press release of the Forces Démocratiques pour la Libération du Rwanda (FDLR): an armed faction of the Rwandan army operating in the eastern DRC. He was charged with ‘treason’ and imprisoned for five months.” Fortunately, he was acquitted, but the worst was a possibility.

This case and many others prompted Rosette Mamba Poloto, a journalist with Raga TV, to assert: “Current legislation and social rules are not enough to protect journalists and encourage freedom of speech and access to public information.” Not everyone on the panel, however, shares her opinion. Jhonny Mbenga Mudiayi, an attorney with the Gombe Bar Association, believes that freedom of the press really exists despite the obstacles journalists face.

As evidence, Mudiayi notes that since democratization in the 1990s, journalists can express themselves objectively within certain limits of professional ethics. The great challenge for the professional organizations is to make sure these standards are observed by the legal authorities and the professional community.

To illustrate the difficulties in enforcing the law, Kasonga Tshilunde Joseph-Boucard, secretary-general of the Union Nationale de la Presse du Congo (UNPC) and managing editor of *L’Eveil*, noted that in 1999, when he was accused of slander by an important diamond mining company (the Bakwanga mining company), he won after a long trial, but the sentence has not been carried out.

While in Kinshasa entering the news market is contingent on obtaining licenses from the security services, such as the Agence Nationale des Renseignements (ANR), in the provinces it is much easier, especially in Nord-Kivu province.

Tuver Ekwevyo Muhindo Wundi, a journalist with the national Radio Television station of Goma (Nord-Kivu), noted a willingness to ensure the free speech in the media, despite the onerous requirements of certain state services, particularly the ANR. He also pointed out that many operators are starting up radio stations on their own as community stations, evangelical stations, or commercial stations, in addition to the state-owned radio and television outlets.

Nord-Kivu, he goes on, is flooded with these new outlets, but the government’s watchful eye is always present. Managerial appointments in the public media are often

handled through consultations between the government and the appointing agents. This happens with Radio Télévision Nationale Congolaise (RTNC) and the Agence Congolaise de Presse (ACP). Although these outlets are based in Kinshasa, their provincial managers always consult with governors and local authorities when assessing or appointing a manager. They are also under pressure from the authorities, to which they are faithful servants. As opposed to the public media based in the capital, which receive regular subsidies from the government, the provincial media are often at the mercy of said authorities.

As reported in previous MSI studies, libel is usually treated as a criminal offense. It remains to be seen how any modifications to the 1996 law in parliament might affect the provisions defining and sanctioning slander and offenses against authorities, but for now, journalists continue to face prison sentences for libel cases.

Regarding access to information, the panelists regretted the absence of a law forcing the representatives of the state to make information available to the public, while at the same time accusing journalists of not obtaining information directly from the source. On the same issue, Michel Mukebaya Nkoso, publisher of *CongoNews*, is more radical, commenting, "A system built on corruption cannot tolerate too much freedom of speech or a wide accessibility of information on state services and public institutions."

According to all the panelists, access to international news sources, especially via the Internet, is still free to all, including the editors-in-chief and program managers of various media outlets. Access to international media remains generally unrestricted to journalists; nevertheless, the panelists pointed out that the foreign press itself is under strict control. Most notably, the panel discussions took place just days after the authorities allowed the return of FM broadcast of RFI after a year-long interruption.

Since the launch of their military operation against the Rwandan FDLR rebels, the government has restricted drastically the activities of foreign journalists in the DRC, particularly in the eastern provinces. The authorities denied the visa application of one Belgian journalist, of Congolese origin, because he refused to provide the names of every person he intended to interview in his application form.

Moreover, the official pass that allows foreign journalists to work temporarily in the DRC, once just a document, is now a temporary pass that must be renewed periodically and costs \$250. For freelancers, the fee is excessive, one participant said. A four-member, nondomestic television crew must pay \$1,000 to shoot a single story in the DRC.

Others believe the press pass is a political weapon in the hands of the government. On July 27, 2009, the security services in the eastern DRC denied access to a crew from the Belgian television channel VRT, although they had a press pass signed by the secretary-general of the Ministry of Communications and the Media. The television crew had to wait for a new pass signed by the minister of communications and the media himself.

These new requirements are troubling. In addition, any criticism or exposure of shady deeds by the troops or their commanding officers can be qualified as crimes in the form of "incitements to commit acts contrary to the military duty and discipline or to military demobilization."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

DRC Objective Score: 1.62

According to recent statistics, the number of press freedom violations has decreased markedly. Even the authorities are satisfied that fewer journalists are imprisoned or harassed due to their work. But these falling figures lend themselves to different interpretations. For the government, they signify improvement in freedom and of the press in particular. For media observers from the general public, the "quantitative improvement" comes at the expense of content and quality.

The panelists also recognize that journalists self-censor when it comes to sensitive issues—particularly corruption-ridden mining contracts, customs fraud, misappropriation of public funds, human-rights violations, etc.—to stay out of trouble. In the panelist's opinion, "repressive" measures have softened. Brute force has been replaced by financial considerations—the buying of consciences. The famous transportation expenses commonly known as "blending" are a thing of the past. Now, prominent media owners are offered sums of money in exchange for a kinder media treatment. One manager of a newspaper stated during the panel meeting that on the night when the governor of the Central Bank of the Congo held a press conference, several envelopes containing \$5,000 were dispatched to the owners of certain media outlets with no explanation, but with the clear intent that the media should cover the story in a flattering light. As a result, news reporting is neither objective nor documented and echoes a single voice—that of the payer.

The phenomenon called "one minister, one newspaper" that was widespread in the DRC during the transition toward free elections was succeeded by a different tradition: "A minister for each journalist and a journalist for each minister,

making sure that nothing bad is being published about his benefactor.”

Any dividing line between communication and propaganda has disappeared, especially in the audio-visual media. The impression is that of a perpetual electoral campaign. Prestigious shows anchored by a group of journalists are sold by the organizers at the price of up to \$20,000 each. Viewers are none the wiser; they think they are watching real news programs, but in reality it is nothing more than campaign advertising—a violation of the law of 1996 requiring election advertising to be labeled as such.

Being paid little or nothing at all, confronted by the economic crisis and a subjective advertising market, with the advertiser setting the prices, journalists and the wider media are forced to seek drastic measures: accepting mercenary work (journalist–press attaché), clandestine advertising, and under-the-counter political funds.

According to several panelists, the consequence is public disavowal of the national media. The credibility of the media and journalists suffers, and the profession is helpless to protect their fellow-journalists when in trouble. To illustrate, a panelist rehashed the indifference and passivity of the Congolese journalists and media at the government’s poor decision to suspend the FM signal of RFI for an unlimited period on behalf of the national security and defense.

Mamina Masengu says that the majority of the Congolese journalists knowingly flout their own code of ethics. Objectivity is sacrificed on the altar of the economic crisis and serving the “client.” Badly paid and insufficiently trained, they botch their reports. Investigative journalism is but a theoretical concept. Controversial issues are carefully

avoided—a form of self-censorship. No one wants to risk tackling issues that might upset the politicians.

The colorful magazine *Au Coeur de la Cité* and the opinion program *Le Desk* on Numerica TV are exceptions. In general, however, the attorney Kabongo said, “Our media deal much more with relaying official events than journalism.”

Jean Mbay Katshingu Mbay, executive secretary of the Observatoire des Médias Congolais (OMEC, a self-regulation agency whose mission is to enforce the ethical rules), believes that journalism as practiced—with a lack of financial and technical resources, unreliable social and working conditions, and an unstable political environment—is far from professional. Nonetheless, Jean added, press professionals’ will to survive is worth mention. With an average salary of \$50–\$100, journalists are preoccupied with finding ways to survive, rather than researching stories in the public interest. The perpetual struggle for survival has created a new type of journalism dubbed by the panelists themselves as “rent-paying journalism.”

Furthermore, entertainment shows consume the airwaves. Mbayi Katshingu lamented that the majority of television channels fill the time with foreign shows or programs for which they lack copyright clearance. “People who participate in call-in musical shows to make ‘special requests’ to their loved ones are less likely to get involved in real debates and get important news. Thanks to this easy practice, journalists and show hosts have made a lot of friends, which helps them to better provide for their families.” The system called “libanga” (literally, “a pebble”) is a survival technique employed by the people in the media, according to Henriette Kumakanda with Radiotélévision Amazone, based in the province of Kasai Occidental, in the center of the DRC.

Jean-Marie Kapongo, the editorial staff coordinator of a newly created television channel, Télé 7, said that low salaries are not the only reason for the poor quality of the journalistic product. He points at the equipment, which, he said, is severely outdated, especially in the audio-visual media. As a result, specialized shows covering key issues of public interest are quite rare. The equipment in most of the media outlets is outdated, and there are no funds for updating it, directly affecting the quality of the media products. Therefore, pleads Mambuya Obul’ Okwess Abélard, a professor of journalism, investment in production equipment is crucial to the future of the profession.

Tuver Ekwevyo Muhindo Wundi, who works for a public outlet, provided a slightly different perspective. At least in his province, Nord-Kivu in the eastern DRC, he notices some progress in terms of getting new equipment in the state-owned media. He adds that the private media 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).

Minority languages are poorly represented in almost all the media, despite the presence of over 400 ethnic groups, the panelists noted. This issue is, however, addressed by the community media that have been producing programs in the dialects.

made efforts to acquire modern equipment. The owners of the private media compete to get state-of-the-art technologies and secure training for their employees.

According to Wundi, the various press outlets in the eastern regions are producing thematic shows and quality news in the format of the international media. Although these productions are rare and experimental, they are very well edited, documented, and even balanced. They address the political, cultural, economic, and social issues of the country.

“Almost every aspect of social life is covered by some form of media. They report on local communities and the activities of politicians. Radio and television newscasts and newspaper articles do their best to report on local facts that may be interesting to the listeners, viewers, or readers,” said Wundi.

OBJECTIVE 3: PLURALITY OF NEWS

DRC Objective Score: 2.09

The DRC is without doubt one of the record-breaking African countries in terms of media plurality. There are at least 50 television channels, more than 200 private and community radio stations, and some 50 newspapers that appear more or less regularly. This media boom has much to do with the constitution that liberalized the sector. The government, of course, brandishes these numbers to argue that freedom of the press is in good shape in the DRC, though the panelists bemoan the unsatisfactory content of most of these media.

According to Rosette Mamba Poloto, it is relatively easy to create a media outlet in the DRC. There are some 50 audio-visual outlets and a variety of newspapers, but they are all subservient to their owners, who, after all, created them for very personal reasons. Each owner uses his media to his own benefit. If it is a politician, he will use it to convey this political message—his propaganda. If it is a businessman, he will pursue his economic interests. This is one of the reasons, Poloto says, why the press is not really committed to changing the society.

Nzembele Muika Natasha mentioned the one exception—the UN-run Radio Okapi—with credible, objective, and reliable news. The Congolese, however, are particularly fond of Radio France Internationale, which continues to be the first station to provide credible news above the local stations.

Thus, the interruption of the FM signal of RFI for over a year (May 2009 to October 2010) hit most Congolese hard, depriving them of important news about their country and the world. Masengu added that for many people RFI is the only credible station for big news. RFI had become, and still is, the main news source for many media, to the detriment of the local news agencies (ACP, APA, etc.), whose updates were nothing short of exasperating in the age of instantaneous news.

On a positive note, in the eastern region of the country, particularly in the unstable provinces of Nord and Sud-Kivu devastated by years of war, the media landscape is open to all. Wundi said that the population is free to choose the media they follow and the state has no control, and multiple media choices give the public an opportunity to be informed and educated by independent and plural sources. There is a variety of channels—on the Internet, in print, or in audio-visual—and the owners of these media compete for public attention. Indeed, news sources are widely available, and investments updating New Information Technologies (NTIC) are making them more accessible.

Although the plurality of media outlets makes it easier for the public to access multiple news sources, not everybody can afford to purchase newspapers, while the Internet remains the privilege of a wealthier social class. Personal equipment

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.

allowing individuals to receive foreign channels via satellite is also a luxury not available to most. There are many distributors, but rebroadcasting certain foreign programs in the public as well as private media is subject to signing prior distribution contracts. But that does not always happen.

Indicator 3, on access to the public media, received a low score because all the panelists agreed that these media are public in name only, failing to reflect all the political tendencies and movements in the country.

Kabongo said that although RTNC has been dubbed “the radio-television station of the people in the villages,” the nickname is ironic, given that the station is completely under the control of the government and never airs an opinion that contradicts the official line. As the public media belong to the government, the members of the opposition are forced to turn to the private channels that get no funds from the government.

For his part, Katshingu, with the Observatoire des Médias Congolais and a manager of the Agence Congolaise de Presse (ACP, a public media), believes, on the contrary, that it is the opposition members who practice self-censorship who are refusing to appear in the public media because they are prejudiced against them.

Media plurality does not always coincide with the diversity of information, however. The panelists lamented that news agencies, ideally the main providers of news for the media, are almost non-existent. Kapongo expressed regret that the public and state-owned media fail the public interest. The very few existing news agencies, such as APA (Agence Presse Associée), ACP (Agence Congolaise de Presse), and Syfia, are news agencies in name only, and the public turns to the international agencies (AFP, Reuters, etc.) instead. The independent press has difficulty producing news programs due to lack of resources.

As for the transparency of media ownership, there are no laws forcing media owners to disclose their identities. However, earlier MSI studies have noted that the population can easily guess the identity of a particular media. Many media are thought to put up fronts and disguise the true owners.

Minority languages are poorly represented in almost all the media, despite the presence of over 400 ethnic groups, the panelists noted. This issue is, however, addressed by the community media that have been producing programs in the dialects. Key social topics are mainly covered in the vernacular to reach a larger audience. But the general tendency in the public and private media of Kinshasa is to use the four national languages: Lingala, Kikongo, Swahili, and Tshiluba.

As earlier MSI studies have mentioned, crucial social and quality-of-life issues, such as unemployment, are generally not well-addressed.

OBJECTIVE 4: BUSINESS MANAGEMENT

DRC Objective Score: 1.32

Entitled “Completing reforms successfully in these difficult times,” the “Doing Business 2010” report from the World Bank places the DRC in the 182nd position on the list of the 183 most reformed countries in terms of business environment. Yet all the panelists bemoaned the fact that current legislation makes it hard to create and operate a goods-and-services production company in the DRC. This is due to the sheer number of taxes imposed on businesses, bureaucracy and the police, judicial insecurity, corruption, etc.

The media businesses are part of this gloomy situation, as their economic health depends largely on the macro-economic environment. The panelists’ view on the economic sustainability of the Congolese media is definitely not a gentle one. They talk of family-run businesses happily managed by their owners.

According to Katshingu, these companies do not even qualify as businesses, but mere press outlets with no invested capital, accounting departments, or marketing policies to speak of. To survive, small newspapers with 100 to 300 copies must sell advertising space at ridiculous prices to advertisers that dictate their own rules.

And yet, Kabongo maintained, the economic crisis alone does not explain the precariousness of media outlets. Poor

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 by “media owners,” who live in high style while the journalists on their payroll brood, also deserves some blame.

All the panelists pointed out that most of the media, and particularly the audio-visual outlets, are owned either by politicians, who use them for propaganda or promotion of their political parties, or by gurus of the Awakening Church. A few examples are Digital Congo, owned by the sister of the president (ruling party); CCTV and Canal TV, owned by Jean-Pierre Bemba (opposition); the radio-television station of the Groupe l’Avenir, owned by Pius Mwabilu (house representative with the ruling party); Canal Numérique Télévision, owned by Alexis Mutanda, secretary-general of the UDPS (opposition); RTVS 1, owned by Prime Minister Muzito; and Africa TV, owned by Azzarias Ruberwa, chair of the RCD, a former rebel movement.

The panelists agree that newspapers cannot survive on individual copy sales. Buying a newspaper is a luxury reserved only for a wealthier social category. Not only does the population have a high illiteracy rate (60 percent of the adults), but “Congolese newspapers are the most expensive in the world at \$1.00, while being the thinnest with eight to 12 pages,” said Kapongo. He recognizes that only advertising revenues allow his company to hold on, but he was unable to specify their percentage out of the total revenues made up by advertising. That number is a secret known by the owner alone.

“As long as tabloids print fewer than 1,000 copies, the media business is an illusion. Advertising is a ghost. There are very few advertisers spread across a high number of media, and, therefore, they have taken complete control of the market and set the prices they want. These circumstances have radically compromised the independence of journalism,” said Mukebayi Nkoso, who manages a weekly newspaper.

A few newspapers close to the government publish advertising pages regularly, particularly for the telecommunication company Vodacom. However, their quality and content do not justify it, according to Joseph-Boucard, managing editor of a small newspaper with provincial distribution, who adds that advertising is being offered based on subjective and political criteria and not clear, objective rules.

Kapongo believes that newspapers are victims of their own depravity: “How do you expect serious advertisers to entrust the image of their product to newspapers that only print a few copies, have no readers, and print low-quality content?”

To illustrate, he mentioned *Soft International*, a newspaper managed by Professor Kin Kiey Mulumba, an important and revered journalist who is currently a member of the House

of Representatives close to the ruling party. He uses his connections in the political and business worlds to attract advertising. His is the best newspaper in the DRC, both from the point of view of technical quality and content; it costs almost \$5.00, while all the other newspapers cost \$1.00,” Kapongo said.

Officially, no privately owned media receive state subsidies. However, in the past two years a two-million-dollar fund for the press is being included in the annual state budget—although the media claim that no media outlet has yet caught a glimpse of this money.

Rosette Mamba Poloto, with Raga TV, recognizes there is no nationally established institute that measures the audience of the audio-visual media. Advertisers make their decisions on their own terms, and the media are vulnerable to their whims. As long as politicians are the hidden sponsors, the media will not be independent.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

DRC Objective Score: 2.12

On paper, the associations and organizations working in the media sector do not merely exist; they flourish. But their success defending their members is unproven. These include the Association Nationale des Entreprises de l’Audiovisuel Privé (ANEAP), Association Nationale des Éditeurs du Congo (ANECO), Union Nationale de la Presse du Congo (UNPC), Observatoire des Médias du Congo (OMEC), Journalist in Danger (JED), Institut Facultaire des Sciences de l’Information et de la Communication (IFASIC), and Syndicat National des Professionnels de la Presse (SNPP), to mention only a few.

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 indicators of this objective received low scores based on the lack of public visibility of these associations. Nearly all of the panelists recognized the work of JED in defending freedom of the press, but they deplored the decline of education that also affects the professionalism of journalists.

Mambuya Obul' Okwess Adelard, who teaches at IFASIC, the largest school of journalism in DRC, explained that there are many students in the journalism field, but the schools lack the capacity, infrastructure, and staff to care for them. "The schools of journalism have been replaced by universities or communication departments. This is a sector that should receive more investment," he said. "A new higher school of journalism should arise and take up the flag."

Kapongo, who supervises young journalists at his media outlet, Télé 7, shares this view. "What the training programs fail to produce are well-trained journalists. Permanent, on-the-job training is more or less covered, and sometimes personal contacts between fellow journalists are helpful."

In the same vein, Kabongo believes that continuous training is more necessary now than the training offered by IFASIC no longer meets requirements. He noted that the DRC is experiencing a boom of academic departments of communication, which is basically different from "journalism"—a discipline that requires a specific teaching methodology.

Several programs in these areas are currently underway in Kinshasa and the provinces to the benefit of journalists and the media. To illustrate, the JED secretary-general mentioned that Canal France International (CFI, French media) is training a group of journalists from Kinshasa on economic reporting and investigations; in Kinshasa, a degree of Master of Management is now being offered to a few media managers by the École Supérieure de Journalisme de Lille (ESJ); a training newspaper called *Le Journal du Citoyen* is being published weekly in Kinshasa, thanks to the Institut Panos-Paris in collaboration with IFASIC; continuous and distance trainings are being offered to the interns of a training newspaper in Kisangani by the Agence Syfia Internationale; and radio shows, documentaries on peace culture, democracy, good governance, etc. are being produced.

The panel recognized that printing houses are less numerous than the media, and they are mostly owned by private individuals who use them more for other kinds of printing jobs. None of them is equipped to print, for instance, 20,000 copies of a newspaper in one night.

Distribution services are almost non-existent, because media companies are not well-organized. Given these deficiencies, the secretary-general of JED informed the panel that from 2008 to 2011 France Coopération Internationale (FCI, a French

NGO) carried out a vast support project for the media in the DRC. The project, entitled "The Media for Democracy and Transparency in the DRC," is funded by the Groupe Inter-bailleur des Médias (GIBM), comprised of the British Cooperation (DFID), French-Congolese Cooperation, and the Swedish Cooperation (ASDI) to the tune of about €5 million.

As part of this project, FCI launched calls for tenders and signed agreements with several domestic and foreign organizations to carry out specific projects in the four main areas: professionalizing journalism; production of programs on democratization; regulation and self-regulation; and public-service media.

List of Panel Participants

Rosette Mamba Poloto, journalist, TV Raga, Kinshasa

Henriette Kumakana, journalist, Radiotélévision Amazone, Kanaga

Mambuya Obul' Okwess Abélard, professor, Institut Facultaire des Sciences de l'Information et de la Communication, Kinshasa

Mamina Masengu, journalist, Kinshasa

Natasha Muika Nzembele, legal expert, Kinshasa

Tuver Ekwevyo Muhindo Wundi, journalist, Radiotélévision Nationale, Goma

Godefroid Kabongo Nzengu, attorney, Kinshasa Bar Association, Kinshasa

Kasonga Tshilunde Joseph-Boucard, secretary-general, Union Nationale de la Presse du Congo; managing editor, *L'Eveil*, Kinshasa

Benoît Kambere, journalist, *Renaître*, Kinshasa

Michel Mukebayi Nkoso, publication director, *Congo News*, Kinshasa

Jean-Marie Kapongo, editorial staff coordinator, Télé 7, Kinshasa

Jhonny Mbenga Mudiayi, attorney, Gombe Bar Association, Kinshasa

Jean Mbay Katshingu Mbay, executive secretary, Observatoire des Médias Congolais, Kinshasa

Moderator and Author

Tshivis T. Tshivuadi, secretary-general, *Journaliste en Danger*, Kinshasa

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

Many of Congo's independent outlets as well as public outlets have ties to the state, so political coverage dominates the news, and much of it flatters the government.



REPUBLIC OF CONGO

The president of the Republic of Congo, Denis Sassou Nguesso, could be proud that his country ranks among the very few in Central Africa that has decriminalized violations of press laws, and where journalists found guilty of such offenses do not go to prison. National pride was at the heart of the sumptuous celebration that he organized recently for the 50th anniversary of Congolese independence.

Nonetheless, the freedom and sustainability of the media in Congo is still very much in question. During the MSI panel discussions, some panelists even expressed a sense of alarm, and identified several ills that are wearing down the Congolese public and private media.

Although Congo has laws guaranteeing the protection and promotion of the freedom of the press, the panelists cited many challenges to exercising rights in a hostile environment affected by economic instability, political mistrust, professional deficiencies, a lack of distribution channels, lethargic professional organizations, and weak unions. While the government is often accused of corruption and poor management, in turn state authorities accuse journalists of abusing the laws that protect them and failing to appreciate the achievements made by the government.

Although the law does guarantee journalist freedom and independence, the panelists trashed the “police state” that truly governs—in which authorities discourage the plurality of media sources and closely monitor how the press make use of the freedom allowed them. Many of Congo’s independent outlets as well as public outlets have ties to the state, so political coverage dominates the news, and much of it flatters the government. This environment has made self-censorship pervasive and persistent.

The panelists were very critical also of Conseil Supérieur de la Liberté de Communication (CSLC), the regulatory agency and constitutional body responsible for issuing licenses for new press outlets. “Not only is this institution completely submissive to the government, but it is also the latter’s tool to crack down on the independent media,” one panelist said.

The panelists admitted, though, that some of their fellow journalists are less than professional. They said that training and educating journalists should be a priority, but Congo still has no true journalism school, nor are there enough short-term training opportunities that focus on the practical skills (such as new media) that journalists need.

REPUBLIC OF CONGO AT A GLANCE

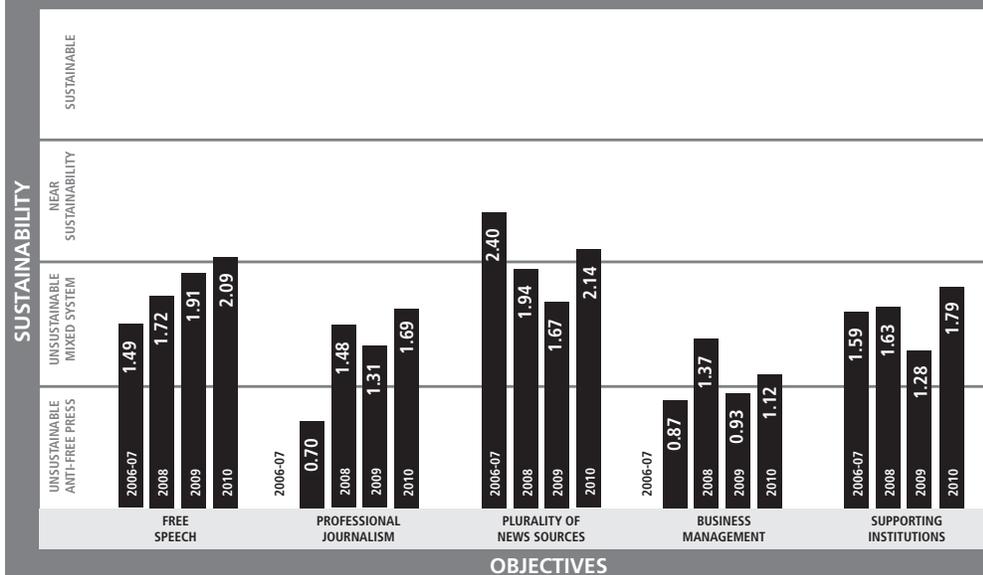
GENERAL

- > **Population:** 4,243,929 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Brazzaville
- > **Ethnic groups:** 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:** French (official), Lingala and Monokutuba (lingua franca trade languages), many local languages and dialects (of which Kikongo is the most widespread) (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$8.698 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$3,280 (World Bank Development Indicators, 2011)
- > **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 Stations: 18, including Radio Liberté; Television Stations: 10 channels
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Congolese News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 245,200 (2009 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: 2.09

In the decades since Congo acquired its independence in 1960, the colonial law of July 29, 1881 on the freedom of the press has been replaced. Law number 30/96 was passed on July 2, 1996, and law number 8-2001 was passed November 12, 2001, and both address the freedom of information and communication. Nonetheless, the panelists agreed that Congolese media and journalists have not earned many more rights or liberties. According to Eugene Gampaka, managing editor of *Tam-Tam D'Afrique* and a senior member of the Congolese press, "the long night" of the press is far from over. He said that he believes that the laws passed after independence and the advent of democracy saddle the press with more restrictions than the 1881 laws. As of today, some provisions of the 2001 law—particularly articles 69 and 70, concerning the creation of audio-visual media—still have not been implemented. Other articles yet to be enforced are article 92, on the journalists' professional identity card; and article 95, on the right to claim free access to any and all news sources.

The panel noted that an entire arsenal of regulations controls the media sector. The regulations include law 8-2001, on the freedom of information and communication; law 15, on the plurality of audio-visual media; the media professionals' charter; and the Congolese constitution of January 20, 2002. Yet, all of these regulations painfully lack implementation provisions, and as such

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.

are "dead letter." Adzotsa attributed the absence of provisions to political inertia.

The repeated violence and wars that plagued the country for years seem to have annihilated the population's will to claim their right to be informed and speak freely. According to Godelive Nana Shungu, a journalist in Brazzaville, the Congolese people—including some of the elites—give the impression that they do not really understand the importance of information and the role of the media. The Congolese are inactive and indifferent when their rights are violated, he said. However, panelists offered another possible explanation: in addition to widespread lack of awareness of their legal rights, many citizens distrust "the justice of the rich and powerful."

According to the panelists, censorship is the other great obstacle that journalists face. Officially, law 8-2001 prohibits censorship, stating that "access to information sources is free, censorship is prohibited, and no one will be bothered due to his/her ideas or opinions." However, reality contradicts this beautiful statement. Some panelists said that often journalists and media managers (particularly in the state-owned media) receive inappropriate phone calls seeking to block publication or airing of a particular news piece.

Jean Bruno Mtsoko, a member of Observatoire Congolais des Médias, recalled that a national radio station news manager was fired after allowing a news report on the political opposition to air. He also remembered a journalist who was relieved of her department-head duties because she aired an excerpt from an opposition leader's speech. Gampaka wondered, then, how meaningful the official prohibition on censorship can be, when the law responds with repressive measures against those who are found guilty of a press offense. He said that the corruption among Congolese journalists, resulting from the instability of their lives, is a form of censorship, as it leads to self-censorship.

CSLC's discrimination in granting media licenses is a further example of the deterioration of the freedom of the press, panelists said. Only personalities that are close to official circles are able to obtain licenses easily to start radio stations and television channels. CSLC controls and regulates broadcast licensing in a process that past MSI panelists have claimed is fraught with difficulty. In most cases, applicants receive temporary permits that seem to last forever, according to last year's MSI. There is an appeals process for media outlets that want to challenge a license denial, but the process is of limited value when many Congolese do not trust the objectivity of the judiciary system.

As reported in last year's MSI, the media face a far lesser tax burden than other industries, easing market entry. However, state regulations subject the broadcast media to greater restrictions than newspapers, which are required only to have a simple court order to launch.

While it is true that serious attacks against journalists are rare—especially in the context of the sub-regions—various forms of intimidation persist and frequently go unpunished, the panelists said. For example, the authorities continue to close press outlets, threaten and harass journalists, and impose high legal fines for press outlets. Perpétue Sandrine Mazandou, a journalist with DRTV, gave the example of the recent cascading suspensions of several media outlets, including Radio Tele Forum and the newspapers *Le Choc* and *Le Trottoir*, on accusations of incitement to hatred. In all of these cases, the CSLC judgments displayed bias, she said.

The state-owned media constantly enjoy the favor of state agencies and law enforcement agencies. While the law guarantees independence for public media journalists, often they are afraid to challenge their supervisors, as noted by last year's MSI panelists. Furthermore, the minister of communications appoints public media directors, and state media managers are clearly under the influence of the government. For example, last year the panelists noted that a Radio Congo news chief was fired for covering an opposition rally.

Although the government draws praise for eliminating prison sentences for Congolese journalists that commit press offenses such as libel, the panelists pointed out that media professionals still endure harassment and lawsuits for publishing news that the authorities deem too embarrassing or shocking.

While law 8-2001 states officially that access to information is free (the CSSLC charter provides for unrestricted access to information sources), government sources still favor the public media. Private media journalists, in contrast, are forced to network and use their own connections to obtain information. Last year's panelists indicated that journalists are fighting to improve access to information, but it is not clear whether any organized efforts are underway to challenge the disconnect between law and reality.

Officially, the government does not block access to foreign or domestic media, and with improvements in Internet access, many journalists are increasingly able to obtain their news online.

In terms of the ease of entering the journalism profession, entry is relatively free. Although CSLC does issue press cards, journalists are not required to have a license for reporting, except for some official events. The government is not involved in the recruitment of journalists in the private media, but aspiring public media journalists must have a journalism degree, be eligible to apply for a public servant position, and pass a hiring test.

In conclusion, the panelists pointed out that impunity lies at the heart of the current political system and the Congolese society in which no one abides by the law. That includes the press companies, which for the most part are owned by regime barons that fail to pay their taxes. Sylvain Elenga, a journalist with the Congolese Information Agency, commented that these media have found tax avoidance to be the solution for the lack of state

support for the media. "Most of the audio-visual media owners are politicians from the ruling party or close to government circles. They are supposed to set a positive example, but they do not—on the contrary," said Mvougou Vougar Germain, a teacher and passionate media consumer. "They use the Congolese taxpayers' money to fund their radio stations and television channels."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Republic of Congo Objective Score: 1.69

According to the panelists, weak training is a major reason for the poor professional standards in Congo. The panelists said that training and educating journalists should be a priority. Other than the main university, only a few organizations in the country train journalists. Shungu noted that many journalists have never taken courses in journalism—they come to the profession by accident or because they know someone that works in the media.

Mitsoko said that reporting is rarely fair, objective, or documented. The only goal of media professionals is to make money—that is to say, survive. Annette Kouamba Matondo, a journalist for *Nouvelle République*, agreed that for many people, journalism is not so much a calling as a money-making activity. That might help to explain the deficiencies in news reporting. In the audio-visual media as well as newspapers, most news reports are hollow: nothing but dry minutes or institutional news.

The panelists said that the journalists' precarious working conditions do not justify all of the ills of the press, but few would dispute that journalists are compensated poorly.

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).

Economic reasons are cited frequently for journalists' failure to observe professional codes of ethics or standards of quality. With overt bribes now commonplace, some in the media community have expressed the feeling that many journalists have lost their honor.

In his book, *The New Congolese Press: from the Gulag to the Agora*, Jean-Claude Gakosso, the Congolese minister of Culture and Arts, wrote, "The Congolese journalists are not well regarded by the political establishment. Too many political decision makers discredit journalists and feel contempt for their rights. They see them only as needy people always ready to bargain their honor and dignity for cash."

Invited to comment on this statement, some panelists said that the opposite would have been surprising. They commented that a free and independent press is not meant to be appreciated by those in power. The reality behind this statement is hard to disguise, however: the reputation of Congolese media professionals is tainted due to a series of eroding factors, including what journalists themselves have nicknamed *camora* (requesting financial compensation in exchange for providing services). Sometimes, after interviewing or reporting on a minister or a company manager, journalists keep besieging the person, not helping their image. Sometimes, when in dire need of money, they improvise stories. They do not hesitate to ask a minister, a company manager, or a public agent to reimburse their transportation expenses. Often a reporter will succumb to pressure when, for example, event organizers force the reporter to re-broadcast material if they feel that the event was not covered favorably. Unpaid interns are sent out to cover events and accept payment from the newsmakers, giving a cut to their colleagues that sent them. The particularly profitable sectors and the fashionable and "generous" personalities are "game preserves" for the journalists with more clout in their outlets. The friendly contacts between journalists and political and economic decision makers show clearly in the spreading of advertorials that masquerade as journalism—fueling confusion between the genres of advertising and news reporting.

In this environment, self-censorship is a seemingly inevitable consequence. Journalists censor their own work to ensure that they do not lose their jobs, miss out on invitations to official events, or run the risk of retaliation by the powerful individuals controlling much of the news market. Self-censorship continues to be a significant obstacle in the broadcast media especially.

On a related point, the Congolese press only superficially cover many key issues (particularly human rights, democracy, governance, public finance management cover, and gender) for many of the same reasons. Political events organized by the opposition parties get less media coverage than state-sponsored events. Issues such as political crimes, oil revenue management, misappropriation of public funds, and the illicit accumulation of

wealth by politicians are all taboo. Instead, the press is cluttered with coverage of official affairs. As Adzotsa said, "Often all we see in the press are protocol events, like the opening and closure of some workshop or seminar."

Most media outlets cannot afford to pay their employees on time—or at all, as last year's MSI noted. Few journalists, public or private, earn a livable wage, although the government does guarantee salaries for the public media. Many private-media journalists are forced to eke out a living as freelancers. The journalism field is particularly low-paying in contrast to other professions; thus, many seasoned professionals have left journalism for better-paying positions in the administrative, economic, and political sectors. Many others have been forced to retire or flee the profession and take refuge in ministers' cabinets or other prestigious institutions. As a consequence, the offices of newspapers, radio stations, and television channels are filled with young people with just modest knowledge of the trade. For them, reporting means simply relaying the actions and opinions of the government and refraining from denouncing questionable acts by the authorities. The panelists said that the low salaries and dismal working conditions invite the corruption described earlier.

The panelists found room for debate over the balance between news and entertainment. Many media outlets feel compelled to focus on entertainment because it is more lucrative, but previous panels have bemoaned the poor quality of entertainment programming.

Previous MSI studies have documented the problems related to poor media equipment and facilities. But Sévérin Ngambaye, a Brazzaville journalist, noted that lately the government has displayed its intent to equip state media professionals with high-performance technology, as proven by the 2009 inauguration of the National Radio and Television Center in Brazzaville. However, it is not clear that the government is pairing this investment with training to help the professionals learn to use the new tools.

The private sector, meanwhile, is in great need of technological assistance. Without a boost, their hopes of expanding to national coverage appear dim. Last year's panelists highlighted in particular the old equipment at Radio Pointe-Noire, where many journalists have no training on or access to computers.

Again this year, panelists confirmed that investigative reporting is nearly impossible in the Congolese climate. "There are not many investigative reports," said Adzotsa, a longtime journalist. "The newspapers do not have leading articles. Only *La Semaine Africaine* does its job correctly."

As for specialized reporting, Adzotsa noted that coverage of cultural events is especially poor, although several dedicated publications appear more or less regularly—which is a lot for an

African country. "There are stories on music groups, but almost nothing on artistic activities such as literature, fine arts, theater, cinema, poetry, photography, etc.," he said. In this respect, *Les Depeches de Brazzaville*, the only Congolese daily newspaper, stands out, as it publishes some cultural and literary news.

OBJECTIVE 3: PLURALITY OF NEWS

Republic of Congo Objective Score: 2.14

Democratization in the early 1990s fueled the development of the press in Congo. A good number of newspapers, radio stations, and television channels appeared in those euphoric times. Today, in theory, some 40 publications make up the Congolese print media, including just one national newspaper published in Brazzaville.

Despite the relatively high literacy rate of the Congolese population, the country has no national daily newspaper worthy of the designation and no specialized publications, much to the chagrin of one panelist. The governmental daily *Mweti (the Star)*, which appeared in 1974, did not last long; it closed in 1994. *La Nouvelle Republique* replaced it and quickly downgraded to a weekly publication; today, it is a monthly paper. The women-oriented press is trying to gain a foothold in the market, but the two papers, *Nzele* and *Femina*, are still staggering.

The circulation of the Congolese periodicals is among the weakest in Central Africa. Congolese newspapers print a modest number of copies—generally 500 to 1,000, with the exception of *La Semaine Africaine* and *Les Depeches de Brazzaville*,

which have circulations of 5,000 to 10,000 copies. Only two publications appear outside the capital, in Pointe-Noire and Dolisie (in the south).

Congo has 10 radio stations, including one national station; and 20 television channels, including one national channel. They broadcast from Brazzaville and 13 other cities. In addition to these Congolese news sources, some citizens access news on the Internet. Furthermore, 60 radio stations and television channels broadcast out of Kinshasa, on the other side of the river Congo, and can be received unscrambled in Brazzaville.

Ngambaye added that the vitality of democratic life in a free country is measured by the number of news outlets that it can produce. He noted that it is true that Congo has numerous news sources and the public has the freedom to choose and to evaluate, on its own terms, the quality of everyday news. At the same time, the news cannot be said to be objective or reliable. Panelists said that the Congolese media are politicized excessively, and 80 percent of programs are political in nature. Several news outlets are owned by the presidential family. Programs on DRTV (a private channel owned by a major general still in activity) are vivid examples of the bias, while the Congolese broadcasting landscape is filled with state and private media owned by people with political clout. Other examples include TOP TV, owned by Claudia Sassou Nguesso; and MN Radio and Television, owned by Maurice Nguesso. These outlets do not cover the diversity of opinions of the political spectrum. As Hénoc Nazaire Ebethas-Bissat, head of communications of the Civil Society Forum for Free and Transparent Elections, pointed out, the plurality of news sources does not guarantee diversity in the news.

Generally, the authorities do not restrict citizen access to domestic and international media. Despite being very pleased with the open access to the media, Mitsoko said that this may change, as access has been restricted at times when the foreign media cover issues that interfere with the government's interests. For example, RFI's signal has been interrupted on several occasions, after it tackled hot political issues.

Aside from any official restrictions, economic and geographic factors limit access. The media are clustered in the larger cities: Brazzaville, Pointe-Noire, Dolisie, and Ouessou, neglecting smaller areas.

Although the press law of 2001 requires the public media to allot airtime to all political and professional organizations, the opposite is true in reality, according to last year's MSI. The public media feature privileged coverage (bordering on propaganda, as one MSI panelist last year noted) of the government's activities. That coverage makes it extremely hard for the opposition to gain access to the public media or even private media.

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.

Furthermore, the public media offer little public interest programming. Ebethas-Bissat commented, “News outlets—mostly the official ones—do not cover all issues, but even the private media lack programs on education, culture, and scientific research which could educate the listeners or television viewers.”

Congo still has no independent press agency. Agence Congolaise de l'Information (ACI), the only news agency, is owned by the government and does not have a strong reputation as a reliable news stream for the media. With no foreign press agencies either in Congo, journalists tend to rely on the Internet. A panelist last year mentioned that many journalists simply copy and paste Internet sources.

On a similar note, the independent broadcast media have few resources to produce original content, and tend to focus heavily on politics or re-broadcasting foreign programs to fill the airwaves. However, as noted in last year’s MSI, some stations manage to produce some original programming, such as religious broadcasts, that differ from the offerings of state-run outlets. Community media produce shows with a nod to local interests, often focusing on agricultural issues.

While generally media owners are not a secret to the public, it is thought that owners influence their outlets heavily. Many owners have political ties that drive the editorial policies of their outlets. Last year’s MSI panelists said that the 8-2001 press law prohibits multiple media holdings, but monopolizing still occurs. They pointed to General N. Dabira, who owns DRTV, DRTV Force One, and DRTV Point-Noire.

Congo still has no print media outlets in minority languages. With the exception of a few productions by independent journalists made with support from international organizations, the media feature no shows for Congolese minorities. In terms of the media’s coverage of social issues, Adzotsa commented that journalists are afraid to tackle key social subjects clearly and publicly. Panelists last year commented that problems such as child mortality, the shortage of clean water, and poor waste management receive little coverage in the press.

OBJECTIVE 4: BUSINESS MANAGEMENT

Republic of Congo Objective Score: 1.12

The current environment is not favorable to the development of media sustainability, the panelists said. They pointed out several obstacles to Congolese press development: printing costs that swallow most of the already-meager newspaper revenues; advertisers and advertising agencies that prefer to do business with television outlets, because their impact on the population is more significant than newspapers or radio; and individual

sales and subscriptions that do not cover writing, printing, and distribution expenses.

Newspaper prices are considered quite high: *Les Depeches de Brazzaville* sells well because it only costs CFA 100 (\$0.20 USD). Other newspapers and magazines cost between CFA 500 and 2,000 (\$1.00 and \$4.00). The pricing reflects the reality that newspapers cannot lower their prices, due to the many hardships they face.

Shungu, who is a DRTV anchor but also dedicates much time to searching for advertising for her station, pointed to two factors underlying Congolese media company difficulties: the financial weakness of owners once they have stepped down from their public offices, and the lack of management skills that could attract investors to this sector. Between the necessity of the media to survive and the political interference of their owners, little if any room is left for focus on business management.

The panelists also admitted that because publishing newspapers and magazines is expensive, many reduce their editorial teams. Some papers are written in full by one or two journalists, and newspaper owners cannot pay decent salaries to journalists due to the lack of financial resources. As a result, the profession is on the way to vagrancy, as it shows continued ethical drift—with all the consequences that this entails.

In Gampaka’s opinion, the Collective Agreement on the media is second only to the law on the freedom of communication as the most important piece of legislation for the Congolese media community. The adoption and implementation of the agreement should generate truly independent media businesses and thus favor the economic and financial profitability of press outlets. Gampaka said that the Congolese press can be saved if they take a number of measures, some of which are urgent

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.

and pressing. The measures include recognizing the social role of the press so that it can receive funds to ensure its economic survival; publishers organizing themselves as economic interest groups in order to develop joint buying centers and advertising and distribution agencies; and the state granting unconditional and legitimate financial assistance to bolster the profession. Support and subsidies may be the only solution, Gampaka said, as the market shrinks and readers become scarce as a result of the economic downturn.

For Mitsoko, it is clear that a press outlet fulfills a public service mission, which is why it cannot be equally successful in making profits and meeting the same management requirements as a classical business company. Banks offer two kinds of financing to the press: bank lending or share participation. Neither is truly applicable, because very few press companies can submit bankable projects for consideration.

The budgets of state-owned outlets and privately owned outlets are not published or otherwise known. The media do not receive funds from multiple sources. The advertising market is extremely rudimentary and often is maneuvered by people who impose their opinions or preferences on market goals. Advertising revenue constitutes about 15 percent of Congolese media budgets.

Congo has no advertising agencies or associated businesses to sustain an advertising market. Ads and commercials are negotiated on an individual basis between the outlet and the advertiser.

The media do not receive state subsidies, but the Congolese law on the freedom of information and communication allows for the possibility of state subsidies for public and private media. Such subsidies have never been offered. In 2001, for the very first time, the Congolese press received exceptional financial assistance from the president in the amount of CFA 300 million (more than \$600,000), but the authorities failed to distribute the subsidy fairly. The lack of a regular state subsidy for the press renders superfluous the provision of article 9 of the same law. This article provides that no private information and communication company can receive payment in cash, in kind, or in services from a political party or a foreign state, either directly or indirectly. The panelists did not discuss whether direct subsidies might compromise editorial independence further.

According to one panelist, the great weakness of the Congolese media is the absence of any market research and, therefore, any strategic plans. The media have no ratings, newspaper circulation figures, or Internet use statistics.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Republic of Congo Objective Score: 1.79

The panelists emphasized their belief that media trade and press associations are critical to a healthy media sector. They said that the ability of press companies to organize and consolidate hinges largely on their ability to build solidarity through professional associations that first and foremost can defend the common interests of journalists and press companies. Over the years, more than 20 professional associations have appeared in Congo, but many soon disappear for lack of funding and support.

Adzotsa mentioned some of the few trade associations still in existence, such as Association des Editeurs de Presse du Congo (AEPC), chaired by Joachim Mbandza, publication manager of *La Semaine Africaine*; and Association des Promoteurs des Radios Privés du Congo. The country has a number of professional associations that protect the rights of journalists. One is the Federal Union of Communication Workers (known by the French acronym, FESYTRAC), a union affiliated with the Federation of Journalists and a member of the Central African Media Organization (known by the French acronym, OMAC). Some panelists praised FESYTRAC's effectiveness in defending and training Congolese media professionals. Other independent associations represent specializations, such as sports, national languages, etc., within the media.

However, according to Shungu, these professional associations exist only on paper; they are not efficient and they offer journalists little protection. Other panelists objected to the subservience of these institutions to political powers, compromising their credibility. While praising the existence

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.

of professional associations, Elenga expressed regret that the Collective Agreement that media owners and unions signed in January 2009 is not respected.

Ngambaye also raised questions about the solidarity of media professionals in the country. To a certain extent, he said, solidarity is reflected in the creation of organizations such as AEPC and FESYTRAC. However, Ngambaye lamented that these organizations, or at the very least their leaders, keep failing to act. *Les Oscars de la Presse* (an educational paper for Congolese journalists), was established to address this problem and is managed by Andrien Wayi Lewyi, the former news manager of Radio Congo. Initially highly dynamic and displaying a strong spirit of solidarity, the paper prompted a sigh of relief throughout the entire profession. Ngambaye said that the emergence of this effort is necessary for the defense of the private media interests.

A handful of NGOs in the country uphold the freedom of the press. They include the Congolese Human Rights Observatory, and Association Panafricaine Thomas Sankara. They provide legal support to journalists, periodically launch emergency appeals, and collaborate with international press freedom organizations. However, collaboration between NGOs and local media organizations remains weak. Past panelists have noted that the lack of solidarity and united goals among journalists is partly to blame.

Although the Republic of Congo still has no proper journalism school, some Congolese institutions do offer journalism tracks. As noted in last year's MSI, Marien N'Gouabi University has two training programs, and Ecole Nationale Moyenne d'Administration (ENMA) offers another one, but these choices are limited to Brazzaville. Past panelists noted also that the programs are more theoretical and are weak on practical experience. The university, for example, lacks a media lab.

Journalists have opportunities to travel abroad to study, but with poor working conditions and salaries, many opt not to return to Congo. In fact, as last year's MSI noted, the media sector (and particularly in the state media) do not have enough journalism jobs to employ all journalism graduates.

Furthermore, there are not enough short-term training efforts to fill the need. The government and some international organizations, such as the United Nations Human Rights Center, offer some seminars to boost skills. Past MSI panelists underlined concerns about the lack of new media training in particular. Brazzaville has a skill-strengthening center where many young university graduates come to be initiated to journalistic writing and interns learn to use the computer. However, panelists said, the state does not encourage this initiative.

Congo has a few private printing houses that operate freely, to a certain extent. Access to them is often difficult for certain magazines, except for *Depeches de Brazzaville*, with its pro-government editorial policy. Some printing houses continue to refuse to print certain newspapers.

The country still has no media distribution service; newspapers make their own choices on where to sell their papers. The government does not control private media radio transmitters.

List of Panel Participants

Edouard Adzotsa, secretary general, Central Africa Union of Journalists, Brazzaville

Perpétue Sandrine Mazandou, journalist, DRTV, Brazzaville

Monica Ngalula wa Mukendi, journalist, Congolese Human Rights Observatory, Brazzaville

Leby Nazaire, freelance journalist, Brazzaville

Annette Kouamba Matondo, journalist, *Nouvelle République*, Brazzaville

Sylvain Elenga, journalist, Congolese Information Agency, Brazzaville

Germain Mvougou Vougard, teacher, Poto Poto

Hénoc Nazaire Ebethas-Bissat, head of communications, Civil Society Forum for Free and Transparent Elections, Brazzaville

Rufin Mahinga Massouama, journalist, *Le Manager*, Brazzaville

Eugène Gampaka, managing editor, *Tam-Tam D'Afrique*, Brazzaville

Godelive Nana Shungu, anchor, DRTV, Brazzaville

Sévérin Ngambaye, journalist, *Le Défi Africain*, Brazzaville

Moderator and Author

Jean Bruno Mitsoko, member, *Observatoire Congolais des Médias*, Brazzaville

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

Also, the lead-up to the elections prompted authorities to crack down on the media, with attacks on journalists and bans on pro-opposition publications during the elections.



COTE D'IVOIRE

An upturn in economic activity marked 2010 in Côte d'Ivoire, as did its impacts on the media landscape. The prospect of a general election helped create favorable conditions for economic growth as well. Elections had been postponed repeatedly after the Ouagadougou Political Agreement of March 4, 2007, but finally were scheduled for October 30, 2010, in the midst of a relatively peaceful social and political climate.

Election fever colored most of the year, leading up to the first round of presidential elections. Political players campaigned nonstop to win over voters. After waiting for several years for elections, many Ivoirians expressed skepticism over whether elections would actually take place. On November 28, the elections did go forward—but the uncertain results sank the country into a political crisis. The country's Independent Election Commission declared the internationally-backed Alassane Ouattara the victor; however, its Constitutional Council annulled the results and claimed that Laurent Gbagbo, the incumbent, won. As of the end of 2010, Gbagbo continued to ignore regional and international protest, clinging to power and refusing to step aside.

Also, the lead-up to the elections prompted authorities to crack down on the media, with attacks on journalists and bans on pro-opposition publications during the elections. Additionally, the authorities censored a number of foreign radio stations and television channels, including RFI, BBC, and France 24, accusing them of bias and cutting their signals amid the post-election turmoil.

Still, the media managed to take remarkable advantage of the election year, with clear gains in freedom of expression—even beyond the freedom already guaranteed in the Basic Law and supporting legislation and regulations. Many newspapers and publications kept up the heat on election coverage, and in the final quarter, new dailies cropped up specifically to cover the elections. The elections spurred efforts to train journalists and media professionals to provide high-quality coverage of the elections. Professional media organizations, in partnership with the Press Support and Development Fund (FSDP), organized a series of capacity-building workshops for media professionals and published various guides for journalists. Two media regulators, the National Press Council (CNP) and the National Broadcast Media Council (CNCA), become involved also in the media coverage of the elections. They promoted rules and procedures designed to help ensure that all candidates had fair access to the public service media.

Even with such clear signs of improvement relative to 2009 in media practice, the panelists were unanimous in recognizing the ongoing weaknesses that the media community needs to address—especially professional standards of journalism and the business management side of media companies.

CÔTE D'IVOIRE AT A GLANCE

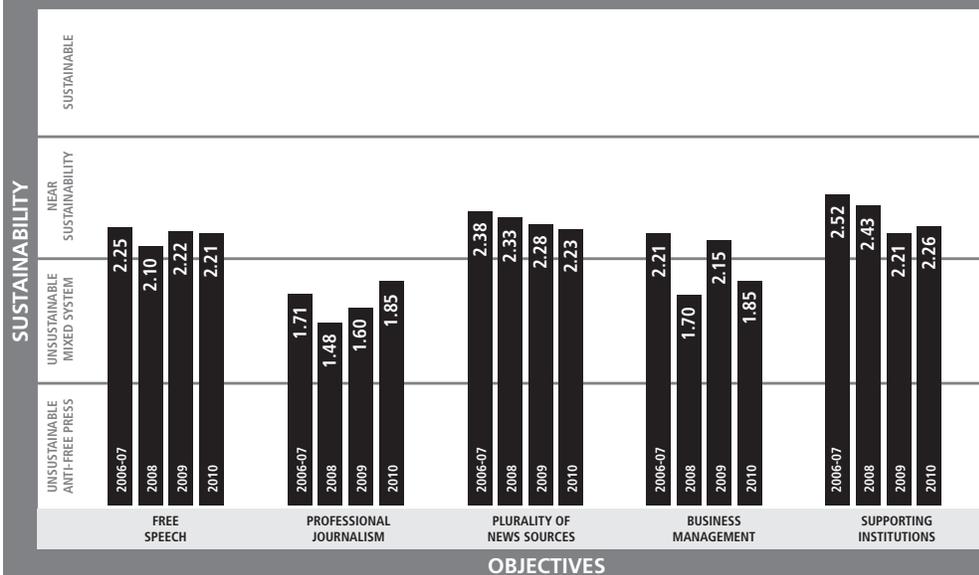
GENERAL

- > **Population:** 21,504,162 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Yamoussoukro
- > **Ethnic groups (% of population):** Akan 42.1%, Voltaïques or Gur 17.6%, Northern Mandes 16.5%, Krous 11%, Southern Mandes 10%, other 2.8% (includes 130,000 Lebanese and 14,000 French) (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:** French (official), 60 native dialects with Dioula the most widely spoken (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$22.97 million (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,650 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 48.7% (male 60.8%, female 38.6%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Alassane Ouattara (since October 26, 2000)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 22 daily newspapers, 58 others, 8 periodicals (National Council of the Press); Radio Stations: 5 national and about 100 local; Television Stations: 3 (including 1 fee-based)
- > **Newspaper circulation statistics:** Top three by circulation: *Fraternité Matin* (circulation: 6,824,333), *Soir Info* (circulation: 4,904,498); *Le Nouveau Réveil* (circulation: 3,733,010) (National Council of the Press 2006)
- > **Broadcast ratings:** N/A
- > **News agencies:** Ivoirian Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 967,300 (2009 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: 2.21

Apart from the Ivorian constitution, which guarantees the freedom of expression and the freedom of association, laws passed in 2004 relating both to print and broadcast media prepared the media landscape for plurality of expression. The laws in force are fairly liberal—in intent, at least. For example, since 2004, Côte d'Ivoire abolished imprisonment as a penalty for press offenses. Instead, fines are imposed of between XOF 3 million and XOF 20 million (\$6,200–\$41,200), depending on the offense committed. However, no private television stations operate in the country, and only the print media sector can be considered fully liberalized.

For radio and television, a number of limitations are itemized, despite the 2004 press law reinforcing media freedom. The law states that broadcast outlets must respect national sovereignty, state secrets, national defense, and the dignity of the human person. They must refrain from incitement to hatred, xenophobia, or violence; respect the freedom and property of others; respect the pluralistic nature of trends in thought and opinion; and safeguard public order, national unity, and territorial integrity.

In addition, radio and television stations must obtain frequencies through CNCA concessions, which are granted following council calls for applications. As noted last year, the process has been much easier for radio stations; around 100

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.

concessions have been granted to sponsors of radio stations since the broadcasting market opened up. Still, no private television stations have been authorized to broadcast in Côte d'Ivoire—despite the positive results of a 2008 feasibility study that the Ministry of Communications commissioned. In the meantime, Internet television initiatives continue to help fill the gap.

Since the outbreak of the social and political crisis in Côte d'Ivoire, many initiatives in the radio and television sector have cropped up in the central northwest part of the country, but with no regard to the regulations. In 2010, that trend continued; TV Notre Patrie, which broadcasts from Bouaké, the country's second city, is a perfect illustration. CNCA attempted but failed to bring the station into compliance.

Regarding the ease of market entry, launching and distributing a newspaper or periodical publications is a relatively free process. Only a detailed statement of publication before the public prosecutor is required to publish a newspaper. Under article 6 of the 2004 media law, the statement must include supporting documentation for the legal existence of the newspaper company; the title of the newspaper or periodical; the nature and frequency of publication; the surnames, first names, parentage, nationality, and full address of the director of publication, and of the principal shareholders that own (collectively or individually) more than two-thirds of the capital; a certificate verifying that the director of publication passed a criminal background check; the geographical address of the establishment where editorial office activity is to take place; the name and address of the printers for the publication; and a written letter of commitment, dated and signed by the director of publication, to respect and implement the collective agreement governing the press sector.

The prosecutor, in turn, must provide a receipt for the statement of publication no later than 15 days after the statement has been filed. The public prosecutor must be notified of any subsequent change in the statement of publication within 30 days.

Most of the panelists acknowledged the existence of legal instruments guaranteeing freedom of expression in the country. Only two of the 13 panelists gave scores below the overall average. Guillaume Tonga Gbato, secretary-general of the National Union of Private Press Employees in Côte d'Ivoire (SYNAPPCI) and a journalist for *Notre Voie* (the newspaper of the Ivorian Popular Front [FPI] party), noted problems with law implementation. Sometimes enforcement comes up against structural difficulties, or the misplaced zeal of certain administrative officials, he said. Nevertheless, the freedom of the press has stood at the center of the long battles of the democratization process that have been underway since the

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1990s. As a result, overall legal and social norms protect and promote press freedom and access to public information.

Still, the panelists identified some serious obstacles that arose through the year, especially related to the general elections during the final quarter. According to Barthélemy Kouamé, chair of the Côte d'Ivoire Network of Online Press Professionals (REPRELICI), existing legal standards were not applied in some cases. Francis Domo, press director of CNP, discussed a number of the difficulties suffered by private press members as well as public service press members—particularly from Ivorian Radio and Television (RTI).

Salimata Silué Konaté, head of news of Radio Côte d'Ivoire, noted that the authorities banned a number of pro-opposition titles in the time surrounding the elections. Additionally, authorities cut the signals of a number of foreign radio stations and television channels—such as RFI, BBC, and France 24—accusing them of bias in their handling of the news in the final quarter of the year, amid the post-election unrest that cost many lives.

This year saw serious crimes committed against journalists, as well. Throughout 2010, the National Press Council picked up on a series of attacks on journalists in their course of duty. In one case, the person in charge of a news website narrowly escaped being lynched. A female reporter covering a ceremony for an Ivorian newspaper was taken for a spy and attacked by a minister's security guards. A photojournalist from an international agency ran into trouble with the organizers of a demonstration, and his equipment was completely destroyed. Elsewhere in greater Abidjan, militants attacked the vehicle of a team of radio and television reporters and damaged their equipment.

The case known as the *Nouveau Courrier d'Abidjan* affair became one of the year's major events. On July 13, public prosecutor Raymond Tchimou Féhou indicted three journalists, including the publication director, from that pro-government daily. They were charged for publishing the findings of a judicial inquiry into alleged instances of embezzlement in the cocoa-coffee sector, and were accused of stealing official documents.

The case caused a stir not only among the journalism community, but in the broader public as well. Local civil society and professional organizations joined regional and even international organizations—such as Media Foundation West Africa (MFWA) based in Accra, Ghana, and Reporters Without Borders—who took up the case and defended the journalists. In a press release given to the Pan-African News Agency (PANA), MFWA demanded the immediate and unconditional release of the imprisoned journalists. MFWA expressed its disappointment in the attitude of the Ivorian authorities and their forcing of journalists to reveal their sources; they noted that confidentiality and the protection of sources are key principles of journalism everywhere in the world, including Côte d'Ivoire. For its part, Reporters sans Frontières (RSF) noted in a public statement that it had not seen such coercive methods in Côte d'Ivoire in many years, and said that the theft charge did not hold water. RSF decried this serious threat to press freedom and called for the immediate release of the three journalists. In an interview with *Notre Voie*, Féhou insisted that there was a press offense and a common law offense, and said that journalists are not above the law.

The three *Nouveau Courrier d'Abidjan* journalists spent two weeks in jail, and the courts suspended the newspaper for two weeks and fined it XOF 5 million (\$10,300). Human rights organizations did react to the violations against journalists, but apart from the professional groups in the sector, reactions were weak, amounting to simple condemnations of the events. Josette Barry, a journalist and editor-in-chief of *Fraternité Matin* Éducation, said that people's reactions depend on their political affiliations. For the most part, people tend to shrug off abuses of the press outlets that lean in a different political direction from their own. Kouamé agreed that public reaction is almost non-existent.

Scores for the indicator measuring preferential legal treatment for public media ranged from 0.5 to 2.0. Overall, the panelists expressed the feeling that public service media are favored somewhat over private media. For example, journalists from private newspapers might have to cool their heels for three hours or more before getting their hands on press releases from the Council of Ministers—in stark contrast to the public *Fraternité Matin*. Furthermore, the government appoints public service media leaders.

However, Adama Koné, a *Fraternité Matin* journalist and chair of the Francophone Press Union (UPF) insisted that whenever public media leaders try to be professional, authorities stand in the way. At *Fraternité Matin*, during the last quarter of 2010, staff wanted to keep their momentum going with balanced coverage of the second round of presidential elections, but they found themselves called down—to disastrous results.

Regarding journalists' access to sources, depending on the editorial lines of their outlets, they sometimes face difficulties—although awareness campaigns on the media's role in elections campaigns throughout 2010 facilitated the work of journalists in favor of the elections. However, upon the conclusion of the presidential elections, as the country plummeted into crisis. With two decision-making poles, journalists on both sides faced serious difficulties covering all the political activities taking place in the economic capital, Abidjan. It was an unusual context that did not make the work of professional journalists any easier.

Aspiring journalists in Côte d'Ivoire encounter few restrictions entering the profession. Two career paths are open to prospective journalists: moving straight into editorial offices/newsrooms and cutting their teeth on the job, or graduating from one of the many schools offering journalism courses. Although the panelists emphasized the obligation under the law for every prospective journalist to have a diploma of higher education—a measure aimed at raising the educational and professional level of journalists—the panelists were unanimous in recognizing the diversity of training opportunities available.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Côte d'Ivoire Objective Score: 1.85

Côte d'Ivoire's media display a propensity to align with particular politicians or political parties—explaining the partisan tone so readily apparent in Ivorian media outlets.

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 independence of the media was a subject of debate among the panelists, who concluded that the Ivorian media are mostly partisan in their coverage of political news. Sounkalo Coulibaly, a journalist and publication director of *Le Patriote* (Groupe Mayama Éditions), a newspaper close to the Rally of Republicans (RDR), said that the country has few quality newspapers, and journalism has given way to political propaganda. Even though some journalists excel in commentary, others are smoke-and-mirrors artists, under the influence of the general intelligence services, he said.

Konaté acknowledged that, generally speaking, journalism in Côte d'Ivoire fails to meet the requisite standards of professional quality, although the panelists recognized that some exceptionally professional journalists practice in the country. The major challenge, the panelists said, is in the available training: very few journalists complete journalism studies in college.

Gbato agreed that the media sector has no room for complacency, and stressed that even though various actors in the media sector have worked hard to improve Ivorian media's quality, it remains well below the standard that consumers deserve. That failure is attributable to many factors, in his view: the inadequate training of many journalists, the substandard working equipment, the informal nature of most press enterprises, and the poor salaries for employees. As a result, the turnover rate in the media is staggering. The best journalists tend to leave and cash in on their talents elsewhere. The panelists said that they believe that most employers fail to recognize and value experience in their employees.

Media members have a code of professional ethics and practice. As last year's report noted, the Observatory of Press Freedom, Ethics, and Standards (known by its French acronym, OLPED), has attempted to promote the code, but violations are frequent, mainly because of the political allegiances that define most newspapers. Unbalanced—even partisan—reporting results, and self-censorship is common. According to some panelists, often state media journalists, beholden to political lines, show little respect for the rules of professional conduct.

Although OLPED did not issue any reports on ethical violations in 2010, CNP statistics recorded 347 instances of professional misconduct or failure to comply with professional rules among the print media—a slight increase from last year's 315 violations. CNP issued 124 reprimands, 114 summonses for questioning, 103 warnings, and six formal notices.

The biggest offender was the pro-FPI *Le Temps*, which picked up some 60 CNP reactions—about 30 of which were

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reprimands. The paper also was charged two financial penalties totaling XOF 8 million (\$18,000). Next came *Le Mandat*, tied to the Democratic Party of Côte d'Ivoire (PDCI), with 38 reactions; then *Notre Voie*, the newspaper of the ruling FPI; with the pro-opposition (RDR) *Le Patriote* and the pro-PDCI *Le Nouveau Réveil* not far behind. CNP suspended *Le Patriote* for three days. Given the number of summonses for questioning, reprimands, or warnings given to some of the daily newspapers, it was actually quite surprising that the regulator only suspended one of the outlets, observed the panelists.

The weekly press, which includes some 40 titles, received about 37 reprimands and 29 warnings from the Press Council. One weekly, *L'Œil du Peuple*, was suspended for eight issues (two months).

Jacques Silué, professor of higher education and director of the Institute of Media Sciences and Technologies (ISTC), insisted that journalists' salaries remain the weakest link in the development of the press—and the private press in particular. SYNAPPCI and the Group of Press Publishers of Côte d'Ivoire (GEPCI) agreed on a salary scale in the context of a collective agreement, yet the standards are far from being applied effectively across all media businesses in Côte d'Ivoire. Koné said that the wage levels under the agreement are nothing truly extraordinary, but even if they were respected, it would be a significant step forward compared to the current of practice of handing out gas coupons to journalists in lieu of salaries. Some companies apply the collective agreement, so one could say that the trend is headed in the right direction.

According to Barry, the poor quality of content is one of the biggest disappointments in the media sector in Côte d'Ivoire, particularly during the past 10 years. The lack of quality, she said, is attributable at least partly to the poor salaries, which give journalists a mediocre standard of living and leaves them far too insecure financially. Not only does that insecurity affect the quality of their work, but it may tempt some journalists to violate ethics. Bamba Karamoko, chair of the Union of Local Radio Stations of Côte d'Ivoire (URPCI), added that journalists do not live and develop in isolation—and the corruption that plagues Ivoirian society does not spare the media sector.

The panelists agreed, though, that the poor salaries are no excuse for the professional failings of certain journalists and press houses. That holds true even despite SYNAPPCI Secretary-General Gbato's revelation that some journalists lack the necessary means of communication to check their information. He concluded that the state, regulatory organizations, and press houses must understand that if they do not find a comprehensive solution to the salary problem, all their other efforts will be meaningless. Even when journalists graduate from the most prestigious college of journalism, once they join newspaper staffs in Abidjan, they are not be able to pay for a taxi to drive them to their reporting assignments, and they cannot be sure that they will receive their salaries at the end of the month. Under these conditions, he said, journalists have difficulty upholding the rules of the profession—the survival instinct trumps the journalism instinct almost every time.

Regarding the balance of news and entertainment, programming on the national television channels reflects the diversity of the audience, the panelists said. Gérard Koné Dogbemin, a lawyer, remarked that outlets certainly offer a lot of entertainment programming, and there is something for everyone. Alongside the traditional evening news on television news at 8 p.m., stations air discussions and cultural programs.

Speaking as chair of URPCI, Karamoko pointed out that local radio stations, which produce many of their own programs, show the same diversity in programming. At radio stations operating upcountry, shows based on interviews with locals (such as the village chief or the local schoolteacher) are common. Some programs that might be considered entertainment could also have an educational, awareness-raising, or news aspect. Barry, however, shared her conviction that there is too much entertainment—with much of it bordering on indecent.

Content analysis of the Ivoirian media reveals that politics dominates. Except for the sports dailies, all daily newspapers—even while claiming to be general information newspapers—dedicated more than 80 percent of their column inches to political affairs in 2010.

Meanwhile, other topics, such as economics, suffer. Emmanuel Akani, of the Ivoirian Movement of Press Consumers of Côte d'Ivoire (MICOPCI), concluded that even when journalists broach an economic subject, they rarely go into depth or consult appropriate experts—and the resulting articles are highly subjective.

Barry pointed to another explanation for the lack of specialized articles or investigative work in the Ivoirian media: the high turnover seen in some editorial offices. Journalists

change desks two or three times in two years or less. That leaves them very little time to establish their networks or build capacities in any given field. Gbato, speaking as chair of SYNAPPCI, added that in some press enterprises, the bosses refuse to allow their employees to specialize in any particular subject, lest a reporter become irreplaceable.

On a positive note, the Côte d'Ivoire National Union of Journalists (UNJCI) Ebony Award for the best journalist, set up about 15 years ago, has continued to help spur development of journalism's major genres (reportage, investigative, and interviews) in the print media as well as the broadcast media. To encourage journalists to observe the rules of professional conduct throughout the year, the union established a Standing Committee of the Ebony Award Jury to select monthly winners for the three best investigation, reportage, and interview products in each medium (print, online press, radio, and television). For the 2010 award, the committee studied 2,352 works of journalism and selected 10 finalists. Unfortunately, the political events at the end of the year disallowed the jury from holding its deliberations.

OBJECTIVE 3: PLURALITY OF NEWS

Côte d'Ivoire Objective Score: 2.23

The Ivorian media landscape is extremely rich and varied, with 17 daily newspapers in the "general information" category, three sports dailies, and some 40 celebrity-oriented weeklies fighting for readership share. For radio and television, Ivoirians can choose from four public service

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.

news channels (two radio and two television). Although the absence of any private national television channel is regrettable, the FM band is nearly saturated in Abidjan. The country has two private commercial radio stations (Radio Jam and Radio Nostalgie) and a United Nations radio station (UNOCI FM), while international radio stations such as the BBC, RFI, and VOA jostle for space alongside a multitude of local stations.

Across the country, hundreds of local radio stations help people understand the country's direction and recent events. In radio and television, the great diversity of supply has proven satisfactory for viewers with subscriptions to the encrypted channels. The free sale of satellite dishes allows consumers to pick up a variety of news channels with little difficulty.

Among the media support platforms, the use of social networks is developing rapidly, especially among young people. During the election year, Twitter, YouTube and Facebook became very popular. The Ivoire-blog site lists more than 500 blogs on subjects relating to Côte d'Ivoire. However, it remains true that those blogs—whatever their news content—reflect the opinions of their authors and cannot be taken as objective news sources necessarily. Kouamé, speaking as chair of the Côte d'Ivoire Network of Online Press Professionals, noted that most bloggers and others working on the Internet do not conduct field reporting. In other words, although journalists might be bloggers, not all bloggers are journalists.

The popularization of information and communication technologies and the existence of "cybercenters" in all neighborhoods of large towns has helped people assimilate to them better and faster. The obverse of that was a certain loss of interest in printed newspapers among readers, especially young people, who by far prefer to consult their daily paper on the Internet. The cost of an hour online—ample time to review the daily press—was less than the cost of a single printed newspaper, which went for XOF 200 (\$0.41).

But Silué said that while the media are indeed pluralistic in sheer numbers, in reality, it is an artificial plurality, because the titles have political tendencies and most content drifts toward two political poles.

In terms of citizen access to news, except for periods of heavy social tension, generally citizens can access multiple sources of national and international news. Up until the elections of October 2010, people had free access to the international news sources of their choice. The only constraint was the need to pay a subscription fee to Canal+ Horizon, which offers a bundle of international channels. However, after the

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second round of presidential elections, CNCA shut down this option and suspended international news channels. Kouamé commented that these measures did not provoke outrage—or much reaction at all, apparently—from the public or civil society organizations.

The panelists also decided that, in some cases, purchasing power limits access to news sources, as in the case with accessing encrypted channels and the Internet outside of cities. Similarly, people upcountry face a number of difficulties accessing news. Like the national television channel, RTI, which does not cover the whole country, Internet access is limited to the large cities. And for the time being, the cell phone connection packages available from mobile telephony providers are unaffordable for most rural residents.

The Ivorian press, as a whole, covered the first round of the elections relatively well, gaining satisfactory ratings from organizations such as RSF. In its preliminary findings, Reporters Without Borders saw a neutral tone in the public broadcast media, but with significantly more airtime granted to incumbent President Gbagbo than to other candidates. RSF also found that *Fraternité Matin* fulfilled its public service mission by offering its readers balanced and impartial news about the 14 candidates in the lists, while the extremely partisan coverage in *Notre Voie*, *Le Nouveau Réveil*, and *Le Patriote* sometimes led to serious professional failures.

However, after the first round of elections, the public service media in general—and RTI in particular—adopted an unprofessional attitude, the panelists said. In an interview published in the celebrity magazine *Prestige*, a star reporter from Channel 1, Hermann Aboa (paid by the RTI state media), explained that whether or not a journalist has a different opinion than the editorial line, he or she must toe the line or walk away. Neither private nor state media have to be balanced necessarily, according to the prevailing attitude, though they are expected to be professional. Even the private media have certain political leanings, panelists said.

In the context of the general elections, some media professionals were grouped into a structure called “Coordination of Volunteer Citizen Communicators for the Plebiscite of President Laurent Gbagbo.” Designed to rally communications specialists (journalists, IT professionals, webmasters, communications officers, communications consultants, marketing managers, computer graphics experts, designers, artistic directors, etc.), around the objective of “boosting election communications for its candidate,” the group organized conferences on topical issues, maintained a website, and launched awareness-raising campaigns.

The 2004 press law defines quite clearly the mission of public broadcasting services to uphold the public interest. As part of that mission, public service media bear an obligation to “provide the public, taken in all its components, with a set of programs and services that shall be characterized by their diversity and pluralism, their requirement for quality and innovation, respect for the rights of the human person and democratic principles as constitutionally defined.” (Article 106, second paragraph).

The public service media must also “promote democratic debate, dialogue between the various components of the population, and social inclusion and citizenship. They shall refrain from adopting any partisan stance.” (Article 107, second and third paragraphs).

According to the panelists, in October 2010, during the election campaign for the first round of the presidential elections, the public service outlet RTI and the daily *Fraternité Matin*, shepherded along by the regulators, proved remarkably skillful in finessing candidates’ access to those media and handling the news. The same did not hold true between the two rounds of the presidential elections. CNCA’s observed vow of silence in the face of blatant lapses by RTI spoke volumes about the actual extent of the council’s commitment to independence.

Gbato added that the public service media should offer more varied programming, and that they should make efforts to improve their governance, which depends too heavily on political authorities.

Again in 2010, no publication complied with the requirements of the 2004 press law addressing transparency of ownership. The 2004 press law stipulates that once a year, each publication must publish the name of the manager; the composition of boards of director and administration; and a list of stockholders or shareholders, with the number of stocks or shares held by each one. The law also strictly prohibits the use of dummy companies and figureheads. CNP is tasked with ensuring compliance with these obligations, and apparently has proven ineffective so far. Nevertheless, the panelists said

that ownership of particular press groups is not difficult to determine; editorial lines point to the likely owners, and clearly indicate to what political drumbeats they march.

OBJECTIVE 4: BUSINESS MANAGEMENT

Côte d'Ivoire Objective Score: 1.85

Through CNP's various activities and the obligations imposed by the Press Support and Development Fund (FSDP), press enterprises in Côte d'Ivoire are emerging gradually from the informal economy to play a substantial economic role.

However, with an overall average of scores for this objective still within the MSI's unsustainable, mixed-system range, the overwhelming majority of the panelists agreed that much remains to be done to achieve an acceptable standard of management. The panelists expressed the belief that many media business managers are journalists primarily, with precious little management experience. Few companies prepare projected budgets at the beginning of the year, or follow high standards of accounting.

In just one year, the print media achieved an increase of 43 percent in sales. In 2010, the print media sector generated combined sales of nearly XOF 6 billion (\$12.4 million), with a total production of over 51.5 million copies—more than 84 percent of which were daily newspapers. The dailies had sales of more than XOF 4 billion (\$8.2 million), almost XOF 1 billion (\$2.1 million) of which were for *Fraternité Matin* alone.

That growth was achieved in the last quarter in particular—when the major dailies doubled and sometimes even tripled their circulations. The total circulation of daily newspapers

increased from 30,689,994 copies in 2009 to 42,885,435 in 2010, boosted in part by election newcomers. As in 2009, the four main daily newspapers out of the 20 shared about 60 percent of sales between them.

Some of those titles receive advertising revenue as well, but despite those resources, the owners of some titles report perplexingly weak financial status—leading to questions about management and the intentions of some owners. As *Fraternité Matin's* Barry said, the independent media are not well-managed companies. Even if they enable those in charge to flourish and rise in the social or political sphere, in most cases, the journalists see little benefit. In the vast majority of editorial offices, including those best known to the public, the collective agreement is not systematically applied in media workers' interests.

Speaking as a trade unionist, Gbato agreed, and informed the panelists that one particular press enterprise, which had taken the trouble to entrust its management to a specialized firm, was doing remarkably well after only two years.

Coulibaly agreed that the way in which the various newspapers are managed is unsound. Some local press enterprises continue to operate as "mom and pop stores," with no commercial services and no accounting departments, he said. They do not compile year-end financial statements. Most newspapers are owned by journalists with no managerial aptitude—all-powerful bosses running out of control. The money from advertising and sales often goes straight into personal accounts. That has hurt some journalists' production of high-quality work and reined in their independence, often with some of them writing to order so as to please the boss's circle of acquaintances.

Clearly, publications cannot survive on proceeds from sales of copies alone, even with the rising growth, but the panelists highlighted concerns about the advertising sector. In particular, they noted ad agencies that fail to honor their payment obligations to newspapers. Dogbemin recalled that he had assisted GEPCI in recovering newspapers' advertising revenue from advertising consultancies, and conceded that the advertising environment is not healthy. As a lawyer, his view is that their practices in no way promote the development of press enterprises.

The High Advertising Council (CSP), the industry regulator, approved some 30 agencies and 50 or so editor-directors in 2010. The advertising market is estimated to be worth more than XOF 20 billion (\$41.2 million), about 30 percent of which is reported to be from cellular telephone operators. This total figure includes the traditional media—print press, radio, and television—as well as billboards and point-of-sale 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.

Silué noted also that advertising affects the independence of media outlets; she said that the private media remain organs of opinion because of the missions that sponsors assign to them.

The panelists reported that local radio stations are experiencing enormous difficulty in generating their own resources. Allowed to take in advertising for up to 20 percent of their budgets, they struggle to reach even that. Moreover, they have not yet benefited from the Press Support and Development Fund. Karamoko said that when the fund awarded its first grants, local radio stations were left out; FSDP had to be approached with the support of partners before local radio stations could make claims through the fund's umbrella organization.

Given the high rates of unsold copies for some titles that nevertheless have a continued presence in the market, it is very likely that those papers rely on hidden subsidies to cover their operating costs. Dogbemin stressed, "Some titles are not put on the market in order to meet financial goals." Publications are marketed on the basis of pure intuition, without the benefit of any market research or feasibility study.

Apart from the print media sector, in which reliable data are available on circulations and sales of each title on the market, statistics for other media platforms range from very scarce to completely lacking. The near-total absence of reliable data for radio, television, or the Internet makes it very challenging to gauge their actual influence. The panelists pointed to the lack of data on Internet users in particular, and commented that data on ISP subscribers seem to be treated as confidential.

Karamoko pointed out that the absence of statistical data on radio audiences is highly problematic for the union. Potential sponsors of community-based projects had turned to the union to weigh the effectiveness of a particular station for a given population. Unfortunately, no audience research and no opinion polls on the subject were available. Accordingly, the sector lost development opportunities.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Côte d'Ivoire Objective Score: 2.26

Several professional organizations, in addition to several governmental bodies, help increase the level of professionalism in the Côte d'Ivoire media sector.

On the governmental level, three regulators are specifically involved: CSP for the advertising segment, CNP in the print sector, and CNCA in the broadcast media sector. The Press

Support and Development Fund also plays a role in regulating the field.

The actors in the Ivorian media landscape are structured around organizations such as UNJCI, OLPED, the Organization of Professional Journalists of Côte d'Ivoire, GEPCI, SYNAPPICI, the National Confederation of Directors of Publication of Côte d'Ivoire, URPCI, the Network of Women Journalists of Côte d'Ivoire, REPRELICI, and Côte d'Ivoire Women in the Media. There are also internal union organizations at some media businesses.

However, panelists argued that such a wealth of professional organizations could well dilute energies and render some organizations inoperative. Kouamé, speaking as chair of REPRELICI, noted that some associations operate in their own world, with very few members involved. Some associations have no clear goals, despite their statutes, and accomplish very little.

The panelists had differing views concerning the involvement of NGOs in the defense of media freedom of expression. One difficulty identified is in the positioning of NGOs on the political chessboard—doubtless one of the consequences of the two-way polarization of the national political so acute in the election year.

Konaté said that even though the professional associations work to protect and defend the freedom of expression, civil society organizations do not always. Some keep quiet in the face of obstacles to freedom of speech, while others simply issue statements for the media to pick up, and let it go at that.

The panel's civil society members, nevertheless, pointed out that in many cases, NGOs do intervene but discreetly—with

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 important thing being the result. As an example, they recalled the involvement of several organizations in the *Nouveau Courrier d'Abidjan* affair.

Gbato said that SYNAPPCI sees NGOs standing alongside journalists more and more in the struggle to promote the freedom of expression. Nevertheless, Karamoko, speaking for URPCI, said that for several years his union had witnessed the disputes between the rights advocacy NGOs and the professional organizations in the media, where they seemed to be waiting for the other side to blink first. In his view, those two spheres need to establish a truly collaborative relationship.

Access to the journalism profession is free for those who meet the conditions set by law, and local opportunities are quite diverse and numerous. As noted in last year's MSI, many private schools in Abidjan provide training in media, but not always specifically in the profession of journalism. The Institute of Media Sciences and Technologies (ISTC), under the auspices of the Ministry of Communication, is the only public institution that provides journalism training. Access to ISTC is open to all who pass a competitive entrance exam. In addition, ISTC has signed partnership agreements with professional organizations and press enterprises to offer training courses counting towards a qualification. However, on-the-job training is still the most common path.

Many local training facilities fold journalism programs into their curricula. Also, as noted earlier, in order to build the election coverage capacities of journalists, workshops and seminars were held throughout the year, with the assistance of professional organizations and their partners.

Previously, government scholarships once helped train the pioneers of journalism in Côte d'Ivoire. Yet, for 20 years or more, government scholarships have not been offered for young people interested in studying journalism.

Previous MSI studies demonstrated that printing houses are undergoing a decline, and the infrastructure for printing publications changed little in 2010. A total of five rotary press printers now share printing clients. Edipress, whose expertise in the field was recognized by all the panelists, continues to be the sole distributor of newspapers and periodicals.

List of Panel Participants

Josette Barry, editor, *Fraternité Matin*, Abidjan

Adama Koné, journalist, *Fraternité Matin* daily newspaper; chairman, Francophone Press Union, Abidjan

Francis Domo, journalist; press director, National Press Council, Abidjan

Barthélemy Kouamé, chairman, Côte d'Ivoire Network of Online Press Professionals, Abidjan

Soukalo Coulibaly, director of publication, *Le Patriote*, Abidjan

Salimata Silué Konaté, journalist and news director, Radio Côte d'Ivoire, Abidjan

Youssef Sylla, freelance journalist, Bouaké

Paul Oussou, vice-chairman, Research Group on the Democratic, Economic and Social Development of Africa, Abidjan

Tenin Diabaté Touré, chair, Network of African Muslim Women-Cote d'Ivoire Section, Abidjan

Emmanuel Akani, member, Ivorian Movement of Press Consumers of Côte d'Ivoire, Abidjan

Guillaume Tonga Gbato, secretary general, National Union of Private Press Employees of Côte d'Ivoire; journalist, *Notre Voie*, Abidjan

Bamba Karamoko, chairman, Union of Local Radio Stations of Côte d'Ivoire, Abidjan

Jacques Silué, director, Institute of Communication Sciences and Technologies, Abidjan

Gérard Koné Dogbemin, lawyer and author, Abidjan

Moderator and Author

Samba Koné, national coordinator and chief executive officer, Sud Actions Médias; chair, Network of African Media Self-Regulatory Bodies, Abidjan

One opposition paper, Le Renouveau (“Renewal”), remained banned throughout 2010. As the owner of Radio Television of Djibouti (RTD), the government controls domestic broadcasting.



DJIBOUTI

The last of the African French colonies to secure its independence in 1977, Djibouti continues to hold deep ties to France. In a region rocked by violence, President Ismael Omar Guellah has held the country in relative stability since signing a peace agreement in 2001 with a belligerent faction of the Front for the Restoration of Unity and Democracy (FRUD). Djibouti takes advantage of its calm coastline and hosts French and U.S. troops involved in the fight against terrorism and piracy, and serves as a key shipping center for the region.

One casualty of the country's stability is the freedom of the press, which the government restricts by dominating the media scene and controlling all publications strictly. One opposition paper, *Le Renouveau* ("Renewal"), remained banned throughout 2010. As the owner of Radio Television of Djibouti (RTD), the government controls domestic broadcasting. The sole news service, Agence Djiboutienne d'Information (ADI), and the two highest-circulation newspapers (French-language *La Nation* and Arabic-language *Al Qarn*) belong to the government as well.

Freedom House reported that in April 2010, as Djibouti approached the 2011 election year, parliament amended the constitution and cleared the way for President Guelleh to run for a third term.¹ Within the current media climate, there is little hope that the media will present any unbiased content to inform the vote. As noted in last year's MSI, neither the state nor the private media provide balanced reporting, depriving citizens of a platform to hold the government and opposition politicians accountable.

Due to the polarized state of the media in Djibouti, in which all outlets are politicized and vocal media members are at risk of negative consequences, IREX was unable to find a sufficient number of media professionals willing to participate in the MSI. This study reflects a combination of research and interviews with individuals knowledgeable of the media in Djibouti.

¹ "Freedom in the World 2011." Freedom House, 2011. Available at: <http://freedomhouse.org/template.cfm?page=22&year=2011&country=8026> (Accessed December 2, 2011.)

DJIBOUTI AT A GLANCE

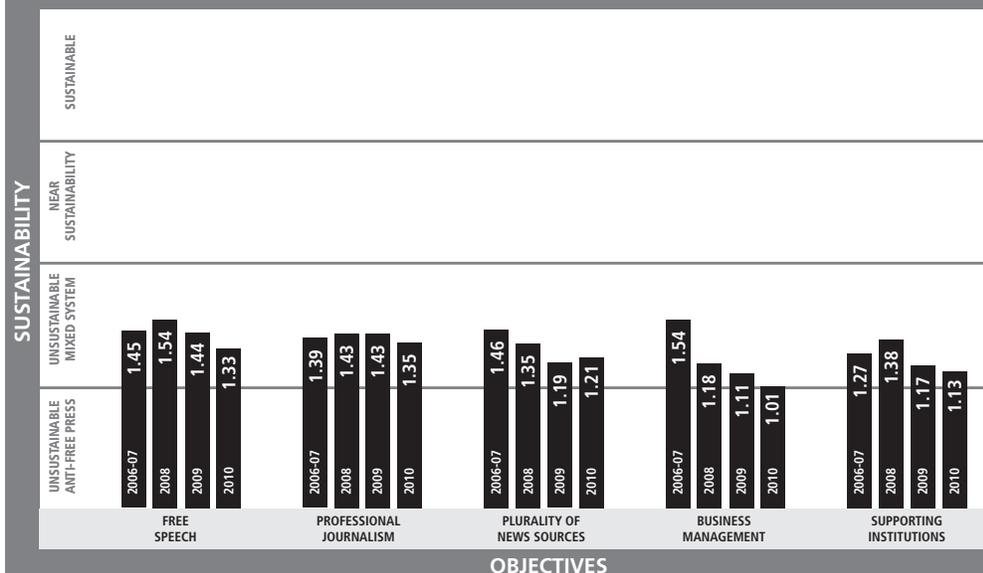
GENERAL

- > **Population:** 740,528 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Djibouti
- > **Ethnic groups (% of population):** Somali 60%, Afar 35%, other 5% (includes French, Arab, Ethiopian, and Italian) (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 94%, Christian 6% (*CIA World Factbook*)
- > **Languages:** French (official), Arabic (official), Somali, Afar (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$1.105 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$2,460 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 67.9% (male 78%, 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, Le Republique* (opposition), and Radio Television de Djibouti
- > **Newspaper circulation statistics:** Top two by circulation: *La Nation* (circulation 1,500), *Al-Qarn* (circulation 500)
- > **Broadcast ratings:** N/A
- > **News agencies:** Agence Djiboutienne d'Information (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 25,900 (2009 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: 1.33

The Djibouti constitution has provisions that support the freedom of speech, the freedom of the press, and free access to public information. But media regulations, enacted by the late President Hassan Gouled Aptidon, contradict these freedoms and are used to stifle the press. As the U.S. Department of State confirmed in its *2010 Human Rights Report: Djibouti*, "The government did not respect these rights in practice."² The same report notes that opposition leaders complain commonly that the government obstructs the freedom of expression, although there are signs that citizens exercise the right to free speech.

With a monopoly on Djibouti's airwaves through RTD, the government dominates the broadcast media sector completely. The Ministry of Communications, Culture, Posts and Telecommunications (MCCPT) oversees media licensing, as well as the country's sole Internet service provider. Given these facts, as noted in last year's MSI, observers can only speculate on whether any licensing would be handled transparently or fairly. In past years, MSI panelists have described the broadcasting field as closed, and could not give examples of any media outlets that attempted to gain licensing.

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.

² "2010 Human Rights Report: Djibouti." U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, April 8, 2011. Available at: <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154343.htm> (Accessed November 30, 2011.)

Concerning the question of preferential treatment for the state media, there is little argument that the editors and managers of the state-run outlets are linked closely to MCCPT and other government agencies.

For the most part, journalists may practice their profession fairly safely in Djibouti, free from outward violence. According to the Committee to Protect Journalists,³ Djibouti ranks seven on a list of the top host countries; for example, recently Djibouti accepted 15 journalists who fled other countries such as Somalia. However, given the pervasiveness of self-censorship, this is of small comfort to media advocates.

Djibouti is not necessarily safe for other groups, however. Human rights activists have faced threats and intimidation; for example, Jean-Paul Noël Abdi, president of the Djiboutian League of Human Rights (known by its French acronym, LDDH), was arrested in February 2011 for investigating and reporting on arrests following recent student protests in Djibouti.⁴

Concerning the question of preferential treatment for the state media, there is little argument that the editors and managers of the state-run outlets are linked closely to MCCPT and other government agencies. Past MSI studies noted that large businesses rarely play influential roles with the state media, and opposition politicians charge that the government utilizes state media to advocate for particular agendas.

Previous MSI panelists have said that authorities use the defamation and libel sections of the criminal code against opposition media members, but no journalists have served a complete sentence for libel. Past panelists also reported cases of public officials being held for libel. Judges are not considered independent from government influence, but corruption among judges is a minor issue, according to the panelists.

The government creates no legal hurdles to becoming a journalist, but political considerations affect the selection of state media journalists. Foreign journalists are allowed in the country if they make a formal request to MCCPT and apply for accreditation from the ministry.

³ "Journalists in Exile 2010: An exodus from Iran, East Africa." Committee to Protect Journalists, June 17, 2010. Available at: <http://www.cpj.org/reports/2010/06/journalists-exile-2010-iran-africa-exodus.php> (Accessed November 30, 2011.)

⁴ "Djibouti: Human Rights Activist Arrested in Djibouti: Jean-Paul Noël Abdi." Amnesty International, February 11, 2011.

Self-censorship is pervasive; journalists toe the line of their publications, either for fear of losing their jobs or violating the country's laws on libel.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Djibouti Objective Score: 1.35

Assessing the strength of journalists' adherence to professional standards is difficult in Djibouti, because no media outlets operate independently of political agendas, whether those of the government or opposition parties. Few journalists have had access to formal training in professional reporting and the importance of objectivity, and most do not set out to present impartial or balanced stories.

Panelists from previous years reported that Djiboutian journalists do not have a professional code of conduct to guide their work. Self-censorship is pervasive; journalists toe the line of their publications, either for fear of losing their jobs or violating the country's laws on libel. Editors and producers exercise self-censorship to bury any news that is critical of the government or the ruling party. Freedom House has reported that, in light of libel laws, "journalists generally avoid covering sensitive issues, including human rights, the army, the FRUD, and relations with Ethiopia."

Previous MSI panelists said that reporters and editors are encouraged to cover key events in Djibouti, but one panelist emphasized that such events must be either under

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 patronage of the government or have the blessing of the government.

Although journalists are paid well in comparison to journalists working in other parts of the Horn of Africa, the cost of living in Djibouti is very high.

Previous MSI studies noted that state media are well equipped from a technical standpoint—unlike their counterparts in the opposition press, who typically suffer from insufficient funding. Last year's MSI noted that the difference is apparent in the output of opposition publications, which typically have poor quality graphic design and photographs.

OBJECTIVE 3: PLURALITY OF NEWS

Djibouti Objective Score: 1.21

With only a handful of media sources in the country—primarily the government's one newspaper, one radio station, and one website—citizens do not have access to credible, objective media.

The government-owned *La Nation* is the main national newspaper, published three times a week, and it has an online version as well (www.lanation.dj) with content in French. Another government publication is *Al Qarn*, in Arabic. As noted by the U.S. state department report on Djibouti, the government allows each registered political party to publish a public journal or newspaper. The only opposition party that regularly exercises this right is the National Democratic

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.

Party (PND), with *La Republique*. Additional political and civil society groups publish papers and other materials sporadically. The state department report also confirmed that the ban on the opposition newsletter *Le Renouveau* remains.⁵

Djiboutians have access to *The Horn of Africa Journal*, an English-language monthly magazine that focuses mainly on the business community, angling to advance Djibouti's prospects as a hub for international shipping. In addition, the sector has other publications not focused on news.

La Voix de Djibouti is an opposition radio station that broadcasts by shortwave from Europe, but the government blocks the station frequently, according to opposition leaders. Citizens do have access to cable news and foreign stations, but as noted in last year's MSI, finding out information on their own country is difficult. The BBC's media profile on Djibouti noted, "A powerful mediumwave [AM] transmitter in the country broadcasts U.S.-sponsored Arabic-language Radio Sawa programmes to East Africa and Arabia. Local FM relays carry the BBC (99.2) and Voice of America."⁶

According to a report by the Pew Forum on Religion and Public Life, Djibouti has one of the highest rates of Internet use in Sub-Saharan Africa. Nearly 60 percent of survey responders reported at least occasional use, although the survey did not specifically ask about the use of the Internet for news.⁷ Other surveys, such as the International Telecommunications Union, measure this quite differently, placing the rate closer to 6.5 percent in 2010.

In addition to the governmental control over media, literacy is a major barrier to media access for Djibouti citizens. Last year's MSI noted that because of the strong oral culture in Djibouti, only about 15 percent of the population read newspapers—making the government's monopoly on broadcasting even more significant.

Some foreign newspapers in Arabic, French, and English are flown in from Dubai and Paris, but they are expensive and thus out of reach for the average Djiboutian. Previous MSI panelists have said that citizens have otherwise 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.

⁵ Ibid, U.S. Department of State.

⁶ Djibouti profile. BBC, April 28, 2011. Accessed at: <http://www.bbc.co.uk/news/world-africa-13231765> (Accessed December 2, 2011.)

⁷ "Tolerance and Tension: Islam and Christianity in Sub-Saharan Africa." Pew Forum on Religion and Public Life, April 2010. Available at: http://pewforum.org/uploadedFiles/Topics/Belief_and_Practices/sub-saharan-africa-full-report.pdf (Accessed November 30, 2011.)

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Djibouti Telecom is the only telecommunications company in Djibouti. Considered the strongest provider in Eastern Africa, Djibouti Telecom is looking to expand its influence beyond the country's borders, capitalizing on Djibouti's important position geographically in the region.

The opposition does have some access to RTD broadcasting time, according to the U.S. Department of State, but the allotments are extremely limited.

In an interview with Wardheernews.com (Somalia), Ahmed Rayale, a spokesperson for Djiboutian opposition based in Europe and in-country, said that the government uses national media to advance the president's agenda and "demonize the policies of the opposition." He explained that opposition members have bought a radio station based in Europe, and have used the airwaves and the Internet in a bid to get around governmental barriers, but authorities always block their signals. He continued, "We turned to using the larger Somali media, and within a short time, the censorship board of the dictator managed to deny access to any website, radio, and/or satellite television [station] that carries our message. The owners of televisions and websites blacklisted us because we are treacherously made, by president Gueleh's shadowy actions, to appear as very expensive customers that are putting unbearable strain on their businesses."⁸

The government-owned ADI is the only national news service, and can hardly be described as independent. It offers web content in French, and apparently plans to add more English and Arabic content. Djibnet is a website that offers RTD electronic content, including news articles, photos, and videos in English and French.

While the country has no private broadcasting outlets to assess against indicator 5, regarding whether or not

⁸ "An Interview with Ahmed Rayale: The spokesperson of Djiboutian opposition groups." Wardheer News, July 04, 2011. Available at: http://wardheernews.com/Wareysiyo/July_04_interview_Rayale_Djibouti_opposition_.html (Accessed December 2, 2011.)

It cannot be said that any media in Djibouti receive revenue from multiple sources, nor are they profit-minded. They are funded by the government in the case of the state-run media, and political patrons in the case of the opposition.

independent outlets produce their own programming, Djibouti-based foreign news media organizations produce their own news programs and have the liberty to send to their main offices the news they deem appropriate.

Ownership of Djiboutian media is considered transparent; state media are clearly owned, run, and controlled by the government, and obviously private media are owned by opposition politicians. Past MSI studies have noted that in practice, this duopoly has the same effect as media controlled by conglomerates, effectively eliminating any competition.

According to Freedom House, minority groups including the Afar people, Yemeni Arabs, and non-Issa Somalis suffer social and economic marginalization. As for broadcast languages, RTD airs programs in Arabic, Somali, Afar, and French. The media do little reporting on minority and social topics (environmental problems, gender issues, etc.) and the thrust of it is government-related. A study by the Eastern Africa Journalists' Association addressed the question of women working for the media, and noted that very few women work in traditional media, leaving out their perspective from much reporting. However, the study showed that the disparity is slowly improving, with RTD hiring more women gradually.⁹

OBJECTIVE 4: BUSINESS MANAGEMENT

Djibouti Objective Score: 1.01

Last year's panel reported that state-owned media are financed and managed well, with dedicated professionals handling accounting, marketing, and human resources duties. In contrast, opposition newspapers are run on shoestring budgets and managed poorly by inexperienced workers.

It cannot be said that any media in Djibouti receive revenue from multiple sources, nor are they profit-minded. They are funded by the government in the case of the state-run media, and political patrons in the case of the opposition.

⁹ "Enhancing Gender Equality in the Media in Eastern Africa." Eastern Africa Journalists Association, 2008. Available at: <http://africa.ifj.org/assets/docs/175/137/cb6f4af-8ab2089.pdf> (Accessed December 2, 2011.)

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.

According to previous MSI studies, advertising accounts for about 11 percent of the media sector's total revenue. Advertising agencies have yet to be established in the country, and very little data is available on the role of advertising in the country. Similarly, no media outlets undertake market research or measure audience size or circulation figures. Circulation is limited, as publications depend on political patrons, not sales.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Djibouti Objective Score: 1.13

Given the limited ownership of media beyond the state-owned outlets, and the absence of any non-governmental broadcasters, Djibouti has no trade associations focused on the needs of media owners.

The Association of Djibouti Journalists (MAJD) is one of two journalists' association in the country. MAJD was founded in 2008, with prodding from the International Federation of Journalists and Eastern Africa Journalists' Association and the financial support of the American Center for International Labor Solidarity. MAJD represents state media workers mainly; it does not include members of the opposition press, nor does it consider them journalists.

In addition to MAJD, the Eastern African Journalists' Association is headquartered in Djibouti, and defines its mission as "fostering press freedom, protecting journalists, and promoting conflict resolution regionally."

While no NGOs in Djibouti are focused on the media specifically, two human rights organizations support press freedom and occasionally wade into press violations. The Djibouti League of Human Rights addresses some issues surrounding the press; for example, its website, www.iddh-djibouti.org, includes articles criticizing the government's stranglehold over the media.

Similarly, the Association for the Respect of Human Rights in Djibouti (known by its French acronym, ARDHD), sometimes dares to criticize the government—which has responded by blocking access to its website, www.ardhd.org/. The U.S. state department report referenced this issue, stating, “ARDHD claimed access to its Web site was blocked by the local Internet provider, although those with satellite connections were able to access the site.”¹⁰

Another drawback to media development is Djibouti's lack of educational opportunities providing hands-on experience for journalists. The country has no journalism schools or even faculty trained specifically in media studies, and the opportunities to study abroad are quite limited. Last year's MSI noted that some media outlets have hired journalism graduates from neighboring Somalia.

Some short-term training opportunities exist, generally organized in collaboration with international organizations. The most popular courses remain basic journalism skills.

As for industries supporting the press, such as printers and distributors, they are neither apolitical nor held privately. Previous MSI panelists have claimed that print companies and distributors do not interfere with media operations; however, the government tightly controls publication in other ways,

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.

¹⁰ Ibid, U.S. Department of State

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as described in the U.S. state department report. “The law regulates the publication of newspapers. Circulation of a new newspaper requires authorization from the communication commission, which requires agreement from the Djiboutian National Security Service following an investigation. The only publishing houses equipped for broad distribution are government owned, obliging antigovernment sources to print privately.”¹¹

With the government's broadcasting monopoly, all broadcast transmitters are owned and operated by the state for exclusive use by RTD. Djibouti has only one Internet service provider, the aforementioned Djibouti Telecom, which MCCPT controls.

List of Panel Participants

Due to the polarized state of the media in Djibouti, in which all outlets are politicized and vocal media members are at risk of negative consequences, IREX was unable to find a sufficient number of media professionals willing to participate in the MSI. This study reflects a combination of research and interviews with individuals knowledgeable of the media in Djibouti.

¹¹ Ibid, U.S. Department of State.

In Equatorial Guinea the privately owned press consists of just three publications, and the government expends considerable energy obstructing their efforts, making it nearly impossible, for example, for one independent paper, La Opinion, to print.



EQUATORIAL GUINEA

Near the end of 2009, President Teodoro Obiang Nguema secured a new term in an election Reporters sans Frontières (RSF) quickly proclaimed rigged. The fact that Nguema won re-election, with 95 percent of the vote, surprised no one and drew little protest from the country's long-suffering media. In his 30 years in power, he confiscated the state-owned media, turned them against the opposition, and ensured that the independent media in Guinea are virtually nonexistent.

According to RSF, the state-owned radio-television station, RTVGE, covered Nguema's activities tirelessly, while the four opposition candidates received minimal media coverage. RTVGE did not organize any debates and essentially ignored the opposition. As for the print media, the official biweekly newspaper, *Ebano*, housed in the Ministry of Information, dedicated two issues to the presidential elections. In one, the newspaper published the electoral program of the opposition but did not give the candidates the opportunity to express themselves as freely as the ruling party.

In Equatorial Guinea the privately owned press consists of just three publications, and the government expends considerable energy obstructing their efforts, making it nearly impossible, for example, for one independent paper, *La Opinion*, to print. The government's efforts to control the media have caused it to lose credibility with the public, however. Self-censorship is widespread, and according to some journalists, the only reliable news source is the Internet. But due to instability in the telecommunications sector, Internet access is not available to the entire population, and costs can be exorbitant.

Over the past few years that the MSI has studied the media in Equatorial Guinea, the opinions and comments of the participants describe the collapse of the media in a corrupt dictatorship, where the journalists feel a sense of gloom that a strong and independent media could ever emerge. Journalists are not even allowed to convene as a group to discuss issues affecting the media. The Ministry of Information, exclusively consisting of members of the ruling party, the Democratic Party of Equatorial Guinea (known by its French acronym, PDGE), acts as a media regulation agency and keeps a close eye on any and all activities or meetings involving the media.

This is the reason why, for the fourth consecutive year, it has been impossible to convene an expert panel of journalists to discuss Equatorial Guinea's media situation and conduct the MSI study. Not just because a request for such a panel is subject to the express authorization of the Ministry of Information, but also because no journalist or media professional is willing to risk being seen at such a meeting. As a result, journalists have agreed to answer the MSI questionnaire only with the protection of anonymity.

Due to the oppressive political environment, panelists for Equatorial Guinea agreed to participate only on condition of anonymity.

EQUATORIAL GUINEA AT A GLANCE

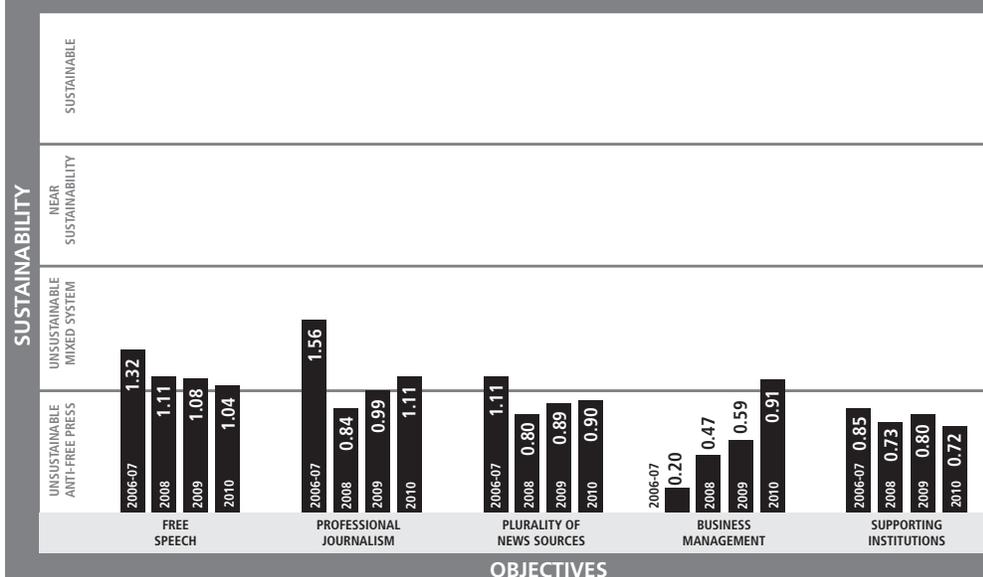
GENERAL

- > **Population:** 668,225 (July 2011 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:** nominally Christian and predominantly Roman Catholic, pagan practices (*CIA World Factbook*)
- > **Languages (% of population):** Spanish 67.6% (official), other 32.4% (includes French (official), Fang, Bubi) (1994 census, *CIA World Factbook*)
- > **GNI (2010-Atlas):** \$10.182 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$23,810 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 87% (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 Stations: 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:** N/A
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 14,400 (2009 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: 1.04

Many human-rights defense organizations consider Equatorial Guinea among the worst countries in the world in terms of freedom of speech and human rights; the violation of human rights, the torture of political prisoners, and corrupt courts of law are common. Accordingly, Equatorial Guinea placed 167th of 178 countries on the 2010 freedom-of-the-press list compiled by RSF.¹ Moreover, for years, Nguema has been on the list of “freedom-of-the-press predators” compiled by the same organization.

One anonymous panelist stated bitterly, “Despite the purported democratization that is going on in our country, the freedom of speech does not exist yet. Journalists working with international news agencies are often monitored or forbidden to practice their profession freely.”

And yet, there are laws that proclaim the right to the freedom of speech. The 1992 constitution guarantees “the freedom of speech, thought, ideas, and opinions.” However, these words carry little meaning in reality, as the very same authorities supposedly tasked with enforcing the rules ignore them. Instead, the authorities are often behind harassment of journalists. They view the press as a governmental tool. Law

¹ *Press Freedom Index 2010*. Reporters sans Frontières, 2011. Available at: http://www.rsf.org/IMG/CLASSEMENT_2011/GB/C_GENERAL_GB.pdf (Accessed October 18, 2011.)

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.

Number 13/1992 concerning the press and printing regulates all aspects of the media.

In terms of broadcast licensing, all broadcast outlets are tied to the government. As the Ministry of Information is the media regulator, there is little hope that a truly independent outlet could break into the market.

Journalists live in fear of government reprisal. Last year’s MSI documented the arrest of the sole foreign press correspondent in Equatorial Guinea, Rodrigo Angüe Nguema, on June 17, 2009, to illustrate the government’s oppression of journalists. Nguema was jailed for a piece he released on Agence France-Presse that alleged the director of the national airline embezzled funds. The news proved false, and although Nguema acknowledged his mistake, he was sent to Equatorial Guinea’s notorious Black Beach prison.

The authorities wasted little time in finding an excuse to arrest and detain Nguema’s replacement, Samuel Obiang Mbana. On April 14 at the airport in Malabo, police arrested Obiang Mbana, Agence France-Presse and Africa One radio correspondent, as he covered the arrival of heads of state for the Central African Economic and Monetary Community (CEMAC). RSF condemned the five-hour detention, commenting, “Is Obiang Mbana, Equatorial Guinea’s sole correspondent for the foreign press, going to end up like his predecessor who was demonized and attacked because of the authorities’ mistrust of the foreign press?”²

The panelists agreed that there is no editorial independence in the public media; the government pulls all the strings financially and editorially. Radio station managers are appointed on political criteria, the panelists confirmed, and they exercise significant influence over the way the news is reported.

Libel is very much a criminal offense, and the government has not hesitated to accuse journalists of such offenses and send them to prison.

All participants recognize that the access to official information sources is an everyday battle—and a tough one. One panelist said, “Equatorial Guinean journalists love their work, but they face a serious problem with information sources.” Journalists are confronted with institutions or companies that hate to provide even the tiniest bit of information. Another panelist commented, “Access to public information is difficult. First, the political and social elite are not open to interviews, for fear they might let slip a piece of information that could get them into trouble. In that case, journalists are forced to use doublespeak for the sake of

² “AFP Correspondent held for five hours by police in Malabo.” Reporters sans Frontières, April 16, 2010. <http://en.rsf.org/equatorial-guinea-afp-correspondent-held-for-five-16-04-2010,37051.html> (Accessed October 18, 2011.)

safety. Journalists put themselves at risk whenever they tackle political issues.”

Accessing information is difficult because officials are afraid to speak to journalists or give them information, for fear that the regime will dismiss them for disloyalty. Furthermore, the government finds it politically beneficial to keep the nation in ignorance. However, one panelist who works for the public media *Gaceta* and RTVGE noted that access to information is easier for the journalists from the state-owned media. Another panelist said, “Accessing information sources and reporting news impartially are significant challenges that must be addressed through staff training and retraining.”

As noted in last year’s MSI, the media do not relay news about Equatorial Guinea appearing in the international press because they would be held responsible for this content. The government immediately refutes all critical international reports.

Journalists must obtain licenses to practice their trade, and, as the U.S. Department of State reported, “accreditation is cumbersome for both local and foreign journalists, who had to register with the Ministry of Information.”³

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Equatorial Guinea Objective Score: 1.11

The Guinean journalists’ opinion of their own profession is far from complimentary. They all recognize that in many cases professional quality leaves a lot to be desired, due to several core problems undermining the profession: heavy politicization and bias; lack of training; poor access to news sources; corruption, censorship, and self-censorship. One panelist noted that the journalism profession does not carry the same weight in Equatorial Guinea as in many African countries, which have already started to make significant progress in the area—leaving Equatorial Guinea behind some of its neighbors.

According to one journalist, many of those who call themselves journalists do not have the required training to be journalists. “Meeting professional quality standards can be required only from a professional who has attended some training in journalism. In Guinea, anyone can become a journalist overnight; you only need to know how to read and write. Of the 150 Guinean journalists, only about 20 possess some grasp of professional standards of journalism.” Another panelist agreed, noting, “The lack of journalistic training explains why journalists fail to meet professional standards. In other words,

those who call themselves reporters sometimes miss the point of a story. For instance, when covering a fatal accident, a reporter prefers to make a list of authorities that assisted with picking up the body and neglects to address the actual causes of the accident and the identities of the victims.”

Furthermore, as noted in last year’s MSI, all journalists in Equatorial Guinea are public servants, governed by state laws. Professional standards are broken because journalists, most of them employees of the state, are resigned to focusing on pleasing their bosses, driven by the fear of being laid off by the media owners and the Minister of Information, who controls the media. Noted one panelist, “It is difficult for journalists to comply with professional standards of quality because of the pressure to say only what the politicians want to hear.”

Law Number 13/1992 concerning the press and printing includes an ethical and moral code to guide journalists, publishers, managing editors, and general managers. And yet, there is no way for journalists to uphold the core ethical principles of the profession: they cannot report the truth, given the oppressive climate they work in. With such intense political pressure, journalists resort to heavy self-censorship. Their jobs and safety are in the balance.

As a result, the media avoid covering many significant issues, including corruption. They ignore the country’s ranking of 12th on the Transparency International list of the world’s most corrupt countries and accusations that the authorities have embezzled funds. Although the country, sometimes called Africa’s Kuwait, is rich in oil, rumors percolate about shady transactions involving staggering amounts of oil money in the president’s personal foreign accounts. President Nguema is one of the richest men in the world, panelists 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).

³ 2010 Human Rights Report: Equatorial Guinea. U.S. Department of State: April 8, 2011. <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154344.htm> (Accessed October 18, 2011.)

spending a fortune on luxury real estate while the majority of the population lives in deep poverty and lacks access to basic social services. Human Rights Watch has been making detailed corruption accusations in successive reports, but the press in Equatorial Guinea ignore the topic. They ignore President Nguema's prosecution, along with his Gabonese and Congolese counterparts—Omar Bongo and Denis Sassou Nguesso, respectively—by the French for “ill-gotten gains,” singing the praises of the president instead.

Regarding salaries, one panelist said, “Journalists have trouble making ends meet, as salaries are ridiculous.” Thus, they frequently turn to politicians to make ends meet, a clear conflict with editorial independence. Public-media journalists are paid according to the civil-servant scale; a manager might earn XAF 100,000 to 250,000 (\$225 to \$560) a month. Panelists highlighted the connection they see in the lack of adequate remuneration and the constant temptation to corruption journalists face. One panelist concluded, “Actual facts are not, for the most part, reflected in the content of news. In Equatorial Guinea, journalists are the mouthpieces of the political elite. The positive news content is proportional to the staggering amount of money that goes into the journalist's pocket.”

Entertainment programs abound, while news is lacking—and objective, balanced news produced in the country is rarely seen. Although the state provides its journalists with adequate equipment and facilities, there are technical gaps.

In this repressive environment, investigative reporting is nonexistent, said last year's MSI panelists, and there is very little specialized reporting on topics such as health, economics, etc.

OBJECTIVE 3: PLURALITY OF NEWS

Equatorial Guinea Objective Score: 0.90

Media plurality is not possible under the current regime, which either creates or controls public media and stifles all other media. Equatorial Guinea's print media consist of the state-owned *Ebano*, along with three privately owned papers: the weekly *La Opinion*, *La Nacion*, and *La Gazeta* (a monthly). In terms of radio, the choices are limited to the state-run Radio Nacional de Guinea Ecuatorial and Radio Asonga, which is private but owned by president's son.

Radio Télévision de Guinea Equatoriale (RTVGE) serves a government that does not tolerate even the faintest whiff of criticism. The national radio and television stations, in Malabo and Bata, are the tools of the politicians, who use them as springboards. Concluded one panelist, “Most of the media in

Equatorial Guinea follow in the footsteps of the state-owned media in letting politicians manipulate information.” Another panelist noted, “The so-called independent media play the game of the state-owned television channel. Some media act as showcases for politicians, from the first to the last page. All in all, the journalists' independence in this country is still hard—if not impossible—to find, though there are a few correspondents from international independent media here.”

It is not surprising, then, that the population turns away from media that only flatter the president. One panelist said the only reliable news source is the Internet and the international press. But due to instability in the telecommunications sector, Internet access is not available to the entire population. In some places the connection is slow, and costs can be exorbitant.

The government also attempts to control and monitor foreign and domestic news sources. Vendors must secure permission from the government to sell international publications.⁴ However, satellite television provides another alternative, along with the Internet, to those who can afford it. Despite the government's overt efforts to restrict citizens' access to foreign and domestic media, the U.S. Department of State reported, “Satellite broadcasts were widely available, including the French-language Africa24 television channel that carried opposition criticism,” and, furthermore, “Foreign channels were not censored, were broadcast throughout the country,

⁴ Vines, Alex. *Well-oiled: Oil and Human Rights in Equatorial Guinea*. Human Rights Watch, 2009: p. 58.

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 included Radio France International, the BBC, and Radio Exterior, the international shortwave service from Spain.”⁵

And yet, there are no news sources that reach the whole country in an objective and reliable way. Only the international press tries to provide reliable information. The fact that the state-owned media always pamper the political regime costs them greatly in the credibility of the citizens.

The panelists agreed that the public media have no independence from the government and fail utterly to follow a public-service model. As noted in last year’s MSI, it cannot be said that a broad spectrum of social interests are reflected and represented in the media. The public media are not open to airing views other than the government’s. As a Human Rights Watch book on Equatorial Guinea reported, “The government generally withholds access to domestic broadcasting from opposition parties, and broadcasters refer to the opposition negatively in news programs.”⁶

There are no quality domestic news agencies in Equatorial Guinea, and the government allows no independent broadcast media to exist, let alone produce original content.

As noted in last year’s MSI, media ownership is more or less transparent, given the government’s heavy involvement. The government, by nearly monopolizing ownership, severely restricts the plurality of content and opinion.

As for coverage for minorities, there are time slots reserved especially for the news in local languages. However, the only stories aired are those that cover the governmental and presidential meetings.

OBJECTIVE 4: BUSINESS MANAGEMENT

Equatorial Guinea Objective Score: 0.91

Asked if the media are well-managed businesses and able to ensure the independence that journalists need, all the participants expressed unanimous disappointment. While some may be economically independent, political independence is not possible. Explained one panelist, “There are no independent media. The country’s political reality does not allow for the freedom of the press and media independence.”

As noted in last year’s MSI, any truly independent media outlet would likely not be able to survive, amid all of the regulatory burdens and economic hardships imposed by the government. One panelist commented, “Every existing media is dependent

⁵ Ibid, 2010 Human Rights Report: Equatorial Guinea.

⁶ Ibid, Vines: p. 58.

upon financial support from at least two or three members of the ruling party or people close to the government.” Furthermore, most of the managers are active members of the ruling party and control the operation of the media outlets.

Forced to play the game, the owners of the few news agencies and media outlets must obey and transform their outlets generating revenue from paid advertisements for political activities, and that makes them dependent on the political powers. If a media outlet does not play the game, it finds itself in hot water. In his book on Equatorial Guinea, Vines reported, “Moreover, only the political opposition, the *Convergencia para la Democracia Social*, dares advertise in *La Opinion*, meaning it is not commercially viable to print and now only appears on the Internet.”⁷

As reported in last year’s MSI, the national television channel is completely subsidized by the government and receives supplemental advertising from private telecommunication and oil companies. On the print media side, *La Gaceta and Ceiba* (with a heavy entertainment focus) monopolize advertising, with the blessing of the Ministry of Information.

Although the government does not provide subsidies to the independent media, this does not impede its efforts to censor and influence content of privately owned publications.

As reported in previous MSI studies, market research is not used, broadcast ratings are not prepared, and circulation figures are not verified independently.

⁷ Ibid, Vines: p. 58.

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

Equatorial Guinea Objective Score: 0.72

Equatorial Guinea has no trade associations, and the very few press associations are fleeting. Their work revolves around activities unworthy of journalism—if the term even fits, according to the panelists. There is a journalists' association, called the Press Association of Equatorial Guinea (known by its French acronym, ASoPGE). But, heavily politicized, it does nothing to help journalists or enhance the sector's professionalism, as previous MSI studies have detailed.

In fact, as last year's MSI reported, ASoPGE is essentially tasked with controlling the press and ensuring that journalists who become members of another association lose their membership, and consequently their jobs. For that reason, journalists can participate only in activities concerning the press that are organized or approved by the Ministry of Information.

The opinions and comments of the participants faithfully convey the sense of collapse of the media system in a country where the journalists feel that the media sector has been abandoned to a dreary fate. Logically, one participant says, a corrupt and dictatorial regime cannot favor the development of strong and independent media. On the contrary, that sector is being shut out entirely.

"Everything is politicized in Equatorial Guinea. Everyone working in the media sector has been appointed by politicians and is indebted to them," said one panelist. According to another panelist, no one defends the interests of the profession; instead, the focus is on defending the regime.

The existing associations or NGOs do nothing to support the interests of the profession, either. They cannot really be called NGOs because, like most media, they lack independence and follow the same line as the governmental authorities, one that does not encourage the professionalism of the media.

Some panelists also said that even the international NGOs that address the human-rights violations in Guinea do not seem to do enough to denounce the human-rights violations in Guinea, or defend the freedom of expression and support the Guinean media. With burdensome regulations, the government maintains an inhospitable environment for international NGOs.

Concerning training and efforts to improve professionalism among journalists, as noted in last year's MSI, there is no retraining program, school, or training center for journalists. As reported in last year's MSI, the National University of Equatorial Guinea teaches communications in its School for Social Sciences, but the curriculum generally does not cover what would be considered journalism. One panelist said it is obvious that the regime has little interest in encouraging such growth. Professionalism has no support, and, conversely, everything is being done to uphold political interests. The freedom of the press and media sustainability are the least of the regime's concerns.

The government continues to control all arms of printing and distribution.

List of Panel Participants

Due to the oppressive political environment, panelists for Equatorial Guinea agreed to participate only on condition of anonymity.

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.

When asked to take part in the evaluation of Eritrean media again for 2010, a former MSI participant asked back, “What media?”



ERITREA

All media sources within Eritrea have been under state control since September 2001, when the government essentially stamped out all independent outlets, rounding up at least 15 independent journalists and sending them to prison. Some reportedly have died in prison and, over the years, even staff members working in government-owned media establishments have gone to prison, fled the country, or disappeared.

The Ministry of Information, the government arm that controls the media, runs a website with “serving the truth” as its maxim. However, its postings amount to propaganda lauding Eritrea’s performance in all sectors of national development. The absolute absence of independent media also limits the possibilities to challenge the government line or determine whether government media reports have any shred of authenticity.

In addition to the difficulty of merely obtaining information about the Eritrean media, assigning scores to some MSI questions is challenging, as many of the questions are designed to assess the strength of the independent media. Rising restrictions on Internet access, and the fear that seems to have engulfed Eritrean journalists, underscore the ever-worsening state of the media in Eritrea.

When asked to take part in the evaluation of Eritrean media again for 2010, a former MSI participant asked back, “What media?” Many potential respondents had a similar reaction. Such muted forms of participation and response are tacit justification for the extremely low MSI scores.

The MSI questionnaire for 2010 was sent to various media departments within the Ministry of Information and to quite a number of individuals in the Eritrean diaspora. While there was no reply at all from the former, the diaspora Eritreans expressed overwhelmingly that the survey cannot be applied to the Eritrean media sector as long as it has no independent outlets.

The only glimmer of hope stems from the Eritrean websites based outside the country. They are spreading out like shoots across the Internet and are sustaining the Eritrean media presence, providing a variety of news and critical analysis on Eritrean issues. Expatriates perhaps hold the potential for the establishment of a culture of independent media. At this point, however, Eritrean media seem to be in a state of arrested development.

All MSI participants are 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

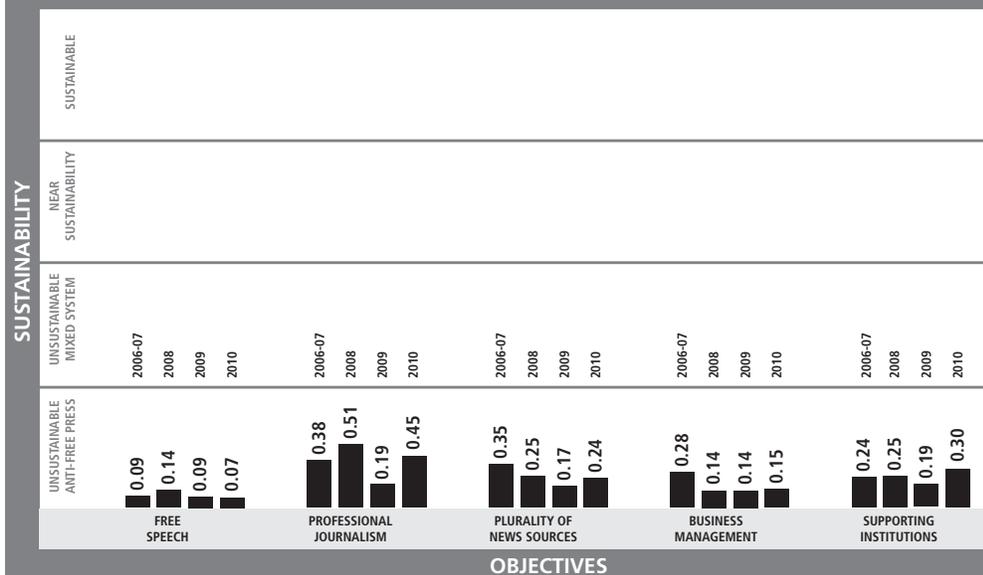
GENERAL

- > **Population:** 5,939,484 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Asmara
- > **Ethnic groups (% of population):** Tigrinya 50%, Tigre and Kunama 40%, Afar 4%, Saho (Red Sea coast dwellers) 3%, other 3% (*CIA World Factbook*)
- > **Religions:** Muslim, Coptic Christian, Roman Catholic, Protestant (*CIA World Factbook*)
- > **Languages:** Afar, Arabic, Tigre and Kunama, Tigrinya, other Cushitic languages (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$1.79 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$540 (World Bank Development Indicators, 2011)
- > **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; there are a handful of radio and television stations. All are state-owned.
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 200,000 (2008 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: 0.07

Eritrean media are under the absolute control of the state, and all participants confirmed the non-existence of any legal or social norms to protect or promote freedom of speech. Instead, the state apparatus to enforce control and discourage openness in media dominates. The country has no private media of which to speak, and all public information is channeled via government-run media established to promote government propaganda.

The highly anticipated implementation of the Eritrean constitution was shelved back in 1998, and delayed ever since then for reasons of national security. The final blow to press freedom can be traced to September 2001, when the government decided to round up journalists and stamp out any hope of independent media.

By its harsh stance against the press, the Eritrean government confirms its intent to exercise complete control over its citizens and squash any challenges to its authority. In his research paper "Post-colonial silencing, intellectuals, and the state: Views from Eritrea," published in 2010, Professor Peter Schmidt concluded, "... drawing deeply on bitterness toward outside influence, on a disdain for intellectuals, and on a strong valorization of comradeship and loyalty, this culture [of silence] has re-emerged as the dominant

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.

According to reliable Eritrean and international organizations, no less than five of the journalists rounded up and imprisoned in September 2001 have died in prison. Verifying the whereabouts or state of health of the remaining prisoners remains a challenge.

way in postcolonial Eritrea and its (re)development into the totalitarian state that it is today."¹

As reported in last year's MSI, the government does not issue broadcast licenses; it is the sole owner of all radio and television signals. Similarly, market entry is closed. In the current setting, opening a non-governmental broadcasting outlet or publication is impossible.

According to reliable Eritrean and international organizations, no less than five of the journalists rounded up and imprisoned in September 2001 have died in prison. Verifying the whereabouts or state of health of the remaining prisoners remains a challenge. But the Eastern African Journalists' Association alleges that "the journalists detained since September 2001 without charges and without trial are facing constant ill treatment and torture. Some of them, about five journalists, have already died in horrendous and callous conditions in the metal and underground prisons, where they are detained incommunicado. Some of the journalists are also being held in secret, harsh, and remote military detention camps and are frequently tortured."²

While it is difficult to obtain confirmation of the prisoners' treatment, some information has leaked about one of the detainees, the Eritrean-Swedish journalist Dawit Isaac. Isaac's brother shared in an interview with the Committee to Protect Journalists (CPJ) that a prison guard who escaped to Ethiopia told him that Isaac is being held in unbearable conditions and that his health is worsening.³

In terms of recent attacks on journalists, international human rights groups continue to record offenses. In its 2010 country

¹ Schmidt, Peter. R. Post-colonial silencing, intellectuals, and the state: Views from Eritrea Afr Aff (Lond) (2010) 109(435): 293-313 first published online March 9, 2010

² Eritrean government is the worst enemy of press freedom in Africa, says EAJA, as it demands the freedom of journalists detained for nearly a decade." Eastern African Journalists Association (EAJA) website, September 14, 2010. Available at: <http://eaja.org/en/contents/eritrean-government-is-the-worst-enemy-of-press-freedom-in-africa-says-eaja-as-it-demands-for-the-freedom-of-journalists-detained-for-nearly-a-decade> (Accessed November 22, 2011).

³ Rhodes, Tom. "Reluctant Activist: A Brother's Struggle to Free Dawit Isaac."

report on Eritrea, Amnesty International stated, "On 22 February [2010], at least 50 employees of Radio Bana were arrested by Eritrean security forces. Although some were released, an unknown number remained in detention. They were not charged with any offence."⁴ According to CPJ's prison census report on Eritrea, a total of 17 journalists were behind bars as of December 2010—and the survey does not include media professionals beyond journalists.⁵ Eritrea regularly tops CPJ's prison census as the African country with the most journalists jailed.

In the introduction to its latest annual report on Eritrea, Human Rights Watch wrote, "By any measure, the unelected government of President Isayas Afewerki is oppressive. It allows no space for individual autonomy in any sphere: political, economic, or religious. Arbitrary arrests, torture, and forced labor are rampant. Rule by fiat is the norm. The Eritrean government refuses to implement a constitution approved in 1997 containing civil and human rights provisions. Many Eritreans conclude that they can avoid oppression only by fleeing the country at risk to their lives."⁶

The 2010 report *Eritrea—The Siege State* by International Crisis Group came to the same conclusions: "[Eritrea] has become, in effect, a siege state, whose government is suspicious of its own population, neighbors, and the wider world. Economically crippled at birth, it is a poor country from which tens of thousands of youths are fleeing, forming large asylum-seeking communities in Europe and North America."⁷

Defiance and denial have characterized the government of Eritrea in all matters of national concern. When pressed by international media attempting to hold him accountable, Afewerki denies allegations routinely. For example, when an Al Jazeera reporter asked Afewerki about imprisoned Eritrean journalists in May of 2008, he replied, "There were never any. There aren't any. You have been misinformed." Similarly, when Donald Bostrom, a Swedish journalist, asked Afewerki about Dawit Isaac, "The president said that he does not know. He goes on and says that he has never been engaged in the issue and emphasizes that it has been used as blackmail against 'us.'"

⁴ Eritrea – Amnesty International Report 2010. Available at: <http://www.amnesty.org/en/region/eritrea/report-2010> (Accessed November 22, 2011).

⁵ 2010 Prison Census. Committee to Protect Journalists website, December 1, 2010. Available at: <http://www.cpj.org/imprisoned/2010.php> (Accessed November 22, 2011.)

⁶ Human Rights Watch World Report 2011: Eritrea: Events in 2010." Human Rights Watch website, January 2011. Available at: <http://www.hrw.org/world-report-2011/eritrea> (Accessed November 22, 2011.)

⁷ Eritrea: The Siege State. Africa Report No. 163. International Crisis Group website, September 21, 2010. Available at: <http://www.crisisgroup.org/en/regions/africa/horn-of-africa/ethiopia-eritrea/163-eritrea-the-siege-state.aspx> (Accessed November 22, 2011.)

Existing Eritrean journalists, all of whom work for government media now, are under strict orders to follow guidelines set by the Ministry of Information. They operate in an atmosphere of full government censorship. These government-employed journalists are subject to imprisonment or persecution—revealing that the persistent crackdown on media elements perceived to be potential threats is not confined to independent media, as assumed initially. Such extremism further separates Eritrea from other countries in the region with reputations as enemies of the press.

The deteriorating state of Eritrea's media reflects the much broader worsening of social, economic, and political conditions. Imprisonment and disappearances are not limited to journalists or media personnel—they cut across the whole of society: parents of men and women that have fled the country, members of religious organizations, potential and real dissidents, so-called national service dodgers, people captured trying to cross into Ethiopia and Sudan, and others who are behind bars for unknown reasons.

Alarming, even Eritrean journalists in exile are not safe from violence. A Houston, Texas- based Eritrean expatriate journalist, Tedros Menghistu, known for his critical reporting on the Eritrean government, was attacked by supporters of President Afewerki at a public event for Eritreans in Texas. A CPJ website article reporting on the incident said that about a dozen assailants "punched and scratched him, breaking his eyeglasses and stealing his notebook and tape recorder," sending Menghistu to the hospital with a neck injury.⁸

In addition to restrictions on public access to information, the ban on private media licenses and the absence of any form of independent information sources inside Eritrea makes accountability virtually non-existent. All participants agreed that freedom of speech is not encouraged and does not play any role in sustaining what should be one of their basic rights.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Eritrea Objective Score: 0.45

Since all media are under state control, it follows that quality and content are judged against government standards. If any professional journalists still work in Eritrea, they operate under full government censorship. Information is of select content and packaged to suit government propaganda. As noted in previous MSI studies, Objective 2's questions

⁸ "Eritrean Journalist Attacked at Public Seminar in Houston." Committee to Protect Journalists website, May 27, 2010. Available at: <http://cpj.org/2010/05/eritrea-journalist-attacked-at-public-seminar-in-houston> (Accessed November 22, 2011).

regarding professional standards and ethics can only be applied to the state-run media establishment—and what qualifications such as journalists bring to the job is unclear.

What is clear is that they make no attempt at presenting balanced news; government communications amount to propaganda on the Eritrean government's excellence in all matters of development, while any shortcomings are treated as challenges that will be addressed with the usual Eritrean "steadfastness." All government media sources—television, radio, print media, and website postings—present this front.

Journalists have little choice but to self-censor—not just to keep their jobs, but for personal safety. They have no editorial independence whatsoever. In this climate, upholding professional standards of journalism is out of the question.

Aspiring young journalism graduates can only cover media material that is government-approved. These journalists are like other youths who, once they manage to graduate, will not hesitate to flee the country if the opportunity arises. Quite a significant number of Eritrean journalists have left since September 2001. This a debilitating development—in vast numbers, the young, the able, and the skilled are risking their lives to escape. This scenario progressively reduces any capacity to foster a sustainable media environment in Eritrea. All participants agreed that this also has devastating consequences for the country as a whole and its prospects for a stable future.

As noted in previous MSI studies, many, if not most, journalists work without pay. Some work under the terms and conditions of national service, and most are ready to leave the media—or the country—at the first opportunity.

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).

Quite a significant number of Eritrean journalists have left since September 2001. This a debilitating development—in vast numbers, the young, the able, and the skilled are risking their lives to escape.

The few journalists who receive salaries are paid far below a living wage.

Some panelists attempted to paint a picture of the professional resources at the disposal of state-owned media outlets. They commented that although there is a government-funded training center with moderate facilities, trainees are not encouraged to equip themselves with the necessary skills to develop their critical abilities to analyze and report on events. One participant said that the modernization of media facilities in Eritrea is of little use, when used only to churn out government propaganda.

OBJECTIVE 3: PLURALITY OF NEWS

Eritrea Objective Score: 0.24

Although print, radio, television, and online news sources exist, all project the state viewpoint, thus plurality without perspective is meaningless. The government does not block international news via satellite, local television, radio, or the Internet, but the absence of domestic independent media

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.

It is important to note that only tiny percentage of the population has access to television or the Internet. The majority of the population has limited access to even the government media's offerings, whether because of cost or geography.

makes it impossible for Eritrean citizens to hear reliable and objective news about what is going on within their own country. They are fed government-choreographed news with no alternative or independent local sources.

Freedom House alleges that the government of Eritrea controls the Internet infrastructure and likely monitors online communications—an allegation that Eritreans and foreign visitors support. All communication systems, including mobile phone businesses, are under the control of a government corporation. Whenever people call from or to Eritrea, they feel restricted in their conversations for fear of saying something that may put either side in danger, the panelists said.

It is important to note that only tiny percentage of the population has access to television or the Internet. The majority of the population has limited access to even the government media's offerings, whether because of cost or geography. As noted in last year's MSI, the quality and content of news to citizens is divided along language, income, and urban/rural lines.

In terms of new media, a panelist for last year's MSI noted that the country has only three Internet cafés. All are in the capital of Asmara, with no more than 10 computers in service and with very slow Internet connections. Internet service is available beyond the capital and into small towns; however, the expense, slow connection speeds, and ever-present security agents curtail severely the Internet's utility as a news source for Eritreans. Only an extremely small segment of the population accesses the Internet for news. Mobile phones, though available on the market, are registered to a government agency. Moreover, most residents lack the disposable income to use mobile services.

Eritrea has an estimated population of 5 million, with more than 75 percent living in rural areas. A significant number of the younger generation are caught up in an endless cycle of national service, living scattered across the countryside and in military camps far from towns. The few who can access foreign-based news sources are probably outside visitors or privileged townspeople. Government-run radio, television, and online broadcasts are geared carefully to work against

any critical or independent reporting that could potentially put the government in an uncomfortable position.

To that end, the government media focus overwhelmingly on entertainment, development projects, international news with little or no reference to Eritrea, official visits, and festivals and meetings conducted in Eritrea and abroad. In short, Eritrea's national media are a heavy-handed attempt to depict Eritrea as an ideal and "fiercely independent" nation that is permanently on guard to defend itself from external threats.

It is difficult to determine whether websites, Internet radio broadcasts, and other online activities from the Eritrean diaspora can impact countrymen at home or abroad. However limited their influence might be inside Eritrea, they certainly have some bearing on public perception and raising awareness among members of the international community. Global media establishments depict an impartial view of what is likely going on inside Eritrea.

According to Menghistu, the government attempts to obstruct reporting efforts from afar. Following his attack in Houston, Menghistu told CPJ, "Wherever there are Eritreans, there are government spies who report your opinions and activities," Menghistu said, adding that government supporters intimidate critics by threatening reprisals against family members left in Eritrea. "Those that have opinions different than the government, they are just labeled as opposition, as against the country, as traitors," he said.⁹

In a series of extensive interviews with Afewerki televised by international media, including Al-Jazeera and Swedish TV, Reporters Sans Frontières (RSF) had the following commentary on Eritrea: "Ruled with an iron hand by a small ultra-nationalist clique centered on [President] Afewerki, this Red Sea country has been transformed in just a few years into a vast open prison—Africa's biggest prison for the media."

In relation to plurality of news, reporters conduct nearly all interviews with the president only. The interviews are stage-managed to assert control and are designed for foreign consumption, in order to deflect intervention in the internal affairs of the country. Local television channels do not broadcast the interviews.

As for the treatment of minority interests and social issues, last year's MSI study reported that the media cannot be said to cover these topics. Tigrinya, Arabic, Tigre, and English are the major languages heard on broadcast media, leaving minority-language speakers at a disadvantage.

⁹ Keita, Mohamed. "For Eritrean expatriate press, intimidation in exile." CPJ Blog: Press Freedom News and Views, June 17, 2010. Available at: <http://cpj.org/blog/2010/06/for-eritrean-expatriate-press-intimidation-in-exil.ph>;

OBJECTIVE 4: BUSINESS MANAGEMENT

Eritrea Objective Score: 0.15

As summarized in last year's study, state media are neither efficient nor business-generating enterprises. Fueled by state-funded subsidies, they serve as political tools and promote government propaganda with no planning, transparency, or accountability. As reported last year, it is difficult to gain specific insights about management practices in state media, but poor financial accountability plagues all government ministries.

The government owns all major businesses in Eritrea, and all activities related to media development are tied to government-run corporations. Thus, once again, the MSI objective measuring the business management strength of the media can be applied only to the state. The government's grip on the few small media businesses in operation restricts in their capacity to make any impact.

After Eritrea won political independence in 1993, many diaspora Eritrean entrepreneurs were encouraged to open up private businesses in the country. The trend ended gradually, as the government managed to spread its tentacles and consolidate control across social, economic, and political activities. Independent media were among the earliest casualties.

Some panelists still recall the days when independent papers not only outsold government newspapers, but ran out of copies. Yet even during that time, Eritrean press law permitted private media in print format only, while the government kept full control of radio and television—long

Some panelists still recall the days when independent papers not only outsold government newspapers, but ran out of copies.

before the Internet was available. The combination of an absent independent media and a weak private enterprise infrastructure has broken the positive relationship between sustainable business and media development.

Funding or institutional support might be coming from outside sources, but given the state of absolute government control, the source of any such support is unclear. Any support that does come likely flows into government-managed media establishments.

Advertising agencies do not exist. There is a limited advertising market centered on the local catering and travel industries, but mostly, government legal notices dominate the advertising sections of newspapers. Government businesses and other departments have no option but to use government media to advertise their goods and services. One panelist last year noted that the extreme poverty among Eritreans severely limits the supply and likely impact of advertising—a weakness that would make it very difficult to revive the independent press even if the political climate improved.

The state-run media are making no known efforts to conduct serious market research or measure circulation or broadcast audiences. They have no competition and have an agenda to serve, so they are not concerned with audience tastes.

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: 0.30

As all unions and supporting institutions in Eritrea are government-run, currently they are engaged in developing professional interests only to the extent that they might benefit the government propaganda machine. The only way to measure such institutions using the MSI framework is to consider their potential contributions to the development of independent media in the future.

In terms of support from NGOs, as confirmed by Human Rights Watch, "Nongovernmental public gatherings are prohibited. Asking a critical question at a government-convened forum constitutes grounds for arrest.

Although the country has no independent infrastructure to support the education of journalists, quite a few state-sponsored media students have had the privilege to go abroad for further training—then used the opportunity to escape the country.

No NGOs exist.”¹⁰ International NGOs have all been expelled. And, as Isaac’s brother told CPJ, even many diaspora Eritreans remain fearful of the government, and are reluctant to get involved in press freedom advocacy—with notable and important exceptions, such as Isaac and Menghistu.

With the vacuum of domestic media watchdog organizations, only externally produced reports have documented and reported on Eritrea’s media over the years. Global human rights groups and media establishments (Amnesty International, Human Rights Watch, RSF, Freedom House) and various news groups attest and certify repeatedly that conditions in Eritrea are bleak. The violations against journalists and the Eritrean population deserve and demand international attention, but the state’s control mechanisms have kept the crisis from fully seeing the light of day.

In a document circulated by Wikileaks, former U.S. Ambassador to Eritrea Ronald McMullen confirmed that young Eritreans are fleeing their country in droves, the economy appears to be in a death spiral, Eritrea’s prisons are overflowing, and the country’s unhinged dictator remains cruel and defiant. He concluded that the Afewerki regime has succeeded in controlling nearly all aspects of Eritrean society.

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.

Although the country has no independent infrastructure to support the education of journalists, quite a few state-sponsored media students have had the privilege to go abroad for further training—then used the opportunity to escape the country. Again, for fear of speaking out, not many will come forward to expose how the government media institutions are supported. Over the years, the practice of no-return happens in all government departments whenever the opportunity arises for outside travel.

In-country training in journalism and related media skills are limited to very low levels of professional standards—all geared toward producing propaganda, not journalism or critical thinking. The only existing learning institutions are the Ministry of Information, technical colleges, and state-run corporations that generate media content for government propaganda.

The government owns all printing presses and channels of distribution for print and broadcast media, and it exercises some control over the Internet. Freedom House’s *Freedom of the Press 2009* report on Eritrea stated that “the government requires all Internet service providers to use government-controlled Internet infrastructure and owns a large percentage of them.”

List of Panel Participants

All MSI participants are 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.

Additionally, the effects of Ethiopia's 2009 Anti-Terror Proclamation are becoming evident. Few independent publications remain in Ethiopia, after threats forced the independent weekly Addis Neger to stop publishing in late 2009 and several of its editors to flee the country.



ETHIOPIA

The Ethiopian government's negative attitude towards the media and oppression of journalists changed little in the past year, with continued imprisonment of journalists and stifling of independent voices. In addition to threatening and arresting journalists, the government actively censored politically sensitive blogs and other sources and jammed foreign broadcasts.

Ahead of the May 2010 general elections, the ruling party, the Ethiopian People's Revolutionary Democratic Front (EPRDF), won elections by a landslide. But the International Press Institute and the International Freedom of Expression Exchange underlined the absence of independent media voices in the lead-up to the vote and decried the harassment and intimidation of journalists. Additionally, the effects of Ethiopia's 2009 Anti-Terror Proclamation are becoming evident. Few independent publications remain in Ethiopia, after threats forced the independent weekly *Addis Neger* to stop publishing in late 2009 and several of its editors to flee the country.

On the new media front, Internet access remains very low and prohibitively expensive; most urban residents depend on Internet cafés. Rural residents continue to live in the "media dark zone," as described by last year's MSI panelists. Although access is low and the government actively filters and blocks sites that it deems threatening, bloggers and online journalists within and beyond Ethiopia's borders are fueling political debate by providing alternative news sources. A small but growing number of Ethiopians are tapping social media websites to exchange information, as well.

Judging by the MSI panel discussion, clearly much work remains to help Ethiopian journalists gain their freedom. According to the MSI panelists, Ethiopia's constitution guarantees the freedom of speech and the press, but major challenges lie in enforcing the provisions and laws. The average scores for Objective 1 (free speech) placed it in the middle of the unsustainable, mixed-system range of the MSI study. The lowest-scoring objective was Objective 5 (supporting institutions), near the border of the anti-free press range and the unsustainable, mixed-system range. Objective 2 (professional standards of journalism) scored quite low, as well.

Due to the oppressive political environment, panelists for Ethiopia agreed to participate only on condition of anonymity.

ETHIOPIA AT A GLANCE

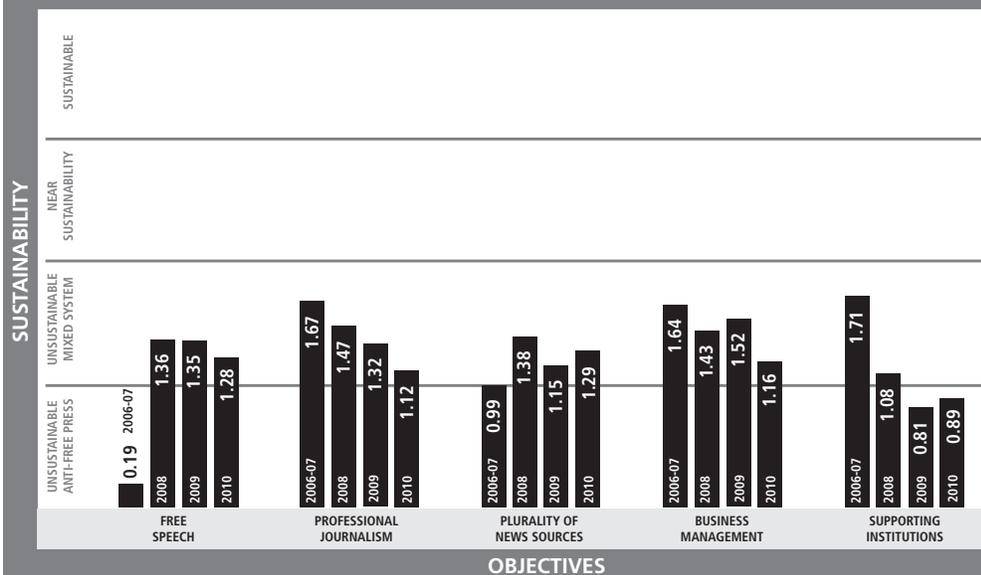
GENERAL

- > **Population:** 93,815,992 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Addis Ababa
- > **Ethnic groups (% of population):** Oromo 34.5%, Amara 26.9%, Somalie 6.2%, Tigraway 6.1%, Sidama 4%, Guragie 2.5%, Welaita 2.3%, Hadiya 1.7%, Affar 1.7%, Gamo 1.5%, Gedeo 1.3%, other 11.3% (2007 Census, *CIA World Factbook*)
- > **Religions (% of population):** Orthodox 43.5%, Muslim 33.9%, Protestant 18.6%, traditional 2.6%, Catholic 0.7%, other 0.7% (2007 Census, *CIA World Factbook*)
- > **Languages (% of population):** Amarigna 32.7%, Oromigna 31.6%, Tigrigna (official) 6.1%, Somaligna 6%, Guaragigna 3.5%, Sidamigna 3.5%, Hadiyigna 1.7%, other 14.8%, English (official) (major foreign language taught in schools), Arabic (official) (1994 census, *CIA World Factbook*)
- > **GNI (2010-Atlas):** \$32.41 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,010 (World Bank Development Indicators, 2011)
- > **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 Stations: 12; Television Stations: 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: Sheger Addis, Fana FM, Zami; Ethiopian Television (state owned) is the sole domestic television channel
- > **News agencies:** Walta Information Centre (private, pro-government), Ethiopian News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 447,300 (2009 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: 1.28

Everyone familiar with the Ethiopian media emphasizes that constitutional provisions provide strong guarantees for free speech in the country. The panelists hailed the constitutional protections but criticized the law enforcement challenges that continue to plague the sector. They stressed that legal and administrative regulations that directly and indirectly affect media freedom are not sufficiently clear, remain scattered among different laws, and are implemented unsatisfactorily.

One panelist expressed his grave dissatisfaction with the lack of enforcement of free speech provisions, explaining that not only has press freedom eroded since 1995, but the pressure has intensified in the last few years. A series of administrative, legal, and political measures are now aiming to paralyze the private press and indoctrinate the public media.

The panelists expressed concern that the media, rather than the government, tend to shoulder the burden of defending these constitutional rights, with no visible improvement in the last 12 months. One panelist questioned private-media journalists' motivation to vigorously or constructively challenge the government on press freedom issues. "The blame should be shared by all parties involved in the process," he said. "...the broadcast law reinforces the right of access to information, but members of the media have

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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.

not adequately worked to defend their rights and challenge restrictive regulations."

The fears expressed by last year's MSI panelists—that the anti-terror legislation could be used against independent journalists—proved well founded. *Addis Neger* journalists were intimidated by threats that they would have to answer to charges under the legislation, and this led them to stop publishing and flee the country.

In its report analyzing the law's likely impact on independent media, human rights group Article 19 noted, "Of particular concern is the broad definition of terrorism, which would appear to apply to many legitimate acts of expression; the undermining of protection of journalists' sources including by surveillance and an excessive duty to cooperate and provide information; and vaguely defined provisions on 'encouraging' terrorism that would criminalize the legitimate exercise of freedom of expression and have a real chilling effect on debate on matters of public interest."¹

One panelist brought up an encouraging development: the weekly *Fortune's* libel case, which ended in the paper's favor last year. The civil suit was filed by a real estate company but thrown out of court. The panelist commented that the case is an example of how "the press is afforded protection and privileges guaranteed by the constitution," but added that vigorous enforcement of the protection of the press will only come with the development of the whole judicial system. "It cannot be viewed separately from overarching questions of civil liberties and social development," the panelist concluded.

Broadcast licensing is a critical issue for the media, and the majority of the panelists agreed that licensing has not improved in the last year. Despite a broadcast law that stipulates free and fair access to licenses for media practitioners, significant challenges remain in the administration and implementation of the law. The licensing agency is not an independent body; it is controlled by the ruling party and led by state political appointees.

However, as reported in last year's MSI, panelists could not say that the political appointments have politicized the licensing process. The process set forth by the authorities is clear and transparent, they claimed, but added that a couple of former journalists that applied for press licenses were informally denied, despite meeting all requirements, thus revealing violations. The agency has an appeals process for applicants who are displeased with the process, but no reports of denied applications surfaced in the last 12 months at the agency.

¹ "Article 19 concerned about broad definition of terrorism in new legislation." Article 19: April 5, 2010. Available at: http://www.ifex.org/ethiopia/2010/04/05/anti_terrorism_proclamation/ (Accessed June 19, 2010.)

Media practitioners may enter the market without any business restrictions. Nevertheless, some legal restrictions alarm media owners and journalists. Regulations pertaining to the new media law, for example, restrict owners of one medium (such as print) from owning and operating another type (such as broadcast). Supporters of the regulation claim that its purpose is to prevent media monopolies and promote professional ownership standards. Critics, on the other hand, view the regulation as a part of a grand strategy on the part of the government to ensure that the private media remain financially incapacitated and institutionally weak.

Furthermore, proponents claim that since authorities began enforcing the law, private newspaper owners have removed themselves from editorial positions and transferred all professional responsibilities to hired journalists, effectively barring owners from having a say in their papers. The move was hailed by some members of the media community for promoting editorial independence in private media, and preventing owners' vested interests from creeping into the editorial room, thus strengthening professionalism and ethical journalism.

Financial burden, however, remains a worrying obstacle for the private media. The media do not receive any incentives in fees or taxes; one panelist mentioned that she has been unable to pay the hefty tax on broadcasting equipment since last year. Some representatives of the print media express the belief that the sector is in imminent danger of collapsing due to unbearable price hikes in roll-paper and other operational expenses. Newsprint is still among the highly taxed import items, leading to ever-increasing printing costs. In addition, the value of the Ethiopian birr continues to slide against major currencies. The birr has devalued drastically to 20 percent of the U.S. dollar, hitting newspapers with inflationary costs. In response, street vendors are raising their prices, passing on the increases to readers and advertisers.

Regarding crimes against journalists, the panelists reported that generally, journalists, bloggers, and photographers feel safe. But a feeling of insecurity is taking a firmer hold among some segments of the media community—especially given some bold attempts by non-state actors to dictate media content. One panelist noted, "The silence of the government on the brazen attack on Amare Aregawi [managing editor for the *Reporter*, attacked by unidentified assailants in 2008] will continue to negatively affect the sense of security of journalists in the private press, and erode their trust in the judicial process. Furthermore, the government has not tried to disprove critics who argue that it has not taken steps to assure the press of its rights and stature in society." Another panelist noted that although attacks are rare, threats are not—but most incidents fail to make it to police stations and courts.

A couple of examples illustrate cause for private media journalists to feel insecure. The Writers in Prison Committee of PEN International (WiPC) and the International Freedom of Expression Exchange (IFEX) reported that Ezedin Mohamed, editor of the private *Al-Quds*, was jailed in January for criticizing statements made by Prime Minister Meles Zenawi. Mohamed was released in September 2010, but in November, police arrested his son, Akram Ezedin, the 17-year-old acting editor of *Al-Quds*—despite the fact that under Ethiopia's Mass Media and Freedom of Information Proclamation, pre-trial detention is illegal.² In another example, Wubeshet Taye, the former editor-in-chief of *Awramba Times*, was summoned to the Broadcast Authority to explain the content of his paper. Officials objected to what they considered an anti-government tone and a leaning toward opposition ideologies.

One radio journalist stated that harassment from the private sector and other non-state actors is on the rise. State media photographers, along with reporters from the private press, have been warned, threatened, and assaulted in separate incidents, one panelist said, while the government fails to uphold its responsibility to protect the constitutional rights of the media. Furthermore, panelists agreed that crimes against journalists are not well publicized in the media, and hence fail to draw public attention and outcry.

Preferential treatment for state media outlets is still rampant, with the panelists finding no improvements in the last year worth mentioning. The government finances its media outlets, boards are stocked with politicians, and the ruling party handpicks managers, robbing the institutions of vital editorial independence. Policies stipulate that state media must be editorially independent; however, in practice, the state-run media are steered by political decisions and they engage in extremely partisan reporting, panelists argued.

One panelist said that often, private journalists that approach government offices for information are turned away. There is an unspoken expectation that only state media journalists have full rights to seek and obtain information. State media journalists are afforded unparalleled access to public officials and information at government offices. One panelist recounted an instance at the Broadcast Authority in which the officials delayed a press conference because the state-run ETV was late and it would not be fair to begin without ETV's presence.

² Writers in Prison Committee of PEN International (WiPC) and the International Freedom of Expression Exchange; November 16, 2010. "Alert: Editor released, his son jailed." Available at: http://www.ifex.org/ethiopia/2010/11/16/ezedin_release_son_imprisoned/ (Accessed on June 19, 2010.)

One panelist described the understanding of public and state media in Ethiopia as confused. In other countries, the government might own the public media, but their boards are made up of representatives from across the public spectrum. Public media rightfully should have a significant element of public governance, panelists said, but in Ethiopia, the public media are fully state-owned and operated and led by political appointees, thus denying their independence.

Another panelist differed, insisting that laws in the country do not explicitly favor state media over private media, but acknowledging that laws are not always upheld in practice. "We cannot deny that there are difficult hurdles in the implementation of the rights of the media and self-expression, but policy and legislative tools do not infringe on media rights," the panelist said.

Libel is addressed by civil code; technically, press offenses are not punishable with prison terms. Recent examples show that the burden of proof falls on the plaintiff to convince courts of a press offense; inability to prove a story true has resulted in plaintiff losses. However, little evidence exists to support claims that public officials are held accountable for wrongdoing.

One panelist said that it is easier than ever to gather information. In the past year in particular, journalists have seen improved access to information, panelists reported. Still, more work is needed to strengthen the Ethiopian bureaucracy's capacity to uphold the information act. Some panelists argued that government offices are forthcoming with public information only when it is deemed not harmful to official interests. The Ministry of Foreign Affairs, Ethiopian Airlines, and others cooperate eagerly when they need the media's help, one panelist noted, but they back away when confronted with stories that are not necessarily "image-friendly."

More than access to information, the lack of organized information is probably the biggest issue with which journalists should be concerned, panelists said. They expressed concern and frustration over what they called gross mismanagement of information in many offices. Many communications and public relations officials are unable to retrieve data from their colleagues, rendering their positions useless and encouraging reporters to bypass the public relations offices in favor of higher officials, using personal contacts.

Regarding the media's access to news sources, some panelists described complaints that the Voice of America Amharic service is jammed in some areas, while other panelists commented that the service continues to reach audiences in certain areas. IPI and IFEX reported that in March, the prime

minister ordered all VOA broadcasts blocked, describing VOA content as "destabilizing propaganda" and comparing it to Radio Mille Collines (the Rwanda radio station notoriously involved in the Rwandan genocide). VOA and international media organizations condemned the comparison vigorously. In late March, VOA launched Amharic-language satellite broadcasting, enabling Ethiopians to listen to the broadcasts on an audio channel—but only about one percent have access to satellite television.³

Panelists confirmed that the practice remains of blocking some opposition blogs and websites. According to OpenNet Initiative (ONI), "The Ethiopian government maintains strict control over access to the Internet and online media, despite constitutional guarantees of freedom of the press and free access to information." In 2008-2009, ONI tested Ethiopia's only ISP (the Ethiopia Telecommunications Corporation, or ETC) and published a report describing the results. The report states, "The ETC's blocking efforts appear to focus on independent media, blogs, and political reform and human rights sites though the filtering is not very thorough. Many prominent sites that are critical of the Ethiopian government remain available within the country."⁴ The ONI report adds that political bloggers are the most affected. Blocked Blogspot sites "include Ethiopian and international commentators on politics and culture, including popular blogs EthioPundit and Enset."⁵

A couple of panelists, however, shared a very different view on the alleged censorship of online sources. They said that some of the blocked blogs are dangerously radical and should not be considered credible international news sources, in their view.

Journalists and editors are able to use the Internet to access news sources, although Internet connectivity in Ethiopia remains among the poorest on the continent. According to the International Telecommunications Union, less than one percent of Ethiopia's population (which now exceeds 90 million, according to the *CIA World Factbook*) has access to the Internet.⁶ As the OpenNet Initiative reported, Ethiopia's

³ "IPI welcomes launch of VOA satellite broadcasts." IPI/IFEX: March 29, 2010. Available at: http://www.ifex.org/ethiopia/2010/03/29/voa_satellite/ (Accessed June 19, 2011.)

⁴ Ethiopia Country Profile, OpenNet Initiative. Available at: <http://opennet.net/research/profiles/ethiopia> (Accessed June 19, 2011).

⁵ OpenNet Initiative, *Ibid*.

⁶ According to the International Telecommunications Union, Ethiopia has 0.75 Internet users per 100 inhabitants. See "Key 2000-2010 country data (Excel format); Internet Users" http://www.itu.int/ITU-D/icteye/Reporting/ShowReportFrame.aspx?ReportName=WVT/InformationTechnologyPublic&RP_intYear=2008&RP_intLanguageID=1 (Accessed June 19, 2011).

rate is the second lowest in sub-Saharan Africa; only Sierra Leone is lower.⁷

The cost of Internet subscriptions is still extremely high for poorly paid journalists. An Ethiopian blog, citing 2009 International Telecommunications Union figures, reported that Ethiopia is the second-most expensive country in the world in terms of broadband access cost as a percentage of average income. As noted on the blog, "According to ITU figures, it [fixed broadband service] would cost nearly 21 times the average monthly salary in Ethiopia."⁸ Cost is a highly prohibitive factor in obtaining most international news, but the Ethiopia has no laws that govern the importation of any foreign language publications.

As for entry into the profession, no groups of reporters receive special privileges or restrictions, but sometimes reporting on certain events requires special permission.

Generally, journalists are free to organize their own associations to protect their rights. In the year under study, the government made no noticeable threats to undermine involvement in media associations.

The state does not officially monitor access to Ethiopian journalism institutions; anyone interested is free to apply to journalism school. However, the panelists reported that some universities give state media journalists enrollment preference in journalism master's programs.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Ethiopia Objective Score: 1.12

Regarding professional standards, the panelists agreed that reporting is not satisfactorily objective or fair. News sources are not considered factually reliable; corrections on stories published soon after the stories appear are now commonplace. Often reporters do not verify their facts before publishing stories, although panelists said that they have seen some improvements in the last two years.

Additionally, journalists often fail to consult a wide variety of relevant sources or include all sides of a given story. One panelist explained that this practice is due in part to the scarcity of sources willing to go on the record. "It is difficult to find private and independent consultants willing to share their observations on public interest issues," the panelist said.

⁷ Ibid, OpenNet Initiative.

⁸ Nazret.com "Ethiopia world's second most expensive place to get a fixed broadband connection," Available at: http://nazret.com/blog/index.php/2010/09/02/ethiopia_world_s_second_most_expensive_p (Accessed June 19, 2010).

As for media ethics, the panelists agreed that none of Ethiopia's journalistic associations have developed ethical standards. Reporters routinely violate commonly accepted ethical standards. For example, reportedly some journalists have accepted gifts in exchange for positive coverage. The practice is not limited to a specific media organization; rather, it is considered culturally ingrained across media houses.

Some panelists attribute the professional and ethical shortcomings to poor education. One panelist explained, "There is a lack of sufficient professional training for journalists; in fact, most journalists practicing today never received proper journalism training. Addis Ababa University and other universities have journalism departments, but its graduates typically do not join the media. Instead, they opt to join fields such as public relations, opening up the journalism field for unqualified journalists who do not report fairly and objectively."

Self-censorship continues to be widespread, in part due to perceived (or real) threats to journalists' safety, or to avoid legal problems. An additional layer of self-censorship comes from the fear of offending incumbent or opposition political parties and powerful business interests. In the last few years, those entities have flexed their financial muscle to silence the media. One panelist commented, "Journalists are sometimes afraid of upsetting a multitude of stakeholders when they want to pursue investigative leads that could potentially implicate the powerful elite in government and business circles." One panelist noted that the inability to rely on the justice system for protection is the main reason he chooses not to cross red lines in his work.

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).

Considering whether or not journalists cover all key issues, panelists said that in normal circumstances, journalists can and do cover all sorts of events and important subjects—provided that the coverage is not likely to bring harm to the writers, one panelist qualified. Panelists recounted the story of a Radio Fana journalist that was in charge of an investigative program and was threatened and nearly kidnapped. The incident served as a symbolic warning for all journalists considering embarking on similar projects and an impetus to think twice before mentioning names and leveling accusations in the press.

Subjects that journalists hesitate to cover include the military, national security, and corruption scandals. The panelists gave the example of a major scam in which thousands of people lost a collective sum of an estimated 46 million birr to a business owner that promised to take them to South Africa for the World Cup. The promotion was a hoax, and although millions were lost, the media coverage of the issue was disproportionately low, according to some panelists. Another issue that the media fails to cover extensively is the abuse and deaths of Ethiopian immigrants in the Middle East, panelists said.

A sense of unease also prevails among journalists interested in reporting in detail on natural disasters, such as floods in regional states. Reporters fear that such stories might irritate state as well as federal authorities, who might accuse them of exaggerating the gravity of the disasters. Another panelist stressed that media houses do not have the financial means to report on events outside the capital city of Addis Ababa or follow up on earlier stories, thus limiting the private media's coverage issues of local and regional importance to people who live outside of the city.

Although pay levels for managers and editors continued to increase in the past year, pay levels are still too low to discourage unethical tendencies and corruption in a meaningful or sustained manner. Ever-increasing living costs, coupled with low salaries, are said to have fostered a culture of petty corruption in the media. For state-run media outlets, one panelist said that salaries at the Ethiopian Radio and Television Agency range from less than ETB 100 (\$6) to a maximum of ETB 4,000 (\$240).

As noted in last year's MSI, poorly paid journalists that cover events will often ask organizers for transportation allowances and per diems, leading to a backlash from many institutions. Allegations of cash-for-coverage deals have hurt the profession's credibility in recent years.

Entertainment programs dominate Ethiopian media and eclipse news and information programs—particularly at regional radio stations, which focus heavily on health and

social issues. Panelists trace the comparative dearth of informative programs not necessarily to a lack of regulations, but more to media managers' need to offset costs through advertiser-friendly entertainment programming. One panelist added that media houses tend to follow the public in selecting discussion topics. Nevertheless, last year's MSI panelists reported that public and private radio broadcasts alike have made significant strides in customizing entertainment programs for the young, and airing programs on social topics such as marriage and health.

From a technical standpoint, media facilities continue to improve slowly. Individual journalists still struggle on this front, but more are gaining access to computers and production equipment. Challenges remain with reliable, affordable Internet access.

As for niche reporting, much work remains, although the panelists did report some encouraging progress. The loss of *Addis Neger* is a blow to the media community in this regard, as it had made a particularly strong push to provide hard-hitting coverage of economic and political issues. Last year's MSI panelists also singled out Sheger FM's original news programming—particularly global business news—for praise. They also lauded Zami FM's grassroots approach to news gathering: sending its reporters to the lowest levels of public administrations for new information sources.

OBJECTIVE 3: PLURALITY OF NEWS

Ethiopia Objective Score: 1.29

In terms of content, Ethiopian news media cannot be described as pluralistic, even in urban settings. Given the prohibitive costs of newspapers and Internet, radio is the major source of news.

Finding media that reflect the full political spectrum is difficult. The government media are engaged largely in "positive coverage," as part of a broader image-building campaign, and communicating the government's activities and policies to the public. For people who get their news constantly from ETV, the country must sound like a haven of unparalleled progress, one panelist said. On the other end, the panelists alleged, the private media expend too much energy criticizing the performance of the government, and opinions and analysis dominate rather than balanced and objective news. Furthermore, across the sector, most journalists focus on activities in the capital city.

The panelists were unanimous that quite a number of FM radio stations operate in the country but the government has still not allowed private AM radio broadcasters to operate.

Rural audiences rely heavily on state AM radio, with the state-owned Ethiopian Television (ETV), still the country's sole television broadcaster, in second place. Community radio is dominated by music and sports. Print products are largely not accessible.

One panelist said that the FM radio sector has indeed seen improvements in allowing more private operators, citizen access to media outlets remains extremely low across much of the country. Income levels in most regional towns prohibit citizens from accessing online news sources, while foreign publications are not affordable for journalists or citizens. In addition to the reports that authorities jam the Amharic service of VOA intermittently, websites such as nazret.com have also been blocked inside Ethiopia, and the ESAT satellite television is also blocked.

Furthermore, ONI noted that Internet cafés are required to log the names and addresses of their customers, and those who fail to do so face prison sentences; and bloggers say that they believe that authorities monitor their communications.⁹ Social networking sites are not blocked and are accessed by Ethiopians, albeit a small portion of urban residents. VOIP and related Internet services are fully functional in Ethiopia. Satellite television is available, and free satellite channels are available in many urban settings, but only for those who can afford satellite dishes.

The panelists were unanimous that public media do not reflect the views of the political spectrum. One panelist commented, "The government media is not independent from the state and the ruling party, and does not follow the public media model." Journalists in the state-owned

media do not feel bound by a public interest mission. Rather, panelists say, they are under tight state control that aims to boost the security of the ruling party. Panelists agreed that the line between public media and government media remains highly blurred in Ethiopia, with one panelist asserting that the public media are not a forum for alternative views or opinions; rather, they are dominated by the ruling party's philosophy.

Ethiopia has no independent news agencies for gathering or distributing news for print or broadcast media. Currently, two news agencies distribute and sell their services to papers, television stations, and radio stations. One of them, the Ethiopia News Agency (ENA), is state-owned and delivers its news for free; while the other, WALT, is affiliated with the ruling party and boasts a vast network and ample resources throughout the country. One panelist commented, "The two news agencies are not independent; they tend to sway towards propaganda rather than information." Media houses often turn to international agencies on foreign as well as local issues. Usually journalists mention sources when they take news stories from foreign sources, according to the panelists.

Private news media produce their own features and programs, but they also purchase a small portion of their content from production companies. Outsourcing is becoming common with private FM stations, in particular. Although private media use news content from foreign sources (such as AP and BBC) and state-owned news sources, they rely mostly on their own reporters to collect news stories.

The panelists said that they see worryingly little transparency in media ownership, and much of the knowledge about media owners is based on speculation. One panelist noted that although the law clearly states permit requirements, ownership remains veiled from the public. Private media are concentrated in the hands of a few. Allegedly, several business conglomerates are behind some major private publications, but the lack of proof fuels the culture of gossip and secrecy surrounding media ownership. In most cases, media staff report that owners interfere heavily in the content and tone of reporting.

The panelists confirmed that there is no foreign investment in the media; in actuality, the country's media law disallows outside investors. Although the complete absence of foreign media investment is detrimental in terms of lost potential, some panelists noted that the ban plays a positive role in stopping unwanted interest groups from abroad working actively in the country under the guise of media investment.

The panelists differed regarding the degree to which the media reflect social interests. One panelist argued 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.

the community radio stations scattered across the country provide this type of content. “In the last two years alone, seven zonal radio stations and eight community stations have sprung up across regions, with minority language services,” she said, adding that the community radio stations “...have set up boards and management structures in the Southern Region [and] entertain all aspects of social issues.” These outlets discuss gender and health issues without limits, she continued, and participation remains high and inclusive.

Another panelist acknowledged the existence of numerous radio stations but indicated that a big question mark lurks regarding the spectrum of views represented in those media houses. “We cannot say that, in the current situation, a range of issues are being addressed, especially for issues that are deemed socially and politically sensitive,” the panelist explained. Another panelist shared his view that the Ethiopian media do not reflect social interests; rather, international sports and entertainment news dominate the agenda.

OBJECTIVE 4: BUSINESS MANAGEMENT

Ethiopia Objective Score: 1.16

The majority of Ethiopian media outlets do not function as efficient, effective, or well-organized businesses. Still, some independent private media houses with business-savvy owners are profitable and well managed. One example is Media and Communication Center, which publishes three weekly papers, “yellow pages,” and other related businesses. The other is the weekly *Fortune*, an English business that has drawn unparalleled interest from foreign and local advertisers

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.

for its calculated penetration into the emerging business sector. Additionally, panelists mentioned that two private FM stations and two private papers have reportedly developed sound business and strategic plans that have helped them spur profits.

Various donors have become involved funding Ethiopia’s private media. Ads and sales are the lifeline of private papers, and generate the bulk of revenue at government-owned media. Some panelists argued that papers and radio stations rely almost entirely on advertising for survival—making the publications, which are already financially weak, vulnerable to interference by business interests. This influence results in favorable coverage and skewed facts to benefit financial backers.

Panelists agreed that private print media have been particularly prone to influence from business owners. The panelists described this problem as easily evident, while the government finances—and influences—its media outlets. As one panelist noted, many private media organizations are not able to sustain themselves in the media market because of financial constraints, yet state media are set up to survive for the long term. “The government is financing its media with the presumption that the firms will gradually become capable of generating their own finance through advertising and sponsorships,” the panelist said.

The advertising market for media houses is growing. Businesses are gaining awareness of the widening audience base in the country, with advertisers showing a preference for television, followed by radio. Media professionals, meanwhile, are improving their skills in using advertising revenue to shore up their finances, enabling them to pay off mounting printing and staff costs. Radio stations, state-owned and private alike, are increasing their already-large share of advertising revenue, capitalizing on their vast audience base in urban and rural settings.

Print media also take a share of the advertising revenue, but the Internet, because of its extremely low penetration and slow connectivity, has seen almost no advertising revenue come its way. Media outlets market themselves directly to advertisers through hired sales officers, while by private communication and advertisement companies produce advertisements.

Media outlets are financed mainly through advertisements and sponsorships. Sales officers at media houses scramble to fill airwaves and pages with advertisements, and a number of international NGOs sponsor social programs that provide key financial support for media houses. The panelists emphasized that copy sales are no longer profitable. In fact, many editors complain that increasing circulation works to their

disadvantage, because it only ends up spiking printing costs. Hence, copies are a source of financial loss for the big papers (those with more than 40 pages, with color insertions). One panelist pointed to a weekly that publishes issues with more than 50 pages—40 of which are filled with ads. Mounting pressure to generate more revenue and offset costs has pushed papers to expand their ad pages indefinitely.

Additionally, the rampant inflation that has eroded the value of Ethiopian currency and constrained cash flow has forced papers to look for more advertising to meet their financial goals. Ads are steadily taking over almost half of the space in private print media, and radio stations are dedicating more and more program time to ads. One panelist confirmed that he became so concerned with the growing dominance of ads in his station's radio programs that he raised the issue with his editors and colleagues. As another panelist put it, the media have failed to fully understand how to merge what he called the "audience market" and the "advertisement market." He explained, "You must first win the audience market to seek and bring in advertising revenue...but now, the practice focuses disproportionately on attracting the advertisement market."

The panelists stressed that the biggest advertisers in the country are the government and large state-owned companies. Unsurprisingly, the state-owned media are the main beneficiaries of the government ad market—despite common understanding that the government should distribute advertising fairly to all media houses.

The state-owned ETV, as the only television station, monopolizes the television advertisement business beyond government ads, as well. Normally, businesses take their ads and sponsorships to ETV, rather than the station pursuing advertisers and competing with rivals. Most advertising is given to media houses based on content popularity, not necessarily the distinct content quality. International sport programs draw some of the most expensive ads on radio, while the two weeklies with the highest circulation (*Reporter* and *Fortune*) take the greatest share of newspaper advertisements.

The independent media do not receive government subsidies. The panelists argued, though, that the more serious problem is the government's belief that the private press is aligned with what it calls "anti-development forces," resulting in systemic efforts to stifle the free press.

Typically, media houses do not conduct market research aimed at increasing revenue or circulation audits. Advertisers base their decision to place ads on the popularity of the newspaper or station. Ethiopia has no specialized ratings agencies, and no other agencies engage in circulation

assessments, surveys, or related research—although the broadcast agency's office tracks weekly circulation and can be accessed by anyone, including journalists. As noted in last year's MSI, some newspapers have begun to present figures on the number of Internet visitors to news features on their websites.

Summing up the business management outlook for Ethiopian media, one panelist said, "The environment, coupled with financial constraints, often inhibits growth and expansion. Less than a handful of media houses are thriving in a population of more than 80 million. Editorial independence, niche reporting, outreach and expansion are at alarmingly low level, compared with other countries in Africa and across the globe with equivalent size of population and social and economic conditions."

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Ethiopia Objective Score: 0.89

Ethiopia still lacks independent trade associations to represent the interests of media owners, managers, and publishers in Ethiopia.

However, journalists have several professional associations, including the Ethiopian Journalists Association, the Ethiopian Free Press Journalists' Association, the Ethiopian Women Journalists Association, the National Photo Journalists Association, and the Ethiopian National Journalists Union (ENJU). As last year's MSI panelists noted, there is much conflict and finger-pointing among these associations over who truly represents the media. Panelists said that many of the journalist associations are considered politically charged,

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.

or are beleaguered by scandal allegations and nepotism. One panelist remarked, "Journalists have a number of professional associations, but many of them are inactive and crippled organizations that are not guided by international ethical standards." Another panelist added, "There are vivid gaps among these professional associations, and they have proven unable to work together so far."

According to the panelists, many in the journalism community understand clearly the activities and vision of these associations, but there is a widespread understanding that the state exercises control and oversight over all the associations. One panelist commented, "I do not remember any of these associations speaking out when the draconian press law was being drafted and passed in parliament. They did not oppose the brutal laws, or offer amendments to them, while the direct and indirect implications of the laws were imminent and dangerous to the media. They exist in name only, and their leaders appear on the media to defend their existence."

In general, the panelists expressed the feeling that many of the associations are too busy opposing each other to work cooperatively for tangible results. Many journalists are not involved in any way with these associations, and the leaders are believed to abuse their positions to advance their own individual interests.

Currently, no local NGOs are supporting media freedom in Ethiopia. Some organizations periodically conduct workshops, but some panelists criticized these efforts as ineffective, ultimately doing little to advance free and independent media. Some NGOs are tackling issues such as development aid, HIV/AIDS, and health issues in Ethiopia, but there are no signs that they have built strong working relationships with the media. One panelist said that the absence of supporting institutions is disturbing, noting that "...whatever support the media houses get stems from their own initiatives or networking capabilities. Ironically, there are more regulatory bodies than supporting institutions."

A look at the condition of the media reveals that neither private nor public colleges are proving capable of providing high-quality journalism training, panelists said. As a result of the sub-par journalism programs of Ethiopia's institutions, media companies are facing major problems hiring and training newly graduated journalists. "The media outlets are having trouble absorbing the huge number of graduates, and compounded with their unsatisfactory training, it has become a headache for the media houses," a panelist said.

Often, Ethiopian students who travel to foreign countries for study do not return, panelists said, further aggravating the shortage of skills and knowledge already plaguing the profession. According to one panelist, "We have not seen

"The media outlets are having trouble absorbing the huge number of graduates, and compounded with their unsatisfactory training, it has become a headache for the media houses," a panelist said.

graduates returning home after finishing up their studies abroad, in part because of the small salaries in Ethiopian media houses. For example, I know a woman who went to the United States for her master's degree, and decided to stay there to work for Reuters when she got the opportunity. However, money is only half the picture to explain why we have dwindling numbers of good journalists in the media houses. So many of the managers are traditional in nature: autocratic and inflexible. Hence, young journalists are not willing to work at media houses run by incompetent and rigid bosses."

Few, if any, short-term training programs address the lack of experience of young graduates. However, panelists described the news portal New Business Ethiopia, which launched an online distance-learning program to track and recruit talented journalists for its own work and to channel other prospects to local media outlets.

The panelists said that they consider sources of printing and distribution mechanisms politicized. They gave the example of Berhanena Selam, the giant state-run printing house, which they said exerts too much power on the private print media. The printer often decides on the number of pages of a paper, color prints, and other technical elements, citing internal reasons (which could include lack of paper, color, etc.). One panelist said, "Some distributors tell you that you can only print a limited number of copies and they sometimes try to interfere with your cover pictures and content. The problem was worse in the previous years, however, but it has scaled down significantly." Distribution mechanisms are also politically charged.

List of Panel Participants

Due to the oppressive political environment, panelists for Ethiopia agreed to participate only on condition of anonymity.

And, on the heels of the 2009 election, new media technology is becoming more familiar—although there are significant geographic and economic barriers to broader use of the Internet.



GABON

As part of the celebration of World Press Freedom Day on May 3, 2010, Laure Olga Gondjout, Gabonese minister of communication, postal services, and the digital economy, visited a number of broadcast and print media outlets to learn about the working conditions of media professionals in Gabon. In her statements on World Press Freedom Day, Gondjout expressed her satisfaction that the president, Ali Bongo, continued to support a press that is not only free, but is above all professional in the construction and consolidation of the young democracy of Gabon.

However, despite that official optimism, many media professionals in Gabon maintain that the freedom of the press is violated constantly in their country. According to one observer of the political and media scene, under Ali Bongo the new authorities are afraid of the conscientious work that could make the Gabonese press one that truly reflects public opinion. An independent credible free press also poses a threat to many others across Gabon society: the industrialist who spread radiation and endangered the health of the population with complete impunity; the manufacturers of consumer goods that dumped harmful products on the market; the racketeers of every stripe who benefited from the state of corruption in government departments.

Faced with that picture, many MSI panelists believe that in a country with a very long tradition of bullying supporters of civil liberties, the press must play a leading role by facing up to reprisals from the political authorities, and by showing a willingness to challenge the longstanding tradition of silence. That is the only way, they feel, to expose the principal problems that bring harm to the country's development and militate against the modernization of its political habits.

Despite the sense of pessimism, the panelists did highlight some signs of improvement. In 2010, after a long period without a formal journalism school, the University of Libreville opened a Department of Communication and Journalism. And, on the heels of the 2009 election, new media technology is becoming more familiar—although there are significant geographic and economic barriers to broader use of the Internet. Still, with heavy political and economic pressure, the overall environment does not encourage growth and progress in the sector, keeping sustainability out of reach.

GABON AT A GLANCE

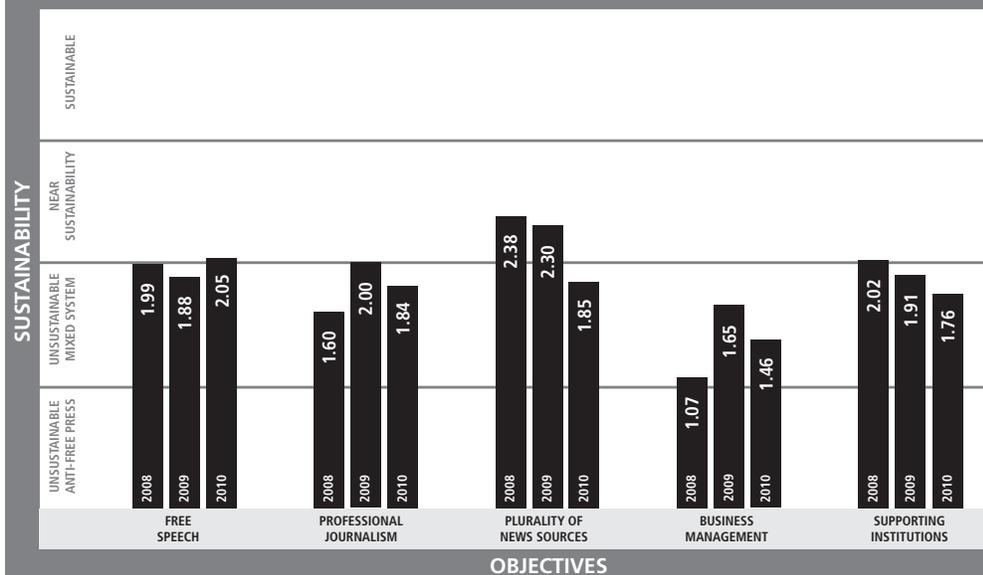
GENERAL

- > **Population:** 1,576,665 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Libreville
- > **Ethnic groups:** 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%, animist, Muslim less than 1% (*CIA World Factbook*)
- > **Languages:** French (official), Fang, Myene, Nzebi, Bapounou/Eschira, Bandjabi (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$11,65 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$13,190 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 63.2% (male 73.7%, female: 53.3%) (1995 est., *CIA World Factbook*)
- > **President or top authority:** President Ali Ben Bongo Ondimba (since October 16, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Number of active print outlets, radio stations, television stations:
Print: 7 regularly published newspapers; Radio stations: 13;
Television stations: 4
- > **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:** 98,800 (2009 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: 2.05

For many years the Law of January 5, 1960, governed the press. The law was binding and gave a priori control of newspaper content to the minister of information. Then, after the National Conference of March 1990, press freedom was set forth in clear terms. Radio and television broadcasting liberalized and opened up to the private sector, and a National Communication Council (known by its French acronym, CNC) was created under the constitution. The CNC was responsible for ensuring, among other things, respect for the expression of democracy and the freedom of the press, and the fair treatment of all recognized political parties and associations in regard to access to the media.

Isaac Mackanga, a journalist with the Gabonese Press Agency (AGP), clarified that in terms of press law, Gabon was governed by two legal platforms: the penal code and the media code. In both platforms, the freedom of the press was strictly regulated. The two legal codes protected citizens much more than journalists, with the indirect consequence of restricting press freedom. Access to public information was recognized, and even encouraged, in the media code in Gabon, but in practice it was not so. To obtain information from a government department, for example, journalists had to obtain authorization from that department's minister.

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.

According to several journalists on the panel, in Gabon, as a general rule, listening to other people's opinions is not yet part of the country's political fabric. They generally feel that the authorities are afraid of people's opinions as citizens. That fear first emerged in the very fact of the authorities' refusal to allow the right to vote to be exercised to the full, to allow the expression of that vote to be fully realized. Because the vast majority of Gabonese citizens are not allowed to draw their own conclusions in complete autonomy and because the authoritarian government feeds them their opinions, very few people use their free will to speak about matters of public interest. However, one panelist noted that the role of journalists is especially critical in a climate marred by such intimidation and muzzling of opinion; the press has a strong duty to serve as the voice of the people.

Edgard Omar Nziemi Douckaga, a journalist and reporter for Gabonese Radio and Television Channel One (RTG1), speaking on World Press Freedom Day, had said: "The subject that we are discussing ought to lead us to reflect on the occasion for this day. For, in the context of Gabon, in fact, when we are given a tour of the prison, we see that there are no journalists behind bars. Even if we go round the courts, if you find journalists there, it will certainly be for some other reason, but not for press offenses. So the reflex reaction is to say right away that there is press freedom in Gabon. Except that what the public does not know about is what sometimes leads reporters to lose their jobs. It is not often talked about. There are journalists who are unemployed quite simply because the director who used to employ them received orders from some authority because of a piece of information that was published, however true it was."

Timothée Mémey Boussiengui, a journalist with Africa No. 1 pan-African radio, shared that in his view, Gabon protects the freedom of expression in its basic law, but its reflection on the ground is another story. In Gabon, he said, journalists have been prosecuted—hailed into court and put on trial as common thieves—for what they wrote. And those laws, dating back to the 1960s, have never been revamped. Yves Laurent Goma, journalist and correspondent for Radio France Internationale (RFI), Libreville, observed that in its preamble the Gabonese constitution guarantees the freedom of expression and speech. The media code does as well, but there are violations in its application. In sum, the legislation may appear favorable to the freedom of the press, but the political environment is not.

As for broadcast licensing, some panelists pointed to political restrictions on granting licenses to the broadcast press. As noted in last year's MSI, most broadcast media outlets belong to business and political groups, making it difficult for true media professionals to attain leadership positions at radio

Ludovic Koumba, a journalist and program coordinator for Africa No. 1 Pan-African Radio, said that pro-opposition journalists regularly experience trouble accessing certain types of information; those in a position to provide the information fear losing their privileges or positions in the administration.

stations and television channels. Yet, according to Goma, the allocation of licenses is relatively fair. Many media houses, however, fail to pay their annual license fees.

Concerning the ease of entry into the media market, Goma also noted that the law requires media outlets to pay a value-added tax (VAT), but the government tended not to look too hard in that direction. There are some economic restrictions on authorizations to set up printed newspapers.

For the most recent MSI, the panelists did not report many crimes against journalists. Only Séraphin Ndao's private television station, TV+, which had been pro-government and then switched to the opposition in 2009 after the death of President Omar Bongo Ondimba, suffered intimidation. In 2009 TV+ was shut down and then machine-gunned before having its satellite coverage taken away on the grounds that it broadcast an interview with former President Ondimba, in which he said Gabon is not a monarchy.

While physical assaults against journalists were few, the panelists nonetheless pointed to a number of cases of infringement of journalists' rights since the drama of the 2009 elections. One case featured the dismissal of the former director of AGP, François Essono Obiang, who was removed from office by the Council of Ministers on the grounds that he had refused to carry out a verbal order to dismiss the journalist Mackanga. Mackanga's only "crime" was forwarding e-mail messages criticizing the Gabonese Democratic Party (PDG), the party in power, to acquaintances. In addition, opposition political figure Ndao's television station in Port Gentil, the country's second-largest city, economic capital, and principal seaport, was closed.

Journalists from the French weekly *L'Express* who wanted to cover the presidential election campaign were banned from entering Gabon. Threats against an Africa 24 team forced them to shorten their stay in Gabon, and later they were forcibly booted out of the country. Most of all, panelists recalled the total blackout on the events in Port Gentil, about

which only a journalist from *L'Union* daily newspaper had the courage to tell a few truths—which were immediately suppressed by political and judicial intimidation. Convictions, astronomical fines against newspapers, seizures of magazines, closures of newspapers, and other arbitrary judgments all reflected a climate that is hostile to the freedom of the press and of expression. The panelists added that handling of crimes against journalists depends on whether the journalist was independent or against the powers that be.

The panelists said the public media benefit from great favors from the authorities. Journalists in the state media are considered pro-government militants—and appointments reflect the degree of militancy. The state media, and pro-government private media, also receive privileges in terms of access to information.

Libel can be treated as either a civil or a criminal offense, as noted in Freedom House's "Freedom of the Press Report" in 2010, which also noted that "the government is permitted to criminalize civil suits and initiate criminal cases in response to the alleged libel of government officials. Publications can be legally suspended for libel and other press offenses."¹

Access to information is guaranteed to all journalists in the media code, but in practice it is not granted. In general, a lack of transparency surrounds sources of access to information, particularly when the information in question is complex. Ludovic Koumba, a journalist and program coordinator for Africa No. 1 Pan-African Radio, said that pro-opposition journalists regularly experience trouble accessing certain types of information; those in a position to provide the information fear losing their privileges or positions in the administration. The case of TV+, which was suspended because of the position of its owner, André Mba Obame, the runner-up in the presidential elections, supports this notion.

All the panelists were of the view that entry into the profession is free. Past MSI panels, however, have noted that laxity in the definition of a journalist, and the inclusion of ranks of untrained journalists, have perhaps lowered professional standards.

¹ Freedom of the Press: Gabon (2010); Freedom House. <http://www.freedomhouse.org/template.cfm?page=251&year=2010> (Accessed October 11, 2011.)

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Gabon Objective Score: 1.84

While journalists complain about the increasing numbers of attacks and obstacles put in the way of their work, the Gabonese authorities for their part seem to be more concerned about the contribution of the freedom of information to democratic governance in Gabon and to the emergence of a prosperous country.

Indeed, according to the minister of communication, men and women in the media must be more demanding than ever concerning the news they consume. In a recent speech on press freedom in Gabon, the minister said it would be regrettable if media professionals did not call on their sense of professionalism to combat subjectivity and the pollution of the intellectual debate. She added that very particular attention would be paid to the investigative press, which was, she said, the press for truth and objectivity.

The minister also urged journalists and all who work in the media to pay serious heed to the moral dimension, urging them to respect the conflict between two fundamental rights: the right to inform and, as she put it, everyone's right to respect for their private life.

And yet, several panelists concluded, as observers of the media scene, that the practice of journalism in Gabon suffers from several ills, including a lack of impartiality, particularly in public broadcasting. One panelist, a journalist from Channel One State television (RTG1), admitted that he and his colleagues are government officials working in broadcasting and are therefore at the service of the state.

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 a result, panelists said, it is not uncommon to see the CNC leaping to suspend private media while turning a blind eye to the same kind of misdemeanors on the part of state media or the pro-government private press.

Furthermore, panelists noted, the CNC, which bears responsibility for regulating and monitoring both the public and private media, conspicuously lacks neutrality, being particularly heavily skewed in favor of the state media. As a result, panelists said, it is not uncommon to see the CNC leaping to suspend private media while turning a blind eye to the same kind of misdemeanors on the part of state media or the pro-government private press.

For example, the CNC ordered the suspension of two private newspapers, *Le Nganga* (a satirical and investigative weekly) and *Ezombolo* (a satirical monthly), accusing them of sowing confusion in the minds of the Gabonese by raising the question of the succession of President Ondimba. *Ezombolo* was suspended for six months, and *Nganga* was hit with a one-month suspension. The CNC argued that the two newspapers threw public opinion into confusion by announcing that well-known people were intending to stand as candidates to succeed the president while he was at a hospital in Barcelona, Spain. The CNC reminded the national and international press that the freedom of the press must be exercised subject to public order, freedom, and the dignity of citizens, as stipulated in article 94 of the constitution.

Despite the existence in Gabon of a national charter of rights and duties for journalists, signed by all newspaper editorial directors, the press remains highly politicized. Malekou Ma Malekou, a correspondent for Africa No. 1 pan-African radio, said that although high-quality reporting does exist, issues of ethics and professional practice are sometimes a problem because of weak training, coupled with the financial poverty and insecurity faced by many in the profession. The panelists noted that in Gabon, there is no journalism training college in the strict sense of the term.

The panelists concluded that in the case of Gabon, the answer to the question of journalistic quality would have to be a qualified one because of the disparity between the levels of training within the profession. While journalists working in the public media receive the requisite training and attain the required level of competence, their working environment is often not suited to attaining a professional standard of quality. The political authorities control the public media.

In both the private and public media, self-censorship is practiced often, out of fear of reprisals. Goma feels that self-censorship is widely practiced to avoid courting trouble from authorities such as the CNC. The airwaves are silent on a number of subjects, by the public press in particular. As an example, he mentioned the arrest of General Jean-Philippe Ntumpa Lébani, former leader of the National Security Council of Gabon, who was accused of attempting a putsch.

Boussiengui said the low salaries paid to journalists are at least partly to blame for the failure of many journalists to produce high-quality work. For their part, many of the panelists working for the private press acknowledged that they are “in the service of the politics of the belly.” That is also the justification for the current stampede away from the newsrooms to hunt for jobs as press advisers or attachés in ministries or public enterprises. Low salaries also open the door to corruption and to news that is slanted deliberately. In addition, reporters are often “looked after” in terms of their transportation, accommodation, and subsistence needs when reporting from crime scenes or companies that have been censored.

Koumba wondered whether the salaries of journalists in Gabon should be compared to those of journalists in neighboring countries because, comparatively speaking, one would be tempted to say that journalists’ salaries in Gabon are acceptable. Relative to the cost of living, however, they are derisory, sometimes tempting journalists working in Gabon to exact a price for their articles or reports. The situation also affects the quality of journalists’ work; some journalists care more about the thickness of the envelopes they receive than their obligation to provide high-quality work to the public.

Norbert Ngoua Mezui, journalist, founder, publisher, and director of publication of the bimonthly *Nku’u Le Messenger*, was also critical vis-à-vis the political authorities’ monopoly of the public-service news. As a result, the impartiality of journalists in that public service is questionable. Some even equated the treatment, publication, and broadcasting of news in the public media to an idealized form of art in the style of Giotto. Fear, self-censorship, and sycophancy are legion. In his view, only the private media attempt some balance of tone.

Théophile Ndong Edda, a journalist for Africa No. 1 pan-African Radio, Libreville, said that unfortunately everybody seems to believe they could do the job—that all you have to do to call yourself a journalist is pick up a microphone, sit at a desk in a newsroom, or show your face on television. Professionals deserving of being called journalists exist, but they are increasingly being crowded out by corrupt and ill-qualified people not worthy of the title.

As for the balance of news and entertainment, some panelists feel that there is a good balance between entertainment

and news in programming; others believe there is a strong preponderance of entertainment programming—and that the problem is equally acute with public outlets.

François Nzengue, deputy secretary-general of the Union for Channel One (SPC), speaking as a trade unionist, said the living and working conditions of journalists in Gabon leave much to be desired. Trade unions have issued demands for improvements in that area. With the exception of Gabonese Radio and Television (RTG), which boasts fairly modern working facilities, press enterprises, especially private ones, are housed in unsuitable premises.

Panelists also said there are not enough programs or independent specialized reports on certain topics, nor are there enough programs designed to stir real discussion on major issues.

OBJECTIVE 3: PLURALITY OF NEWS

Gabon Objective Score: 1.85

While Gabon’s media have made great strides in plurality since the launch of multiparty democracy in the 1990s, Gabon also has one of the highest rates of mortality among media outlets of any African country. This poses a great danger, not only for the news, but also for the public’s right to pluralism in news sources.

The panelists underlined the gradual disappearance of several private press titles, which join a long list of newspapers that could not survive in the Gabonese market. They mentioned

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 cases of *La Griffé*, *La Clé*, *Le Bûcheron*, *Le Progressiste*, and *La Cigale*, among others.

As last year's MSI noted, new media have been somewhat slow to take off in Gabon, although the 2009 election season marked some progress, with campaigning branching out into social media such as Facebook, Flickr, and YouTube, and SMS messaging.

Faced with political and police repression, coupled with a gloomy economic outlook, the press is always looking over its shoulder. Currently, it is hard to find any press outlet on Gabonese soil that produces any news that challenges the government. There are a few exceptions, such as independent weekly *Misamu*, that dare to offer critical content. In general, however, the press essentially walks on eggshells because of the repression.

Goma said that in Gabon, there are no restrictions on citizens' access to media (although last year's MSI noted that mobile-telephone companies suspended SMS service during the elections). The cost of access, however, presents a significant obstacle. The national minimum wage is about CFA 86,000 (about \$180). The largest daily costs CFA 400 (\$0.80). Internet café time costs CFA 500 (\$1.00) an hour. Given their very low purchasing power, some segments of the population cannot afford those costs. Mezui added that the geographic barriers are also significant, given the lack of equipment and infrastructure, particularly in the rural areas, that leaves many Gabonese with little access to news.

The public media reflect only the views of the government, some panelists said, and often fail to give each side a platform. By way of illustration, when the opposition candidate André Mba Obame proclaimed himself president, the state media reported all the steps the government took in retaliation. However, there was no debate about the reasons for those reprisals.

While some panelists said there are independent news agencies and news websites in Gabon, including Gabonews.ga, Gaboneco.com, Gabonactu.com, and others, Mezui countered that the government controls all news agencies to some degree. At any rate, they are largely unused by the broadcast media. The fact that a number of editorial offices still lack Internet connections is one hindrance to broader use. Gabonese journalists also rely on Agence France-Presse.

The Gabonese broadcast media produce almost all their own programs. On the rural side, however, they often rebroadcast programs from a number of stations, such as RFI, the BBC, and sometimes VOA.

There is little to no transparency in media ownership. While government employees officially are not permitted to own

media outlets, that restriction is not heeded. For example, the presidential family owns the Télé Africa television station. Gondjout holds Gabonews.ga, while the mayor of Libreville holds *L'Observateur Africain*.

To circumvent the control by state officials over many media outlets, and also to get around censorship and even self-censorship, those who can afford to are turning to satellite television subscriptions and Internet access. Furthermore, even owners of non-state domestic media often position themselves to gain political and economic advantages.

As Mackanga put it, only the foreign media provide the public with objective and reliable news. This includes foreign radio stations that are broadcast on FM, particularly in the capital, and also foreign television channels on satellite and social networks on the Internet. However, in general only the elite, with substantial financial incomes, can afford access to such media.

OBJECTIVE 4: BUSINESS MANAGEMENT

Gabon Objective Score: 1.46

According to several panelists, the private media, with the exception of the daily *L'Union*, were not well managed. *L'Union* is owned by a wealthy foreign businessman who installed rigor into the newspaper's management and managed to diversify its sources of financing, including an advertising agency, a printing house, and the distribution of newspapers throughout the country. Since 2009, the journalists at that newspaper have been aware that they 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.

Boussiengui expressed the view that the well-managed independent media are in the pocket of special-interest groups comprising the hardliners among the government in power. Those media control the whole of the advertising pie.

doing their job properly—and it is understood that they pull the highest pay of any Gabonese print media.

Aside from the exception of *L'Union*, newspapers announced amid great fanfares of publicity tend to wilt and die just as quickly. They might appear for one, two, or three issues, often after the state subsidy had been paid according to criteria that not everyone agreed with or met. As a result, the weekly and bimonthly papers are becoming bimonthly and monthly papers, for lack of means. Without sustainable sources of support, many less stable media outlets are vulnerable to manipulation, and editorial independence is a fragile commodity.

Boussiengui expressed the view that the well-managed independent media are in the pocket of special-interest groups comprising the hardliners among the government in power. Those media control the whole of the advertising pie. The rest live on their wits and survive mainly because of the annual subsidy paid by Gabonese taxpayers. Printing costs and the 40-percent levy on sales revenue imposed by the distributor are the main sources of the financial rot eating away at the private printed press, he said.

Mezui agreed that the Gabonese market provides the media with very slim sustenance. Sources of financing are extremely limited. The private print media, in particular, have virtually no access to the advertising market, from either private or institutional advertisers. For this reason, he considers it fortunate that there is a state subsidy. Although the state certainly does provide an annual subsidy to the private and the public press, it scarcely guarantees that press enterprises can become self-financing. Furthermore, the panelists said the criteria for allocating it remained unclear. The state provides a subsidy to the independent print media to the tune of 500 million FCFA (\$1 million) a year, the only condition being that a publication is issued regularly. However, the politicians in charge of that portfolio redistribute the funds according to their own interests, panelists said. Goma agreed that cronyism is also the rule in obtaining advertising.

For his part, Koumba believes the subsidy needs to be extended to other types of media, because with such a thin

advertising market, no media organization would be able to hold out very long otherwise. The panelists did not debate whether a state subsidy hurts editorial independence.

There is no audience research, or statistics on the use of the online media, to help media agencies tailor their content.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Gabon Objective Score: 1.76

Since the advent of multiparty politics in 1990, Gabon has experienced the meteoric rise of several professional organizations among both private and public radio and television companies. They include SPC (the Union for Channel One in RTG) and the Gabonese Association of Journalists and Agency Journalists in the Printed and Broadcast Press (AJAPE). They focus primarily on the defense of the moral and physical interests of their employees. Gabon still lacks media owners' associations, such as a group for publishers or distributors.

Mezui noted that while there are associations of media professions, they are dormant. According to him, they lack motivation and fail to act effectively to defend the interests of the profession. They lack a sense of solidarity. This echoes the views articulated in last year's MSI, where panelists claimed that Gabon's professional associations fail to uphold their members' interest or influence the government, failing to lift a finger even in cases where journalists were physically assaulted. Generally, only foreign groups rush to defend journalists accused of press offenses.

Mackanga said that almost no institutions or organizations in Gabon, except for the state, are officially tasked with

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.

coming to the aid of the press. Furthermore, as last year's MSI noted, frequent strikes among public-media journalists reveal problems in the public sector, as well. However, some international nongovernmental organizations (NGOs) have tried, unsuccessfully so far, to support the independent press, but they complain that the private media lack structure.

In Boussiengui's view, only a few NGOs focus on defending the interests of media professionals, but they do not really live up to that role. They exist more to be seen at intra-professional meetings held in the subregion than to be involved in concrete activities. Their contribution to defending the interests of journalists was nil. Many times, newspapers had been banned or suspended, fellow journalists had been arrested or received death threats, and those NGOs had never lifted a finger.

Gabon has long been handicapped by the lack of a journalism school. In 2010 the University of Libreville opened a Department of Communication and Journalism, and the panelists expect to see a degree track open up in other academic institutions under the Ministry of Communication. However, as Koumba noted, Gabon has no dedicated training institute for journalists. Instead, many Gabonese journalists have been trained abroad, which is very costly.

Supplemental training for media professionals is still quite problematic. The media do not have enough resources to ensure adequate training. The few journalism training seminars offered are often organized for journalists by development partners for specific, targeted needs, such as information on AIDS, covering elections, and so on. Only journalists posted in the public media receive training and refresher courses, as part of a comprehensive training program for state employees.

Given this shortage of opportunities, there is a growing number of young, unqualified journalists, operating mostly in private media outlets. Occasional single-topic training opportunities that could benefit these people, passionate though they are about the job, are thin on the ground.

As noted in last year's MSI, steep printing and distribution costs suffocate media businesses. Private investors control printing houses, and they sometimes fall under government pressure to refuse service to pro-opposition publications. Furthermore, with only one distribution service—which takes 40 percent of the sales return, a figure the panelists deemed outrageous—media enterprises are not left with a lot of choices in getting their newspapers printed and in newsstands.

List of Panel Participants

Timothée Mémeï Boussiengui, journalist, Africa No. 1 Radio, Libreville

Théophile Ndong Edda, journalist, Africa No. 1 Radio, Libreville

Lucien Minko, journalist, *Agence Gabonaise de Presse*, Libreville

Malekou Ma Malekou, journalist, correspondent, Africa No. 1 Radio, Libreville

François Nzengue, journalist and deputy secretary-general, Channel One Union (SPC), Libreville

Yves Laurent Goma, journalist, correspondent, Radio France Internationale, Libreville

Jean-Hilaire Nguema Otembe, journalist, Sonapresse (*L'Union*), Libreville

Ludovic Koumba, journalist and program coordinator, Africa No. 1 Radio, Libreville

Norbert Ngoua Mezui, journalist; publisher, *Nku'u Le Messenger*, Libreville

Isaac Mackanga, journalist, *Agence Gabonaise de Presse*, Libreville

Moderator and Author

Samuel Obiang Mbana Mangue, journalist and correspondent, AFP and Africa No. 1 Radio; *Journaliste en Danger*, Malabo, Equatorial Guinea

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

The more recent Publication of False Information Act, which mandates heavy fines or imprisonment in The Gambia's notorious prison system, has proven deadlier than the previous laws.



THE GAMBIA

Repressive media laws continue to hamper the independent press in The Gambia—in sharp contrast to the country's constitution, which grants all citizens the freedom of expression and supports press freedom. The Alliance for Patriotic Reorientation and Construction (APRC), the ruling party since a bloodless coup in 1994, eroded and flouted the existing principles of democracy and human rights. APRC wasted little time introducing legislation, such as Newspaper Decree 70 and 71, aimed at gagging the media.

The more recent Publication of False Information Act, which mandates heavy fines or imprisonment in The Gambia's notorious prison system, has proven deadlier than the previous laws. Those who petition the president, seeking redress when their rights are violated, must prove their allegations in court—and if they fail to prove their cases, they face jail time. A human rights advocate was jailed recently under this law.

Libel is punishable with civil penalties as well as criminal penalties, and the accused bear the burden of proof. The libel law and the laws on sedition and false publication all carry the same minimum custodial penalty of one year in prison and/or heavy fines. In 2009, several journalists were fined or imprisoned under these three laws. Although no one faced charges of libel, sedition, or false publication in 2010, the psychological impact of threatening remarks from the president's office has driven editors to self-censorship, and dampens free speech among citizens.

The Gambia's extremely weak economy does not help the media's efforts to become more sustainable financially, with most people scraping by on less than a dollar a day. Tourism is the country's major income earner, with poor rainfall over the past years causing groundnuts and other exports to decline. The national currency, the dalasi, has depreciated seriously against major international foreign currencies over time, impacting the media and other institutions negatively. The media have not benefited from investments that have flowed into the country in the past few years, especially in relation to advertisements—as most companies in The Gambia avoid advertising in the private media, for fear of government reprisals. Governmental departments take over the pages of private media with congratulatory messages for the president on special occasions, such as his birthday or the anniversary of the day he came to power—but the private press receive little advertising revenue from the placements.

The 2010 MSI scores showed little overall change for The Gambia compared to 2009. Again this year, the leading objective is Objective 2 (professional journalism), with a score of 1.99. Objective 4 (business management) received the lowest score of any objective, with a 1.37.

THE GAMBIA AT A GLANCE

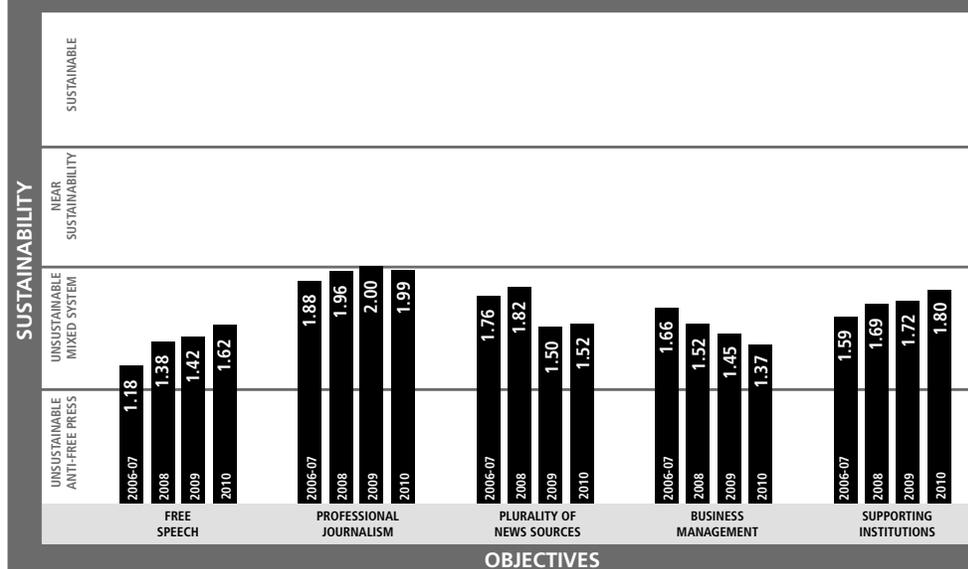
GENERAL

- > **Population:** 1,797,860 (July 2011 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 (2010-Atlas):** \$770 million (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,270 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 40.1% (male 47.8%, female 32.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Yahya Jammeh (since October 18, 1996)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 8 newspapers; Radio Stations: 9 plus 3 community; Television Stations: 1
- > **Newspaper circulation statistics:** Top three 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:** 130,100 (2009 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

The Gambia Objective Score: 1.62

The Gambia's constitution confirms the right of freedom of expression for all citizens, as well as the freedom of the media. In Section 25, the constitution states explicitly, "Every person has the right to freedom of expression," and Section 207 states, "The freedom and independence of the media is guaranteed." These and other provisions are comparable to international standards, but the constitution has glaring lapses also, such as the lack of a freedom of information law. In addition, prevailing media laws inhibit the freedom of expression and, combined with the attitude of the authorities, undermine the constitution.

As Women for Democracy and Development Executive Director Amie Sillah described, people hesitate to speak their minds. "Freedom of speech is valued by the people; but it scares the government. Lately, when litigants write petitions to the president's office [to report violations], they end up charged with giving false information to public officers," she said.

The panelists concluded that the judiciary has lost its integrity, as the majority of Gambians no longer have any faith in the courts' ability to administer justice. Nigerian judges, appointed to critical positions by the president, dominate the judiciary. Considered mercenaries by the Gambian media fraternity and the public, these Nigerian judges are happy to imprison anyone that the president considers a threat to his regime.

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.

Persecuted journalists do have a constitutional right to seek redress in the high court, but according to the panelists, no one bothers to try. The state has not complied with court orders issued in the past, and the lack of judicial independence makes it all too easy to jail journalists.

Furthermore, international human rights organizations have documented the abysmal conditions in Gambian prisons. In a joint petition to U.S. Assistant Secretary of State for Democracy, Human Rights, and Labor Michael Posner, three NGOs (Action Africa, Amnesty International USA, and the Committee to Protect Journalists) noted, "Harsh detention conditions, including severe overcrowding, poor sanitation, and foul food, are believed to have led to a large number of deaths in recent years. Detainees formerly held at Gambia's notorious Mile 2 prison and others report having been kept in solitary confinement for long periods without access to daylight, food, or exercise."¹

The government requires all print and electronic media houses to be registered—by a government department, not an independent body. In addition, a landed property owner must put up a bond of GMD 500,000 (\$20,000) to register a media outlet. Even after meeting these requirements, proprietors must wriggle through various bureaucratic bottlenecks.

Broadcasting requires ministerial approval, even though a purportedly independent regulatory body is responsible for issuing broadcast licenses. Broadcasting hopefuls must first meet a litany of conditions, and then the ultimate licensing decision rests with the president. Applicants can appeal to the minister of information and communication, but it is virtually impossible for an opponent or outlet that is critical of the government to obtain a license.

Taxes are burdensome on the media, as well. All media houses pay a sales tax on advertisements, materials, and equipment. Other taxes levied on media houses include income tax and license taxes for editors, broadcasting houses, and Internet service providers. With The Gambia's small population and widespread illiteracy restricting the market already, many media houses, especially the print media, live from hand to mouth. The government provides no subsidies for the media.

Those independent outlets that manage to launch and operate endure frequent harassment, including arbitrary arrests of their journalists and editors, closure without trial,

¹ "Letter to government of The Gambia from Africa Action, Amnesty International USA, and Committee to Protect Journalists: July 22, 2010. Available from CPJ at: http://cpj.org/blog/Gambia_CoalitionLetter2010%20FINAL.pdf as of September 10, 2011.

As Women for Democracy and Development Executive Director Amie Sillah described, people hesitate to speak their minds. "Freedom of speech is valued by the people; but it scares the government. Lately, when litigants write petitions to the president's office [to report violations], they end up charged with giving false information to public officers," she said.

and even torching of media facilities. For example, panelists said, the latest newspaper to hit the stands ceased publication after just two editions. The proprietor, a former managing director of the pro-government newspaper, was questioned at the National Intelligence Agency (NIA) after the maiden issue hit the stands.

Journalists have no sense of security in The Gambia; those who violate journalists' rights are never held accountable. An example that weighs heavily on all independent journalists is the 2004 murder of the proprietor and managing editor of *The Point*, Deyda Hydar. The government has made little effort to investigate the crime. In another case, journalist Omar Barrow was shot dead by the security forces during student demonstrations in 2000—and no investigation followed. Another reporter, "Chief" Ebrima Manneh from the *Daily Observer*, disappeared in 2006, amid allegations that he was arrested by NIA. The government, however, has denied holding him.

The panelists mentioned several more recent cases of threats against journalists. A reporter from a Gambian independent newspaper is now in exile in Senegal, following threats on his life. A pro-government newspaper's former editor, fearful that he may be arrested and detained like his predecessors, is in exile in Mali. Past years have seen physical assaults on journalists and the shooting of an editor—all of which were reported, but never prosecuted.

The Gambia's treatment of journalists has not escaped international attention. In December 2010, the Nigeria-based Court of Justice of the Economic Community of West African States (ECOWAS) ordered the Gambian government to pay Musa Saidu Khan \$200,000 in compensation, after he was detained and tortured in 2006 by Gambian state security agents. NIA held Saidu Khan, editor-in-chief of the now-banned private biweekly *The Independent*, for 22 days without charge during a brutal government crackdown

following a purported coup plot. The Ghana-based press freedom group Media Foundation of West Africa filed the lawsuit on behalf of Saidu Khan.²

Usually, the public response against such crimes is muted. While sometimes crimes against journalists cause a public outcry, it usually dies down fairly quickly, apparently with people knowing that nothing will come out of it.

The constitution requires the state media to uphold the responsibility and accountability of the executive to the people. Section 208 of the constitution specifically guarantees, "All state-owned newspapers, journals, radio, and television shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinion." However, in reality, there is no editorial independence within the state media. In particular, the state-owned television station (the only television outlet in the country) appears more like a propaganda tool of the ruling party than a public service. Its management, and even all its journalists, are appointed by the minister of information and treated as civil servants rather than professionals.

However, state media outlets enjoy a number of advantages over their independent counterparts. State-owned outlets are not subject to the cumbersome registration process, and they easily access information from the state that is out of reach for independent journalists. Also, as noted in last year's MSI, journalists working for the independent media are barred from the presidential estate, official press conferences, and high-profile state functions, such as visits by foreign heads of state and other dignitaries. As *Foroyaa* Editor Sam Sarr put it, "The owner of the State House [the president] has prerogative to decide who should cover the State House."

Libel remains both a civil and criminal offense, punishable by a heavy fine and/or imprisonment. Furthermore, under Gambian law, the burden of proof rests with the accused. As an example, the panelists pointed to the June 2009 case involving seven journalists, including three executive members of the Gambia Press Union (GPU). The journalists were arrested and charged with "seditious intention," defamation, and the publication of "false information" simply because they criticized the president. Subsequently, the Banjul Magistrate Court tried and found guilty six of the journalists, including a nursing mother. Each was sentenced to 18 months' imprisonment and fined GMD 250,000 (\$8,700).

² "ECOWAS court orders Gambia to pay tortured journalist." Committee to Protect Journalists: December 17, 2010. Available at: <http://www.cpj.org/2010/12/ecowas-court-orders-gambia-to-compensate-tortured.php> as of September 11, 2011.

The Gambia has no specific law on the operation of the Internet, and the courts have not yet heard any cases regarding Internet offenses.

As mentioned earlier, The Gambia has no freedom of information law. While journalists from the state-owned media and pro-government media houses access public information easily, independent media houses face an uphill battle accessing the same information. Few public officials are willing to talk to any journalists except those from the public media, and even then, interviewees choose their words with great care. In fact, the secretary general, who is head of the civil service, issued a circular barring civil servants from talking to the press without first obtaining permission either from him (in the case of senior officials) or from department heads (in the case of junior staffers). Journalists face severe penalties if they publish information that is purported to be confidential, and often they are required to reveal their sources of information.

The government does not restrict international news or news sources, and journalists are able to access the Internet for news. Gambians have free access to international television and radio news, and media houses do reprint and rebroadcast foreign news programming and news agency information at relatively low cost. Users are not required to register to access the Internet, and there is no law that specifically restricts Internet access or blogging. However, in the past, authorities have blocked websites considered hostile to the government. Furthermore, as noted in last year's MSI, the cost is high to maintain fairly good Internet service at a media house.

Entry into the journalism field as a profession is quite free, with no government restrictions. Journalists do not need a license to do their work, although sometimes state institutions issue special press cards to cover special events, in order to exclude some journalists. Currently, the only restrictive problem is the country's absence of training facilities for journalists, panelists remarked.

While journalists are free to organize themselves into unions and associations, the law prohibits public media workers from joining trade unions. State attempts to prevent its workers from interacting with the local journalist union are common. Because the president views journalists as opponents of the government, those in the private media who wish to be in good standing with the government shy away from the press union. Once hired by public media outlets, former private-media journalists tend to dissociate themselves from the press union as well, for fear of losing their jobs.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

The Gambia Objective Score: 1.99

Although the panelists acknowledged professional shortcomings among Gambian journalists, they emphasized that many are doing their level best to meet their professional obligations despite trying circumstances. Poor security, challenging economic factors, and limited training opportunities all affect whether journalists can perform their duties professionally. As GPU Secretary General Emil Touray said in his remarks on World Press Freedom Day, "...many journalists exercise their professionalism in an environment where restrictions on information are the norm; where dealing with pressure, harassment, intimidation, or even physical assault are all in a day's work."³

In spite of the obstacles, journalists have done fairly well in meeting professional standards. Reports that appear in Gambian newspapers are generally fair, objective, and dictated by the public interest. However, panelists were quick to point out that it would be unfair to say that the objectivity is found in the state media or the *Daily Observer*, which function largely as propaganda mouthpieces for the regime.

While panelists confirmed that most reporters try to present balanced reporting, check their information, conduct background research, and consult technical experts, they expressed less confidence that journalists consult a variety of

³ Bah, Binta and Kubma. "GPU Commemorates World Press Freedom Day." Gambia Press Union news, courtesy of *Daily News*. May 6, 2010. Available at: [http://www.gambiapressunion.org/index.php?id=835&tx_ttnews\[tt_news\]=22&cHash=48d5355a1e](http://www.gambiapressunion.org/index.php?id=835&tx_ttnews[tt_news]=22&cHash=48d5355a1e) as of September 11, 2011.

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 called for the press union and the media fraternity to redouble their efforts to offer training opportunities, including basic journalism courses, that meet professional standards.

sources and prepare adequately for interviews. The panelists lamented the lack of diploma-level training courses, and how it undermines the potential of journalists to meet professional standards of quality. Some journalism courses and short-term training opportunities exist, but the panelists said that such courses, while useful, are inadequate in relation to the need. They called for the press union and the media fraternity to redouble their efforts to offer training opportunities, including basic journalism courses, that meet professional standards.

Journalists that acquire their degrees abroad are not paid adequately compared to their counterparts in other professions, so they tend to drift away from the media and seek related, more lucrative positions, such as public relations officers for companies, NGOs, or government departments. In this way, they boost their income while avoiding the risk of arrest or harassment.

The panelists said that in order to encourage professionalism and keep journalists in the media sector, several reforms are needed: improving the training available to journalists, minimizing security risks by ensuring freedom of expression, and improving the financial health of media houses. Specifically, the panelists suggested eliminating import and sales taxes on services, materials, and equipment used in the production of news.

GPU has a code of conduct/ethics for its members, and intends to hold a validation workshop on a revised code to sensitize its membership on its principles. GPU is an affiliate of the International Federation of Journalists (IFJ), and the GPU code reflects the ideals of the IFJ Code of Ethics. Given their level of training and circumstances, journalists do relatively well in adhering to the code, according to the panelists. Panelists said that they have heard fewer reports of journalists accepting money or gifts for certain types of coverage, and that the practice is more prevalent in some media houses than in others. Editors of private media are consistently on guard to stop bribery and corruption in their companies.

The rigorous application of the law on sedition, criminal libel, false publication, and official secrets, combined with the court's tendency to deliver verdicts in favor of the government, have led journalists to either engage in

self-censorship or ensure that whatever is published or broadcast is checked closely. As Sarr put it, "Self-censorship is rampant, and it is complicated by laws on libel and sedition." Reporters and editors engage in self-censorship for fear of losing their jobs or being persecuted. This is particularly true for employees of the state media. Journalist self-censorship is also caused by pressure from editors, attempts to avoid conflicts with business interests, and the lack of respect for the confidentiality of sources.

Journalists expend great effort to cover key events and issues, but most media houses do not dare to touch some subjects, such as events related to international and local security. Or sometimes, rather than preventing reporters from covering controversial events, editors allow them to go but simply refuse to publish their reports. Panelists also lamented that the private media in The Gambia are still barred from covering major governmental events, especially those held at the state house. They said that the exclusion stems from the regime's intolerance of press freedom, and the lack of respect for accountability and transparency. However, the private media do cover some government functions, such as certain ministry meetings.

The pay level of state television broadcast journalists is sufficiently high to discourage corruption. This is not true of journalists in other sectors of the media. Gambian private-media journalists, like the majority of their colleagues in West Africa, are paid very poorly, with the luckiest ones receiving a monthly payment of about \$200. Some receive as little as \$50 per month. Journalist salaries compare to those of teachers, but they earn far less than workers in other professions. Many Gambian journalists hang on out of their love for their profession, but often highly qualified journalists stop practicing and accept better-paying jobs with banks, insurance companies, NGOs, and other entities.

Journalists working for the state media are paid according to the Civil Service Scale—which is not very high, but includes other benefits and social security. Virtually no journalists in the private media are insured.

Selling articles and favorable coverage occurs, but determining the extent of the problem is difficult.

Entertainment consumes most of the broadcast media's airtime, on radio as well as television. Very little time, if any, is dedicated to hard news. The panelists attribute this in large part to the intimidation and harassment of journalists, and the pervasive culture of fear, driving many private radio stations to resort to entertainment and sports programs instead of riskier news. Some stations even broadcast the news by synchronizing with Gambia Radio and Television Services (GRTS), the state national radio, and others like Radio

France International (RFI) and BBC. The print media, on the other hand, give limited space to entertainment. *Foroyaa*, for example, devotes 60 percent to news and reviews. Some panelists expressed the opinion that introducing more news would surely attract more readers to print media and expand audiences for broadcast media.

Facilities and equipment in media houses are still inadequate, and this affects the quality of work. Very few journalists have access to computers, even; most still write out their stories longhand.

The quality of reports continues to improve. What is missing is that most journalists, especially reporters, lack the ability to conduct investigative reporting. This is partly because the majority of journalists lack the training and skill that serious journalism demands. Additionally, the few that can take up this task often are afraid that such reports will land them in jail. As a result, newspapers are inundated with legal reports and soft news covering political activities.

Public media reporting is controlled strictly, and as a result, state outlets carry mostly press releases from the government and cover only official functions. The state broadcast media focus on official engagements or empty propaganda and are censored heavily. Only one media house, the independent *Foroyaa*, engages in true investigative journalism; according to the panelists, it is the only newspaper that writes stories and analyzes issues objectively.

Quality niche reporting is the exception rather than the rule, and private print media do more investigative reporting than the electronic media. However, because of the lack of journalism training facilities, most journalists are poorly equipped for specialized reporting. Bloggers are not faring any better in that regard.

Still, panelists reported some attempts to improve specialized reporting, especially on health and environmental topics. An article posted on the GPU website described one workshop organized by the Ministry of Health and Social Welfare that instructed journalists in the epidemiology of tuberculosis, and outlined the role the media could play in the fight against tuberculosis. Pa Momodou Faal, president of the Health Journalists Association and a GPU representative, praised the training, but "challenged the TB Control Programme to open their doors to the media to be able to access relevant information they can disseminate accurately and reliably to the public."⁴

⁴ Marenah, Sainey M.K. "Health Ministry attains nationwide DOTS coverage as journalists join TB-free campaign." Gambia Press Union website: October 8, 2010. Available at: <http://www.gambiapressunion.org/index.php?id=640>

Also according to the GPU website, in September 2010 Gambian journalists benefited from a daylong "media clinic" to brief journalists on covering environmental issues. The National Environment Agency (NEA) of The Gambia, in collaboration with the African Network for Environment Journalists (ANEJ) Gambia chapter, organized the event.

OBJECTIVE 3: PLURALITY OF NEWS

The Gambia Objective Score: 1.52

The panelists agreed that because media houses are based in the greater Banjul area, they neglect the countryside. Three community radio stations are serving outside areas, but they do not produce their own news. Instead, they link up with the national radio station for news broadcasts, which consist mostly of coverage of official functions and government press releases.

All the newspapers are written in English, which few can read or understand. Given that and the country's low overall literacy, very few people access newspaper content. Occasionally, newspapers make it to rural areas, and educated youth read them to their parents. Rural farmers rely on state-owned broadcasting for their local and international news, especially as private radio stations do not produce their own news. The country has only one television station, the state-owned GRTS. Essentially a propaganda tool of the regime, GRTS coverage focuses on government and ruling party activities, to the exclusion of opposition voices, critics of the government, or even independent expert

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.

All the newspapers are written in English, which few can read or understand. Given that and the country's low overall literacy, very few people access newspaper content.

analysis. Foreign news sources, such as BBC, VOA, RFI, and cable television are available. Cable television is expensive, however, so very few people have access to it.

With such restraints on print and television access, radio is the most effective means of communication. At least one station is available in every village in the country; only one radio station, state-owned Radio Gambia, has national coverage (although the access is a bit weaker in a few parts of the country). Radio Gambia is not very different from state television, with its focus on coverage of government and ruling-party activities. The Gambia has no true community radio stations, however. Faced with chronic funding shortages, they conduct themselves more like commercial radio stations, for the sake of survival. They do not engage in news coverage because of the risk of arrest, harassment, or closure.

With the advent of social networking, the use of the Internet as a news and information source is growing, especially among NGO employees and public servants. Patrons of Internet cafés are interested primarily in sending and receiving e-mails, but some use the Internet for news. In addition to online newspapers, Gambians living outside of the country have set up Internet radio stations and blogs. SMS news alerts, newly introduced phenomena in the country, are attracting the attention of many young people.

The authorities place few restrictions on access to the Internet or domestic or international media. In 2010, the U.S. Department of State reported that Internet cafés are popular in Gambia's urban areas, but Internet users stated that they are unable to access the websites of two newspapers, *Freedom* and *The Gambia Echo*, which are based in the U.S. and known for their criticism of the Gambian government.⁵ Aside from blockage issues, the Internet is financially out of reach for many people.

Urban and rural areas are vastly different in terms of media coverage. Virtually all media outlets are based in the greater Banjul area, and with the poor reception upcountry, residents

there receive very little media information. Cost also limits choices, as few Gambians can afford a daily newspaper. While seemingly low at just \$0.50, the price of a paper is half of the Gambian average daily wage of \$1.

Although the constitution does set standards for state-owned/public media to allow a plurality of viewpoints and dissenting opinion, the reality is far different. Demba Jawo quoted language from Section 208 that mandates balanced representation in state media, but said, "In practice, that hardly happens. The ruling party tightly controls both Radio Gambia and the state-owned Gambia Television Services, and allows no divergent views to air on these outlets. As a result, the opposition parties are almost completely barred from using such facilities."

Another panelist agreed, saying, "The public media serve as 'public relations officers' to the government. They mostly do not allow alternative views and comments, especially on issues that affect government. Ample time is given to programs and coverage about ordinary people, but in terms of politics, the government gets the larger share of airtime—though opponents are allotted some time." As another panelist put it: "The public media are a propaganda tool for the ruling party. They dedicate 90 percent of their broadcast time to the president."

As for the government's *Daily News*, panelists said that its news content is tailored to promote the ideals of the regime, even to the detriment of the public interest. Amie Sillah agreed that the public media disseminate propaganda, and added that "one view predominates—except at election time, when the Independent Electoral Commission gives a little airtime to other political parties. The employees of state-run media are the mouthpieces of the ruling party; they sing its praises and caricature the opposition. Ninety-nine percent of the time is dedicated to the president, at the expense of other development programs. This approach, however, drives many people to abandon the state media and turn to other national and international channels."

By law, the Independent Electoral Commission (IEC) must supervise party political broadcasts during election campaigns and ensure that stations give equal time to all political parties in the election. GRTS observes this law, but it does not prevent continuing pro-government broadcasts. Even public announcements or advertisements from opposition organizations are scrutinized heavily and often blocked.

No independent news agencies are operating in The Gambia, and as such, all media houses source their own news. The panelists commented that even if the country had news agencies, media companies could not afford to subscribe to them.

⁵ "2010 Human Rights Reports: The Gambia." U.S. Department of State: April 8, 2011. Internet Freedom <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154348.htm>

Most media houses are owned by the journalists themselves, and quite small and ill-equipped, as compared to the government-owned public media. Ownership of private media houses is generally transparent, but in some cases, owners can be difficult to determine. As an example, panelists pointed to the *Daily Observer*, whose ownership is not still quite obvious. No laws compel the disclosure of media ownership. Ownership information must be given at the time of registration, but publication of the information is not required. Citizens are entitled to conduct a search for the information at the office of the registrar general.

As most online news publications and blogs operate from outside the country, their owners have no reason to remain anonymous. As of yet, the Gambian media sector has no conglomerate ownership, and foreign investments in print and broadcast media are minimal. Some foreign entities do invest in Internet and cell phone services.

While private outlets (online publications and blogs included) are not censored directly, the media sector fails to reflect a broad spectrum of social interests. Furthermore, the country has neither special interest media nor minority-language media. The few existing community radio stations hardly reflect the spectrum of social interests.

Some panelists said that they see the media becoming increasingly inclusive. Outlets are giving greater attention to social issues, such as people living with disabilities, people living with HIV/AIDS, gender issues, minority groups, minority languages, etc. According to one panelist, "The state media do provide cultural and educational programming... they even have a special office and specific staff who are responsible."

However, some panelists expressed concern at the state media's lack of professionalism in their minority coverage. Journalists and managers compete to please and to seek favor and recognition from the president, and constantly engage in highlighting issues concerning a particular ethnic group.

OBJECTIVE 4: BUSINESS MANAGEMENT

The Gambia Objective Score: 1.37

For the most part, MSI panelists said, media enterprises in The Gambia cannot be considered serious, profit-making ventures. With most media house managers lacking management training, operations are inefficient at best. The private media try to operate as commercial ventures, but lacking a capital base and managerial skills, they are not profitable. They simply lack the resources to employ trained personnel.

Community media also face an uphill task in achieving financial sustainability, given the chronic shortage of resources. Often, community media receive only start-up financing, and once the seed money runs dry, they find it extremely difficult to survive.

As for the public media, other obstacles prevent them from becoming profit-generating businesses. "The state-owned media do have the manpower to run their outlets as professional, efficient, and profit-generating businesses, but I am not sure whether the political will to do so exists—or whether the emphasis should be on providing services rather than making a profit," Sarr explained.

The Gambia has a law that establishes the state-owned media as public enterprises that should operate as businesses and generate revenue, but the law does not preclude interference. Contrary to the law, panelists noted, the president exerts his influence at will to appoint and remove the director general of the state-owned media. Fully subsidized by public funds, the state media have no independent editorial policies, and are controlled tightly by the government. Furthermore, citing the bias for the ruling party, panelists concluded that state-owned media cannot be said to use public funds responsibly.

In addition, with its advertising, the state wields influence beyond the public media and into community media to an extent, as well as private media. As the private media are weak economically and financially, they are susceptible to being influenced to win advertising from the government.

Copy sales and advertisements constitute the primary external revenue sources for many media houses. Media outlets receive ads from multiple sources. However, private

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 state-owned media do have the manpower to run their outlets as professional, efficient, and profit-generating businesses, but I am not sure whether the political will to do so exists—or whether the emphasis should be on providing services rather than making a profit,” Sarr explained.

media outlets are financed mainly by their owners, and only supplemented by the meager advertising revenue and small amounts of financing from donors and foreign embassies. As a result, media managers are compelled to accept advertisements to bring in revenue—which also raises questions of undue influence by advertisers.

While the government is a significant source of advertising for the independent media, there have been instances in which the government withheld advertisements from the critical media. The media outlets that refrain from criticizing the government garner government advertising and much-needed revenue. State institutions are major clients of many prominent companies, and thus the government has the capacity to disallow business connections between its partner companies and entities with whom the government disagrees. The panelists confirmed that this happens occasionally with media advertising. In addition, sometimes major donors insist that advertisements be distributed fairly among major newspapers.

Advertising is not very well developed in The Gambia. At the same time, as copy sales shrink, media houses rely more and more on advertising to make up the deficit. Advertising agencies, which are all local, form a very tiny fraction of the market. Advertising is very much limited outside the capital and major towns. In general, media houses deal directly with the advertisers, and for the most part, advertisements are not produced professionally.

Recently, companies, NGOs, and the government have been placing more advertisements in print media, which has helped many media houses to offset deficits. However, the percentage of pages used for advertisements is 30 to 60 percent and up—higher than international standards. Comparatively, broadcast outlets air less advertising relative to international standards, although one panelist said that for private radio stations, sometimes advertisements consume more than 30 percent of their programming.

Aside from state-sponsored ads, the independent media do not receive any government subsidies. Some panelists stressed that they feel that the private media are better off without subsidies, but they would like to see tax breaks on sales on materials and equipment used for news production. The distribution is managed fairly by some government agencies, while others try to exclude the critical media and give more to pro-government media.

Market research is rare and typically not used to formulate strategic plans, enhance advertising revenue, or tailor products to the needs and interests of audiences.

Editors in the private media focus on issues that are of interest to the public. In the state-owned media, particularly television, editors tend to focus on issues that please the executive.

The Gambia still has no independent body that produces broadcast ratings, circulation figures, or Internet statistics. Occasionally, international organizations (UNESCO, for example) gather such statistics. However, media company staff do not have the requisite skills or experience to conduct audience surveys independently. Circulation figures for newspapers are still below 5,000. The country has only two dailies, *The Point* and the *Daily Observer*, so whether these papers can sell up to 35,000 copies a week is difficult to say. Panelists pointed out that on special occasions, some papers can sell up to 5,000 copies a day. The newspaper industry in The Gambia is particularly weak in the rural areas, where papers sometimes arrive 24 hours late, due to poor roads.

The Internet can still be considered a novelty in The Gambia. However, the emergence of new service providers (notably QCell, which now provides Internet services through subscribers' mobile phones) has made access much easier and the Internet more readily available.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

The Gambia Objective Score: 1.80

While the Gambian media sector has no trade organizations representing the interests of publishers and broadcast station owners, GPU represents such interests in certain instances. For example, the union might offer assistance to reverse the closure of a media house, or negotiate to facilitate improvements to the media's economic environment.

The Gambia has about 10 specialized media professional organizations, and they include Association of Health Journalists, Sports Journalists Association of The Gambia, National Human Rights Journalists' Association, Association

of Photojournalists, and Young Journalists Association of The Gambia (YJAG), which are also affiliated with GPU. An editors' forum is still in the making.

Through specialized training, these associations work to build the capacity of their members and give them a professional edge. In addition to training, GPU fights for the rights and interests of its members, and provides legal assistance. Membership in the GPU is open to all journalists and other media workers.

In an event marking its third anniversary in September 2010, YJAG highlighted some of the activities it carried out in the past year, such as a conference on climate change, courtesy calls to media chiefs, and a workshop on media laws. The specialized journalist associations are growing and their memberships are open to all journalists working in those fields. These associations are independent of government.

According to the panelists, the GPU is very supportive of its members, exemplified by its fight to secure the release of its members who were jailed in 2009. Yet, as a young association with no more than 300 members—and half of those inactive—the union lacks the financial resources and public support it needs. Currently, GPU is working to modernize and revise its constitution, improve its code of ethics, and establish a complaints body.

NGOs partner with media houses and media organizations, funding training and other programs. They also provide some muted support to media outlets and journalists. However, they do not engage in media advocacy work—they do not serve in a watchdog capacity nor provide legal support to journalists or media outlets. While many of these organizations cooperate with international free speech organizations to some degree, this does not translate into

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 addition, organizations such as IFJ, Media Foundation for West Africa, and the Media Defense Program of the Open Society Initiative have helped to pay legal fees for some court cases concerning journalists, and supported Gambian journalists by condemning press freedom violations.

active support. Due to the prevailing political climate in the country, NGOs tend to be quiet about their involvement with the independent media, lest they be accused of working against the government's interest.

Some panelists indicated strongly that the human rights NGOs in The Gambia have not lived up to expectations, especially Gambia Bar Association; Africa Centre for Democracy and Human Rights Studies; Institute for Human Rights and Development in Africa; and Foundation for Legal Aid, Research, and Empowerment, just to name a few.

On the other hand, panelists noted that Action Aid The Gambia, while failing to issue statements regarding freedom of the press, has been very supportive in funding GPU programs. In addition, organizations such as IFJ, Media Foundation for West Africa, and the Media Defense Program of the Open Society Initiative have helped to pay legal fees for some court cases concerning journalists, and supported Gambian journalists by condemning press freedom violations.

With assistance from the Danish-funded Gambia Media Support program, GPU has established a journalism training center with a two-year diploma program for Gambian journalists. The union hopes to transform the center into a permanent journalism school. The University of The Gambia still has no school of journalism—despite the fact that many students are interested in pursuing journalism degrees, and despite promises to open a school by January 2010.

The country has no agencies that provide opportunities for students to earn journalistic degrees abroad. Typically, students make their own private arrangements for foreign study. Most do not return after acquiring their degrees—and media outlets are too strapped financially to absorb those graduates.

NGOs and the press union organize short-term training opportunities often, allowing journalists to upgrade their abilities and acquire new skills. The classes cover health, environment, population, sports, and other disciplines. The

sessions last anywhere from one day to several months. State institutions, inter-governmental organizations, and diplomatic missions offer workshops as well. The most popular are weeklong programs on health issues. Media company managers support their staff members' participation in these programs.

In 2007 and 2008, an international organization offered intensive, diploma-level training on editorial management for media house editors. In 2009, UNDP sponsored free, certificate-level training on management, communication, gender and development, basic journalism, and information technology for personnel of three media outlets—one state-owned and two private.

Also, private educational institutions conduct fee-based, medium-term courses; however, they are beyond the means of many interested persons. One institution offers certificate- and diploma-level journalism courses, while another holds training sessions on mass communication, at the diploma level.

Sources of newsprint are held privately, apolitical, and unrestricted. But prices are high due to taxation and the need to generate profits, so procuring newsprint is infeasible for private media. Invariably, this supply has a political dimension, as one anonymous panelist said. On the other hand, the state media, most especially GRTS, enjoy a tax holiday on importation of their materials. There is a movement to bring print media houses together so they can import newsprint and sell among themselves at a lower price.

Media companies print their own papers, generally, and do not rely on separate printing houses. The major media

companies have their own printing presses, and the smaller companies turn to the major ones to print their newspapers. When press companies encounter technical problems, it often requires bringing in technicians from a neighboring country, and that can take a few days, during which time no newspapers can be printed. Printing by non-newspaper printing houses is very costly. A public enterprise prints the state-owned newspaper exclusively, showing no willingness to print for the private media. The government imposes no restrictions on printing.

Media houses distribute their own work as well, working with the vendors directly. Distributors collect their supplies from media houses for sale to readers, and are paid commissions on their sales. Distribution is obstructed in the sense that vendors are slow in paying for copies sold, and copies arrive late—or worse, not at all at certain destinations. There is no evidence of government interference in distribution. However, all newspaper outlets are based in the greater Banjul area, and with the poor transportation system, little is distributed outside of urban areas.

Channels of broadcast distribution are apolitical and unrestricted. The government has its own transmitters, and private radio stations own their transmitter facilities, as well. However, transmitters can be obtained only when a license has been issued, and the licensing process is politically biased.

Internet cafés are owned privately and accessible to anyone who wishes to use them.

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; Gender Action Team, Serrekunda

Samuel Sarr, editor, *Foroyaa* newspaper, Serrekunda

Sarata Jabbi, journalist and vice president, Gambia Press Union, Banjul

Demba Jawo, editor, African Press Agency, Dakar, Senegal

Fatou Fye, gender, youth, and human-rights activist, accountant, Francis Small Printers, Serrekunda

Moderator and Author

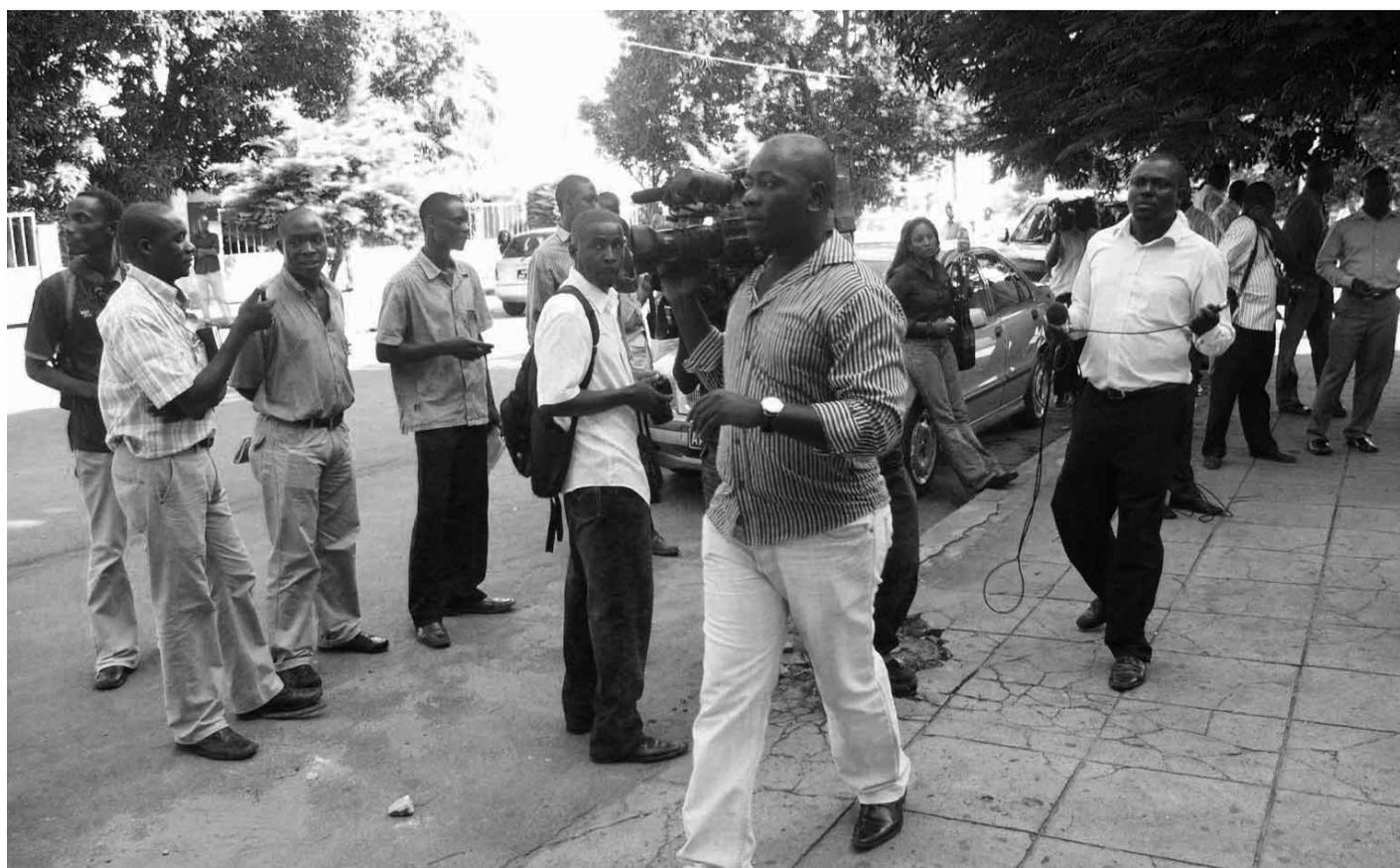
Amie Joof, executive director, Inter Africa Network for Women, Media, Gender, and Development; coordinator, Radio Alternative Voice for Gambians, Dakar, Senegal

Assistants

Momodou Lamin Jaiteh and Buya Jammeh, producers/reporters, Radio Alternative Voice for Gambians, Dakar, Senegal

The Gambia study was coordinated by, and conducted in partnership with the Inter Africa Network for Women, Media, Gender, and Development (FAMEDEV), Dakar, Senegal.

Notwithstanding the positive features of the legal environment, several incidents in 2010 highlight potential areas the legislation could strengthen. The Criminal Offenses Act of 1960 provides a path for the government and police to obstruct the press and charge journalists with “publishing false information.”



GHANA

The success of Ghana's return to multi-party democracy in 1993, widely credited with advancing the role of the media in advocating the democratic values of free speech and expression, human rights, social justice, and civic consciousness, reinforces the theory that the fate of a country's democratic development is closely tied to the state of the country's media. Alongside exponential growth in both print and broadcast media since 1993, Ghana's media win praise for their role in superintending five successful general elections, stimulating national discourse, and spotlighting issues of good governance and the rule of law in the country.

Before the 1992 constitution came into force, laws and edicts stemming from the country's illiberal colonial and military past substantially constrained the media. The remarkable expansion of media plurality, and vibrant freedom of expression in general since then, is largely attributed to constitutional provisions guaranteeing the freedom and independence of the media and insulating media practitioners and institutions against any form of interference, censorship, or control. The constitution also obligates the state media to "afford fair opportunities and facilities for the presentation of divergent views and dissenting opinions." Additionally, a rarity on the continent, Ghana has fully repealed criminal libel penalties—although the prospect of a potentially restrictive defamation law in its place still looms.

Notwithstanding the positive features of the legal environment, several incidents in 2010 highlight potential areas the legislation could strengthen. The Criminal Offenses Act of 1960 provides a path for the government and police to obstruct the press and charge journalists with "publishing false information." In July, police interrogated the news editor of Joy FM radio and slapped the station with criminal charges for refusing to reveal its sources on a story alleging corruption over a contracting deal—although the police backtracked after pressure from media advocacy groups. There is also a need for an access-to-information law; a draft is currently stalled in the executive chambers.

However, the least enthusiastic scores went to Objective 2 (professional standards), amid growing concern about flagrant breaches of journalistic ethics, and poor standards of production and content of media output. The panelists attribute these shortcomings largely to the failure to match the exponential growth of media outlets with competent training and human resources standards—along with the fact that there are no quality-control certification or accreditation preconditions for practicing journalism in Ghana.

Still, the collective opinion of panelists is that on the whole, Ghana is moving inexorably closer to sustainability on the MSI scale. Considering that for each of the five broad MSI objectives the panel felt that Ghana had begun to meet most aspects of the criteria for determining the strength and sustainability of the media, the collective verdict was a positive, progressive (even if not necessarily exuberant) outlook for the country's media system.

GHANA AT A GLANCE

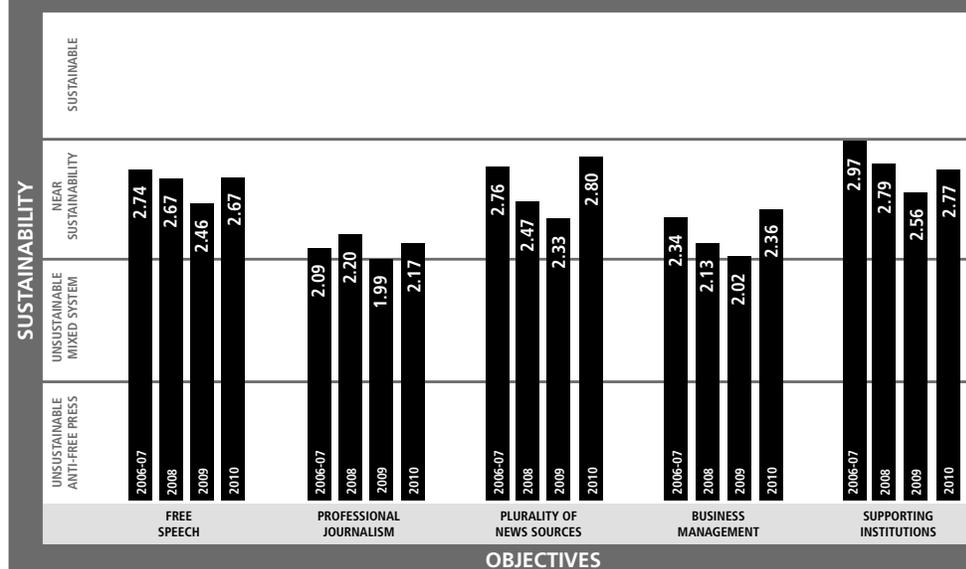
GENERAL

- > **Population:** 25,241,998 (July 2011 estimate, *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 (Brong) 4.6%, Dagombe 4.3%, Dangme 4.3%, Dagarte (Dagaba) 3.7%, Akyem 3.4%, Ga 3.4%, Akuapem 2.9%, other 36.1% (includes English (official)) (2000 census, *CIA World Factbook*)
- > **GNI (2010-Atlas):** \$30.08 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,600 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 57.9% (male 66.4%, female 49.8%) (2000 census, *CIA World Factbook*)
- > **President or top authority:** President John Evans Atta Mills (since January 7, 2009)

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 Stations: 190 licensed; 146 on air (National Communications Authority Annual Report, 2008); Television Stations: 47; 19 on air (National Communications Authority Annual Report, 2008)
- > **Newspaper circulation:** 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:** 1.297 million (2009 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

The combined effects of Ghana's constitution and media regulations have helped create a media landscape that is quite liberal, relatively pluralistic, and increasingly vociferous. Specifically, the rights of citizens to hold and express critical views, and the plurality and independence of media institutions and practitioners, are firmly secured by the constitution (in particular Articles 21 (1) (a), (b), (d), and (f), as well as the whole of Chapter 12) and functionally enabled by a number of legislative instruments (especially Act 449 of the NMC and Act 524 of the NCA). Notably, 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."

The panelists believe that these constitutional and legislative protections have engendered a general air of freedom among Ghanaians to hold and express divergent and dissenting views. As journalism lecturer Timothy Quashigah pointed out, "Since the promulgation of the 1992 constitution and as guaranteed in Article 162 (1), the freedom and independence of the media in Ghana have been protected." He argued further that, "with the Freedom of Information (FOI) bill in parliament for consideration, one can argue that Ghana meets most aspects of this indicator."

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.

"Any act seen as encumbering the media is condemned quite widely," Akpabli argued. According to him, "a case in point is the Joy FM news editor, Ato Kwamena Dadzie, who refused to name his source to the police after he was invited over a statement by the station that staff of GREDA had received death threats. The police had to backtrack."

Corroborating this optimistic mood, Godfred Yeboah Dame, a private legal practitioner and media-rights advocate, contended that the Ghanaian courts were becoming increasingly leery about indulging politicians and other individuals who in the past sought—and received—punitive sums against the media for libel against them. In his words, "the courts in Ghana seem to have departed from the obnoxious attitude of inflicting steep damages in the punishment of journalists who go astray and seem more inclined to embrace modern, liberal arguments" in favor of "public-interest" imperatives.

Notwithstanding positive strides in the legal environment, the panel also observed a number of negative developments that could limit the freedoms and rights exercised by the media. For instance, Bernardind Koku Avle, a broadcast journalist and radio program host, noted that "although the laws of Ghana guarantee and protect free speech, recent developments in the media, such as Nana Darkwah's arrest for comments about the fire in former President Rawlings' house, as well as other high-profile arrests and questioning of journalists for 'causing fear and panic' means that the full limits of press freedom are still being tested." In the early hours of February 14, 2010, the residence of former President J. J. Rawlings was gutted by fire. In a radio panel discussion later that day, Nana Dakwa Baafi, a social commentator with political sympathies toward the opposition New Patriotic Party (NPP), alleged that the former president had set fire to his own house to draw public attention and sympathy. He was swiftly arrested and detained on the charge of "publishing false news with the intention to cause fear and alarm." Dame affirmed Avle's fear, referring to sections of the Criminal Offenses Act (1960) that provide an "avenue for government forces and misguided police officers to restrain the exercise of press freedom and fetter communication." He expressed concern that the continued presence of these provisions in the statute books constitutes a clear and present threat to free expression—a fear that was validated by "the resort to

these laws earlier this year by key functionaries of the NDC [government] in response to comments by members of the opposition NPP.”

Panel members continue to feel, as they expressed in last year’s MSI, that the processes for obtaining licensing for broadcast media are not sufficiently fair, transparent, or apolitical. As a result, the panelists scored the relevant indicator the lowest in Objective 1. The panelists’ perception is that the granting of broadcast licenses is often shaded by political considerations, and even though this allegation is difficult to back empirically, Bayor pointed to the “partisan output” of some broadcast outlets as basis for the presumption of political considerations in the granting of broadcast licenses. As one of last year’s panelists noted, some community stations have had applications pending for over six years, during which time several individuals with obvious political connections received commercial broadcast licenses.

The tax regime for importing broadcast and telecommunications equipment has also been criticized as prohibitive and cumbersome, enabling commercial and political interests to gain hegemonic control of the media—and crowd out local broadcasters. Previous panelists have suggested the need for tax breaks to benefit rural community radio to lift up their potential.

Serious injury or death for journalists in Ghana is extremely rare, and again this year the panelists did not describe any serious attacks. Low-level harassment and limited physical violence is somewhat common, however, as noted in previous MSIs, and the lack of public outcry or sympathy when journalists are harassed makes their position more precarious.

Several panelists expressed concern about the underlying public antipathy and even creeping intolerance of media criticism, particularly among the elderly and persons in positions of authority and social influence. Picconius Ofoe Siameh, program officer of FAWE FM, a radio station affiliated with a gender-advocacy NGO, pointed to social and cultural norms that treat some members of society as sacred; these people feel affronted by any public comment that might be considered invidious toward them: “Ghanaians are brought up to carefully think through what they say to the elderly and persons in positions of social influence,” Siameh remarked. Bright Kwame Blewu, general secretary of the Ghana Journalists Association (GJA), and Justin Bayor, an official of the Ghana Network for Peace-building (GHANEP), both echoed this sentiment. As Blewu said, “Respect for elders as a customary requirement makes it possible for the youth to be intimidated.” Justin added: “In certain places, such as in front of the chief or someone older than you, women and children are not supposed to talk at all—unless they are called to do so.”

Freelance journalist Kofi Akpabli, however, observed an increasingly activist disposition in defense of the free expression rights of journalists and citizens. “Any act seen as encumbering the media is condemned quite widely,” Akpabli argued. According to him, “a case in point is the Joy FM news editor, Ato Kwamena Dadzie, who refused to name his source to the police after he was invited over a statement by the station that staff of GREDA had received death threats. The police had to backtrack.”

As for libel, in June 2001, the government (then led by the NPP) repealed the criminal libel provisions of the 1960 Criminal Code, a colonial legacy that had been used in the past to jail journalists. However, the panel expressed impatience that 10 years later, the optimism aroused by these early overtures has not been vindicated with repeal of the State Secrets Act of 1962. They argued that as long as those restrictions on the right of access to public information and documents continue, the media cannot fulfill their constitutionally imposed obligation to promote the responsibility and accountability of the government to the people of Ghana.

Related to this development is a palpable public disapproval of the lack of temperance or decorum in the language of some journalists and social commentators. On this score, even some journalists would not defend the foibles of their colleagues. As Emmanuel Dogbevi, CEO of the online business journal GhanaBusinessnews.com, noted, “As a journalist, I have the freedom to publish nothing but the truth. I have no right to defame somebody in the name of journalistic freedom or freedom of speech. If you are free to speak, does it mean you should call people names? Freedom of speech is no license to tell lies.”

The panelists lamented that the Right to Information Bill, jointly sponsored by the Commonwealth Human Rights Initiative (CHRI) and the MFWA since 2001, has apparently been deliberately stalled within the executive corridors. The effect of this is that, in the words of Akpabli, “accessing information from officialdom is rather difficult. Reporters thus have to use subterfuge, or publish the teasing half-truth, before politicians or government agencies become forthcoming with the facts.” Not surprisingly, the question of access to public information was the second-least-rated indicator (coming only ahead of the rating on broadcast licensing).

No prior registration requirements exist for access to the Internet, and neither the government nor the responsible agency (the NCA) blocks or otherwise proscribes access to Internet sites or features. Journalists and citizens also enjoy free and open access to international news and information. The only potential limitations are those imposed by

availability and affordability. As panelist Dogbevi revealed, “The high initial costs for hardware and for Internet services are restricting some people from accessing news and information on the Internet.” He was further concerned that “even though SAT3 and MainOne [providers of Internet bandwidth] cut their prices in half, resellers like Vodafone, MTN, Tigo, Zain, and so on have not cut prices.”

Furthermore, as in past MSI studies, some panelists consider entry into the profession too free, which they feel is dragging down respect for the profession. They would like to see more clearly defined entry points for membership in the profession and minimum qualifications to earn recognition as a professional journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Ghana Objective Score: 2.17

As in previous years, panelists noted that the burgeoning of the media industry since 2003 has not been matched in pace by competent skills training—and as a result many media outlets in Ghana operate with serious professional deficiencies. The panelists echoed growing public concern about the standards and quality of reporting and analyses in both the print and electronic media in the country. Concerns cited range from the lack of objectivity and balance, to poor grammar, to poor presentation, to vulgar headlines. Dogbevi lamented that even major media organizations do not exemplify professionalism. Thus, again this year, this objective received the lowest scores from the panelists.

Multiple news sources provide citizens with a variety of news—but not necessarily reliable or objective news. 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).

Bayor, in turn, commented on the dominance of politics in the media: “As someone interested in social and rural development, in my opinion there are far more issues and events of public interest than politics. [And yet] events that have no link whatsoever to politics are given a political twist in order to make them newsworthy.”

panelists have not seen significant qualitative improvements in format and content of programs and publications to match the numerical increases in print titles and broadcast outlets in the country. Again, the panelists attributed this, in part, to the lack of any objective standard of qualification for a claim to membership in the profession. But the debate about institutional legitimacy comes into even greater focus with respect to blogging; although as Dogbevi pointed out, “blogging is still very young in Ghana, and bloggers do not influence the society in any obvious way.”

In terms of ethics, the Ghana Journalists Association (GJA) developed a 17-point code of ethics for journalists ... but as last year’s panelists observed, compliance is lacking. Membership in the association is voluntary, and even for members, few violations draw more than a wrist-slap.

The relative press freedom and the express constitutional guarantees against censorship suggest that journalists and their editors ought to feel sufficiently enabled and emboldened to minimize self-censorship. In reality, however, this is not always the case. As Akpabli noted, “Owing to their allegiance to their owners and/or political interests, a number of media houses in Ghana allow these influences to be reflected in their reporting, and to dictate publication priorities.” The hand of proprietors and political or business influences is also all too visible in stories published by the media. Akpabli singled out the state media, however: “The *Daily Graphic*, especially, does not shy away from coming out strongly against the state if it has to,” he claimed.

Poor professional standards include, in particular, the open partisanship of the private media—leading journalists to see every issue from their own politically tainted lenses, and to disregard the most elementary professional ethical codes and basic news reporting tenets of objectivity, fairness, and balance. As Blewu pointed out, “There has been a culture of tit-for-tat between the two main parties (NDC and NPP), and media coverage is refracted from partisan lenses.” Bayor, in

turn, commented on the dominance of politics in the media: “As someone interested in social and rural development, in my opinion there are far more issues and events of public interest than politics. [And yet] events that have no link whatsoever to politics are given a political twist in order to make them newsworthy.”

Regarding pay levels for journalists, apart from a handful of iconic figures in the profession who draw large audience numbers, and consequently earn premium wages, “most media organizations pay paltry salaries and wages, leading to corruption among journalists,” Quashigah remarked. He added that “the tendency to accept gifts, or *solli* [local jargon for ‘solidarity,’ or payments made to reporters for favorable coverage of an event], is high among journalists in Ghana. To a large extent, it is these low-earning journalists who have been exploited by political power brokers and commercial interest groups. Thus, it would seem that the motivation to cover an event correlates with the weight of inducement encapsulated in a *solli*. Not surprisingly, the indicator pertaining to pay levels received the lowest average score when professional journalism was considered as a measure of media sustainability.

As for the balance of news and entertainment, entertainment programs dominate the electronic media. They tend to be more lucrative, luring audiences drawn to reality shows, sports, and soap operas rather than news.

Most newspapers operate with the very barest of equipment and resources; they might have a couple of computers and recorders, and no more. The equipment is certainly neither modern nor efficient. Last year’s panelists noted that with respect to the broadcast media, the state-owned GBC seems to suffer the greatest from resource shortages, eliciting comments that the equipment belongs in a museum.

There is also a lack of quality niche reporting, with most journalists engaging in nuts-and-bolts reporting based on press releases and news conferences—what Blewu characterizes as “he-said, she-said journalism.” There are few business reporters. This low level of niche reporting, according to the panel, is partially attributable to the low professional capacity of practitioners; partially attributable to the low institutional capacity of newspapers in supporting specialized desks or beats; and partially attributable to the dominance of politics in Ghanaian media. On an optimistic note, Dame observed an emerging trend of many journalists seeking second degrees in areas such as business administration or the law. He expressed hope that some of those journalists would carve a niche through quality reporting of legal or business or other specialist stories, “instead of abandoning journalism for the legal cloak.”

OBJECTIVE 3: PLURALITY OF NEWS

Ghana Objective Score: 2.80

The latest official data from the National Media Commission (NMC) show that about 500 print media titles are registered—a dramatic change from the mere dozen or so newspapers available prior to Ghana’s return to multi-party democracy in 1993. On the broadcast side, according to the latest report of the National Communications Authority (NCA) in 2008, 47 TV and 190 FM radio stations are now authorized. In addition, there are as many as 114 Internet service providers (ISPs) and five cellular service operators catering to more than one-half of the total national population.

While radio is Ghana’s most popular and accessible media, Internet access continues to climb. Ghana’s growing online community of bloggers also share and exchange news and views on the Internet, via Twitter and Facebook. SMS news alerts are not yet widely used. For the most part, it is only mobile-phone networks that occasionally send information and promotions about new products and services to their subscribers and patrons. Political candidates also used SMS alerts in the last elections, in 2008.

There is also a significant presence of international broadcast media organizations, including BBC, VOA, and Al Jazeera, mostly by subscription, but for the most part only the affluent can afford to subscribe. Ghanaians can easily find a number of mainstream international newsmagazines (including *The Economist*, *Newsweek*, and *Mirror*) in supermarkets and gas 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.

With hundreds of options in the press and on the air, Ghana's citizens have many choices. Satisfied with the availability and diversity of news sources in Ghana, the panelists concluded that collectively, the media present a multiplicity of perspectives from a plurality of news sources. They attributed this plurality largely to Ghana's return to constitutional democratic governance. However, panelists cautioned that any optimism about plurality of news sources must be qualified, however, as quantity does not necessarily always amount to a diversity of opinions. For example, the media do not adequately present the views of minorities; as Bayor pointed out, "minority and marginalized issues do not constitute news to most media houses."

Access to domestic and international media also differs from region to region. The panel noted that there is an agglomeration of commercial media institutions in the nation's capital and a couple of the more prosperous regions, while the most deprived segments of the country and population have far fewer options. Television reception in certain parts of the country is very poor and, in some cases, restricted to only the state-run GTV. The limited television coverage excludes a large segment of the citizenry from being well informed and participating fully in the decisions affecting national governance.

Coverage of international news is slim; most private newspapers and radio stations do not post correspondents in all the regions of the country—much less internationally. As noted in last year's MSI, too many news outlets pull international stories from BBC and other open-access Internet portals.

Considering whether the state media reflect the views of the political spectrum and serve the public interest, again this year some panelists agreed they do not—despite elaborate constitutional provisions that seek to insulate the media from political and other sectarian control and to oblige the state media, in particular, to cover a diverse array of perspectives. In particular, Avle noted that opposition political parties have difficulty gaining access to the state-owned media. Dame corroborated this view, citing the recent experience of the leader of the NPP, Nana Akufo-Addo, in the Volta Region as bearing loud testimony to this concern. The opposition leader's camp alleged that he has been denied access to state media outlets—allegations the Ministry of Information denied.

Broadcast media generally produce their own programs. There are, in fact, more than 20 independent production companies, which mainly produce sponsored television infomercials, documentaries, and live shows. Notable examples include Charterhouse Productions, Channel 2 Productions, Sparrow Productions, Eagle Productions, Village

Dame corroborated this view, citing the recent experience of the leader of the NPP, Nana Akufo-Addo, in the Volta Region as bearing loud testimony to this concern. The opposition leader's camp alleged that he has been denied access to state media outlets—allegations the Ministry of Information denied.

Communication, Premier Productions, Point Blank Media Concept, Deltrack, and Bullseye.

There is only one official indigenous wire service, the Ghana News Agency (GNA). Established in 1957, GNA has long suffered from financial struggles but manages to survive. A number of international news-gathering services, such as Reuters and AP, are available by subscription to broadcast and print outlets in the country.

Media ownership records are public, accessible both at the Registrar General's department, where all business registrations are published, and at the two regulatory institutions in the country, the NMC and the NCA. Panelists noted again this year that given the constitution's stipulation against impediments to establish private media outlets, media owners have little reason to disguise their stakeholder interests in the media. Although the trend of owning multiple holdings in the FM radio sector continues to grow, the panelists do not think this situation yet warrants concern about the negative consequences of conglomerations. They generally see the development as a reflection of the needs of the market.

Regarding minority- and local-language content, local and community radio stations offer broadcasts in the principal language(s) of their area, providing substantial opportunities for audience input and participation in radio programming. In the print media sector, however, there is still only one local language newspaper, the Graphic Nsempra, with limited circulation within Kumasi (the capital city of the Ashanti region of Ghana). There is no legislation or policy on the use of minority languages.

The MSI panel concluded that some media owners are motivated by other interests, such as political objectives, and are not concerned about prospering as a business so long as “they are able to make enough money to stay afloat,” as Dogbevi quipped.

OBJECTIVE 4: BUSINESS MANAGEMENT

Ghana Objective Score: 2.36

In terms of business management, a few broadcast stations—and even fewer newspapers—could be said to be relatively well-resourced. In contrast, most Ghanaian media outlets continue to be financially and structurally weak, and legally and politically vulnerable. Most private press houses are one-person establishments, in which the proprietor is often also a pseudo-politician masquerading as a journalist. The duties of the other staff, if there are any, are not well defined. The proprietor is often the editor-in-chief, sub-editor, and business and financial manager. Even those newspapers that have a semblance of an organizational structure cannot be considered well managed.

The MSI panel concluded that some media owners are motivated by other interests, such as political objectives, and are not concerned about prospering as a business so long as “they are able to make enough money to stay afloat,” as Dogbevi quipped. Poor management also means 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.

most media organizations have high employee turnover, the panelists observed. Furthermore, as Dogbevi indicated, “there are some media organizations that do not even pay staff any salary, because they are unable to generate income to cover costs.”

Keeping pace with technological developments in the industry is generally cumbersome and prohibitive, cutting into profits. As Avle noted, broadcasting equipment must pass a litany of stringent standards tests: “It is not the same as importing rice or laptops. It is given a special treatment because the NCA runs like a para-security outfit.”

The high cost of production, mainly as a result of the multiple taxation of printing inputs, huge operating costs, and dwindling sales and advertisement revenues distress print media outlets in Ghana. A number of newspapers actually operate as seasonal political propaganda tracts; they either make irregular appearances on the newsstands or even go into hibernation—only to resurrect during the next political campaign period. Not surprisingly, the collective verdict of panel members on the business prospects of the private print media, in particular, was extremely dire; again this year, the outlook was much more promising for the broadcast stations.

The independent media in Ghana do not benefit from any state or parliamentary appropriation or fund set up for the purpose of subsidizing the industry. The majority of broadcast stations thus rely almost exclusively on advertising revenue. But, as Avle pointed out, the “proliferation of media also means that traditional advertising sources are severely competitive.” As noted in last year’s report, only a few broadcasters (and to a limited extent, the state-owned *Daily Graphic*) have explored alternative revenue sources, such as sponsorship, promotions, special events, and sales of kits, to improve their profit margins.

Many Ghanaian advertising outlets—large and small—have sprung up, but last year’s panelists noted they lack creativity and sophistication. Even more problematic, many media organizations also own or control ad agencies, raising concerns about conflicts of interest.

In general, broadcast stations attract more advertising and sponsorship revenue than the print media. The bigger, urban-based stations, in turn, are typically more professionally managed and attract more advertising and sponsorship revenue than the smaller, remotely located, stations. Private newspapers with known or perceived political inclinations toward government attract more state advertising and sponsorship revenue, and other forms of financial backstopping, than critical and pro-opposition private newspapers. On the other hand, as the panel noted,

political benefactors and sympathizers also sustain the pro-opposition press.

The panelists identified the absence of legislation or policy to guide government advertising as a major weakness in the regulation of media in Ghana. The panel noted that political patronage, more than considerations of management efficiency or professional quality, influences the prospects for attracting government ads. Thus, Dame concluded, "Advertising can be used as a tool for soft censorship of the media." He advocated "some form of regulation to ... govern the allocation of the state budget for advertisements." Furthermore, the panel averred that, given the retributive nature of politics in Ghana, some nongovernment advertisers could be wary of advertising in some newspapers for fear of being branded.

Ratings data are not readily available or reliable. Bayor was categorical: "There is nothing like broadcast ratings in Ghana. I have never heard of it." To attract advertisers, some media organizations occasionally commission and publish impressive circulation figures and audience profiles, but, of course, the credibility of their figures is compromised by their vested interests in such studies. Last year's panelists estimated that for some newspapers, unsold copies probably constitute over 50 percent of total print runs—which might not exceed 5,000 copies per edition in most cases.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Ghana Objective Score: 2.77

Again in 2010, this objective drew a strong score from the panelists, largely inspired by strong supporting institutions, such as the Ghana Journalists Association (GJA). The GJA is the umbrella professional association for media practitioners in the country. It tries to organize journalists around common goals, promote higher professional standards, and, according to the panelists, vocally and forcefully speak out against attacks on press freedom.

But, in addition to the GJA, there are a number of other associations and organizations of media and communication practitioners that strive to promote the interests of their members. They include the Ghana Independent Broadcasters Association (GIBA), the Ghana Community Radio Network (GCRN), the Institute of Public Relations (IPR), the Advertisers Association of Ghana (AAG), the Film Makers Guild, the Association of Women in the Media (ASWIM), Women in Broadcasting (WIB), the Internet Society of Ghana (ISOG), West Africa Journalists Association (WAJA), Sports Writers Association of Ghana (SWAG), Sports Broadcasters

Dame encapsulated this sentiment in the following suggestion: "The NMC should have the powers of other professional regulatory bodies, like the Medical and Dental Council and the Ghana Bar Association, in order to impose sanctions with sufficient deterrent value...beyond merely issuing recommendations for retractions and apologies."

Association, Environmental Club of Journalists, Economic and Financial News Reporters Association, the Association of Past Broadcasters, the Communication Workers Union, and the Ghana Association of Writers.

WIB, for example, draws members from both public and private media and works to improve coverage of women's issues, reverse negative stereotypes, and encourage more participation by women in the media by offering specialized training for women.

There are also a number of media and advocacy NGOs that have played a crucial role in advancing media freedom, promoting professional development of journalists and furthering institutional growth. Notable among them are the Media Foundation for West Africa (MFWA), the Commonwealth Human Rights Initiative (CHRI), and the Friedrich Ebert Foundation (FES). As noted in previous MSI studies, the MFWA and the FES provide financial and technical assistance that emphasize support for journalists' associations and rural media. Other supportive work by NGOs

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.

focuses on promoting professional and ethical standards and publishing statements on media-rights violations.

Along with the NMC, which serves as umpire and ombudsman, these NGOs and advocacy groups together ensure the freedom and independence of the media, albeit tenuously. Much more is expected of the NMC, however. Dame encapsulated this sentiment in the following suggestion: "The NMC should have the powers of other professional regulatory bodies, like the Medical and Dental Council and the Ghana Bar Association, in order to impose sanctions with sufficient deterrent value...beyond merely issuing recommendations for retractions and apologies."

There are at least a dozen media/communications and journalism institutions training Ghana's journalists. These include the graduate School of Communication Studies (SCS) at the University of Ghana, the Ghana Institute of Journalism (GIJ), the African Institute of Journalism and Mass Communication (AIJC), National Film and Television Institute, Manifold Academy, Jayee Professional Institute, Ghana Telecom University College, and GBC Training School. As noted in last year's report, access to these training institutions is relatively open; the admissions requirements are comparable to other secondary or tertiary institutions in the country. Although concerns linger about the quality of some

of these institutions, the panelists believe that the majority deserve credit for their efforts to improve journalism training in Ghana.

Along with these degree programs, a number of professional groups and institutions organize short courses in journalism to hone the skills of both practicing journalists and young graduates just starting out in the profession.

Panelists reported again that the availability and provision of newsprint and printing and distribution facilities are absolutely free from political interferences or restrictions and are driven by the market. This partially explains why the urban commercial centers are inundated with media production and distribution facilities; however, few entities choose to locate within, or address the media needs of, more rural areas. Newspapers often take more than 24 hours to reach some parts of the country. There are no independent national distribution services in the country, and with the possible exception of the state-owned press and a handful of private newspapers, the majority of them hardly reach beyond the regional administrative capitals. The MSI panel again called for state support—through subsidies, tax rebates, or logistical assistance—to private investors who might be interested in addressing the boosting of the media infrastructure in rural communities.

List of Panel Participants

Bernardind Avle, program host, Citi FM, Accra

Godfred Dame Dame, legal expert and media rights advocate, Akuffo Addo Prempeh & Co, Accra

Kweku Temeng Asomaning Forson, senior journalist, TV3 Network, Accra

Isaiah Kojo Oppong, program host, Radio Peace, Winneba

Picconius Offoe Siameh, program officer, FAWE FM, Nsawam

Emmanuel Dogbevi, CEO, Ghanabusinessnews.com, Accra

Bright Blewu, general secretary, Ghana Journalists Association, Accra

Kofi Akpabli, freelance journalist, Accra

Justin Baylor, program officer, Ghana Network for Peace-building, Tamale

Timothy Quashigah, lecturer, Ghana Institute of Journalism, Accra

Moderator and Author

Gilbert Tietaah, lecturer, graduate School of Communications Studies, University of Ghana, Legon

Observer

Beatrice Amoah, program officer, Research & Publications, Media Foundation West Africa, Accra

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

While the government's handling of the violence raised concerns about human rights in Guinea, there were some improvements in the freedom of the press.



GUINEA

After the turbulence that characterized the end of 2009, in early 2010 Guinea appeared to steer toward a more progressive path and a return to constitutional order. Accords reached in Ouagadougou, Burkina Faso, on January 15, 2010, designated General Sekouba Konaté as the transitional president. Among other things, the accords particularly stressed respect for public freedoms, including the freedom of the press and of opinion.

Following the accords, a Government of National Unity was formed under the direction of Jean Marie Doré, a political leader from the *forces vives* opposition forces forum; a National Transitional Council, which drew up a new constitution, was also formed. Noting the progress in implementing the accords, the international community pledged assistance for defense reforms and to ensure security in the electoral process. It also committed to helping Guinea's efforts to kick-start the economy and carry out institutional reforms (demilitarization of the territorial administration and reform of the justice sector) toward consolidating democracy and national reconciliation.

The first round of the presidential elections on June 27 left two candidates: Cellou Dalein Diallo of the Union of Democratic Forces of Guinea (UFDG) and Alpha Condé of the Rally of the Guinean People (RPG). International observers noted a few irregularities, such as a number of unsigned certificates and stuffed ballot boxes, but deemed the elections relatively fair. Before the second round, however, sharp verbal exchanges broke out between the competing political parties and escalated into ethnic clashes. The fighting left two dead and many wounded, in addition to material damage in the capital and some prefectures in the Upper and Forest Guinea regions, and threatened to compromise the return to constitutional life in Guinea. Eventually, a second round of elections took place, and Condé emerged as the nation's new president.

While the government's handling of the violence raised concerns about human rights in Guinea, there were some improvements in the freedom of the press. Overall, this year's MSI study observed noticeable improvement in the sustainability of the Guinean media. Objective 5 (supporting institutions) and Objective 3 (plurality of news) drew the highest scores, solidly in the near sustainability range. The panelists noted that media personnel, in their treatment of the sensitive transition period, observed a code of conduct that helped boost professionalism. Even better, they benefited from hands-on training from NGOs involved in defending democracy and human rights. Objective 1 (free speech) brought the next-highest scores, as the National Transitional Council thoroughly and substantially revised and improved two laws on the media, covering broadcast and online media, and decriminalized press offenses. Simultaneously, the transitional government displayed greater respect for the media, reducing prosecutions and intimidation against journalists. Giving their lowest scores to Objective 2 (professional journalism), MSI panelists cited inadequate professionalism, production gaffes, dilapidated equipment (particularly in the public media and some private newspapers) and low salaries that demoralize the press.

GUINEA AT A GLANCE

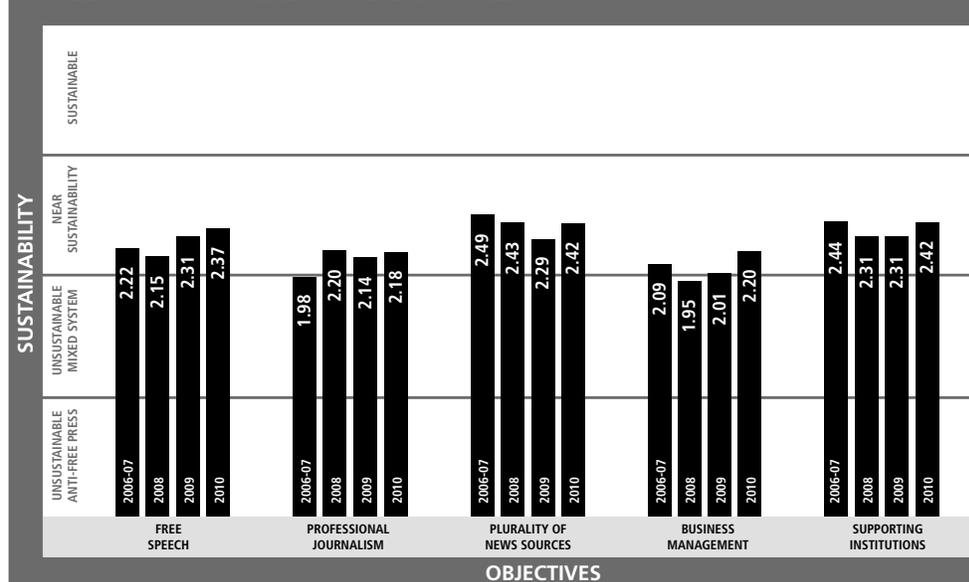
GENERAL

- > **Population:** 10,601,009 (July 2011 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:** French (official); each ethnic group has its own language (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$3,972 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$980 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 29.5% (male 42.6%, female 18.1 %) (2004 est., *CIA World Factbook*)
- > **President or top authority:** General Alpha Conde, President (since December 21, 2010)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 240 titles (including 15 private weeklies which appear more or less regularly and have circulations of between 1,000 and 10,000); Radio Stations: 36, including 6 public channels, 16 community radio stations and 13 private radio stations; Television Stations: 1 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); Radio Nostalgie (commercial)
- > **News agencies:** Guinean Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 95,000 (2009 est., *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: 2.37

All but one of the indicators scored within a half-point of the objective score. Access to public information remains poor, as reflected in much lower scores for indicator 7.

Guinea's new constitution includes a large section on the freedom of speech. The National Transitional Council substantially improved and passed revisions on two new laws on the freedom of speech. Law L2010/002/CNT, passed in June 2010, expressly decriminalizes press offenses in Guinea. While its predecessor covered only the print media, the new law also applies to the public and private radio and television media and the online press. With Law L2010/003/CNT, on the High Authority for the Media, also passed on June 22, 2010, the National Transitional Council permitted the High Authority for the Media to authorize the creation and operation of radio and television media, whereas its predecessor, the National Media Council, shared that power with the ministry responsible for information and the Ministry of Telecommunications. Furthermore, the chair of the institution is no longer selected by the president of Guinea, but rather by a jury of between nine and 11 of the chair's peers. Of these, five members are drawn from press associations.

Afiwa Mata, a Soleil FM radio professional, commented that since the private radio stations have come on the air,

people feel freer and those radio stations have a lot to do with sustaining that freedom, even though there have not been as many press violations. In general, the current authorities—apart from a few people in power in the middle ranks—do not obstruct the implementation of the new law on press freedom. Nevertheless, some panelists questioned how far media professionals had taken the new laws to heart. Alpha Abdoulaye Diallo, of the Guinean Independent Press Association, wondered whether people in the profession are actually capable of taking advantage of the progress made with the new laws.

The Ministry of Communication and Information Technologies, the National Media Council, and the National Territorial Surveillance Directorate are among the state structures that control the granting of operating licenses for electronic media in Guinea. The Telecommunications Regulation Agency of the Ministry of Posts and Telecommunications and Information Technologies handles the licensing of radio and television stations. Some panelists noted that the state showed flexibility in granting licenses to independent media, and to private radio stations in particular.

However, Mamady Yaya Cissé, professor at the Kountia Higher Institute of Information and Communication, said that no firm logic is followed in granting licenses: whether an applicant is granted a license for a private radio station depends on the cut of his jib. For example, if a major economic operator is behind an application, he would not be held back, and the station would be approved and registered, but if an applicant did not have the necessary clout, he or she could be kept hanging on for perhaps three years.

Chaikou Balde, of the Guinean Human Rights Organization, said that although there is a set of specifications, a procedure, and a course of action to follow, there is no transparency. Abdoulaye Diallo, however, shared his view that to a certain extent, the applicants themselves contribute to the cloudiness of the process. To that, however, Yaya Cissé retorted that if applicants were to complain, that would be the last they would see of their application.

Registration is not required for websites. Ismail Kabiné Camara of tamtangine.com, Conakry, said that there are many more news and opinion sites operating more or less well, and there is a great deal of freedom in that regard.

Decree D/2005/037/PRG/SGG, which set forth the conditions for setting up and operating private radio and television stations in Guinea, authorizes anyone, with the exception of faith-based organizations and political parties, to set up a radio or television station in Guinea. Mohamed Camara, an independent jurist, emphasized that judging by 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.

However, Mamady Yaya Cissé, professor at the Kountia Higher Institute of Information and Communication, said that no firm logic is followed in granting licenses: whether an applicant is granted a license for a private radio station depends on the cut of his jib.

proliferation of titles and the creation of other press organs, licenses are indeed being granted to the free and competitive press in general. But, they are not necessarily benefiting from the same market-entry conditions and tax structure as other industries, because their financial capacity is so limited.

Mata said that radio stations are under no restrictions in terms of tax liability and pointed out that there is not even a VAT (value-added tax) on newspapers. Also, in relation to radio stations in particular, Yaya Cissé noted that their preferential treatment is subject to certain considerations on the part of the authorities: radio stations have to pay GNF 10 million (\$1,500) for a license and GNF 25 million (\$3,750) for a frequency, because the political authorities believe that radio has more influence on people than newspapers; very few newspapers are read up country. Kabiné Camara, however, disagreed: although financial demands are indeed made on radio stations, it is to prevent just anybody and everybody from setting one up.

Foreign radio and television channels that want to set up in Guinea sign establishment agreements with the Ministry of Communication. The amount of the annual license fee is linked to the cost of a frequency allocation applicable to radio stations.

Crimes against journalists do not happen often, but some recent incidents reveal the perils of the profession. For example, the Minister for Security publicly roughed up a journalist during the course of his duties. Other forms of violence also exist, however, including arbitrary arrest or intimidation. Mata noted that she herself had been a victim of such acts. Many journalists suffer from intimidating phone calls at 1 am or 2 am. Mohamed Camara, however, expressed the view that journalists in Guinea are very rarely subjected to threats, with few exceptions: some state clerical-level types, fearing that mud from some sordid scandal might stick to them, occasionally make veiled threats without committing actual crimes.

In Guinea, the government supports the public media, and the appointment of public-media directors has always been

based on political connections rather than professional criteria. Yaya Cissé said that only strong supporters of the state and its president, or those with high-level connections, are appointed to high-level Guinean Radio and Television (RTG) posts.

Balde believes that there has been a great deal of progress over the year in terms of the independence of the state media. Since the transitional government launched, there is now free access for all shades of political opinion on national radio and television, in particular. Mamadou Ciré Savané, of the *Horoya*, a state-controlled daily, said that there had been tangible progress in the public newspaper; all political leaders have access to *Horoya*, and sometimes it almost feels like a private newspaper. The newspaper, however, cannot compete with radio and television in terms of resources.

According to Mohamed Camara, the public media do not receive preferential treatment, at least in terms of any material advantages, although they enjoy better access to official news. But, they are not independent in practice. Mata agreed that the state media rarely veer from their distinct editorial line. However, people do not necessarily trust the private media, either, she said.

Previously, libel was a crime under Law 91/05/CTRN of December 23, 1991, on the freedom of the press. In general, if a newspaper or a radio station defamed a physical or legal person, the case would be brought to the attention of the National Media Council and examined by its professional ethics division. Depending on the seriousness of the case, the National Media Council, after checking the facts, would hand down sanctions against the guilty media. Sanctions range from suspension of the newspaper or program in question for a specific period, or fines, or both. Very serious cases were submitted directly to the court for action. The new law transformed defamation from a criminal offense into a civil offense, commuting prison sentences into fines. Furthermore, under the new law, the burden of proof lies with the complainant.

Defendants (complainants) are granted the right of reply. In that respect, the provisions of articles 21 and 22 of Law 91/05/CTRN are clear: "Any named physical or legal person accused through the press or radio or television has the right of reply. Corrections addressed by the depositaries of the authority to the director or co-director of a news organ must be carried for free and at the top of very next issue or broadcast in the very next edition or in the edition chosen by the public authority." Savané commented further that most cases are tainted by a kind of unspoken corruption in that complainants come to the court first, tend to have wealth and power, and easily take advantage of the trial process.

Over the past year, there were only two cases under the old 1991 Law 91/05/CTRN. Abdoulaye Diallo, speaking as a member of the Guinean Independent Press Association, said that the Association had recorded appearances before the court by colleagues from the online press for cases dating from 2009. However, panelists noted, news published on websites is not subject to control; the fact that most websites are hosted outside the country complicates any efforts to control content.

Nothing in the law excludes the media from access to information; however, in practice, journalists must contend with officials who withhold information. Mohamed Camara noted that in general, the administration releases only information that is not particularly critical; anything else is kept dark by the administration—or, in some cases, by companies. According to the panelists, the administration seems to have difficulty defining what constitutes public information, frequently citing the need for confidentiality. Ismail Camara said that problems of access to information are wholesale in Guinea. Even credible journalists with well-filled address books might not get information, especially anything related to security. Officials are always looking over their shoulders, fearing they will be blamed if the information comes out in the press. Middle-ranking officials in the administration tell journalists that the minister must agree before they will give journalists information.

Oumou Hawa Sylla of Radio Kaloum Stéréo public radio said that in some cases, the private press has more access to information than the public press. In other cases, access to information depends on a reporter's talent and tact. Abdoulaye Diallo said that journalists simply must conduct themselves professionally and know how to handle sensitive information. At any rate, the panelists agreed that public information of general interest is a right, and it ought to be within the media's reach.

In general, access to international information posed no problems for the local media. International sources spill information relatively freely, thanks to IT and telecoms, although the expense is a challenge for some. Access to international information is indeed sometimes limited by financial constraints, the panelists agreed. Yaya Cissé said that the only source of news for the Guinean media is the Internet, because the country's media lack the financial means to subscribe to either domestic or international press agencies.

Savané said that even so, there are partnerships between some foreign media and the local media. For the online press, the local media receive many more favors. Through agreements with foreign stations such as VOA (Voice of America), the BBC, and Radio Netherlands, local stations air

some of their news and flagship programs. Some stations, such as Radio France Internationale, provide local stations with audio clips for all the events covered by RFI, a program it hopes to expand. Savané also noted that his newspaper, the nationwide *Horoya*, is signing a partnership agreement with VOA.

In Guinea, the government imposes no restrictions on entry into the journalism profession; anyone can become a journalist—leading to questions of competence. Yaya Cissé, speaking as a member of the teaching staff of a higher institute of education in journalism, qualified that anyone could be a journalist with the complicity of those in charge of the media. He said that a visit to RTG at that very moment would reveal young people learning to read and write in the editorial offices. In some media, there are no formal criteria to guide the recruitment of young interns. Sylla agreed that the problem is serious; his station, Radio Kaloum Stéréo, receives young people out of training institutions and is essentially obliged to turn its editorial offices into training studios.

To address the problem, media outlets are more frequently requiring diplomas from their young recruits. Training institutions are teaming up with some media outlets to put a system in place to ensure employment on the basis of the diploma. Currently, there are no collective agreements in the journalism profession.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Guinea Objective Score: 2.18

Overall, the panelists were not enthusiastic about Objective 2, reflected in an overall score lower than all other objectives. However, all the indicators save one scored within a half-point of the objective score, and all scored above 2.00. The only exception was indicator 5 (pay levels for journalists), which lagged behind by about two-thirds of a point.

The panelists did mark some progress, such as a noticeable improvement in fairness in the handling of news in the past year. Abdoulaye Diallo commented that in political coverage, both parties should be given the floor, and that is happening now in Guinea. Journalists are making an effort to provide balanced reports and are trying to broaden the variety of sources. More experts are consulted in programs produced by Guinean radio stations and in some local newspaper articles. Mohamed Camara, however, was a little more equivocal on the subject: journalists are most often motivated to provide fair reportage, but they still shy away from conflict. For example, even when both parties are given

the floor, they are usually interviewed one at a time. Some panelists also believe reports need to be better documented with on-the-record sources, and most media do not conduct the proper preparatory groundwork to produce a proper article, report, or even comment. Sylla agreed that there is not enough preparatory work; journalists feel they do not have the time to do a proper job. The panelists noted that these shortcomings reflect badly on the basic standards for respecting the letter and the spirit of professional ethics and conduct.

Yaya Cissé said that Guinean journalists, badly paid and poorly equipped, are exposed to all forms of corruption. Many Guinean journalists in the field expect little gifts in kind or cash; journalists also commonly request assistance to cover transportation expenses. Furthermore, according to Ismail Camara, the elections brought out more unprofessional approaches. Many partisan reporters did not handle information in a fair and objective manner, depending on whether it suited the party they supported.

Guinean media are subject to universally recognized ethical and professional standards. The Guinean Journalists' Association also set out a document on professional ethics and conduct for the journalism profession, but the contents are not well known and consequently not complied with by the country's media professionals.

Guinean journalists had also adopted a code of conduct for election periods—detailing commitments to maintaining peace and social stability, urging neutrality in the treatment of information, non-affiliation to political groupings, and promotion of civil rights—to contribute to a peaceful transition and a return to normal constitutional life. The

provisions of the code called on the other actors—the authorities and political parties—to establish favorable conditions for media professionals to carry out their professional work during the election period.

There are bodies tasked with monitoring ethical compliance, but they do not always perform this work. Mata said that during periods such as the recent election period, political positioning often trumps the standards of impartiality and objectivity, especially in the print and online press.

Still, Balde noted that despite these instances of backsliding, there had been some progress: there had been laudable efforts by the private radio stations in respect to public programming (i.e., interactive programming); the journalist would immediately bang the table and warn listeners when statements could be taken as incitements to hatred, and cut off inappropriate callers.

The government considers some news topics threats to state sovereignty, and as a result the media handled them with a much greater degree of restraint. Self-censorship is common across the media in Guinea and follows both business and political pressure, but the phenomenon is much more apparent in the state media. Mohamed Camara said that some journalists and editors-in-chief practice self-censorship in order to hang on to their privileges and keep their jobs; thus, they replace objective and neutral pieces with panegyric puff pieces. Yaya Cissé pointed out that public-media journalists tend to practice self-censorship to keep their jobs or secure promotions or other social advantages, while private-media journalists are more concerned about their own safety—particularly in private radio, because most of the journalists working there had been threatened.

For various reasons, the media do not cover all key events and issues. Noting the unfortunate lack of investigative journalism, Abdoulaye Diallo said that journalists are sometimes forbidden from carrying out investigations likely to upset someone powerful, either politically or economically. For example, hardly any private media outlets openly criticized the massacres of September 28, 2009, in Conakry—which occurred a few months after Captain Moussa Dadis Camara, who was later blamed in the massacre affair, distributed a large sum of money to journalists. Only Internet media dared to show pictures of the massacres, for the simple reason that Guinean backers living outside the country control Guinean Internet sites. Mata said that whereas the Guinean media do tackle some current issues, everyone was well aware that at the time of the Camara incident the media were banned from covering subjects related to threats of aggression and rebellion on the borders. Panelists also noted that the public-service media did not cover all events; rather,

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 were selective in their coverage. Such selectivity was less apparent in the private media.

Journalists working in private radio stations earned on average between GNF 200,000 and GNF 800,000 (\$30–120) per month. In the newspapers, the minimum was GNF 300,000 (\$45), and the maximum was GNF 1,000,000 (\$150), depending on seniority. In general, Guinean journalists could not live on their salaries, and for that reason, panelists feel they are vulnerable to corruption. Sylla, speaking as a public-radio journalist, said that in the public-media newsroom feel they must do pieces to order just so they could eat. They are generally not paid at the end of the month and have no contracts. Mata agreed that reporters and journalists in some media houses did not expect to see any payment at the end of the month and wondered how anyone could expect someone who was not earning anything not to sell articles. Exacerbated by the poor professional level of many journalists, in the recent past fieldwork by media professionals has been paid for nearly entirely by clients or event organizers, who offer reporters transport, food, lodging, and per diems that their employers cannot provide.

Generally speaking, in most Guinean media, entertainment programming eclipsed news. Mohamed Camara pointed to the limited access to sources of information and economic gloom as key reasons behind the trend. The phenomenon is more noticeable in the public media, as Balde explained; information programs grew scarce because of the lack of material resources and qualified journalists. That meant a preponderance of long hours of variety at the expense of news slots. On national radio, 99 percent of programs are reruns, because the producers lack the means for news-gathering. Mata, speaking as a radio journalist, said that everything depends on the editorial line. Espace FM, for example, devotes more programming time to entertainment, although there are indeed time slots for news and information. On the other hand, Familia FM airs a lot more programming. In general, radio audiences are much more attracted to interactive programs where they can take part and express their opinions.

Most facilities and other news-gathering, production, and broadcasting equipment are fairly modern, though lacking in quantity and cutting-edge, latest-generation quality. Advances in technology accelerated the switch from analog to digital. Yet the state of equipment differs somewhat between the public and the private media. Mata said that the equipment is rather high-performance at the private radio stations, even though there is still room for improvement, especially regarding transmitters. At any rate, equipment at private stations is much more modern than at the national

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radio stations, which still face the problem of switching from analog to digital.

Community radio stations differ depending on the support from their partners. Some enjoy support from NGOs, such as Search for Common Ground, INFORMORAC, and the Canada Fund for Local Initiatives, and are relatively well equipped. Others suffer from outdated and dilapidated equipment. Chérif Diallo, head of the Bissikrima community radio station in Dabola, Upper Guinea, said there are other radio stations that, after 10 years in operation, found themselves in a disastrous situation, with their equipment having already outlived its useful life. He cited the Labé, Kankan, Faranah, and Boké radio stations and pointed out that the fundamental problem facing community radio stations is actually the electricity supply.

Equipment is also a problem, if less acutely, among the newspapers. Abdoulaye Diallo said that outlets that are financially sound have modern equipment, coupled with decent facilities. On the production side, therefore, from news-gathering through reportage, the foundations are there. In the publicly owned newspapers, the equipment problem is more acute. Savané confirmed that *Horoya* lacks even a decent printing press. And once the newspaper is in print, it can take three days to get it out into the market. Nor do the reporters have digital equipment.

As a priority, panelists said, aid should be directed toward training in information and communication technology, as only a minority of the new generation of journalists knows how to use computers. For the newspapers, the most important thing is to obtain modern presses and reporting equipment. In the state broadcast media stations, studio production equipment for both radio and television, and Internet connections, is a priority need. Another investment that would be advantageous would be assistance in

diversifying sources of power, particularly for the private and community radio stations.

In general, there is not much innovation among the Guinean media in terms of original quality programming. Yaya Cissé said that Guinean journalists are generally infected with professional inertia in the area of niche reporting. In the various newsrooms, very little investigative journalism is initiated, for budgetary reasons. Journalists who attempt investigative stories are often blocked, facing suspicion that they are somehow profiting personally. Mohamed Camara said that investigations that are followed up from beginning to end are rare. Also, as Mata observed, intensive specialization is also a rarity; journalists are generalists for the most part, particularly in radio, although there are thematic programs and reporting in the fields of economy, education, environment, and sustainable development.

While panelists agreed that both training and professional ethics explain shortcomings in investigative reporting and specialized reporting, Balde expressed his view that a lack of professionalism is the most important stumbling block. Journalists put their own interests ahead of their job.

OBJECTIVE 3: PLURALITY OF NEWS

Guinea Objective Score: 2.42

Objective 3 achieved several promising developments. First, a variety of media became more accessible; second, people of every stripe had opportunities to participate in interactive broadcasts produced by both the public media and private radio stations; and third, the state media are increasingly respecting the principle of neutrality and providing more balanced treatment of news. All indicators scored above 2.00, and one, indicator 2 (citizen access to media) scored slightly more than half a point higher than the objective score.

Panelists agreed that there is a plurality of national and international news sources, both private and public, although they were not all regular or equally easy to access. In the past year, the Ministry of Communication, with some leverage from Aboubacar Sylla, launched major efforts to provide coverage by national radio and television throughout the country, despite a number of transmitter breakdowns. About 20 rural radio stations based in the country's regional capitals served as a significant source of information for people in the interior of the country. And, there are over 20 private radio stations, mainly covering Conakry, the towns around it, and the islands.

The Internet made a major breakthrough in penetration rates, although deterioration in Guineans' purchasing power

and the electricity shortage are bringing down access rates substantially. Mata said that the Internet is being used more and more thanks to the telephone companies, which are marketing mobile Internet dongles. However, they are not widely affordable. The state did not restrict access to the Internet, and even less so access to the international media. But in truth, only a minority of privileged people could afford the luxury of relying on the Internet for news.

Printed newspapers, though, are distributed only in Kaloum Commune, the administrative complex of the capital, Conakry. It is possible to listen to foreign radio programs. Networking services such as Facebook are still little known among the public.

Access to the local media is very easy, as it is fairly easy to own a radio set to listen to the news. A large part of the population listens to the national news through broadcasts by RTG and the community radio stations. The community radio stations, based around the prefectures, help train focus on local activities.

Nevertheless, Mohamed Camara believes that access has certain limits; he reminded the panelists that the overwhelming majority of Guineans live below the poverty level, so the level of access to both national and international media remains low because of the cost.

Most of the panelists shared the view that access to newspapers is limited by Guineans' low purchasing power, and Balde added that distribution is limited. In the interior, there is a large community without access to newspapers. Mata added that the international newspapers, such as

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 French *Le Canard Enchaîné*, are out of reach for many because of the cost.

Yet panelists said the government placed no restrictions on people's access to the media, including the international media. As for international news, the government signed agreements with foreign media to set up transmitters in the provinces—in Labé, Kankan, and N'Zérékoré for RFI and Labé for the BBC. That arrangement makes it easy to listen to foreign news in those areas. Nevertheless, some panelists observed that from time to time there are blackouts on some stations whenever news about Guinea airs.

More and more, state-owned media are beginning to play the role of public-service media. However, the government in power sometimes dictates the editorial line, preventing them from tackling certain sensitive subjects. It was noted that efforts were being made by national radio and television to produce programs about issues of national interest, including popular education and the promotion of cultural diversity. Mata said, however, that government activities still dominate coverage. Also, while it is true that there are cultural and education programs on the state media, there is no doubt that the state media work for the government in power.

Panelists noted that during the transitional period, the state media allowed a multitude of viewpoints about questions of national interest through public debates. Mohamed Camara expressed caution about that analysis, however; he said that the public media did not reflect public opinion as a constant feature of their programming, apart from the odd man-in-the-street interview.

For some panelists, media freedom is relative. Abdoulaye Diallo noted that some radio stations had been established by business people who are now political leaders. Some had kept their independence, while others had fallen in behind a political leader.

There is just one national press agency, the Guinean Press Agency. It is very poor in terms of logistical resources, and its reporters are severely limited in their mobility and effectiveness. Thus, the Guinean press uses international agencies instead, such as AFP and Reuters. The foreign independent press agencies have correspondents in Guinea who gather news for them. Despite certain financial and human-resource difficulties being faced by some of the broadcast press, some media outlets do produce very attractive news and other types of programs—but they are not broadcast on a particularly regular basis. The broadcast media introduced a great deal of innovation into the media environment through their original productions. Also, panelists noted, the programs produced by the private broadcast press are very different from those produced by the state media. Still, private

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radio stations have their own editorial lines and produce news programming (politics, society, citizenship, debates, environment, and democracy) accordingly. Mata said that the radio stations were the first to hold debates, which brought together civil society, politicians, and even administration officials. They were also the first to open their microphones to citizens on issues of national importance, and they produce their own programs, often taking into account of the needs of their listeners.

In general, the private radio stations broadcast news from their local correspondents, news from government sources, and news from stories and audio clips from foreign stations or agencies. The community broadcast press basically turned to the needs of its audience to decide what programs to produce. It produces programs based on local realities, focusing on combating poverty, promoting good governance, and managing local conflicts.

Some panelists said that there are no media conglomerates in Guinea, because in the printed press there are only a few groups and only embryonic companies that own private radio stations or other media. There is no real media oligarchy. Mohamed Camara, however, said that even if the strong presence of conglomerates did not show up clearly at first glance, they are nonetheless there—there is just no transparency in media ownership in Guinea. For a long time, there had been vagueness about the ownership of certain private radio stations. Yaya Cissé said that the confusion had its origins in the system of specifications and rules, which prohibited political parties and religious denominations from establishing radio stations in Guinea. As a result, political and religious figures hide behind others to establish and manage private radio stations in Guinea. Furthermore, the media do not make enough information public to enable people to assess their degree of transparency of ownership. Listeners, viewers, and readers did not have at their disposal the basic information or any other indicators to go on other than the content of the programs and the angle of attack.

The media, particularly the public media and a major part of the private media, provide programs, with good presenters, in national languages—not necessarily minority languages—particularly in the provinces or interior, using neighborhood media that broadcast rich and varied programs on a loop.

Minority issues do not have a high profile in the media. There are, for example, community radio stations that operate in the country's principal cities. Those radio stations made efforts to take into consideration the concerns of all ethnic groups, including those that could be called minority groups. For example, on Macenta local rural radio in southeastern Guinea, there is a Pulaar speaker to broadcast news items (bulletins, baptisms, marriages) from the Fulbe community.

Some subjects such as sexuality, female genital mutilation, and religion are tackled in the media, even though journalists tend to be very cautious on those topics, given the social climate.

OBJECTIVE 4: BUSINESS MANAGEMENT

Guinea Objective Score: 2.20

The absence of management standards in media outlets, the low level of advertising revenue, and the lack of any market research, which would allow the sustainability of media outlets to be assessed, dragged down the scores in this objective. Indicator 5 (government subsidies to private media) scored about two-thirds of a point higher than the objective score, while indicator 7 (audience ratings) scored lowest, lagging by two-thirds of a point. The rest of the indicators scored within half a point.

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.

Press enterprises are not necessarily profitable investments because they have a social and educational purpose as well, to inform the public. But in business terms, Guinea's press is at the embryonic stage; the number of press enterprises that meet international standards could be counted on the fingers of one hand. There is a lack of professional management of resources, both human and financial. Management and accounting practices are not up to scratch. Abdoulaye Diallo said that it is very unusual for media outlets to present a financial report. Furthermore, press businesses are often family businesses; for example, an unqualified younger sibling might manage the money and negotiate partnerships. However, along with poor management practices, Mohamed Camara feels that other factors limit the profitability of media outlets as well, including the high cost of living, low purchasing power, and the deleterious social and political context. The tax system also takes a bite out of sales revenue.

The public media are 100 percent financed by the government, a fact that is reflected in their editorial line. Mohamed Camara said that the media receive an annual subsidy, derived from allocation criterion set forth in the national budget; the key to its distribution follows criteria administered under the auspices of the National Media Council, the regulatory body. However, the subsidy is a double-edged sword in that it assisted the media, in however small a degree, while at the same time discreetly muzzling some media outlets.

The private media also receive an annual subsidy from the state, but it is nonetheless insufficient. The bulk of the funding for the private press comes from advertising, sales of printed copies, and sponsorship, followed by subscriptions, leasing of commercial space, and subsidies. Private newspapers and radio stations are typically funded by their owners. Some press groups have their own presses, deriving income for the newspapers by providing other services that are much more lucrative than newspapers.

For the private radio stations, sources of funding are diverse. Mata informed the panel that some private radio stations, such as Familia, are funded by NGOs. The community radio stations pull income from two sources: what they manage to raise themselves and funds obtained by the Local Development Committee from appeals, campaigns, and partners.

There is an advertising market in Guinea, but it is poorly structured, failing to take media audience needs into account to target advertisements. There is no overall advertising regulatory agency. In Guinea, only a local office, the Guinean Advertising Office, governs advertising, and it covers only public-display ads. Press enterprises do not benefit from advertising as they might in a properly structured environment. Yet Abdoulaye Diallo commented on the importance of

advertising to the media, noting that increasing editorial independence accompanies the rise of advertising revenue. If advertising receipts were properly handled, they could bring in real money, but in most cases, the amount of advertising is insufficient to ensure that the newspaper could continue to survive and pay its staff. In terms of balancing ads and news, newspaper rulebooks specify that there must be no more than 50 percent advertising in a 12-page newspaper, while at private radio stations advertising must not exceed 10 percent of programming.

As mentioned above, a state subsidy for private media is institutionalized. However, most of the panelists agreed that the subsidy does not affect editorial content, because the government does not ask for anything in return. The subsidy aims to improve the living conditions of media professionals and help pay the rent or buy equipment, but the government does not monitor how the subsidy is used. According to the panelists, the government never represented a source of advertising for media outlets.

Market research is rarely used to formulate strategic plans. The notion of marketing is rarely encountered, in part because of the costs involved. As a result, the needs of the public are not sufficiently taken into account. No broadcast ratings or circulation studies are carried out in Guinea. The media, radio in particular, rely on interactive and public programming to determine the size of their audiences. Some studies in that regard had been undertaken, but they were not always available to all the media.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Guinea Objective Score: 2.42

All of the indicators scored relatively well, and all were within half a point of the objective score. Indicator 4 came in last, because of the poor quality of some of the journalism colleges in Guinea.

In official terms, there are no trade associations, but there are associations that work to protect the economic interests of their members, such as associations of printers and Internet distributors. These associations represent the interests of media owners and directors, but they do not provide enough services for all their members, especially those less powerful.

There are several professional associations representing the media that are independent of the government. These include the Association of Professional African Women in the Media (APAC), the Guinean Journalists' Association (AJG), the Guinean Independent Press Association (AGEPI), the Guinean Union of Free Radio and Television Stations (URTELGUI), the

However, along with poor management practices, Mohamed Camara feels that other factors limit the profitability of media outlets as well, including the high cost of living, low purchasing power, and the deleterious social and political context.

Guinean Association of Online Media (AGUIPEL), and the Guinean Network of Rural Radio Stations and Magazines (4RGUI). The Guinean Association of Women Journalists (AFJ) works to build the capacity of women in the media and to promote gender issues in program production. Additionally, journalists formed a new association in the past year: the Guinean Association of Free Media (AMELGUI). It brings together Guinean free radio stations, print newspapers, online news sites, and backers of future private television stations.

These professional associations protect their members' interests, lobby, and seek funding for educational seminars. They work to bring order to the journalism profession and fight for press freedom. Mohamed Camara said that despite their internal leadership disputes, the professional associations display a remarkable degree of solidarity in protecting journalists, whether or not the journalists are their members. Their protection extends to all, including freelancers, who abide by principles of sound journalism. Mata underlined some limits to the associations; they do not often provide journalists with legal assistance. Nor have they

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.

Mata said that the interns that her radio station, Soleil FM, take on often come from the Kountia Higher Institute of Information and Communication (ISIC) and are often not up to the job. Some final-year students could not perform even the simplest journalistic tasks.

succeeded in helping journalists secure labor contracts with their employers.

The associations depend on members' dues for their existence, and the number of members of the associations increases every year. Yet there are serious operational problems in the associations, and as a result there was no funding to organize events and activities last year.

URTELGUI, by far, is the association with the strongest involvement, particularly in implementing the code of conduct for the media during the transitional period. It played a key role in steering coordination between the radio stations during the voting operations in the first round of the 2010 presidential elections.

NGOs and other civil-society actors encourage the protection of journalists by lobbying the authorities and undertaking other advocacy and training initiatives. The panelists feel that this is because NGOs understand that the media, particularly the private media, are essential vectors and appropriate and effective channels to help them carry out work to raise public awareness.

There are human-rights organizations in Guinea with the mission of protecting the freedom of the press and standing up for the freedom of opinion, such as the Guinean Human Rights Organization (OGDH) and the African Meeting for the Defense of Human Rights (RADHO). These organizations are quick to react at the slightest violation of press rights. Additionally, a group of journalists recently launched a media alliance for the defense of democracy and human rights in Guinea.

The quality of journalism degree programs is generally deplorable. They display an acute failure to link theory to practical training, in particular. Mohamed Camara said that there only a few workshops and other training seminars that try to remedy the situation, and they are very short and lacking in substance. They are generally sponsored by other bodies and rarely provided in house.

Journalism colleges are simply not well enough equipped to deliver a good product—reflecting the general situation, of course, of education in Guinea. Mata said that the interns

that her radio station, Soleil FM, take on often come from the Kountia Higher Institute of Information and Communication (ISIC) and are often not up to the job. Some final-year students could not perform even the simplest journalistic tasks. Others countered that ISIC at Kountia does have the proper facilities, such as a studio, editing control rooms, and sets, to provide journalists with appropriate training, and the press organizations that hire ISIC graduates are generally satisfied with them. The chances of obtaining grants to study abroad are slim.

Abdoulaye Diallo expressed the view that language training is part of the problem: people do not have proper command of language, journalism's most important tool. Yaya Cissé, speaking as a staff member of ISIC, said that there has been a proliferation of a large crop of private universities that set up poor-quality degree courses, despite lacking the expertise. They offer neither training studios nor press labs. The editorial offices that take on interns from such programs consequently face enormous difficulties.

Journalists in the media are very often given short-term training lasting one or two weeks on subject areas such as reporting basics, interviews, interactive programs, round tables, leading editorial conferences, and so on—and such training was very often free for journalists, often funded by international organizations. Panelists recalled just one occasion on which the National Media Council held training sessions for journalists to upgrade their skills: on writing for radio. Balde said that in his view, the training generally provided is neither appropriate nor realistic. Training is dropped on people without context as if from a great height and takes no account of the real training needs.

Some panelists contrasted the success of on-the-job training. Mata said that Soleil FM had had mini training courses of two to three weeks, which helped improve the working environment by improving editorial conferences. Sylla agreed: at Radio Kaloum Stéréo, they had tried to help young people by identifying their weaknesses through reading or writing the news three times a week. They were put into groups and gained hands-on practice. The approach was deemed a success. Balde concluded that training must be programmed à la carte, not one size fits all, and the training should be given in media houses, avoiding exclusive reliance on seminars and workshops.

In general, many media in the private sector are apolitical or subject to only subtle political influences. Other media, although they are few, belong to politicians and find it difficult to be completely neutral, damaging their credibility. Sources of newsprint and broadcasting distribution channels officially belong to apolitical organizations. However, Savané noted that sometimes printers receive orders from the authorities to not publish one paper or another. In general,

printing houses are commercial enterprises and consequently give preferential treatment to newspapers with large circulations, for their own benefit. Abdoulaye Diallo said that there are limitations in relation to print shops, including the expense. Furthermore, while the infrastructure is there, the quality is lacking.

Media distribution networks, apart from the transmitters for the state public channels, are in private hands. But Mata added that often certain distribution channels are funded in large part by a political figure, for example, and that often taints the news. Guinea has no press distribution organizations guaranteed to be apolitical, unlike some other countries in the subregion. Abdoulaye Diallo said that there are two main distributors, which everyone uses, including the opinion media. They distribute to all the street vendors, and there are many associations and even institutions that subscribe to those distributors.

There are no conglomerates that control access to the Internet. In Guinea, there are three ISPs: the Guinean Telecommunications Company SOTELGUI, Afribone Guinea, and Mouna. All one needs is a good connection or access to an Internet café.

Through the Telecommunications Regulation Agency, the government allocates frequencies to private and community radio stations, but it does not control those stations' transmitters. Private and foreign radio stations, such as RFI and the BBC, have to pay annual fees to use the transmitters.

List of Panel Participants

Oumou Hawa Sylla, editor in chief Radio Kaloum Stéréo, Conakry

Cherif Diallo, station chief, Bissikrima Radio, Dabola

Ismail Kabine Camara, journalist, tamtanguinee.com, Conakry

Chaikou Balde, journalist, Guinean Human Rights Organization, Conakry

Mohamed Camara, independent jurist, Conakry

Mamady Yaya Cissé, professor, Kountia Higher Institute of Information and Communication, Conakry

Mamadou Ciré Savané, journalist, *Horoya*, Conakry

Alpha Abdoulaye Diallo, journalist, Guinean Independent Press Association, Conakry

Makalé Soumah, journalist, RTG Television, Conakry

Ousmane Dia, journalist, community radio, Dinguiraye

Afiwa Mata, broadcaster, Soleil FM, Conakry

Ibrahima Cissé, broadcaster, RTG Radio, Conakry

Sory Nyabali, broadcaster, Koundara Radio, Koundara

Moderator and Author

Marcel Sow, independent consultant, Conakry

Last year's MSI panel described arrests, harassment, and intimidation of journalists, but those incidents declined in 2010, and panelists agreed that the media environment improved notably overall.



KENYA

Kenya's constitution guarantees the freedom of expression, yet there is no specific provision within the national constitution guaranteeing freedom of the press. A positive development is that a new draft constitution, if endorsed, includes press freedom. However, other restrictive laws prohibit freedom of speech and of the press. The state security forces use these on many occasions to muzzle opposition voices. For example, the controversial Communications Amendment Bill of 2008, which journalists and media owners highly contested, remains in force, with no changes in the offending provisions. The government enacted the Communications Amendment Bill into law over strong objections by journalists and media owners. The Bill gave the Minister of Internal Security excessive power to raid media houses and to seize equipment in "emergency" situations.

Last year's MSI panel described arrests, harassment, and intimidation of journalists, but those incidents declined in 2010, and panelists agreed that the media environment improved notably overall. Still, while no journalists died this year, the panelists surmised that journalists are adopting less aggressive reporting tactics, succumbing to self-censorship after years of intimidation. On a positive note, however, the judiciary is regaining independence and control, separating from KANU, the ruling party. Of late, the judiciary is moving in the right direction, and certain judgments have fallen in favor of the media houses. In 2010 alone, the panel members counted four cases in favor of the media houses.

Improvements in media plurality are evident as well. The media are attracting new investors, who have helped launch many new print and electronic media houses. Online media and news blogs continue to grow, and media training institutions are mushrooming as well, all as a result of the improved press freedom climate. At the same time, panelists expressed concern that these developments have compromised overall media quality due to a lack of a central control and legal framework for training institutions. Panelists also said that with improvements in media freedom, the specter of abuse grows, especially by practitioners entering the profession from other sectors (e.g., disc jockeys and comedians employed as radio producers and presenters by some FM stations) who lack professional training in journalism.

Despite such lingering concerns, the prevailing media improvements have helped unify media professionals. The journalists' associations and their developing partners are busy providing training and equipment, such as cameras and small recorders, in preparation for the forthcoming elections in 2012.

KENYA AT A GLANCE

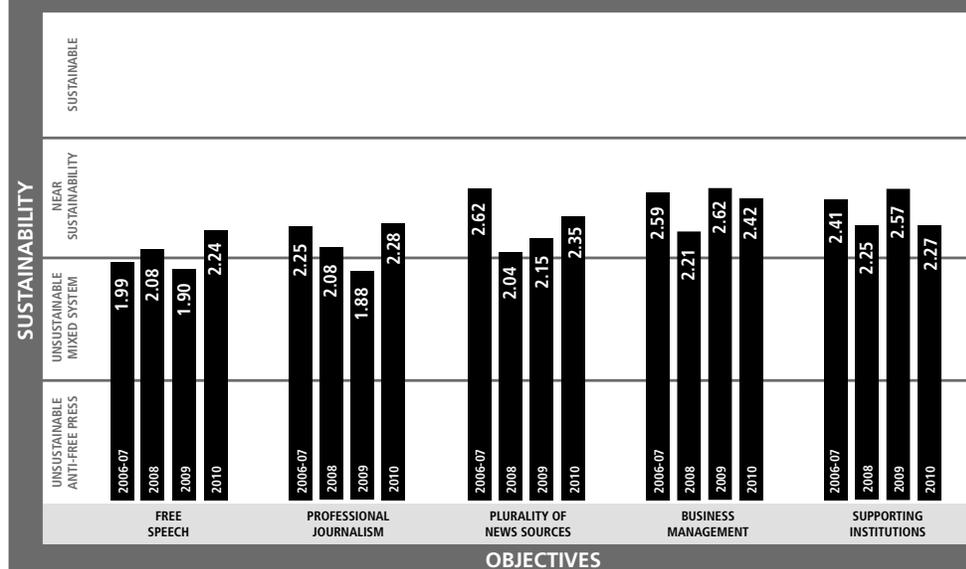
GENERAL

- > **Population:** 41,070,934 (July 2011 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 (Asian, European, and Arab) 1% (*CIA World Factbook*)
- > **Religions (% of population):** Kikuyu 22%, Luhya 14%, Luo 13%, Kalenjin 12%, Kamba 11%, Kisii 6%, Meru 6%, other African 15%, non-African (Asian, European, and Arab) 1% (*CIA World Factbook*)
- > **Languages:** English (official), Kiswahili (official), numerous indigenous languages (*CIA World Factbook*)
- > **GNI (2010-Atlas):** 31.8 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,610 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 85.1% (male 90.6%, female 71.7%) (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: 6 daily newspapers, 5 weekly newspapers, 2 weekly magazines;
Radio Stations: over 100; Television Stations: 17
- > **Newspaper circulation statistics:** Top three by circulation: *Sunday Nation* (private, circulation 250,000) *Daily Nation* (private, circulation 150,000), and *Standard* (private, circulation 70,000)
- > **Broadcast ratings:** Top three radio stations: Classic Radio (private), Kiss (private) and Citizen Radio (private)
- > **News agencies:** Kenya News Agency (state-owned)
- > **Annual advertising revenue in media sector:** KES 12 billion (2010)
- > **Internet usage:** 3.99 million (2009 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: 2.24

As noted above, Kenya's constitution is relatively strong in terms of freedom of speech and press freedom. With recent amendments drafted, Kenyans are likely to enjoy news freedoms as well. And yet, other laws on the books that contradict the new constitution pose a stubborn challenge. The panelists underscored cause for hope, though, noting that the parliament is set to address these laws, and if it follows through, the situation will improve.

Among the many laws that need amendment or outright repeal, according to the panelists, are the Communications Act 2008, the Kenya Film Censorship Board Act, an act on defamation, the State Security Act, the penal code act, the official secrets act, and laws on libel.

Furthermore, holes in the legislation also delay progress in the media sector. "In absence of the Freedom of Information Act, however good any new constitution is, it may not reach the objective of guaranteeing the freedoms aspired to," commented Ibrahim Oruko, a panelist and a leader of the Kenya Union of Journalists (KUJ). The panelists reported that the judiciary, which was once seen as an arm of government, is regaining its independence, based on a number of judgments the media and other civil-society organizations deem as fair. "We have seen the judiciary condemning violations of people's rights, which is a positive development. We pray for continued improvement," added another panelist.

Difficulties surrounding broadcast licensing persist, however. Two bodies, the Ministry of Information and the Communications Commission of Kenya (CCK), are charged with overseeing the process—but they coordinate poorly. The Ministry of Information issues licenses, and the CCK allocates the frequency. In some cases, the Ministry of Information issues a license, but the CCK denies frequencies, while bestowing multiple frequencies on other applicants.

The panelists concluded that, much as the law on licensing is very clear on fairness, such principles are not upheld in practice, especially when politicians are prioritized over other applicants. The independence of the licensing body is in question, especially because the minister for information—a political appointee of the president—appoints its members. In conclusion, the panelists outlined the need for a unified policy; they feel that a single institution should handle licensing. Stakeholders are pushing for this in an amended bill prepared by government.

Taxation policies remained the same as in 2009, with all media houses paying the same fees to acquire licenses, despite their relative size. However, high taxes on the importation of broadcasting equipment and newsprint are prohibitive to those investing in electronic media. Similarly, panelists said the requirement that publishers pay a bond of KES one million (close to \$10,000) to launch a newspaper is unfair, as no other businesses are asked the same. Also, the Kenyan media do not benefit from tax holidays, unlike other sectors.

The slowdown on attacks on journalists this year—compared with 2009, when torture, arrests, intimidation, and media house invasions by security organs were common—is a positive development. However, panelists could not ignore the probability that this is partly due to their impression that the media are cowed, pursuing investigative leads or critical coverage far less aggressively than in previous years.

Furthermore, previous crimes against journalists, though some of them were reported to the authorities, were not followed up, either because they involved big government personalities or because of a lack of state interest in the cases. For example, the suspects arrested in connection with the 2009 death of Francis Nyaruri, a *Citizen Weekly* reporter who was murdered and beheaded, were still remanded in a government prison with little hope of trial or conviction. Nyaruri's family lawyer and the arresting officer fled into exile for fear of their lives after anonymous threats by phone. Some cases have caused public outcry, attracting the attention

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.

As it stands now, panelists complained that private media have little access to public information, but for state media it is somehow simple.

of a few civil-society organizations, but most citizens are not concerned with violations of journalists' rights.

Public media are fully funded by government, and top management in the Kenya Broadcasting Corporation (KCB) and Kenya News Agency (KNA) are appointed by the minister and, therefore, fully controlled by the state. Though laws governing the media are the same across the board, access to public information favors government media. There are also private media friendly to the state, especially media owned by ministers and politicians linked to those in power.

Libel remains both a civil and criminal offense, depending on the inclination of the "aggrieved party." The burden of proof is entirely on the media, reported the panelists. However, KUJ is lobbying for an amendment to make libel a civil offense only.

Access to public information by the independent media remains a serious problem. The government refuses to pass a freedom of information bill drafted three years ago, despite the media's lobbying efforts, led by KUJ. Civil-society organizations have been very supportive of the media in this cause. And yet, the panelists are pessimistic that the bill will ever pass. As it stands now, panelists complained that private media have little access to public information, but for state media it is somehow simple. However, government media are fully controlled by the state and gain easy access to any information that the leaders deem "useful," which amounts mainly to nothing more than propaganda. Panelists cited the example of appointments of new ambassadors: journalists tried in vain to get information about the changes, but officials pointed to the official secrets act.

There are no restrictions on international news and news sources; the only prohibitive factor is cost. On a positive note, the panel reported that Internet costs have gone down, attracting more people to access greater information, including foreign news sources. Additionally, Internet facilities have spread to small urban centers outside the main cities, further increasing access. The media can reproduce or reprint whatever they like of foreign media without trouble.

Entry into the profession is fairly free, with required qualifications such as a certificate of a degree. The government does not control journalism training institutions.

Although the 2007 media act requires every practicing journalist to obtain a license, the Media Council of Kenya and the Department of Information mandated to police it have not enforced this regulation. Local journalists are required to pay KES 2,000 (\$20) for a license, and foreign media KES 4,000 (\$40) for annual accreditation by the Ministry for Information.

Journalists continue to enjoy the freedom of association, evidenced by the several national and regional professional associations and a number of niche associations.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kenya Objective Score: 2.28

Avoiding subjectivity in reporting has proven a Herculean task for reporters and editors, and while a variety of sources help expand horizons and add perspective, there is always a tendency by reporters and editors to lean toward or promote one side or another, for reasons ranging from political to ethnic to financial.

Journalists regularly engage technical experts to provide perspective on technical issues, but reporters rarely verify or cross-check facts. Research is an area of abysmal failure for Kenyan media. And yet, the panelists agreed, in the mainstream media some journalists have improved their objectivity. A journalistic code of ethics, developed in 2001 by a joint effort between the donor community and the media stakeholders, is still in place. By adopting the code, the media fraternity demonstrated the intent to deflect the government's desire to stifle media operations through legislation and the persistent complaints of public officials

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 others of what they consider to be unethical journalists and media houses.

The panelists deemed the code acceptable, but recent studies show that most journalists are ignorant of its content and application, leading to serious violations. The problem of journalists receiving gifts in exchange for favorable coverage has become one of the major challenges to objective journalism in Kenya. The problem knows no age, color, or gender. “So bad is the problem that the Nation Media Group has been forced to launch an Integrity Center to discourage gifts to its reporters. There is a telephone number and e-mail address where journalists who demand gifts can be reported,” noted one of the panelists.

The panelists confirmed that self-censorship is common among editors and reporters. There have been cases where editors refuse to publish solidly confirmed stories out of apparent self-censorship. In other cases, reporters kill stories in exchange for money or other self-interest. The panelists noted that reasons for self-censorship range from fear of losing jobs to the fear of being killed for their work.

Kenyan media do not cover all key national issues and events. Limited reach in certain areas and bias are to blame, reported the panelists, who added that the Kenyan media are obsessed with politics at the expense of other important issues, misguided by the belief that politics sells newspapers and increases viewership.

For example, development issues that are key to the country and its citizens have been ignored by almost all media, who write about them only when a problem crops up. Experience shows that stories related to official corruption have terrible consequences for journalists, editors, and media houses. State agents lashed out at *The Standard* on the pretext that it planned to publish materials exposing the first family's complicity in corruption. And, Nyaruri was killed when he continued to detail corruption by police in the Nyamira district of western Kenya, panelists said.

They also noted that covering serious security issues is not easy. Journalists risked censorship or even arrests and prosecution for covering an example of an army recruitment exercise that was carried out in Limulu last year, where the media were blocked from accessing certain areas. In addition, panelists noted that the speaker of parliament is empowered to dismiss journalists from chambers when matters of discussion are sensitive.

Pay remains low for most journalists, but correspondents and freelancers are most affected, which the panelists say has pushed some into soliciting bribes. The panelists also expressed concern about the disparity in pay among disc jockeys, news anchors, comedians, and the journalists in

“So bad is the problem that the Nation Media Group has been forced to launch an Integrity Center to discourage gifts to its reporters. There is a telephone number and e-mail address where journalists who demand gifts can be reported,” noted one of the panelists.

broadcast media. One panelist commented, “These people are paid higher than the journalists, yet their work is very simple, without any qualification required.” Poor pay, coupled with poor working conditions, has promoted corruption in the media and triggered the exodus of journalists from newsrooms to public-relations and managing communications departments in government ministries and other corporations.

The panelists agreed that there has been some improvement in the reach of news and information to the people as more media houses, especially electronic media, have opened. In terms of the balance of news and entertainment, panelists said, “Television and radio allocate more time to entertainment than news, while in print media it is the opposite.” This has not stopped people from getting information and news whenever they want, thanks to the prevalence of media houses. Panelists noted that some radio stations have ceded more time to news—leading their audiences, especially the younger people, to flee to other stations. In response, a few have concentrated on entertainment in a calculated bid to retain more listeners.

Equipment and facilities at media houses have improved, and many of the journalists have gone digital, contributing to improved production quality. The panelists noted, however, that there is a need for media owners to invest in training journalists to improve their skills in handling modern equipment.

Panelists expressed concern about freelance journalists, in particular, as well as those working in rural areas, where they lack good facilities and equipment for news gathering and dissemination. They need video and still digital cameras, digital audio recorders, and laptops. If they get assistance, it will go far in terms of improving their status and working conditions. The panelists recommended that any assistance should be channeled through KUJ, as it is best placed to identify journalists most in need of some assistance.

Compared to last year, more journalists are showing interest in niche reporting, but editors still need to encourage

"Listeners enjoy local programming more than foreign; that's why we have more programs produced locally," reported the panelists.

expansion. There is also a need for training in specialized reporting; although some media houses have improved their offerings, more is needed. The panelists reported that television outlets have recently joined their counterparts in print media in encouraging journalists to engage in niche reporting, especially in investigative reporting. Accordingly, Kenyan journalists have won international awards. For example, Fatuma Noor of *The Star* won CNN's African Journalist of the Year award for her investigative series on Al Shabaab, and three other Kenyan journalists picked up awards in other categories.¹

OBJECTIVE 3: PLURALITY OF NEWS

Kenya Objective Score: 2.35

The panelists agreed that many news sources provide information when available and affordable: newspapers, magazines, radio stations, television, SMS media, and Internet. There used to be many community radio stations in Kenya, but panelists say some closed down due to lack of money and others became commercial, leaving only Mangerete as a fully community station.

Most media are concentrated in big cities, but people in rural areas depend on radio for information because it is more affordable than print. Others who prefer television must walk long distances and, at times, pay to enjoy their favorite programs. Panelists said that buying a radio is cheaper, but batteries are expensive; thus, a single radio can serve as a gathering place for an entire village.

Access to domestic and international media remains the same as last year: no restrictions at all. Foreign media channels and publications are available in many parts of the country, but the cost may be prohibitive.

Access to the Internet is free to those who can afford it, and government imposes no restrictions at all on users or providers. Still, very few people use it for news purposes, although many use it for communication. The panelists

¹ "Kenyans conquer the continent at CNN Journalism awards." Internews in Kenya website, available at: <http://www.internewskenya.org/article.php?id=75>

reported that on a positive note, the cost dropped and coverage improved greatly, compared with 2009.

Kenya Broadcasting Corporation (KBC), the only state media, is used as a mouthpiece of the government and does not welcome opposition views. Government appoints top management of KBC and maintains direct control over it. Editors at KBC cannot do their work objectively and independently.

The panelists agreed, however, that KBC runs programs that are in the public interest, like education, culture, and many others not broadcast by private media. The panel also reported that efforts have begun to make KBC a fully public broadcasting corporation. It is not yet clear who will appoint the top managers when those changes occur.

Panelists noted that the only editorially independent local news agency is the Africa women and child feature services, which provides features to any media house at a modest fee. However, this service does not provide news stories, only features.

"The second local news agency, KNA, is government owned and not independent, but it also provides news to media houses that need it at an affordable fee," noted the panelists, adding that there is a big array of foreign agencies (Reuters, AFP, AP) upon which the local media depend for foreign news, both print and broadcasting.

According to the panelists, private broadcasters produce their own programs, which are generally more lively, bold, and sensational than state-produced programs, which panelists find boring and promoting government opinions.

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.

"Listeners enjoy local programming more than foreign; that's why we have more programs produced locally," reported the panelists. They also said that some broadcast media air foreign programs, but ironically not very many refer to the regulation that limits the amount of foreign content allowed to all broadcast media. Panelists also noted that community media and bloggers produce most of their content and use only a little foreign content.

Ownership of big media houses (like KBC, KTN, and Nation Media) and FM radio stations started by politicians is known to many Kenyans, but it is not easy for all. The panelists noted that there is no law forcing people to disclose what they own. Additionally, owners have a lot of influence on editorial policies. Foreign investments in Kenya's media are generally weak; no major foreign investment in media came to the country in 2011.

The panelists agreed that there is no resistance to the inclusion of social issues in the media, but they noted that minority-language media are not needed in Kenya because all Kenyans speak Swahili as their national language. Social interests are reflected in the media, but the panel said that issues related to women and children are not well covered. However, the panelists highlighted a positive trend of media managers promoting women into more senior positions, such as editors and assistant editors, which could encourage more reporting about women's issues.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kenya Objective Score: 2.42

Most media outlets and their supporting firms are profit-making businesses and operate efficiently, panelists said, although to a varying degree of professionalism. Some media houses successfully follow business plans, and professional executives manage the different departments at the media houses. Some smaller media houses, however, suffer from a lack of management skills, nepotism, and owner over-involvement.

There are multiple sources of revenue for most media houses, including copy sales, advertisements, commercial printing, and sponsored programs. Advertising, though, is the main source. Panelists noted that undue influence from these sources cannot be ruled out, especially from the big spenders (such as major advertisers).

Some small media houses depend on copy sales, while community media typically depend on sponsorship or donations. Under these circumstances, there is little chance of growth in these sectors.

The panelists noted that sometime this year, the government stopped advertising in The Standard, which the government considers critical. However, some ministries, headed by opposition politicians, countered this move and extended advertising to this newspaper.

Kenya has a well-developed advertising sector that works hand in hand with the media in the country, but it is mainly dominated by foreign companies and is based in the capital city, Nairobi, and other major towns. As the major source of revenue for most media houses, advertising has strengthened the bond between the advertising agencies and the media houses. Despite this bond, the panelists noted, some media houses have gone a long way and set up fully fledged advertising departments internally, with skilled staff to successfully outsource advertising. National Media Group and Royal Media Group are two media houses that perform well in this area.

In terms of the balance between news and advertising, editors face pressure to give more space to advertising than stories, thereby violating common international standards of 60 to 40 percent for news and advertisements, respectively. There are also cases where editors have dropped stories past news deadlines in favor of late advertisements, leading to conflicts between editorial staff and their colleagues in advertising because they cannot miss the money.

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 government has partnered with the private sector to improve the ICT, which they believe will go a long way to improving the communication sector.

The panel noted that there are no government subsidies to private media, although the government extends official advertising business to media friendly to its policies. With this indirect funding, government influences editorial coverage. Friendly media produce reports that praise the government's work even in sectors where it has performed poorly. The panelists noted that sometime this year, the government stopped advertising in *The Standard*, which the government considers critical. However, some ministries, headed by opposition politicians, countered this move and extended advertising to this newspaper.

Some media houses use market research and use the findings to improve business. Research takes many forms: call-ins, engaging professional companies, using questionnaires, etc.

Panelists said the outcome of broadcasting ratings and circulation figures are very subjective, even when carried out by independent and trusted firms. The best-known companies are Synovet and ABC, which produce periodic findings that are often contested by media houses that find them unfavorable. Advertisers, however, pay reportedly high fees for the findings of the independent firms. The government of Kenya, through the Ministry for Information, carries out research as well—but does not release findings to the public.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kenya Objective Score: 2.27

Kenya's trade associations include the Media Owners Association and the Kenya Publishers Association, but their membership has declined—according to some panelists, because they cater to interests of only a few. These associations lobby only for the business and political interests of their members. They are not concerned with the professionalism of the industry; their interest is only in seeking profits using the media freedoms fought for by others. The panelists noted that when the new media bill (which is now law) was introduced, the media owners and publishers had a different agenda from that of the journalists. They were fighting to protect their companies; journalists were fighting to protect their rights.

There are several trade associations representing the interests of individual journalists. These associations promote media freedom and media development and also conduct training. They include the following: Kenya Union of Journalists (KUJ), Kenya Educators Association, Kenya Correspondents Association, Association of Women Journalists in Kenya, Kenya Editors Guild, The Media Council of Kenya, Kenya Sports Press Association, and others.

Many of these associations are weak financially because members fail to pay fees. At the same time, leaders of these associations lack skills and need help with capacity-building programs. KUJ also faces opposition by media owners who block their journalists from joining, under penalty of losing their jobs. The panelists added that becoming a member in many of these associations is by application, but for some, simply showing interest in joining suffices. All these associations are independent of government.

Panelists reported that there are a number of NGOs operating in Kenya, including the International Commission of Juries of Kenya, Kenya Media Institute, Center for Law and Research International, Article 19, Amnesty International, and UN agencies. These organizations have helped the media greatly in areas of press-freedom advocacy and training in human-rights issues.

Regarding formal education for journalists, there are many media training institutions in the country, ranging from universities offering degrees, to colleges, which offer diplomas and certificates. However, the panelists noted that there is confusion at the government level, as the Ministry of Higher Education is charged with registering media training institutions, but it is the Attorney General's office that issues an operating license. Furthermore, each training institution

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.

has its own curriculum and examination policies. "There is a need for a standardized national training curriculum for all these media training institutions... with one examination body. The earlier this is achieved, the better for the profession," said the panelists.

Most of the training institutions are good at teaching theory, panelists said, but practical training is lacking because they do not have equipment for student use. The panelists agreed that many of the graduates are absorbed into the media houses, and even those who train abroad are given jobs when they return. Overseas training is often sponsored by the organizers or by the media house one works for.

Short-term courses exist in print and electronic media, in addition to in-house training provided by some media houses for their staff and freelance journalists. The most popular course is broadcast journalism, but the greatest need is for well-rounded students.

The panelists reported that newsprint and printing facilities remain in private hands, as in previous MSI surveys, but complained about the increasing taxes, like the VAT (value-added tax) on newsprint and ink. Channels of media distribution are in private hands, but some big media houses manage their own distribution channels, while small ones depend on couriers. Broadcast media have their own transmitters, but smaller ones must rent from Kenya Broadcasting Corporation (KBC). The panelists concluded that government has partnered with the private sector to improve the ICT, which they believe will go a long way to improving the communication sector.

List of Panel Participants

David Ochami, chief reporter, *The Standard*, Nairobi

Agnes Ludaava, lecturer, Kenya Institute of Mass Communication, Nairobi

Jared Obuya, senior monitoring journalist, BBC Monitoring, Nairobi

Dorothy Jebey, senior sub-editor, *Daily Nation*, Nakuru

Sarah Nkatha, vice chairperson, Media Council of Kenya, Nairobi

Ibrahim Oruko, treasurer, Kenya Union of Journalists, Eldoret

Onesmus Kilonzo, communication consultant; former editor, Nation Media Group, Nairobi

Genesio Njagi, journalist, Kenya News Agency, Nairobi

Alphas Ambungo, freelance journalist, Nairobi

Onesmus Musyoki Kilonzo, freelance journalist, Nairobi

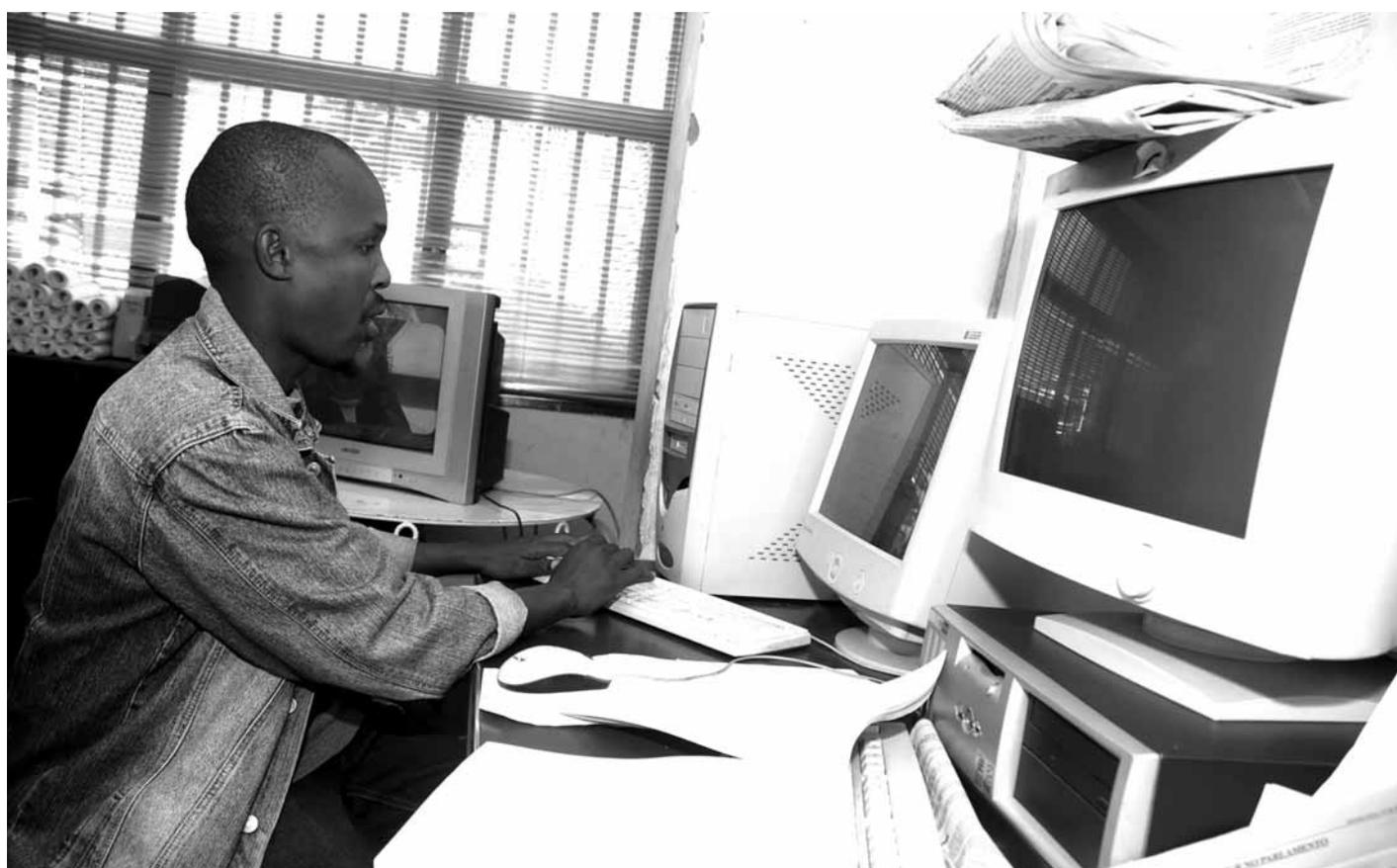
Moderator and Author

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

The panelists attribute the improvement to important developments that have shaped the sector in the last few months—most notably, the July 2010 passage of the Freedom of Information Act, which has eased skepticism of the government’s commitment to the protection of freedom of speech and of the press.



LIBERIA

Liberia is heading toward crucial elections in October 2011, following unprecedented stability and economic progress in recent years. The upcoming elections are regarded widely as the country's first truly democratic transition—a phenomenal step for a country that internationally was considered as a pariah and failed state. Following close to 20 years of political instability, Liberia's current president, Ellen Johnson Sirleaf, has arguably presided over the country's most stable period for decades. During her tenure, Liberia has experienced relatively strong economic growth, with a rapid increase in foreign investment—leading to the creation of jobs in key sectors, such as mining and forestry. These gains have been buoyed by debt cancellation and the rehabilitation of Liberia's reputation on the global political stage.

Despite these milestones, frustration is growing internally and externally over the pace of the government's response to corruption cases. Several government officials lost their jobs in 2010 as a result of corruption allegations. But at the time of the MSI study, not one had been successfully tried and convicted of corruption, lowering some Liberians' confidence in their government. Furthermore, criticism over the president's handling of the Truth and Reconciliation Commission report continues to overshadow calls for the swift implementation of the commission's recommendations. In addition, despite gains in meeting Millennium Development Goals (MDGs) around gender equality and HIV/AIDS, the country is unlikely to meet MDG targets related to reducing child mortality and improving access to primary education.

A troubling and potentially destabilizing development is the crisis in neighboring Côte d'Ivoire, which triggered an influx of tens of thousands of refugees. The emerging humanitarian situation is exacerbated further by poor infrastructure in bordering towns and cities. Latent conflict over land and longstanding tribal intolerance in the northern region are breeding grounds for potential unrest. Thus, the sustainability of peace and stability remains in question.

The media are moving through a time of great change, as well. Media scrutiny has increased in the last year, with the Liberia Media Center (LMC) introducing the Media Quality Barometer. Designed to stimulate competition by ranking the performance of news media outlets, the barometer has recorded some encouraging improvements. Also, the United States government has sponsored new investments in media development interventions.

By and large, Liberia has made a strong recovery from the downturn in the last MSI study, with modest progress in all five objective indicators. The panelists attribute the improvement to important developments that have shaped the sector in the last few months—most notably, the July 2010 passage of the Freedom of Information Act, which has eased skepticism of the government's commitment to the protection of freedom of speech and of the press. Nevertheless, some of the world's most repressive legislation surrounding the freedom of expression remains on the books, and challenges remain with adherence to professional standards and the development and sustenance of the business management side of media outlets.

LIBERIA AT A GLANCE

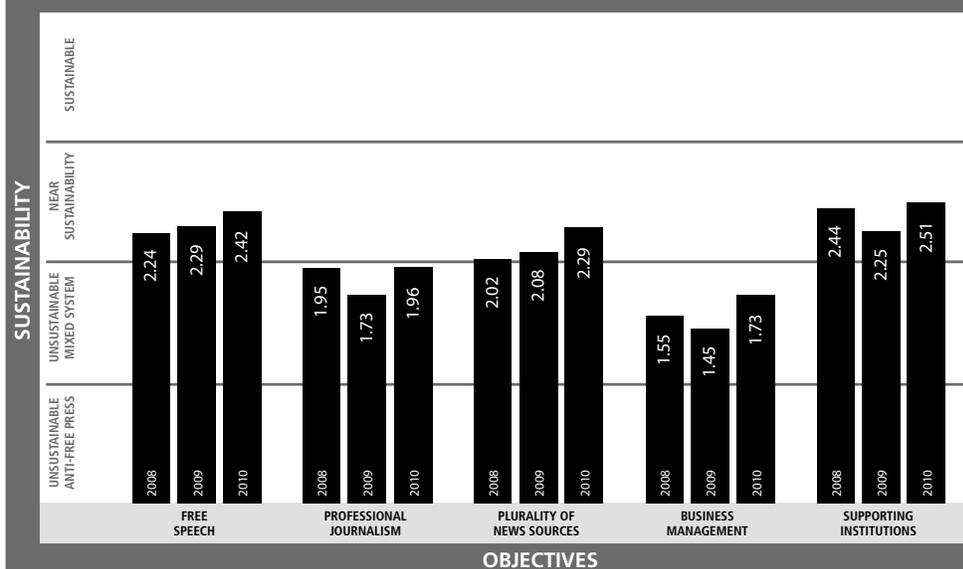
GENERAL

- > **Population:** 3,786,764 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Monrovia
- > **Ethnic groups (% of population):** Kpelle 20.3%, Bassa 13.4%, Grebo 10%, Gio 8%, Mano 7.9%, Kru 6%, Lorma 5.1%, Kissi 4.8%, Gola 4.4%, other 20.1% indigenous African 95%, other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 85.6%, Muslim 12.2%, traditional 0.6%, other 0.2%, none 1.4% (*CIA World Factbook*)
- > **Languages (% of population):** English 20% (official), some 20 ethnic group languages, few of which can be written or used in correspondence (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$782 million (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$330 (World Bank Development Indicators, 2011)
- > **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 (state-owned but largely not functioning)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 20,000 (2009 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: 2.42

Liberia's media laws reflect international standards, and media houses enjoy relative freedom in covering a wide range of subjects. Most journalists carry out their work unhampered, and the explosive growth of the use of mobile phones in mass media has drawn unprecedented citizen participation in debates on a wide range of subjects. Generally, people are free to express their opinions in the media, and do so mainly via phone-in radio talk shows.

Yet despite these strengths, the press sector still lacks functional independence. A few isolated but unhealthy incidents in 2010 have reinforced the need for press freedom violations to be scrutinized and monitored continuously—which the Center for Media Studies and Peace Building does currently. Liberia retains some of the most repressive anti-speech and anti-press laws in Africa. The watchdog group Freedom House ranked Liberia “partly free” again in the 2010 “Freedom of the Press” report. However, MSI panelists have recorded improvements in certain areas since the 2008 MSI study.

Most of the panelists agreed that the current political atmosphere provides a haven for tolerance toward the media and free speech, citing the passage of the Freedom of Information Act as a testament to the changing environment. But they expressed the concern that challenges

to freedom of speech and the press will persist as long as anti-speech laws do. Gradijah Walker of the Media Women Center for Democracy (MEWOCEDE) summed up the panel's ambivalence: “Free speech in Liberia has received a considerable boost with the passage of the Freedom of Information Act; nevertheless, until efforts are made to address the need for other pressing legal and regulatory reforms, this gain will be largely ceremonial.”

Isaac Jackson, Jr., assistant minister at the Ministry of Information, also pointed to the Freedom of Information Act as evidence of the government's commitment to free speech, noting that Liberia is the first country in West Africa to pass such a law. Jackson added that the president herself is concerned also about the presence of anti-speech laws, and has welcomed a review process.

However, panelists expressed skepticism of the president. While the use of brutal, repressive techniques against journalists has largely disappeared, the panelists underscored the growing wave of lawsuits brought against the media by public officials, in most cases capitalizing on a judiciary that is perceived widely as corrupt. Unfortunately, panelists said, the president leads the list of public officials bringing these charges, which often result in millions of dollars in damages. In December 2009, authorities questioned and briefly detained the printer and the publisher of the *Plain Truth*, and subsequently charged the two with criminal libel. The charges were over a story linking the Liberian government with an alleged arms supply deal to dissidents in neighboring Guinea.

Hector Mulbah, a community radio manager, shared his view that Liberia has sufficient constitutional provisions and safeguards that guarantee free speech. Citing continuous fractured relations between community radio stations and local authorities, Mulbah said that he fears that political authorities still wield huge power and influence at the local level, significantly holding back free speech. He said that “... successive authorities have allowed free speech to flourish according to their whims and caprices. This history should inspire us to be very circumspect and cautious; nevertheless, I believe the current favorable conditions basically hinge on the presence of the United Nations Mission in Liberia [UNMIL], and its departure will be the true litmus test.”

Jackson disagreed; he said that the current government, under the leadership of President Sirleaf, has given the Liberian people unprecedented rights to the freedom of expression. Jackson also expressed his opinion that the government's desire to uphold press freedoms and other civil rights has nothing to do with the presence of UNMIL in Liberia.

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.

Unfortunately, panelists said, the president leads the list of public officials bringing these charges, which often result in millions of dollars in damages. In December 2009, authorities questioned and briefly detained the printer and the publisher of the Plain Truth, and subsequently charged the two with criminal libel.

Emmanuel Reeves, formerly of Sabannah Printing Press, agreed that “the protection of free speech is relatively strong in Liberia under the Sirleaf-led government. Journalists, especially, are free to publish their stories and go about their business.”

Again this year, the panelists agreed that licensing procedures for media organizations have relaxed in the last couple of years, aside from complications with community radio stations. Without an exclusive broadcast regulator, the Liberia Telecommunications Authority (LTA) regulates radio frequencies. Community broadcasters have complained that high licensing costs make license renewals very difficult for most outlets. “The bureaucracy involved with getting broadcasting license from the LTA is extremely cumbersome and unfair for community radio stations,” said Justin Cole, station manager of Radio Bomi.

To address this situation, the Liberia Media Center and the Liberia Coalition for Freedom of Expression have undertaken a series of steps in the last two years toward developing a comprehensive Community Radio Policy. Among many other issues, the policy will address the fee structure for community radio licensing. Community radio managers, boards of directors, and representatives from the government and civil society have all vetted the policy plans.

S. Kpanbayezee Duworko, an instructor at the University of Liberia, described another issue with licensing. “Government ministries and agencies typically cite licensing as an excuse to refuse to pay media outlets for advertising services,” he said. State debts to the media are an age-old problem in Liberia—one that has drawn the president’s attention. The debts owed have contributed to the economic woes of many media houses, as the government and UNMIL are the largest advertisers.

Crimes against journalists have all but ceased, according to the panelists. “Attacks on journalists are rare and practically nonexistent in Liberia over the last several years. No

journalists in Liberia have been killed over the life span of the current government,” said Walker.

Although last year’s MSI noted that the Liberian constitution guarantees fair access to state-owned media, it is widely understood that state-owned radio ELBC forbids the airing of news deemed anti-government—perplexing many observers and journalists. This contradiction is one reason that the media community would like to see ELBC transformed into a public service broadcaster.

Libel remains both a civil and criminal law issue in Liberia, although criminal libel charges have only been filed once under the current government (against the publisher of a local newspaper; the case is still pending in court). However, many media practitioners in Liberia are concerned about the number of civil libel suits filed against media outlets. Regarding this trend, Jackson commented, “The government will not encourage any of its officials to take media institutions to court,” but he added, “...it becomes difficult when media institutions grossly misrepresent facts surrounding people’s reputations.”

The panel agreed largely that journalists should be willing to avail themselves to fair and impartial legal processes. Some panelists conceded that this would help to minimize blatant ethical transgressions. Reeves explained, “Legal protection has improved in Liberia in recent years, and since journalists are part of the larger society, they should be subject to the same legal norms that bind the general population.” Duworko, however, said that libel cases are tactics meant primarily to distract the media from their work.

Regarding access to public information, the newly passed Freedom of Information Act grants journalists and citizens the right to access public information from the government—including information about the government’s use of funds.¹ Notwithstanding the passage of this act, the panelists said that usually reporters find it difficult to cover stories relating to corruption or malpractice. Adams said that often the frustration derives from public officials telling their staff not to comment on specific issues. Previous MSI studies have detailed other problems regarding access to public information, such as the Ministry of Gender and Development’s mandate that articles related to gender cannot be published without ministerial approval or a reference to the ministry. Whether the newly passed act will remove such obstacles remains to be seen.

The panel agreed that Liberian media outlets have unrestricted access to foreign news sources. Othello Garblah, manager of *New Dawn* newspaper, remarked, “Considering

¹ Freedom of Information Act, full text available online at IFEX: http://www.ifex.org/liberia/2010/10/06/liberia_foi.pdf

the current government's strong international ties, there is no reason to place restrictions on Liberians' access to international news sources." However, a panelist in last year's study reported that the high expense restricts local media's access to some international sources.

As reported in last year's study, entry into the journalism profession is relatively free, although in the past, the Press Union of Liberia (PUL) had moved toward crafting entry standards.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Liberia Objective Score: 1.96

Scores for this objective increased slightly over the 2009 MSI score. As in the previous two years of the MSI panel, Indicator 5 (pay levels for journalists) scored more than half a point lower than the overall average of the objective; it did show some improvement this year, however. In contrast, indicators 4 (journalists cover key events and issues) scored about two-thirds of a point above the objective average.

Regarding adherence to professional standards, Mulbah stated bluntly, "Professional standards of quality are a serious problem in the Liberian media. Journalists broadcast and publish poorly sourced news content. Part of the problem is the media's impoverishment. The unavailability of resource materials and funds to carry out proper research at media houses contributes to poor quality." Cummeh agreed; he said that he does not believe that news reports are well sourced or balanced. He attributed the shortcomings to the poor economic conditions confronting Liberian 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).

Tete Karneh, who manages the Liberia Women Democracy Radio (LWDR), took a more optimistic stance. "The media in Liberia still struggle with professional standards of quality, so the efforts of the Liberia Media Center and its partners in introducing the Media Quality Barometer are especially commendable," she said. "It is difficult for people to accept change, and it will take a while, but professionalism is going to improve. Standards were not set in the past for admission to the field of journalism. This has led people to falsely assume that there are no standards."

Although all Liberian journalists have access to the PUL code of ethics, ethical transgressions persist. The Liberian media, like the rest of industry, are in a state of transformation, but regrettably, some media outlets and journalists continue to accept kickbacks to slant their coverage of certain issues. The PUL Grievance and Ethics Committee hears complaints regularly of ethical transgressions and imposes sanctions against offending media institutions and journalists. Yet the committee is considered widely to lack the teeth to punish media outlets, as it is tied very closely to PUL and all its members are journalists. To address its shortfalls, PUL and the Liberia Coalition on Freedom of Expression are working together to develop a Media Complaint Committee, a self-regulatory structure composed of representatives from the government, civil society, the religious community, the bar association, and journalists.

On the issue of self-censorship, the panelists agreed that it exists—and that it results more from economic considerations than fear of persecution. Duworko agreed: "Some practice self-censorship because they are afraid of losing advertising support from public officials, businesses, and government agencies." Indeed, many media houses say that their advertising revenue is not enough to offset their losses amid falling sales.

The panelists agreed, to an extent, that the quality of Liberian journalism is improving, though significant work remains, as often pay is still connected to performance. The minimum wage for government workers has increased by more than 300 percent, especially for those at the base of the income scale, but a huge disparity remains between lower levels and senior levels, even within the government. Meanwhile, most media outlets pay their employees well below the minimum wage on the government worker pay scale. "Even civil servants now earn higher salaries than journalists," *Inquirer* writer C. Winnie Saywah remarked.

Most of the panelists agreed that low pay levels greatly affect Liberian journalists' adherence to recognized and accepted ethical standards. Saywah emphasized, "High salaries for journalists would not be sufficient in the short run

“Even civil servants now earn higher salaries than journalists,” Inquirer writer C. Winnie Saywah remarked.

to discourage corruption, or what is widely known as *kato*, but would provide some incentive.” Sherif Adams agreed, saying that “...pay level is a key component of maintaining professionalism in any career.”

Jackson, though, rejected the notion that low pay should be blamed for ethical transgressions. “The passion for one’s profession should surpass financial considerations,” he said.

Reeves commented that regardless of the reasons, journalism in Liberia has suffered from the very low professional standards, and that PUL should institute a minimum wage level for journalists in the country. PUL is trying but struggling to come up with a collective bargaining proposal that would lead to significant improvements in the pay structure for journalists.

According to Cole, poor professionalism and adherence to ethical standards also stems from the quality of tertiary study. “Many journalists would be more ethical if they had received a better education. Professionalism in journalism has suffered because of the country’s low educational standards,” he said.

Although the panelists gave indicator 6 (measuring the balance of entertainment and news programming) a higher score to than the overall average for the objective, a study by LMC showed that time allotted to entertainment surpasses the time devoted to news and other programming. Duworko said that in some cases, radio stations carry no news at all because of their heavy emphasis on entertainment.

Although often the Liberian media are seen as works in progress, a significant number of mainstream and community media outlets have benefited from state-of-the-art equipment. Organizations including LMC, Trust Africa, Talking Drum Studios, International Alert, Mercy Corps, and recently, USAID have provided or intend to provide modern equipment and technical training. Saywah noted, “Liberian media outlets, over time, have been blessed with modern equipment. Look in newsrooms, and you’ll see modern electronic gadgets everywhere.”

Some panelists noted that there are ongoing initiatives to encourage specialized reporting in the Liberian media, but to date, they have failed to develop any quality niche programs, according to the panelists. Walker noted in particular that the media sector shows very limited movement towards gender-sensitive reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Liberia Objective Score: 2.29

Most of the seven indicators in this objective scored within half a point of the objective average. Indicator 5 (independent media produce their own news) scored more than half a point higher, while indicator 4 (independent news agencies) received the lowest score, falling behind the objective score by about two-thirds of a point.

Following the restoration of peace and the institution of democratic rule in 2005, Liberia’s media industry experienced explosive growth. All shades of opinion can be found, and generally, reliable and objective information is available, given the diversity of news sources. Still, many outlets lack resources for quality content, and some media outlets publish misleading, distorted information. Cole estimated that 80 percent of news sources provide citizens with reliable and objective information, while the other 20 percent accounts for the growing rise in civil libel suits.

Jasper Cummehe concurred partly. “Quite frankly, multiple news sources provide citizens with reliable and objective news. But it is worrisome that many of the news outlets fail to provide reliable and objective news, and practice yellow journalism and report biased news,” he said.

In the past, most news covered events in the capital, Monrovia. Today, with investments from donors, media content is diversifying and journalists are venturing into areas not covered previously. The Journalists for Human Rights

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.

(JHR) initiative, supported by the Human Rights Reporters Network, has contributed significantly to this development. The initiative has provided training and funding for humanitarian-centered investigative journalism outside Monrovia, upping coverage in more remote areas.

Community radio development continues to expand broadcast penetration levels across the country. To date, Liberia has about 50 community radio stations. These stations continue to play a vital role, filling the information gap for rural dwellers. The sector still faces challenges and depends heavily on donor support, according to Cole. However, he said, most community radio stations are quite independent editorially.

The Internet is still an emerging media tool in Liberia, with the potential to transform the way people receive and use information in the country. Since its introduction in the late 1990s, Internet costs have decreased steadily. Still, most Liberians live in poverty, and at \$1.00 per hour charged by most commercial cafes, Internet access is still a luxury for many. As Duworko said, “Multiple news sources exist, but are not necessarily affordable, especially the Internet.”

A number of outlets now present operational websites, although low bandwidth and the lack of reliable public electricity continue to hinder web-based journalism. Just a few of the local radio stations—UNMIL Radio, Star Radio, LWDR, and the state-run Liberia Broadcasting System (LBS)—offer web-based broadcasting services. Of these, only LWDR airs a live web-stream.

Three of Liberia’s four cell phone companies have introduced GPRS EDGE technology, enhancing accessibility throughout the country. Social networking tools have become very popular with certain segments of the population, although there are no accurate records of how many Liberians use them.

With the gradual consolidation of democratic practices, access to various news sources is improving steadily. The country continues to enjoy unfettered access to domestic and international media, as it has since the current government came into power. Nearly all villages with at least 100 people have some form of cable television, watched mainly for its entertainment programming, such as movies and international soccer matches. Viewers rarely use cable television to obtain news and information.

Government control and regulation of telecommunication, including the Internet, is practically non-existent—either because the state lacks the technical capacity to monitor web-based content, or there is a genuine sense of tolerance to dissent. Walker confirmed that the government does not censor or block any satellite or Internet sources. For example,

Jasper Cummeh concurred partly. “Quite frankly, multiple news sources provide citizens with reliable and objective news. But it is worrisome that many of the news outlets fail to provide reliable and objective news, and practice yellow journalism and report biased news,” he said.

despite a contentious *Vice* television report on Liberia in early 2010, the government did not shut off access to *Vice’s* content on the Internet.

Right now, the state media exist in the form of LBS’s television and radio broadcasts. The state-owned newspaper has been defunct since the start of the country’s civil war.

Although the government has shown a willingness to allow widespread free speech, it has failed to pass legislation to transform the state broadcaster into a public broadcaster, despite attempts by civil society advocates to pass a public service broadcasting act into law. In addition, the government has been accused of undermining the resurgence of Star Radio, a non-profit station set up by Foundation Hironnelle and managed by Liberians. Internal disputes and a management crisis have kept Star Radio off the air for nearly a year now.

On the other hand, LBS has undergone a massive revamping, with substantial assistance from the government of China. As part of this package, the station was given a 10-kilowatt transmitter, to be stationed in Monrovia, along with three one-kilowatt relays located at strategic parts of the country to provide nationwide coverage. However, this plan has not worked very well from a technical perspective, as relays in many parts of the country tend to fail. As Quire put it, “Current LBS operations do not suggest an efficient use of the country’s tax dollars, as the station’s FM relays around the country are more often off than on.”

On the programming front, LBS has failed to fill the void in public interest programming left by commercial media outlets. The situation is even worse with the public television service, which restarted more than a year ago. The television signal barely covers Monrovia and its immediate surroundings, and it has a shortage of quality programming. As with most local television stations, LBS bridges the lack of programming capacity by rebroadcasting shows from cable stations like CNN, Al Jazeera, and BBC.

LBS is still prone to manipulation by the government and ruling party, though less overtly than during previous regimes. Some panelists said that they see signs of things moving in the right direction. Duworko, though, said that LBS is biased in favor of the ruling party and the government. Jackson disagreed. "It is unfair to say that the state media only reflect the views of the ruling party and government, when opposition politicians are heard regularly expressing strong views against the government on the same state radio," he said.

Liberia has no news agencies in operation. The country has never had an independent agency, and the Liberian News Agency (LINA), a subsidiary of the Ministry of Information, has been derelict for many years now. Attempts in recent months to resurrect the agency have amounted to little so far. The preponderance of media outlets across the country has probably made it very difficult for LINA to have any relevance, the panelists posited. Media institutions based in the capital rely increasingly on community radio reporters for news from other parts of the country.

Content generation, especially for commercial media and electronic media outlets, is a serious challenge. With the huge growth in competition for audiences, and consumers' demand for radio and television stations to stay on the air for longer hours, having enough content to fill airtime has become an issue. As a result, radio stations broadcast a lot of music, while television stations air films.

Media institutions in Liberia rarely purchase content. In fact, they normally charge content producers for the privilege of broadcasting their programs. William Quire, president of the Association of Liberian Community Radios (ALICOR) and manager of Radio Gbarnga, explained that the media charge fees to air programs produced by other outlets, as a matter of survival.

Blogging is a very new phenomenon in Liberia; most blogs are hardly ever updated, while others just amalgamate news and information from other sources and the local media. The limited capacity of bloggers might be due to lack of home Internet access for most Liberians. Still, blogging shows a glimmer of potential—Liberian bloggers writing for Ceasefire Liberia address a broad range of relevant topics, including corruption, threats to free press, efforts to fight climate change, the impact of the massacre in Guinea on Liberian neighbors, and the need for better rural hospitals.²

As reported in previous MSI studies, usually media ownership is shrouded in secrecy. "Having worked in both the public

² Ceasefire Liberia blog: <http://ceasefireliberia.com/>; set up by New York-based reporter Ruthie Ackerman and featuring bloggers in Liberia and from the Liberian Diaspora.

and private media in Liberia, I can say that media ownership is not transparent," Duworko said. "There are no media conglomerates in the country; however, the consumers are not cognizant of the fact that media outlets are not transparent." While the law does not mandate ownership of media entities to be made public, most Liberian media outlets are sole proprietorships and partnerships—leading to speculation about the owners. Some media organizations adopt a corporate structure, but in reality, they do not function as proper corporations.

Liberia is home to at least 16 different tribal groups, none of which dominate the political or social space. Nearly every radio station in the country devotes some broadcast time to the major language group in its location of operations, and gives airtime to all major minority-language groupings existing in its area.

OBJECTIVE 4: BUSINESS MANAGEMENT

Liberia Objective Score: 1.73

For the third year running, the panelists once again underlined the business management shortcomings of Liberian media, giving Objective 4 the lowest overall average score out of the five MSI objectives. All indicators scored very close to the objective score, and none received a score of 2.00 or more.

The Liberian media are still in a state of transition. Like the rest of the country's institutions, the media sector was not spared the comprehensive destruction visited on Liberia by the civil war, the decade of military rule that preceded 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.

and the near half-century of autocracy that preceded the military takeover of 1980. As a result, media institutions lack proper systems and generally are not managed as efficient business entities. Reeves attributes this to the inclination of managers to commingle their personal finances with their institutional assets.

The country's community media sector reflects management problems also. Made up of small radio stations, this sector is owned by the communities theoretically, but most communities are unable to provide financial stability—draining stations' potential to achieve sustainability. Karneh, who manages the only women's radio station in Liberia, explained, "Most media institutions do not enter the market with a solid capital base and business skills. This situation causes them to struggle to stay afloat, and tempts them into ethical transgressions because their workers are not paid properly."

James Wolo, UNMIL representative and journalism professor, expressed the belief that PUL should step in and jump-start the entire reform process. "The media outlets should be compelled to set up standard structures, and possess the kind of capital it takes to gain respect, pay employees properly, and obtain the kind of technology the profession demands in this digital high-definition era," he said.

PUL President Peter Quaqua agreed with Wolo. "The PUL sees the need to reform the Liberian media. That is why the union was transformed into a real union at the organization's convention in 2010." He agreed, though, that much work remains in order to meet the needs of the Liberian media.

Liberia has no established or recognized advertising agencies. On the radio front, only business entities with a presence in the country's capital run advertisements on the bigger stations. The panelists agreed that Liberian law lacks any serious provision mandating that businesses advertise in local media.

Most newspapers, rely totally on advertisers, and usually devote most of their pages to ads. As LMC's Media Quality Barometer project has found, ad space overwhelms news space consistently. However, Adams said that the income from advertising is unreliable. "Although media institutions generally rely on ads for sustenance, ads only come in piecemeal to be published on credit—except during the political season, when business suddenly booms," he said.

The government does not provide subsidies for the media, although media development organizations and media network organizations have called persistently for government assistance in the form of across-the-board tax waivers on basic equipment and newsprint. The panelists noted that the government gave PUL around \$100,000 in

2007 for the construction of its headquarters; however, that project has yet to lift off the ground in any meaningful way.

Market research remains a luxury for the Liberian media. The country has no organization set up expressly for that purpose. The void continues to be filled in a very limited way by organizations such as LMC and, more recently, USAID, through its Civil Society and Media Leadership program.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Liberia Objective Score: 2.51

Adhering to the trend seen in Liberia's other MSI objectives this year, Objective 5 recorded an increase of about a quarter of a point above its 2009 score. Indicators 1 (trade association) was the only indicator to note score within a half-point of the overall objective average, but fell short of doing so only barely.

Several associations and umbrella organizations work within the country to protect the interests of various sectors of the media. They include the Editors' Association, the Broadcasters' Association, the Publishers' Association, PUL, and ALICOR. While nearly every journalist in the country belongs to PUL, ALICOR serves as an umbrella grouping of only community radio stations, especially those located outside the country's capital.

These organizations, especially PUL and ALICOR, work continuously to gain better benefits for their members. For its part, PUL has played a prominent role in the struggle for press freedom in Liberia for more than 40 years. Jackson said that many media associations exist in name only, 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.

Karneh agreed with Cummeh; she had the opinion that the focus should move toward more practical and theoretical instruction. Such an approach would prepare reporters better and ease the workload in the newsroom, she said.

he praised PUL for the strength of its pro-journalist voice throughout Liberia's recent history.

Local and international NGOs in the country continue to support the local media's quest for free speech. These organizations were very instrumental in the passage of the Liberian Freedom of Information Act in the third quarter of 2010. One local NGO is involved in a project that releases legislative report cards, while another carries out an anti-corruption program.

With respect to direct support, several international and local NGOs assist Liberian media with training and other technical support. Trust Africa continued its support to the LMC's media monitoring program through 2010. In addition, USAID launched a five-year civil society and media program in 2010, aimed at providing capacity support to several media outlets in Monrovia as well as rural parts of the country.

Other organizations providing support in 2010 include the European Union, through the Radio Netherlands Training Center; the Irish NGO Trócaire; the Carter Center; the British government's Department for International Development, through JHR; and Search for Common Grounds, through its local office.

Cummeh said that although he does not question that assistance organizations provide significant services, most of what they provide is not very practical for all. "Supporting institutions help build the capacity of media institutions, but there are still major gaps in the independent media circle," he commented. Karneh agreed with Cummeh; she had the opinion that the focus should move toward more practical and theoretical instruction. Such an approach would prepare reporters better and ease the workload in the newsroom, she said.

Liberia still has three universities that grant journalism degrees—unchanged since the 2008 MSI study. A planned fourth journalism degree granting program, through Cuttington University in central Liberia, has yet to get off the ground. The panelists speculated that the problem with the Cuttington program might be its distance from Monrovia and the inability to attract the necessary instructors from there.

Duworko said that quality journalism degrees do not exist, as journalism programs in the country are still modeled on the 1986 curriculum of the University of Liberia's Mass Communications Department. Media degree programs are not carrying out adaptive and generative learning, he said.

However, Liberia's three universities have embarked upon a joint curriculum review. Wolo explained that the review process is designed to improve standards and synchronize journalism degree programs in the country, and help journalism education adapt to the changing realities of the profession.

Another problem is that most journalism graduates are viewed with suspicion by their colleagues that lack formal education, because of job competition. Most media institutions pluck people straight from high school without any formal training. As Saywah said, many aspiring journalists in Liberia are not eager for a degree; they are comfortable with simply collecting enough skills to get by—ultimately hurting professionalism in the field.

Short-term training opportunities, run mostly by local organizations with international funding, continue to be freely and widely available to the local media. The courses offered vary widely and are tailored to different media sectors. For community radio staff, instruction covers the whole spectrum of skills, while training for staff from Monrovia outlets tends to focus on specific thematic issues. Over the past year, the USAID-funded media leadership project has delivered sustainable management training for select media outlets, as well.

Unlike printing facilities under past governments, such as the Charles Taylor regime of the late 1990s and early 2000s, current printing facilities are private, and serve everyone capable of paying. At least three media outlets in Monrovia, the *Daily Observer*, the *New Democrat*, and *Liberian Express*, own private printing presses. The cost of printing remains high for newspaper publishers, because of the high import duties associated with newsprint. Garblah said that the cost of printing newspapers is high enough to affect profits dramatically.

The distribution network of newspapers is owned privately, apolitical, and subject to no restrictions by the government. The main problem is that they are poorly organized; they continue to use the same unsustainable, informal distribution methods from over the years. As a result, newspaper circulation is restricted largely to Monrovia and its environs and a few provincial capitals.

List of Panel Participants

C. Winnie Saywah, reporter, *Inquirer*, Monrovia

James Wolo, professor of mass communication, University of Liberia, Monrovia

William Quire, station manager, Radio Gbarnga, Gbarnga

Othello Garblah, managing editor, New Dawn, Monrovia

Hector Mulbah, station manager, Radio Gbezohn, Buchanan

Tetee Karneh, station manager, Liberia Women Democracy Radio, Monrovia

Ade Wede Kekuleh, station manager, Radio Veritas Monrovia

Justin Cole, station manager, Radio Bomi, Tubmanburg

Peter Quaqua, president, Press Union of Liberia, Monrovia

Grariah Walker, executive director, Media Women Center for Democracy, Monrovia

Jasper Cummeh, executive director, AGENDA, Monrovia

Isaac W. Jackson, Jr., assistant minister, Liberian Ministry of Information, Monrovia

Sherif Adams, news editor, News Newspaper, Monrovia

Emmanuel Reeves, news editor, News Newspaper, Monrovia

Samuel K. Duworko, journalist, Monrovia

Moderator and Author

Lamii Kpargo, program director, Liberia Media Center, Monrovia

The Liberia study was coordinated by, and conducted in partnership with, the Liberia Media Center, Monrovia.

Media outlets that dare to criticize the authorities are repressed forcefully. Journalists have said that they cannot perform their jobs properly, for fear of being branded opponents and threatened with imprisonment.



MADAGASCAR

On the heels of the violent demonstrations and political crisis of 2009, Madagascar continued to face many challenges in 2010. The adverse effects of the still-unresolved political crisis have impacted almost the entire population, but the poorest above all. Politically, little has changed, with a transitional regime that the international community refuses to recognize, a blockade that continues and even tightens, and suspension of aid from the outside. Various attempts at a resolution or mediation (at the national level through civil society organizations or political parties, and internationally through the SADC) have not yet ended the crisis. Proposals for a roadmap and agreements remain at embryonic stages, rejected by stakeholders for failing to be consensual and inclusive.

Almost in tandem with these mediations, the country experienced various failed attempts at overthrowing the transitional regime. They involved incidents with high-ranking non-commissioned officers of the Malagasy army and open insubordination by some elements of the Force d'Intervention de la Gendarmerie Nationale (FIGN). Similarly, the members of the opposition—the movements of the three former presidents—continued demonstrating against the regime. Their attempts were unsuccessful, and ultimately ended in the authorities pursuing and imprisoning opposition leaders (or those presumed responsible) and their accomplices.

For its part, the ruling regime initiated various efforts also to try to end the crisis. At the end of its National Conference in September 2010, the government ratified general guidelines and principles to conduct a “consensual and inclusive transition” and form the “4th Republic.” In October, the regime restructured its transitional institutions, establishing the Conseil Supérieur de la Transition (CST) and the Congrès de la Transition (CT). A constitutional referendum in November 2010 paved the way for the advent of the 4th Republic, announced formally in December.

Socio-economically, the situation remains alarming, with a 10 percent rate of inflation keenly felt by all—and low-income households especially. Fuel prices (and therefore transportation costs) keep rising, along with basics such as rice, sugar, and oil. Key sectors, such as tourism and textiles, continue to suffer, with recovery uncertain and unemployment worsening.

Journalism continues to be one of the sectors most severely impacted. Media outlets that dare to criticize the authorities are repressed forcefully. Journalists have said that they cannot perform their jobs properly, for fear of being branded opponents and threatened with imprisonment. Within this context, the MSI's overall score of 1.68, the lowest in the four years of the MSI in Madagascar, reflects a situation that is deteriorating and confirms the precarious viability of the media in Madagascar. None of the five objectives scored above a 2.00. Objectives 1 (freedom of speech) and 3 (plurality of news) scored the lowest, at 1.58 and 1.61, respectively.

MADAGASCAR AT A GLANCE

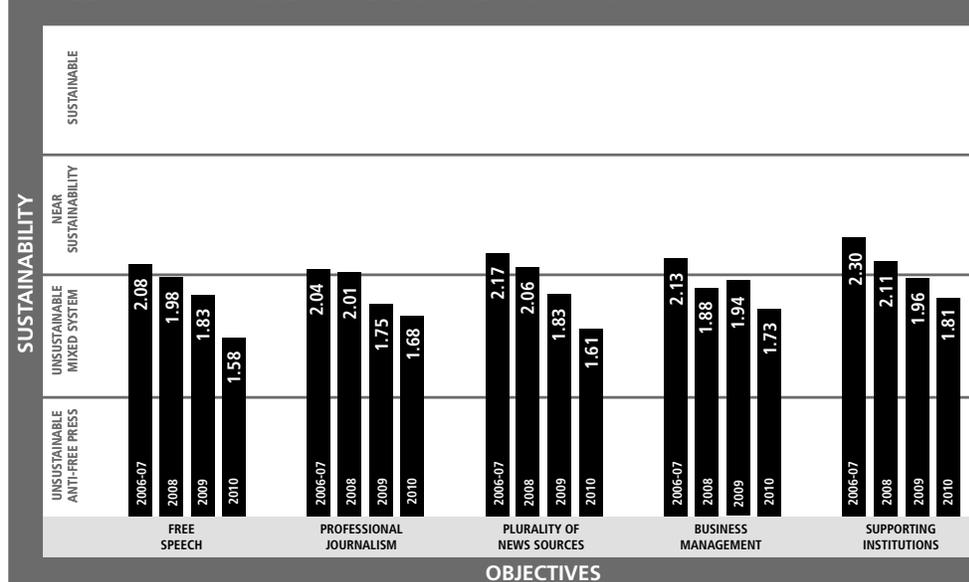
GENERAL

- > **Population:** 21,926,221 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Antananarivo
- > **Ethnic groups (% of population):** Malayo-Indonesian (Merina and related Betsileo), Cotiers (mixed African, Malayo-Indonesian, and Arab ancestry - Betsimisaraka, Tsimihety, Antaisaka, Sakalava), 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 (2010-Atlas):** \$8.82 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$980 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 68.9% (male 75.5%, female 62.5%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Andry Rajoelina (since March 18, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 197 radio stations; 24 television channels; 144 daily newspapers, 21 bi-weekly, 33 weekly, 12 bi-monthly (*Ministry of Communication, Directory of Information and Communication, July 2010, Antananarivo*)
- > **Newspaper circulation statistics:** top three by circulation: *Taratra* (48,700), *Ny Gazetiko* (40,000), *Midi-Madagascar* (30,000), around 200,000 daily copies for the entire country (*Directory of Information and Communication, Antananarivo, July 2010*)
- > **Broadcast ratings:** highest-rated television outlets: Télévision Nationale Malagasy (state-owned), Radio Nationale Malagasy (state-owned), TV Plus Madagascar (private)
- > **News agencies:** ANTA (public), MADA (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 319,900 (2009 est., *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: 1.58

Constitutional provisions, laws, and regulations supporting the freedom of speech are in force in Madagascar, but the ruling government applies them only according to its needs. Thus, the 2010 MSI panelists gave Objective 1 the lowest scores of any objective. Most indicators scored close to the objective score. However, indicator 7 (access to public information) received an especially low score and more than half a point lower than the objective score. Indicators 8 and 9, regarding the free access to international news and the free entry into the journalistic profession, remained the best rated, scoring about a point higher than the objective.

Legal safeguards and freedom of speech remain weak in Madagascar. The panelists noted that a committee made up of former and current presidents of the Order of Journalists, tasked with reviewing the code of communication, has not produced the desired effect.

According to Rahaga Ramaholimihaso, chief executive officer of the Société Malgache d'Édition (SME), all stations face the same procedures to obtain a broadcast license. Applicants follow a series of steps in the application process, running from technical tests to documenting specifications. But some panelists, including TV Plus journalist Njaka Andriamahery, noted that the majority of licenses are awarded to senior state executives, such as directors 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.

Prisca Rasmoelison, a journalist from SOBIKA, described how journalists from Radio Fréquence Plus were attacked on May 15, 2010, when they aired an adversarial debate program pitting those close to the regime against their opponents. Three people were injured, and some property was damaged, leading the radio station to stop broadcasting for some time.

cabinet ministries, or members of the Haute Autorité de la Transition (Transition High Authority). As questionable as the procedure is for granting licenses, withdrawing licenses (closing stations) is doubly so. For example, the Ministry of Communication promulgated a decision in October 2010 to temporarily suspend the licenses of nearly 80 radio and television stations.

Journalists continue to work in fear. This year saw several cases of threats and violence towards journalists, and some journalists were imprisoned. Prisca Rasmoelison, a journalist from SOBIKA, described how journalists from Radio Fréquence Plus were attacked on May 15, 2010, when they aired an adversarial debate program pitting those close to the regime against their opponents. Three people were injured, and some property was damaged, leading the radio station to stop broadcasting for some time. In another incident, authorities closed down Radio Fahazavana following the media coverage of the FIGN mutiny and uprising on May 20, 2010. Various journalists and staff members were imprisoned for allegedly endangering national security. The regime had already jailed other members of the same station in January 2010. Consequently, journalists have succumbed gradually to self-censorship.

As noted in last year's MSI, national media, such as rNM and TVM, have always been given preferential treatment, and public media journalists feel compelled to put up with the government's decisions at the risk of being transferred, suspended, or banned to speak on the air. Public media broadcasts are always under the directives and within the editorial lines set out by the ruling regime. According to Andriamahery, the private pro-regime press is favored as well, when it comes to key events.

As reported in previous MSI studies, libel is handled in criminal courts as well as civil courts, with prison sentences a

All of the panelists taking part in the workshop agreed with Prisca Rasamoelison of Sobika online, who said that felaka (a Malagasy slang term for a form of corruption—the practice of paying journalists for coverage) has become widespread.

possible punishment. However, to the panelists' knowledge, no journalists have yet received prison time for libel.

The public media benefit from favored access to information, at the expense of private-sector media. Journalists from the private sector cannot obtain information except through tedious questioning, seemingly like interrogations. The authorities reveal news only according to their interests. Access to information depends also on the subject matter: if the information concerns societal issues, access is easier; but if it concerns legal, political, or economic information, then access to the sources becomes more complicated, according to Manakara TRV journalist Stephenson Ravoajanahary.

With regard to breaking into the journalistic profession, only the Order of Journalists is able to grant press credentials. Currently, granting of new credentials is suspended, for reasons unknown to the panelists. Nevertheless, according to Ramaholimiaso, reporting is not judged by whether or not the journalist holds a license, but by the dynamism and savoir faire in carrying out his or her work on a daily basis.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Madagascar Objective Score: 1.68

Again in 2010, the panelists expressed concern about the lack of professionalism in the field, and above all, in individual journalists. No indicator scored higher than 2.00, although all but one scored within a half point of the objective score; the exception is indicator 5, pay levels for journalists, which scored slightly more than half a point lower.

Some MSI panelists noted last year that the intensified pressure of reporting through a political crisis brought about some improvements, especially in searching for information. However, the challenge of arriving at fair, objective, and well-informed reporting has proven to be a difficult test for the media and Malagasy journalists, according to James Ramarosaona, publications manager of *La Gazette*. Practical challenges in checking information, time constraints on

journalists that are already underpaid and stretched thin, and a lack of resources and equipment for proper reporting all constitute serious impediments to effective reporting. Despite the demanding requirements and pressures on journalists—especially regarding expenses—UNDP media and communications expert Nanou Fiankinana said that journalists are afraid to bring their problems to their press owners. Often with events concerning the armed forces, relevant information is inaccessible or confidential, which prevents journalists from producing well-informed reports and quality broadcasts. For lack of information and for fear of reprisals, self-censorship comes into play automatically.

The only norms that journalists seem to respect are the editorial lines of their own press agencies. Universal ethical norms that are commonly accepted and respected elsewhere are hardly even recognized in Madagascar. All of the panelists taking part in the workshop agreed with Prisca Rasamoelison of Sobika online, who said that *felaka* (a Malagasy slang term for a form of corruption—the practice of paying journalists for coverage) has become widespread.

As mentioned earlier, self-censorship is a pervasive problem. Some self-censorship is linked to media managers and their editorial priorities and interests, but social expectations come into play as well. Journalists are aware that the Malagasy public considers certain subjects too sensitive. Self-censorship inhibits journalists from covering all major events and newsworthy topics, but so do the lack of resources and the poor access to information.

The year 2010 was rich in events of major importance, especially in politics. Consequently, politics often dominated the news media. But the panelists said that other subjects

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).

of concern among the people should not be neglected. As Fiankinana said, "Journalists are the communications mediators between the government and those governed. They should promote integration of information: religious, diplomatic, political, economic, and social." And in fact, some journalists have demonstrated great breadth, producing quality broadcasts on a diverse range of subjects, according to independent journalist Jemima Rakotoasimbola.

The panelists had the opinion that insufficient income for journalists is one of the principal factors contributing to corruption. Moreover, given the poor salaries, many journalists are on the lookout for any event—even those seemingly lacking in newsworthiness—liable to generate additional income, to the detriment of more important coverage. In addition, media owners cut corners and hire inexperienced, younger journalists so that they can pay lower salaries—which ultimately hurts the quality of reporting.

As most of the media operate mainly on advertisement income, according to Andriamahery, radio and television necessarily favor entertainment broadcasts, especially during primetime. During this timeslot, some outlets broadcast only short news flashes, just enough to keep people informed about the news but not lose any clients. In addition, the print media reserve full pages for advertisements. As last year's panelists noted, the problem is not limited to the broadcast media; advertisements are encroaching on the space for news articles as well.

While national media outlets are using modern equipment increasingly, quality still varies at the regional level, as reported in the 2009 MSI.

With limited resources for training for specialized journalists, niche reporting remains rare except where supported by NGOs or other private institutions. Economics and legal journalism, for example, are weak areas where there is special need.

OBJECTIVE 3: PLURALITY OF NEWS

Madagascar Objective Score: 1.61

Panelists noted that although Madagascar has multiple sources of news, information is not always accessible to everyone—especially rural populations. Among Objective 3's seven indicators, only indicator 5, private media produce their own news, scored higher than 2.00, coming in about three-quarters higher than the objective score. Indicator 4, independent news agencies, received the poorest rating, more than half a point lower than the objective.

Indeed, city dwellers have plenty of choices in terms of their access to news, with a number of radio and television

Regarding the transparency of ownership, Ramaholimihaso commented on the emergence of a dominant media conglomerate in the private media. Many of those owners are major economic players or influential politicians.

channels of differing views broadcasting in large cities. In urban centers, newspapers and journals are available, access to satellite television (and by extension, information via international channels) is possible, and access to the Internet is reasonably affordable, according to Fiankinana. In sharp contrast, access to news in rural areas is hindered by many factors: the lack of electricity in remote areas; very high Internet costs, coupled with slow performance; and regulations that still do not permit private channels to cover the entire country, with the exception of certain preferred channels. Furthermore, newspapers and journals are not distributed. According to Andriamahery, a TV Plus journalist, rural residents have almost no alternatives to RNM and TVM and the other public media, which are heavily slanted towards the ruling politicians and regime. Additionally, independent news agencies are practically non-existent, so public and private media no longer use their services.

Public media are far from apolitical; they continue to favor the ruling regime and the political parties that support the authorities. They serve the public interest, but only with the news dictated by the regime. The panelists said that it is clear

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 media, especially private outlets, try to customize programming according to the needs and interests of the public, but not necessarily according to in-depth market studies.

that public media seldom convey the opinions and views of opposition parties.

Generally, independent broadcast media produce their own programs. By nature of having their own financial resources, their productions are sufficiently diverse, especially with the rise of sponsored programs. Educational, religious, business, and sports shows all compete to attract the attention of various audiences. Collaboration with public media outlets is not out of the question, since they can help reach additional audiences.

Regarding the transparency of ownership, Ramaholimihaso commented on the emergence of a dominant media conglomerate in the private media. Many of those owners are major economic players or influential politicians. Otherwise, information regarding media ownership remains rather hidden and unknown by the average citizen. However, consumers can glean whether an outlet sympathizes with or opposes the ruling regime, based on the content of a certain article or program.

Media broadcast programs designed to reflect social interests and minority languages exist, and are reflected in audience ratings. Often, in certain areas, the dialect used to broadcast information depends on the interest and the nature of the information. Rakotoasimbola gave an example: "In Majunga, a Muslim radio station broadcasts news and publicity announcements in standard Malagasy or in the local Sakalava dialect. However, it transmits in Arabic to read or disseminate texts of the Koran." Furthermore, according to Fiankinana, the recent development of using social media, such as Facebook and blogs, while not professional sources of information, has provided a quasi-selective source of information and directly answers the needs of a certain public segment. The reach and effectiveness of these tools remain limited nevertheless, since access depends on Internet coverage—which not all can afford.

OBJECTIVE 4: BUSINESS MANAGEMENT

Madagascar Objective Score: 1.73

The panelists agreed that independent media are well managed, but not to the point of guaranteeing their editorial freedom. Among the seven Objective 4 indicators, all scored within a half a point of the objective score except indicator 5, government subsidies for private media, which lagged behind by more than three-quarters of a point.

According to Andriamahery, it is not possible to obtain reliable and direct information to judge the financial health or profitability of media outlets or the companies that support them, since this data is considered confidential. Management effectiveness can be assessed only indirectly, through external measures such as the broadcasting of advertisements, the number of public advertisements, the number of programs sold and sponsored, and the duration of media campaigns.

The print media have multiple sources of income, including advertisements and revenue from sales and subscriptions. However, for radio and television media, the principal and almost sole sources of revenue come from advertisements and sponsored programs. As the profitability of the media relies heavily on the advertising sector, it is common to see television shows—even news programs—interspersed with advertisements, said Andriamahery. The total advertising revenue corresponds to the norms accepted by commercial media groups.

As noted in last year's MSI, advertising is managed increasingly by professional communications agencies,

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.

with most agencies located in the capital. The agencies collaborate closely and professionally with the private media as well as public media. Advertisers, including communications companies, target their media partners on the basis of parameters such as the credibility and visibility of media outlets.

Normally, independent media do not receive funding from the government. However, some preferred (pro-regime) private media groups receive indirect funding through material donations, or sponsored programming during state media broadcasts, according to Rasamoelison. Given the slowing of opportunities for the private sector during the global economic crisis, the state remains the media's main source of advertisements. According to Andriamahery, the media that convey the regime's political ideas enjoy a clear advantage. "...the choice of the media (broadcast or print) to broadcast advertisements is not equal and transparent, and often is discriminatory," he said.

The media, especially private outlets, try to customize programming according to the needs and interests of the public, but not necessarily according to in-depth market studies. More often, customizing is done through practical experience. For example, almost all television stations broadcast South American and Indian programs, since these are the programs that appeal to the vast majority of the population, according to Andriamahery.

Print media companies have commissioned surveys with private consulting firms specializing in audience rating analysis. They conduct surveys quarterly, with a view to reviewing the company's profitability and determining each press organization's position compared with others, Rahaingomalala said. The problem lies in the reliability of a polling agency.

Furthermore, although specialized consulting firms conduct surveys regularly to determine the ratings and circulation figures, the results are not reliable, according to the panelists. These firms work for the media outlets, and they may distort data to attract more advertisers, if the station is influential enough. Often, these statistics are calculated from surveys that the independent media themselves fund, in order to capture the best advertising market, Rasamoelison remarked.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Madagascar Objective Score: 1.81

Even with a score within the "unsustainable, mixed system" range, this objective scored the highest for the entire MSI 2010 study. All indicators scored within a half-point of the objective score.

According to Ramaholimihaso, Madagascar has supporting institutions that act in the interests of the media professionals, and provide training opportunities to improve the sector. Difficulties arise, however, in acquiring funding and implementing the benefits of training effectively. Journalists face practical barriers (low salaries, lack of resources, temptation to corruption) in upholding their professional and ethical responsibilities.

Trade associations in the media sector are still small in number in Madagascar. Only the Groupement des Editeurs de Presse d'Information (GEPIM) is functioning and protects the interests of its members, Ramaholimihaso said. Journalists are not grouped in a union, but there is the legally recognized Order of Malagasy Journalists (OJM). However, according to Rasamoelison, OJM has lost its legitimacy and is no longer able to defend the interests of journalists. According to the panelists, OJM rarely lifts its voice in the defense of a member's cause.

To remedy this situation, often journalists assemble in a multitude of associations, grouped according to personal preferences and skills (sports, economics, politics, environment, etc.). International organizations working in the same fields support the associations. In 2010, a new association, Collectif des Journalistes Malgaches, was

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.

Often, international NGOs engaged in promoting democracy and/or freedom of the press offer training programs... Andriamahery said, sometimes they fail to account adequately for the local realities and the technological limitations that Malagasy journalists face.

founded. It organized a roundtable conference on threats to the freedom of the press in Madagascar, drawing the participation of several foreign diplomats.

Madagascar has quality journalism diploma programs, such as those offered by the University of Antananarivo and Catholic University. The number of formally educated journalists is inadequate, however. As noted in last year's MSI, graduates from these institutions often head for careers in communication at development enterprises or international organizations, rather than journalism. Furthermore, the panelists pointed to the need to support training initiatives beyond just core knowledge and expertise. According to Ramaholimihaso, media companies need to reinforce practical skills, and above all, to organize specialized training to draw professionals with relevant expertise. Panelists underlined the

importance also of better preparing future editors, especially those involved in the legal, political, business, and public opinion fields.

Beyond university studies, short-term, on-the-job training programs are available. Often, international NGOs engaged in promoting democracy and/or freedom of the press offer training programs. However, some journalists have found the programs too theoretical and even impractical. According to the panelists, often the content is dictated by the needs and the missions of the NGOs. Furthermore, Andriamahery said, sometimes they fail to account adequately for the local realities and the technological limitations that Malagasy journalists face.

Printing facilities belong mainly to the private sector, and they engage in free competition in terms of production. Generally, news organizations choose their printers according to commercial criteria (relationship between quality and price), and the printing businesses respond accordingly, according to Sidonie Rahaingomala, an MATV journalist. Similarly, channels of media distribution, such as kiosks, transmitters, and Internet service providers belong to the private sector and are apolitical. Kiosks, for example, sell newspapers with editorial lines totally in opposition to the regime. But these distribution channels are relatively limited; they are accessible only in the capital and large cities.

List of Panel Participants

Rahaga Ramaholimiaso, chief executive officer and owner, SME-Tribune, Antananarivo

Nanou Fiankinana, journalist, PNUD Communication, Antananarivo

Sidonie Rahaingomalala, journalist, MATV, Antananarivo

Pasteur Tiburce, journalist, Radio Fahazavana, Antananarivo

Njaka Andriamahery, journalist, TV Plus Madagascar, Antananarivo

Prisca Rasamoelison, journalist, SOBIKA, Antananarivo

Stephenson Ravoajanahary, journalist, RTV, Manakara

Jemima Rakotoasimbola, freelance journalist and consultant, Majunga

Joel Verthino Koto, journalist, Radio Voanio, Toamasina

Fara Christelle Rakotomanga, UNICEF Communications, Antananarivo

Ruffin Rakotomaharo, president, Madagascar Journalists Association, Antananarivo

James Ramarosaona, editorial director, *La Gazette*, 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.

During 2010, the government indirectly banned its departments from advertising with the private media house Nation Publications Limited (NPL). Even some private companies shunned advertising with NPL, for fear of cross-contamination.



MALAWI

For the first time since independence in 1964, Malawi has a new flag, boasting a full sun to replace the rising sun of the old flag. Proponents of the change argued that 46 years after independence, Malawi should no longer be considered a rising nation. The public protested the change, calling it costly and unnecessary, but the parliament passed a bill to usher in the move, with President Mutharika's assent. Contrary to the spirit of the new flag, the change left many citizens concerned that the ruling party makes laws to support its will, without the input of the opposition and the people. This governmental attitude is reflected in its approach to the media as well.

In 2010, with four years to go until the next presidential and parliamentary elections, drama swirled in the political and media spheres. Mutharika won the 2009 election by a landslide, renewing his five-year term. The ruling Democratic Progressive Party (DPP) also won a parliamentary majority. Despite this advantage, there is much political restlessness over the 2014 candidate. Already the ruling party has two camps, with one more pronounced side supporting the president's brother, Peter Mutharika, and the other rallying behind the country's vice president, Joyce Banda. Public and private media alike are consumed in the contest, with endorsements dominating headlines; cluttering front pages, commentaries, and even phone-in programs; and detracting from coverage of other pressing issues.

Meanwhile, the government is sending troubling signs to the media. During 2010, the government indirectly banned its departments from advertising with the private media house Nation Publications Limited (NPL). Even some private companies shunned advertising with NPL, for fear of cross-contamination. Despite this blow, NPL and the other leading print media house, Blantyre Newspapers Limited (BNL), managed to add new titles to their brands. The new list includes NPL's *Fuko*, published in Chichewa and Tumbuka and distributed in rural areas for free.

The government's attempt to exercise control over private media extended to broadcasters, when the authorities stopped live coverage for VIP events. Parliament's lack of interest in passing the Access to Information Bill disheartened the media community further.

The long-awaited merger of Malawi Broadcasting Corporation (MBC) and Television Malawi (TVM) proved to be the major public media event in 2010. Opponents expressed concern that many people would lose their jobs, while supporters countered that blending MBC Radio 1, MBC Radio 2, and the television broadcaster under one roof is ideal and in line with the MBC Act and the Malawi Communications Act. Also, for the first time, Malawi Communications Regulatory Authority (MACRA) spearheaded a review process to amend the Malawi Communications Act of 1994. According to the authorities, the objective of the review process is to enhance MACRA's operations and boost the ICT industry. But given the steps taken to quiet the media in the past year, media advocates are understandably skeptical.

MALAWI AT A GLANCE

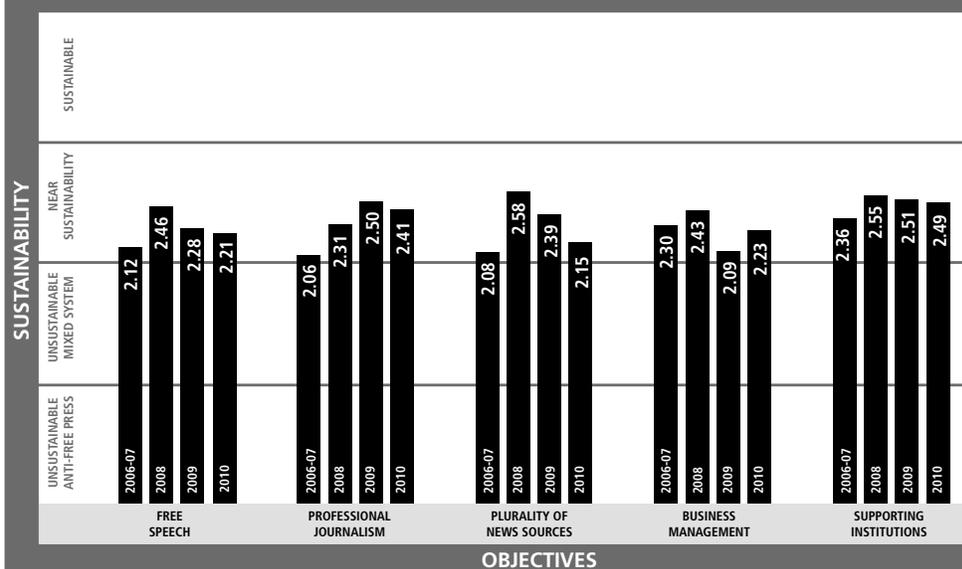
GENERAL

- > **Population:** 15,879,252 (July 2011 est., *CIA World Factbook*)
- > **Capital City:** Lilongwe
- > **Ethnic groups (% of population):** Chewa 32.6%, Nyanja 17.6%, Yao 13.5%, Ngoni 11.5%, Tumbuka 8.8%, Nyanja 5.8%, Sena 3.6%, Tonga 2.1%, Ngonde 1%, other 3.5% (2008 census, *CIA World Factbook*)
- > **Religions (% of population):** Christian 82.7%, Muslim 13%, other 1.9%, none 2.5% (2008 census *CIA World Factbook*)
- > **Languages (% of population):** Chichewa 57.2% (official), Chinyanja 12.8%, Chiyo 10.1%, Chitumbuka 9.5%, Chisena 2.7%, Chilomwe 2.4%, Chitonga 1.7%, other 3.6% (1998 census, *CIA World Factbook*)
- > **GNI (2010-Atlas):** \$4,886 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$850 (World Bank Development Indicators, 2011)
- > **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: 9 newspapers, including 2 dailies, 2 private weeklies, and 1 state-owned weekly; Radio: 19 stations including 2 public broadcast services and 13 privately owned, and 4 community-owned stations; Television stations: 3, including 2 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 (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 716,400 (2009 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: 2.21

Objective 1 received an overall average score of 2.21, and indicator scores varied widely. Indicators 8 (media access to and use of news sources) and 9 (licensing of journalists) both scored more than half a point higher than the objective score. On the other hand, indicators 2 (media licensing), 5 (guarantees of independence for state media), and 7 (access to public information) all scored more than half a point behind; indicator 7 lagged by more than a whole point.

Malawi's 1994 constitution guarantees free speech in sections 35, 36, and 37, but as Institute for Policy Interaction (IPI) Director Rafiq Hajat noted, the government took steps in 2010 that threatens the freedom of expression. Parliament, for example, passed an act restricting demonstrations.

Other laws are in place that contradict the freedoms outlined in the constitution. The prohibitive laws surround issues such as sedition and protected names, emblems, and places. For example, in August 2010, the authorities arrested Reverend Levi Nyondo, secretary general for Livingstonia Synod of the CCAP Church, on charges of sedition. The charges stemmed from Nyondo's eulogy at the funeral of former Minister of Health Moses Chirambo, who died just days after being dismissed from the government. Nyondo had criticized government policies, including the quota system used in university admissions, and said also that it was ironic for

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 constitution is very positive, progressive, and supportive of the collection, processing, and distribution of media products, but there are about four dozen laws that undermine the constitutional provisions," said NPL Managing Editor Edward Chitsulo.

Mutharika's government to praise Chirambo posthumously, when it had removed him from the cabinet. Nyondo's case was suspended after his lawyers challenged "the constitutionality of the sedition offense."

Several panelists pointed out that freedom of speech, as enshrined in the constitution, is for the whole population and not the media only, but it is becoming more common for any dissenting voices to be branded as enemies of the government. "The constitution is very positive, progressive, and supportive of the collection, processing, and distribution of media products, but there are about four dozen laws that undermine the constitutional provisions," said NPL Managing Editor Edward Chitsulo.

The country's judiciary is still considered independent. Along with the Nyondo case, panelists cited another recent case in which the judiciary showed a streak of independence. Two politicians, DPP's expelled official Harry Mkandawire and National Rainbow Coalition (NARC) member Jeremiah Chihana, were accused of sedition and unlawful assembly with their group, the Northern Region Fora. According to media reports, the state contended that the Northern Region Fora aimed to incite disturbances of peace and order in the republic. Delivering his judgment, Justice Lovemore Chikopa trashed the prosecution's evidence, which included a press statement by the group calling for a January 1, 2010 referendum to address the education quota system and to decide on the devolution of power for the northern region to allow it become a sovereign state.

Many panelists expressed concern about the broadcast licensing process, and scores for the related indicator were accordingly low. Panelists said that the licensing agency, MACRA, is not independent, and its process lacks transparency. The composition of the MACRA board and officials is highly partisan, and panelists found worrisome the close social relationship between the licensing body and a senior politician in one rural district. Panelists also noted that MACRA does not supply reasons when it turns down license applications, and the system has no appeals process for those denied. Panelists also faulted MACRA for letting the public

media operate without any licenses, while adopting a strict approach with private broadcasters.

“Much uncertainty clouds the licensing of broadcast media,” said BNL General Manager Tikhala Chibwana. “A whole set of applications was disqualified, with no explanation, leading to speculation of political pressure.” He added, however, that signs are pointing to the process opening up.

Market entry is said to be free, and the law allows any individual or entity to enter the media industry. Generally, the tax structure for the media is not singled out or treated differently than for other industries. But panelists from the print media side bemoaned the recent introduction of a duty tax on newsprint and printing chemicals. The development led to an increase in production costs, and consequently, prices for newspapers. Both BNL and NPL raised cover prices to meet the increased costs. Some panelists expressed the opinion that introducing the tax is unfair, as the country has no paper mill. However, other panelists had no problems with the tax introduction, arguing that the break had been around long enough to provide some advantage.

Most panelists agreed that the huge start-up capital requirement is the most restrictive factor in entering the media market. But the shortage of independent printers is another barrier, according to panelists. Capital FM Director Osman Alaudin said that BNL and NPL deliberately block new entrants. “The two main publishing houses...operate as a cartel and do not allow printing of other newspapers on their web presses,” he said.

Other panelists noted that from a legal standpoint, entering the print media world is easier than breaking into broadcast media. As Chibwana explained, “Market entry is linked inextricably to the issue of licenses. For example, for private radio and television stations, you must first collect a hundred signatures, as if it is a political party. You must demonstrate that there are people looking for the services. But this is a commercial exercise, and if there is no demand for your services, you will go bust.”

The relatively high ratings for indicator 4 reflected the fact that no crimes against journalists were recorded in the previous year—but some panelists cautioned that the progress is too recent to judge. Furthermore, prosecution of those who treat journalists poorly remains an ongoing challenge, as often the culprits are authorities such as the police.

Attempts to intimidate journalists persist also. Journalists from the private media are the most insecure, as their job entails treading where NGOs fear to tread. For example, presidential press briefings are held in the presence of party functionaries, who browbeat journalists that ask questions that they find threatening. Also, a BNL journalist, McDonald

Chapalapata, had his car gas-bombed at his house. The incident was preceded by threats, linking the attack to his work. Although Chapalapata reported the incident to the police, no tangible action followed. In other cases, NPL journalists have been whisked out of government meetings. Panelists said that these kinds of threats, which typically lack evidence, are more difficult to deal with. Chitsulo added that “the cost of litigation is also prohibitive, and the onus of proof rests with the journalist.”

Editorial independence in the public media remains weak. By law, the public media are supposed to be editorially independent, but practice has proven otherwise. A bias has existed for many years, and no political regime seems to want to change the laws. One year after the presidential and parliamentary elections, the public media continue to show bias, often favoring the ruling party. The public media air heavily partisan analytical programs and commentary, seemingly championing the process of selling Mutharika as the DPP presidential candidate in the 2014 elections. In Chibwana’s words: “...each successive ruling party has taken advantage of public media to its own ends.”

Multiple other government policies further erode public media editorial independence. Public media journalists enjoy preferred access to official information; the government appoints public media board members and management staff; and the state provides public media funding.

Although libel cases are civil law issues, lawsuits are still used as a way to scare the media. The panelists that rated the indicator highly emphasized that libel is a civil issue. Those who rated it lower argued that litigation is expensive, and media outlets enter into defense rarely, often opting for out-of-court settlements. The fear of attracting lawsuits affects journalists’ work negatively as well.

Without a pro-media legal instrument in place, access to public information remains a challenge, especially for private media. The government is not mandated to share information with the public, so it is common to see stories in which government sources refuse to comment on pertinent issues, and where documents were not available for the journalist to verify information.

In the beginning of 2010, without any legal grounds, the government started restricting NPL journalists from attending certain public functions, thereby denying them access to information. The government also issued an order to bar private media from covering live VIP functions, forcing them to rely on feeds from the Ministry of Information instead.

In consultation with MISA Malawi and with the support of civil society stakeholders, media members have drafted the Access to Information Bill and have been lobbying parliament

to table the measure. But some panelists said that they have almost given up on it being deliberated in parliament, given lawmakers' reluctance to discuss the proposed bill or pass it into law. According to Hajat, "Parliament has adamantly refused to amend, even when the opposition was in majority and there was a golden opportunity to do that. I asked a member of parliament, and [he] said that if I were in [his] shoes, I would want that control, too."

The panelists concluded that public officials have yet to appreciate that they are accountable to Malawi citizens. At times, the authorities have not only withheld information, but lied to journalists. For example, Chibwana said, when BNL ran a story on the acquisition of an extravagant presidential jet, others rushed to claim that it belongs instead to the military. Chibwana suggested that the claim was intended to mislead the public. However, panelists did underline a positive trend: some government institutions, such as the police department, are designating a communications point person to work with the media.

Panelists agreed that access to international news sources has remained unrestricted, for several years and through changes of government, indicating likely sustainability. Still, some media houses cannot afford to subscribe to international news agencies, and slow Internet speed presents another challenge.

Indicator 9 scored fairly high as well, as largely the panelists agreed that Malawi's government does not control entry into the journalism profession. The Journalist Union of Malawi (JUMA) defines journalists in its constitution, but the reality is that anyone capable can practice. According to MISA Malawi General Secretary Deborah Nyangulu-Chipofya, "Malawi is one of the easiest countries to practice journalism. You can wake one day, get a pen and notepad, and say you are a journalist."

Press cards are in place, but they are not a must, except for VIP functions. An accreditation process launched last year by the Media Council of Malawi (MCM) did not move forward this year.

Essentially, journalists are free to protect their rights as they see fit.

Entry into the journalism program at the public university is restricted to a selected number of students, due to limited space, but the government does not influence the selections.

Despite the rosy picture painted by many of the scores, panelists expressed concern that during the past year, the government imposed some serious restrictions on private media—most significantly on NPL. The government imposed an advertising ban of NPL and also barred the outlet's

journalists from attending certain government functions. In addition, the government stopped private radio stations from covering some VIP functions.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Malawi Objective Score: 2.41

Panelists gave Objective 2 an overall average score of 2.41. All indicators scored within half a point of the objective score, except indicator 5 (pay levels are sufficient to deter corruption), which came in the lowest and trailed by about two-thirds of a point.

Panelists said that generally, private media reporting is fair, objective, and well sourced. However, they saw room for improvement in terms of variety of sources and balance. Poor verification of facts weakens the quality of reporting, and journalists lack the technical training and expertise to sort through certain issues—as reflected in the level of reporting.

Hajat shared a personal experience that he said illustrates the lack of balance. "I was appointed to the presidential advisory council, and then I was dropped without a meeting. A government official appeared on TVM and said it was because I was 'misguidedly arrogant'—apparently because he said I had not replied to the president when he appointed me. I proved that I replied, but I had replied and requested for terms of reference. My request was ignored, and I was dropped. The title of the story was 'Hajat dropped from presidential council.' Even NPL's *The Nation* wrote that. Only one side of the story was reported; nobody printed my side of the story. There is your objectivity."

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).

Nyangulu-Chipofa noted that the sector has many untrained journalists, and reporting lacks thoroughness. The frequent retractions and apologies published make it clear that often reporters fail to verify their facts. Part of the problem is that editors give young journalists little assistance in enhancing stories with depth and dimension.

This year's debate over media ethics echoed the concerns of the 2009 MSI participants. Panelists had a general consensus that journalists observe ethics, save for one significant exception: the common "brown envelope" practice, in which journalists accept payment to cover events. Panelists said that almost all reporters, whether from public or private media houses, or from print or electronic media, accept allowances from event organizers. However, this practice is thought to be more prominent among younger journalists.

Panelists noted other forms of corruption in the media. University trainer Grey Mang'anda commented, "In some cases, reporters have been caught up in unethical behavior, especially requests to pay to publish or omit a story. Stories of musicians who are asked to pay for publicity of their material are rife. Malawian journalists have coined a term, *chipondamthengo*, which glorifies corruption. It is a worrying trend."

This type of corruption is proving difficult to curb, as very few people come forward to report to management. "It is quite tricky...because some of these things are practices that are accepted out in the field," Chibwana said. "The managers are not involved, and they are seemingly unaware of what is happening out there."

During the year, MCM distributed copies of the code of ethics, complaints, and disciplinary procedures to all its members, yet broader adherence continues to elude the journalism field. Peter Kumwenda Jegwa, a media activist and member of the Lilongwe Press Club, commented, "MCM, which is supposed to champion self-regulation by the media and adherence to ethical standards, is still trying to find its feet. All players, particularly the main media houses, have not completely accepted its guidance. This means the onus of observing of media ethics is on the media houses and journalists themselves."

The panelists said that self-censorship continues to weigh on journalists. The government's withdrawal of advertising in NPL products increased self-censorship implicitly in that media house as well as other outlets. Big businesses, which are major advertisers, drive self-censorship further among journalists and editors. Additionally, as Alaudin noted, "Recent research by JUMA indicates that poor salary scales are also sources of self-censorship, as poorly paid journalists are more likely to accept 'brown envelopes' or forms of bribes not to report certain issues."

With little discussion, the panelists agreed that reporters and editors are willing to cover critical events and issues, but in some cases, the government stands in their way. "Key events are not covered adequately. This is due to a recent directive by the government that media houses will no longer cover VIP events, except through the Ministry of Information and Civil Education," said Alaudin. NPL journalists confirmed that from time to time, the government bars reporters from covering important government events.

Regarding pay for journalists, panelists delivered a wide range of scores—reflecting the impression that pay levels vary from one media house to another. Journalists working in public media earn better pay compared to other civil servants with the same level of education and experience. The two major print media houses are also said to pay decent salaries. In contrast, there are only a few well-paying outlets in the private electronic media, with the rest giving miserable wages. Some panelists said that pay levels seem fair in comparison to certain other professions, but given the risks and temptations that journalists face, pay scales are on the lower side.

However, the panelists were divided on the question of poor pay leading to corruption. Some underlined a connection between the two, and others disputed the link. "As long as employers continue to abuse journalists, as long as journalism continues to be a financially unrewarding career, media ethics will always be thrown to the dogs," Nyangulu-Chipofya said.

As if in response to last year's proposal from panelists, in 2010 JUMA published its recommendations for "appropriate pay scales based on qualifications, experience, skills, etc." Titled *Faithful, Patriotic, Overworked, but Exploited*, the document was released in June and contains survey results and evaluations. JUMA found that most journalists in private radio stations earn less than MWK 10,000 (about \$60) per month. JUMA proposed setting the minimum monthly salary for journalists at MWK 50,000 (about \$300).

With little debate, the panelists agreed that entertainment does not eclipse news and information programming. "Currently, news content competes mostly with advertising [as opposed to entertainment], especially in newspapers," said Jegwa. However, NPL Chichewa Editor Herbert Chandilanga had a different opinion. "News generally comes before entertainment, but news and entertainment programming is not balanced. Mostly, entertainment comes in as fillers," he said.

Although the balance in the media is fair, many people seem to like entertainment more. Chibwana pointed to *The Weekend Times* as an example. While not a purely entertainment publication, entertainment constitutes the

bulk of the content, and its popularity is a clear indicator that entertainment is what consumers want.

Some panelists said that media facilities and equipment are sufficiently modern, though panelists disagreed. Zodiak Broadcasting Station (ZBS) reporter Norman Fulatiro said, "Some media institutions have made it a point to equip their reporters with digital recorders, vehicles (on loan), cameras, etc. ZBS and NPL are clear examples in this area." On the other hand, Hajat emphasized the need for improvements: "Equipment is often worn out and obsolete. Indeed, some radio stations are using pirated software, and the system is heavily infected with viruses."

Panelists agreed that niche reporting exists; however, some panelists noted the need for better quality. "Low staffing levels lead to shortcuts on getting the story done," said Nyangulu-Chipofya. "We have to fill the paper at no cost, so stories cannot be completed comprehensively. Not all sources are contacted." Jegwa commented, "State media, which is generally better resourced than private media, best covers rural areas, but it is private media that can be relied upon for good investigative journalism."

Reporting on issues such as HIV/AIDS and maternal health surpasses political coverage. However, in those interest areas, reporters are usually carrying the agenda of NGOs. Electronic media cover minority issues much more than the print media. The same applies in use of minority languages. NPL's new *Fuko* has improved coverage of minority language, panelists noted.

OBJECTIVE 3: PLURALITY OF NEWS

Malawi Objective Score: 2.15

With an overall average score of 2.15, Objective 3 scored the lowest of all objectives in the MSI. Panelists observed that despite the existence of several media houses, the Malawian media sector has no plurality, high costs impede free access to international news sources, and the public media continue to show extreme bias. As Chitsulo explained, "There is a clear pattern that overall, citizens get reliable, objective news from multiple sources—agencies, regional and global radios, and televisions—including public media. The only catch is that the truly independent media comes at a cost. Hence, the majority of rural poor depend on cheap or free media sources."

Indicator 2 (citizens' access to international and domestic news) and indicator 5 (private media produce their own news) received the highest scores for the objective, both exceeding the objective score by half a point. Indicator 3 (state or public media reflect the views of the political spectrum, are

non-partisan, and serve the public interest) scored the lowest for this objective; trailing the objective score by more than a whole point, it landed in the unsustainable, anti-free press range on the MSI scale.

In the past 12 months, the leading print media houses added new titles to their brands. BNL, the 2009 Media House of the Year, introduced a tabloid, *The Weekend Times*, and a family magazine, *Times Lifestyle*, to its brand, which already includes *The Daily Times*, *Malawi News*, and *The Sunday Times*. And despite the blow to its advertising income, NPL, publishers of *The Nation* and its weekend editions, managed to introduce *Fuko*. Private media are more independent than the public broadcasters, as reflected in their news programming. Yet most media, print and electronic alike, focus primarily on national issues. At the community level, media is not very developed.

Panelists commended the unrestricted citizen access to domestic and international media, noting that such conditions have prevailed for a reasonably long time. Panelists could not think of any instances of government interference in access to domestic or international news sources during the period of study for this MSI.

However, other challenges hamper access. Cost is the major limiting factor—especially for newspapers, television, and the Internet—in a country where income levels are low. Illiteracy is another obstacle. Panelists also pointed out that the shortage of decent roads in most rural areas limits the distribution of print media. Jegwa explained: "Newspapers are hardly accessible in the remote parts of the country. Rural audiences still rely on the national radio station and at least

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.

one private radio station for news. As private newspapers arguably present the best journalism, the quality of news accessed in rural areas is not as high as that accessed in towns and cities.”

To increase access, the government, through MACRA, has established a number of telecenters in rural areas. Although satellite television is available, most people watch the public television station, which is free. The onset of free-to-air decoders has eased the gap to some extent. Access to other news sources, such as the Internet, is improving slowly, with developments in the mobile network companies and ICT.

Again this year, panelists handed the lowest scores to indicator 3, exposing the public media’s ongoing failure to serve the public interest. Panelists cited the bias, partisanship, and lack of balance in the public media. They also expressed concern that the propaganda programming, which increased during last year’s presidential and parliamentary elections, did not fade after the election season. The public media also interfered in the internal politics of the ruling party, DPP, over succession plans. With Mutharika serving his second term, succession tensions are already underway, and even with the next elections several years away, the public media has shown its bias. Under the banner “Road to 2014,” coverage heavily favors Mutharika, while Banda receives little or negative coverage.

Malawi does not have an independent news agency that distributes news to local media. The country still has just one news agency, the government-owned Malawi News Agency (MANA). MANA distributes print and electronic content to public and private media without any bias. Additionally, MANA maintains offices across the country, and provides good coverage of social issues. However, because it is a government institution, independence is a challenge, and limited resources and personnel impact its efficiency.

International news agency services are available, but have limitations as well. “The foreign news agencies are not only expensive, but the content is mostly packaged for the western audience and irrelevant for us,” Chitsulo said.

The panelists agreed that independent broadcast media produce their own programming. But as noted in last year’s MSI, aside from political programs, most MBC productions adhere to production standards higher than those of the independent media. Independent broadcasters also tend to duplicate each other’s programs.

Individual ratings for indicator 6 varied widely. Essentially, the media sector has enough ownership transparency to allow consumers to judge the objectivity of news. Also, the country’s regulations do not allow an entity to monopolize the industry. During the year, NPL founding owner and

former politician Aleke Banda died, and all the company’s newspapers covered the funeral with passion—and readers understood why. Another hot news topic was a man who came to the country claiming to be the son of the country’s first president, Kamuzu Banda. Banda’s family holds shares in BNL, allowing readers to judge the objectivity of the coverage in the company’s publications.

The panelists said that in general, the media reflect a relatively broad spectrum of social interests. According to the panelists, the public radio stations still offer the most content in different languages, although NPL’s new *Fuko* is published in Chichewa and Chitumbuka. Overall, though, minority-language information sources have little impact, as Mang’anda attested: “Once in a while, a newspaper like *Fuko* comes along, but although they are aimed at the rural areas, we do not have any feedback that they are making an impact. What efforts have such media made—to reach as many people as possible, especially in print?”

Similarly, the need to invest in community media is clear. Malawi still does not have community newspapers. Some community radio stations have gone national, arguably for commercial reasons, while existing community radio stations have had management problems. Most are staffed with volunteers, resulting in high turnover. Achieving sustainability and operating without donors has proven a major challenge.

OBJECTIVE 4: BUSINESS MANAGEMENT

Malawi Objective Score: 2.23

Objective 4 received an overall average of 2.23. Only indicator 7 (broadcast ratings and circulation figures) did not score within a half point of the objective score; it trailed by about two-thirds of a point.

Most public and private media operate as profit-generating bodies, are managed professionally, and allow editorial independence. Key departments are headed and run by professionals with the appropriate skill sets (accounting, human resources, editorial). According to Chibwana, “By and large, independent media are managed as businesses. Since they do not receive subsidies, they must operate as businesses to survive.” Most media outlets create strategic plans to enhance their advertising revenue, but these are rarely backed by market research.

The degree of personnel efficiency varies among media outlets. In some media houses, qualified staff can be found only in newsrooms, while novices staff circulation desks.

Other outlets face problems because they are run as family businesses. Weak management also plagues community radio stations, dimming prospects for their sustainability.

Scores for indicator 2 (sources of revenue for the media) were across the board, but panelists agreed that advertising provides the biggest chunk of funding. Some radio stations boost revenue with advertising productions, along with sponsored programs. One of the private radio stations, ZBS, seized opportunities presented by the 2010 World Cup soccer tournament and managed to turn a profit. ZBS beamed the games onto big screens in high-density locations, with help from corporate sponsors.

For print media, sales of copies bring in a healthy amount, but at high cost. During the year, leading print media houses added new services to bring in more revenue. For example, BNL introduced a courier service, and NPL forged partnerships with other organizations to offset the costs of production and distribution of its free newspaper.

The bulk of advertising flows from just a handful of companies, along with the government.

Media houses must handle their advertising accounts carefully, however, because if a media company falls out of the government's graces, corporate advertisers are likely to shun the outlet as well. This happened when the government suspended its advertising with NPL. Chitsulo, NPL's managing editor, explained his perspective: The government might be a major source of advertisements, but the real issue is that government is a highly influential advertiser. "If you look at the volume, we are still surviving with corporate advertising. But the seal of approval from government clearly influences private advertisers," he 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.

Advertising agencies exist in Malawi, although the industry is underdeveloped. Some advertising agencies are proving not only unhelpful, but detrimental to media houses—collecting money from clients directly, then forcing media outlets to fight for the revenue. Furthermore, panelists said, agencies supply ads that are lacking in quality and imagination, and do not add much value to the end products. Chitsulo commented, "Advertising agencies are essentially post offices, where companies go to post an advert to send on to media outlets...we are not seeing much creativity."

Some of the major advertisers send their advertising business out of the country to meet their standards. Other companies forgo television ads, despite having room in their budgets, because they cannot seem to find anyone talented enough to create decent ads. Noted Limbani Matola, the director of sales and marketing at MBC TV, "We have a very big problem. Our audience challenges us on the quality of advertisements, and even programming. I can make lucrative business deals, but who will make punchy adverts? In other countries, the private sector or agencies fuel productions." Given such limitations, media houses often source their own advertising.

Although the panelists said that advertising makes up the largest portion of revenue, they did not have figures to determine the percentage of time or space taken up by news. Nearly all the panelists agreed that the advertising ratio is in line with international standards, but the media appear willing to cut editorial space to accommodate every available ad. For Chibwana, "the industry norm is 60:40, but currently [it has declined] to about 55:45." NGOs and companies with international branches are cutting down on advertising, although panelists said the situation is improving somewhat.

The government does not subsidize independent media, and panelists agreed that this is ideal, considering the political pressure and interference with content that it would bring. "Any attempt to subsidize private media outlets would kill their independence," said Mang'anda. The 2010 panel's position is a significant change from last year, when panelists differed on the question of whether subsidies help or hurt. Perhaps the strong feeling this year that subsidies would compromise independence stemmed from the government's advertising ban on NPL. Some panelists suggested that subsidies could come in the form of tax breaks.

Media houses conduct little market research. Usually, products are tailored to suit the perceived needs and interests of audiences, determined from sporadic feedback and general comments. As an example, panelists pointed to the launch of the BNL tabloid, *The Weekend Times*. Without conducting any market research, BNL identified a gap and offered a tailored product, and it proved worthwhile. Within 12

months, circulation figures have grown from about 3,000 to about 16,000.

Broadcast ratings and circulation figures remain a mystery, thus the related indicator scored the lowest in Objective 4. Malawi does not have an independent body producing or authenticating broadcast ratings or circulation figures. Once in a while, media outlets announce their broadcast ratings and circulation figures, but with no proof provided, their accuracy and authenticity are questionable.

A media monitoring unit put in place during the elections last year has since stopped functioning. According to the panelists, it seems that individuals and organizations have decided that they can do without statistics.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Malawi Objective Score: 2.49

Again this year, Objective 5 brought the highest overall score, at 2.49. All indicators scored above 2.00 and within half a point of the objective score.

Some of the panelists recalled a trade association for broadcasters, and another for publishers, but said they have apparently lapsed into oblivion. “[Organizations] such as the Broadcasters Association of Malawi seemed to have died at birth,” Alaudin remarked.

Agreeing that strong trade associations could help lobby for independence and professionalism, the panelists proposed that it would do no harm if media owners and managers join other associations. For example, media owners could join commercial bodies, such as the Malawi Confederation

of Chambers of Commerce and Industry, where they could negotiate issues. The media could also lobby using the parliamentary Media Committee. Chitsulo gave a specific call to action: “The independent media need to get organized to bargain for favorable trading terms.”

Indicator 2 drew higher scores, as professional associations exist. The most popular and active include MISA Malawi, MCM, JUMA, and press clubs. Journalists pay fees to become MISA Malawi members, although the association caters to the interests of all practicing journalists. Despite growing membership ranks, MISA Malawi’s overall funding declined as a result of the global recession, which forced it to cut some programs. MISA Malawi works independently from the government, and few entities have had the financial resources to support the association.

Members seem to expect more immediate, monetary benefits than participate in efforts to improve media frameworks; a significant number would rather attend workshops and receive allowances. After researching journalists’ compensation, JUMA championed pay increases (although most of the panelists had not seen the report at the time the MSI panel convened). But JUMA has not proven efficient enough to influence media owners and managers.

Furthermore, the professional associations tend to respond too slowly on urgent issues. “Our supporting institutions are relatively young, or wrought with inefficiency, to the point that they cannot effectively support the industry,” Chitsulo said. “The institutions also dwell more on formative and administrative problems instead of programming, hence they lose relevance and ownership.”

Malawi has NGOs that support the freedom of speech and the independent media, helping media outlets in particular by zeroing in on issues specific to them. For example, NGOs helped lobby the parliament to debate the Access to Public Information Bill, which, if passed, would enhance journalism. However, one panelist said the media do not support all NGOs equally. As the executive director of an NGO, Hajat commented that he has to pay journalists just to get coverage. He also lamented that Malawians lack the solidarity of the country’s NGOs. “We do work collaboratively, but civil society is fragmented. There is no unity, there is no one single voice,” Hajat explained.

Quality degree programs exist, but panelists pointed out areas that could be improved. A proliferation of training institutions offer journalism or media-related programs. The schools include the University of Malawi Polytechnic and Chancellor College, ShareWorld Open University, African Bible College, Mzuzu University, and Blantyre International University. However, the panel discussion focused heavily 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.

the quality of the University of Malawi journalism degree program, which the panelists find lacking in several capacities. The program admits more and more students, but fails to provide hands-on opportunities with media professionals to build practical skills. In the beginning, classes were capped at a maximum of 15 students, but 40 students or more crowd the classrooms now, with resources failing to grow to match enrollment. While most panelists placed the blame on the university, one participant pointed out that the media industry offers little support. Furthermore, the panelists had a sense that some graduates do not feel passionate about their chosen profession.

While in-service training opportunities are uncommon, there are short-term training seminars and workshops offered locally and internationally. Malawi NGOs that focus on specific areas, such as HIV/AIDS, provide the most journalism training opportunities, often designed to enhance coverage of a specific issue. However, the NGOs are disappointed in media managers' commitment to the trainings, according to the panelists. Jegwa commented that the media community does not take seriously NGO training initiatives, because the editors often choose to enroll their most junior reporters—those least needed in the newsroom. "In the end, the same person trained in reporting on gender issues today is sent to an environmental reporting training tomorrow. Now you wonder if this sort of short-term training is adding value. In my view, not quite," Jegwa said.

However, some panelists said they expect the Malawi Institute of Journalism to eventually offer short courses, especially refresher programs, as envisioned during the formation of the institution.

Sources of newsprint are private, apolitical, and unrestricted. Private institutions own most of the printing presses, and the two major newspaper companies own their own printing presses. Panelists pointed out, however, that printing facilities in private hands are not necessarily available to all.

Costs for printing are the major impediment. Newsprint must be imported, at a significant outlay. Panelists suggested that entrepreneurs could invest in the paper-making business, and simply import pulp and finish production in-country, but Malawi's electrical infrastructure is too weak to support such an investment.

Media distribution networks are apolitical and owned privately. The only restriction highlighted by the panelists is the cost of hosting a transmitter. Hajat commented that distribution channels are "freely accessible, though not affordable."

Public broadcasters are available on satellite—an option not extended to private operators. Private media outlets also have difficulty co-hosting programs with the public broadcaster.

List of Panel Participants

Herbert Chichewa Chandilanga, editor, Nation Publications Limited, Blantyre

Deborah Nyangulu-Chipofya, secretary general, MISA Malawi, Lilongwe

Grey Mang'anda, lecturer, The Polytechnic University of Malawi, Blantyre

Edward Chitsulo, managing editor, Nation Publications Limited, Blantyre

Peter Kumwenda Jegwa, member, Lilongwe Press Club, Lilongwe

Osman Alaudin, managing director, Capital Radio Malawi, Blantyre

Norman Fulatira, reporter, Zodiak Broadcasting Station, Blantyre

Tikhala Chibwana, general manager, Blantyre Newspapers Limited, Blantyre

Rafiq Hajat, executive director, Institute for Policy Interaction, Blantyre

Limbani Matola, director of sales and marketing, Malawi Broadcasting Corporation, Blantyre

Moderator

Idriss Ali Nassah, Fulbright fellow and media researcher, Blantyre

Author

Sintha Mkuziwaduka, deputy editor, Blantyre Newspapers Limited, Blantyre

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

The 2009 Malawi study did not credit the correct author or moderator. Costly Mtogolo, head of journalism and media studies at the Polytechnic University of Malawi served as the moderator and Sintha Mkuziwaduka, deputy editor, Blantyre Newspapers Limited authored the 2009 chapter. IREX deeply regrets this error.

Completing the picture, Mali's press enjoys a number of advantages, including relatively free media legislation compared with the rest of the continent, although there are still areas of concern for the media community.



MALI

After overthrowing Moussa Traoré in 1991, General Amadou Toumani Touré led Mali in a democratic transition that was described as exemplary—culminating with the election of Alpha Oumar Konaré, who served two terms of office. With Touré’s election as president in 2002, Mali became a yardstick for democracy in Africa in just under a decade. Completing the picture, Mali’s press enjoys a number of advantages, including relatively free media legislation compared with the rest of the continent, although there are still areas of concern for the media community.

Today, out of over 219 authorizations to establish private newspapers, there are only about 40 that appear more or less regularly. About 250 FM radio stations blanket the country, without counting the eight Malian Office of Radio and Television Broadcasting (ORTM) stations in the regional capitals. In the Bamako district alone, there are 16 radio stations plus the two public channels, while Sikasso and Kayes regions have the most stations, at 52 and 43, respectively. Kidal region has the poorest service, with just seven. As for television, apart from the national channel, people can choose almost 150 rebroadcasted channels in the major cities. The MSI panelists also highlighted the promising growth of the Internet, although this is mostly concentrated in the cities where it is more affordable.

For the print media, apart from the national French-language daily newspaper *L’Essor*, which covers all the major cities, 90 percent of private press circulation goes to Bamako. There are also media outlets that send out news in local languages, covering the Bambara-, Fula-, and Soninke-language areas. More and more local press outlets are also springing up in some large cities.

This proliferation is the result of an environment that is officially favorable, given the legal framework governing the media sector in Mali. Yet despite the burgeoning number of media in Mali, problems do still exist: the economic context is difficult, and there is a lack of well-trained personnel. These problems greatly affect the quality of the newspapers and radio programming, which tend to favor entertainment.

MALI AT A GLANCE

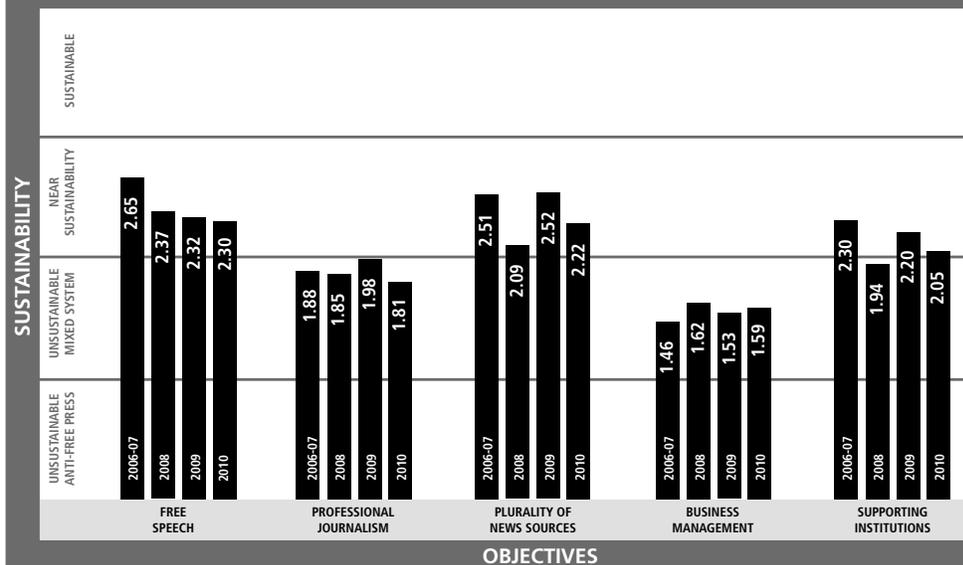
GENERAL

- > **Population:** 14,159,904 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Bamako
- > **Ethnic groups (% of population):** Mande 50% (Bambara, Malinke, Soninke), Peul 17%, Voltaic 12%, Songhai 6%, Tuareg and Moor 10%, other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 90%, Christian 1%, indigenous beliefs 9% (*CIA World Factbook*)
- > **Languages:** French (official), Bambara 80%, numerous African languages (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$9,146 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,020 (World Bank Development Indicators, 2011)
- > **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)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 10 daily newspapers, 30 periodicals; Radio Stations: 259; Television Stations: 2 including the public channel and Africable
- > **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:** 249,800 (2009 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: 2.30

Mali's constitution guarantees the freedom of expression and access to public information, and these rights are supported by the legislation that governs the press and access to information. Article 4 of the constitution provides that every person has the right to freedom of thought, conscience, religion, worship, opinion, expression, and creation with respect to the law. Also, an independent institution ensures equal access for all to the state media.

Tiégoum Boubèye Maïga, director-general of Algaïta, a communications agency, noted that beyond a doubt, one of the strong points for journalism in Mali is the lack of heavy restrictions. Law 00-46/AN-RM of July 7, 2000, on the legal regime for the press and press offenses, governs press freedom in Mali and protects free speech (with exceptions for offenses related to racial, national, or religious hate speech and incitement to murder). In addition to this legislative support for press freedom, the panelists said that the authorities do not apply much pressure on journalists—but that journalists are, moreover, not necessarily critical of the authorities.

But still, media professionals face many challenges. The authorities recognize this, and they have undertaken a review procedure for all the legal instruments that govern the media. Moustaph Maïga, director of publication of

Moustaph Maïga, director of publication of Le Ségovien, a bimonthly French-language local newspaper in the city of Ségou, added that despite the relatively flexible legislation, Malian social values often force journalists to restrict their coverage.

Le Ségovien, a bimonthly French-language local newspaper in the city of Ségou, added that despite the relatively flexible legislation, Malian social values often force journalists to restrict their coverage.

In terms of licensing, a 1992 decree set out conditions and procedures to authorize and suspend private FM radio broadcasting. There are now close to 250 radio stations up and running across the country. To launch a station, operators must be of Malian nationality, be based in Malian territory, and observe a set of obligations and specifications. A frequency allocation commission provides technical opinions to guide decisions by the relevant ministries. Joint ministerial orders are required to issue, suspend, or withdraw authorization. However, the panelists criticized the roughly organized commission, and Sékouba Samake, journalist and editor-in-chief of *InfoMatin* and secretary-general of the Association of Journalists for the Promotion of Professionalism (AJPP), described the licensing process as random and unpredictable.

Officially, the media do not benefit from any specific tax advantages, but at the same time the legislation is not deemed restrictive. Tiégoum Boubeyé Maïga explained that no specific tax regime guides the media, and the existing legislation, such as the VAT (value-added tax) exemption for the press, is not implemented.

According to the panelists, in addition to the absence of social norms to encourage the freedom of speech, crimes against journalists occur with impunity. While such crimes do not take place every day, those that occur tend to go unpunished. Sadiou Yattara, a journalist and coordinator for the Institute for Democracy and Education in the Media (IDEM), bemoaned the fact that not only are journalists unprotected, but they are also blamed as a source of problems and stigmatized.

A U.S. Department of State report on human rights in Mali described a couple of incidents that occurred in late 2009. For example, in November the authorities arrested Diakaridia Yossi, a *L'Indépendant* journalist. Yossi was covering police

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.

violence against demonstrators protesting the detention of Mossa Ag Acharatmane and Aboubacrine Ag Fadil for treason. The report explained, “Yossi was apparently mistaken for one of the protestors and allegedly suffered several blows from police batons. According to press reports, Yossi was released from custody, and the director of the National Police, Niame Keita, in a meeting with journalist associations, expressed regret for the incident and provided 25,000 CFA francs (\$50) to offset Yossi’s medical expenses.”¹ The State Department report also described the arrest of a radio journalist: “In December 2009 Noumouke Sidibe, a journalist for Radio Kayira, a network of stations critical of the government, was arrested in Kita and charged with inciting the July 2009 Kita riots through his radio broadcasts. Sidibe, who had been highly critical of local authorities in his reporting, was released on January 6 after an investigative judge determined he had not been on the air the day he was alleged to have been inciting riots.”²

ORTM and the Malian Press and Advertising Agency (AMAP) are the two public media bodies established by the state. Although they are publicly administered, autonomous financial institutions, the panelists cautioned that their economic independence cannot be guaranteed, as they are subsidized by the state. The minister of communications (who, according to the panelists, certainly has a political axe to grind) chairs the board of governors, and various ministries recommend the directors. ORTM and AMAP also receive preferential treatment by state institutions in terms of access to information. Nevertheless, the panelists feel that the public press is relatively free from excessive political interference.

There are some exceptions to the fairly supportive legislation for the press—as seen in the treatment of libel. Under a 2000 law, libel is a criminal offense, and the burden of proof rests on journalists, rather than the offended party. Alexis Kalambry, director of publication for *Les Echos*, observed that, paradoxically, in cases of theft or any other kind of crime the plaintiff must provide the proof. Even so, it is rare for Malian journalists to be taken to court, and when they are, the cases are frequently settled out of court through social dispute-resolution mechanisms. Furthermore, the legislation failed to take into account Internet Service Providers or website hosting services, so they are unaffected.

Regarding access to public information, Filifing Diakité, chair of the Network of Journalists for the Protection of Human Rights (RJPRODH), noted that a 1998 law governing relations between the administration and users of public services takes

¹ 2010 Human Rights Report: Mali. 2010 Country Reports on Human Rights Practices. Bureau of Democracy, Human Rights, and Labor, State Department: April 8, 2011. Available at: <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154357.htm>

² Ibid, State Department.

the place of a law on freedom of information. Although the law makes many dossiers, reports, studies, statistical accounts, directives, and circulars containing interpretations of positive law freely accessible, it excludes access to documents that could breach the confidentiality of discussions within the government, national defense secrecy, state security or public safety, the right to a private life, medical records, or, generally, information protected by law. Journalists make use of the law but note that it does not take some of their specific concerns, such as the need for rapid reaction times, into consideration.

International news is freely accessible to journalists, although cost is an issue in some cases. The Malian media have access to the Internet, which has become a major source of free information of all kinds. Much use was made of the Internet in the cities, in particular, where the cost is relatively affordable. Foreign news sources (such as Radio France Internationale, BBC Africa, Radio Beijing, Voice of America, Deutsche Welle, and so on) are broadcast on FM radio in Mali and are not subject to any specific regulation.

The only restrictions on entry into the journalism profession relate to training and level. Article 4 of press Law 00-46/AN-RM states that journalists must have a degree in journalism or a degree in another area plus a year of experience in the profession. Their principal remunerated activity must be the collection, treatment, and dissemination of information and news in the context of a public or private media outlet, whether in the printed press, radio, or television. In practice, though, many journalists do not meet the conditions, as the profession is often no more than a temporary stopgap for jobseekers when all other options fail.

There is a press card commission, tasked with awarding and withdrawing press cards. Also, journalists with or without a press card generally need further accreditation to cover special events. In reality, many people do not have press cards but manage to work anyway. Otherwise, the government exerts no influence on entry into the profession, and journalists are free to form organizations to defend their interests.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mali Objective Score: 1.81

Although the panelists said there are some well-trained journalists, given the high rate of unemployment there are also some poorly qualified people who chose the profession because of the ease of entering the field. The large number of press outlets—particularly in radio, followed by the printed

press—means that journalists often do not get the managerial supervision they need to become proper writers. Also, the insecure, poorly paid nature of the work, combined with the absence of job security or a collective agreement, sometimes leads to a large number of mediocre journalists.

Thus, the panelists' assessment of professional standards in Mali is lukewarm. Although reporting reflects a varied cross-section of national public life (society, economy, politics, religion, culture, etc.), professionalism is unsatisfactory. For example, unverified information is common, although the panelists acknowledge that some journalists are making more effort to verify their sources. Ténèfing Traoré, an ORTM journalist, noted also that journalists lack adequate tools to conduct in-depth work; she commented that a journalist's effectiveness depends partially on having the right equipment.

Malian journalists developed a code of professional conduct and ethics, inspired by international standards, as long ago as 1991. Over a decade later, the Observatory for Press Conduct and Ethics (ODEP), was launched to help monitor press ethics. Still, many journalists either are not aware of or choose not to observe the professional code, as journalistic excesses of all kinds are seen. For example, some journalists violate the spirit of professional solidarity by attacking other journalists in order to defend politicians.

News is rarely balanced and not objective, a phenomenon that Tiégoum Boubèye Maïga said is explained by certain journalists and sources conniving together. Furthermore, the panelists believe that it is becoming more common for media professionals to accept payments or gifts—supposedly to cover transportation costs—to cover events.

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).

Still, many journalists either are not aware of or choose not to observe the professional code, as journalistic excesses of all kinds are seen. For example, some journalists violate the spirit of professional solidarity by attacking other journalists in order to defend politicians.

According to the editorial offices, journalists are not to touch certain subjects. Social, economic, and cultural reasons are generally the roots of self-censorship among journalists in Mali, under the threat of job security or even physical safety.

However, with the exception of certain social issues and information protected by Law 98 012 on relations between the administration and users of public services, the press covers nearly all subjects, although the panelists noted that politics dominates most of the media space. Journalists face no obstacles covering events related to domestic or international security.

The panelists agreed that low salaries, combined with social and cultural practices and personal connections to certain sources, could all tempt journalists into corruption. To boost their income, journalists often turn out advertorials thinly disguised as articles to maintain the support of politicians or other powerful individuals. Journalists, even those employed by the state, have no special status, another factor in the relatively poor pay. There is also a very big gap between those working in the private sector and those in the public sector. In the private sector, salaries hover around the Guaranteed Inter-professional Minimum Salary, at a little over CFA 30,000 (\$60), whereas in the public sector salaries are more or less aligned with those paid other state officials, starting at CFA 80,000 (\$160) for entry-level workers.

Tiégoum Boubèye Maïga shared his view that low salaries, or even no salaries, cannot be taken as a serious explanation for abuses, although it is true that journalists' material conditions merit particular attention.

Considering the balance of entertainment programming to news, panelists said that even a quick glance at radio and television content reveals a bias toward entertainment, which drowns out the news and prevents people from getting interested in more serious issues. However, the panelists recognized that some radio stations, including the national channel, are making an effort to provide more varied programming.

National radio, which employs relatively professional personnel, produces programs on a national scale of relatively strong quality.

Press outlets in Mali are poorly equipped and reliant on obsolete facilities. With the exception of national radio and a few private radio stations in the capital equipped with digital technology, radio stations up country use very rudimentary equipment.

Assessing the quality of niche reporting and programming, the panelists noted that a few journalists are livening up reporting with quality specialized content. For the most part, though, the print media concentrate their efforts on reporting from the field and basic reporting rather than investigative work. Yet, more and more journalists are specializing, and often producing, high-quality articles.

OBJECTIVE 3: PLURALITY OF NEWS

Mali Objective Score: 2.22

Malian citizens have multiple news sources, both domestic and international, to turn to for news. However, the quality of news is inconsistent, given the difficulties in accessing certain types of sources and the lack of adequate resources relative to journalists' deadlines.

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 French-language printed press comprises about 40 newspapers, including the national daily, for city-dwellers. There are also publications in local languages (Bambara, Fula, Soninke, etc.) for people in rural areas.

Radio, by far, is the most popular and accessible media platform. A grid of 249 private radio stations, not to mention national radio and its eight regional stations that provide radio coverage to an estimated 80 percent of the population, blankets the country. ORTM broadcasts news, cultural, educational, and entertainment programs in French, the official language, as well as the 10 main local languages. There are also five foreign radio stations that are relayed in whole or in part.

In addition to the many print and radio choices, there are three companies in Mali that rebroadcast packages of about 150 encrypted foreign television channels. The state has lost its de facto monopoly on television, with the unauthorized launch of the private Africable channel. In addition, the Internet is really taking off, as access improves.

Access to domestic and international media is not restricted for urban areas, but in the rural parts of Mali the lack of electricity presents a major obstacle. Rebroadcasting foreign radio is not yet subject to regulation in Mali.

As for the public media, ORTM is obligated to carry out a public-service mission, and panelists agreed the public media are taking some initiative in this direction. A regulatory body, the National Committee for Equal Access to the State Media, is in place to ensure equal access for Malian citizens. The public media, however, are criticized for prioritizing institutional news, seemingly in the service of the country's leadership.

The only news agency is the Malian Press and Advertising Agency (AMAP). A public news agency, AMAP is the principal source of domestic news for the various publications in Mali. It employs about 50 correspondents and covers the whole country. Malian newspapers also turn to international agencies such as AFP, Reuters, Panapress, AP, etc. as sources.

In terms of program production, the panelists said that community radio stations broadcast their own programs—using their own personnel, who sometimes lack adequate qualifications—to meet at least some of the needs of local people. National radio, which employs relatively professional personnel, produces programs on a national scale of relatively strong quality.

Transparency of ownership is not guaranteed in the sources of funding for private press outlets, and ownership of the private media remains unclear. By law, publication directors are required to be professional journalists with a certain

degree of experience, the panelists noted, but certain politicians are suspected of owning newspapers.

The panelists report that the Malian media display a broad spectrum of public-interest content. In various localities, community radio programs reflect social, economic, and cultural realities with local-language programming. ORTM also provides programs in 10 national languages. Nevertheless, the panelists criticized the public media for failing to reflect the plurality of opinion in Mali.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mali Objective Score: 1.59

According to Tiégoum Boubèye Maïga, despite many well-intentioned efforts to set up properly managed, independent press enterprises in Mali, the best intentions never seem to succeed. Instead, press outlets are essentially artisanal affairs. Most were created to support the country's efforts toward democracy, with little emphasis on more entrepreneurial visions. Panelists also underscored the brain drain of media professionals moving away and taking their skills elsewhere, or setting up their own, smaller media outlets so that they could become co-directors. In general, for a variety of reasons, the media environment has not favored the emergence of sustainable press businesses.

Press outlets are not generally viable. Sound bookkeeping is not a priority, and personnel to attend to the business end of the enterprises are not well qualified. With insufficient financial bases and without external funding, such media outlets have difficulty generating any profit. Additionally,

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 the private sector, the two telephone operating companies are essentially the only other major advertising sources, as they battle it out with each other in their ads. Other private companies are not in the same league in terms of advertising buying power.

there is no high-performance distribution network, with circulations ranging from just 500 to 1,500 copies. Newspaper printing is a haphazard business for publishers, who do not always have the resources to pay fixed fees.

The lack of revenue is a challenge for all types of media; sales by street sellers and advertising do not bring in enough income. The state allocates an annual subsidy to press outlets, but the main concern that panelists expressed in relation to this is that the amount is inadequate relative to the constantly increasing number of beneficiaries. Meanwhile, the state subsidizes about 70 percent of public media budgets. They also receive subsidies from technical and financial partners for specific endeavors.

The state media body, AMAP, monopolizes the advertising scene, while private communications and advertising agencies, which generally cannot yet be described as professional, play a lesser role. Tiégoum Boubèye Maïga, speaking as director-general of the communications agency Algaïta, explained that the state almost exclusively dominates the advertising market as the largest source of advertising and announcements. In the private sector, the two telephone operating companies are essentially the only other major advertising sources, as they battle it out with each other in their ads. Other private companies are not in the same league in terms of advertising buying power.

In this limited advertising sector, the national daily *L'Essor*, the AMAP outlet, raked in most of the advertising business, legal announcements, and subscription sales. All of the public services subscribe to *L'Essor*, and their announcements, advertising, and so on are automatically published in the "public" newspaper.

Otherwise, representatives of the state, the most significant advertiser in terms of spending, negotiated individually with the outlets of their choice, and that influenced content, according to the panelists.

Regarding the state subsidies, the government provides the press with CFA 200 million (\$400,000) in direct aid. To receive the subsidy, press outlets must meet certain criteria in terms

Maison de la Presse offers advanced training for various types of media professionals. The umbrella organization, founded in 1996, receives an annual subsidy of CFA 30 million (\$62,000) by the state to provide in-service training.

of eligibility and intent, defined in article 7 of Decree 03 264/P RM of July 7, 2003. The same criteria are used for all press outlets.

The task of distributing the direct subsidies falls to a committee chaired by the minister of communications. Press outlets also fight for indirect assistance through tax breaks.

In Mali, market research has not guided the creation of any press outlets. Furthermore, according to the panelists, there are no reliable statistics on media activities. The circulation figures published are widely considered unreliable.

Ramata Diaouré, editor-in-chief of the biweekly French-language newspaper *22 Septembre*, expressed her view that the complicating factor is the lack of any yardstick or measuring system, along the lines of the French broadcasting ratings bureau OJD or the Audimat monitoring device, to supply unbiased data for audience ratings.

Although there are no organizations to measure media audience ratings and circulation figures, Mali does have polling companies that often carry out commissioned research related to print and broadcast media.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mali Objective Score: 2.05

Various supporting institutions work to strengthen Mali's independent media. Support services from domestic and international institutions are very beneficial, not only to media professionals but also to their outlets. However, the panelists said that the many professional associations in existence are ineffective.

There are three associations of media owners and managers in Mali: the Association of Private Press Publishers (ASSEP), the Malian Union of Free Radio and Television Broadcasters (URTEL), and a new association of print press owners and managers. But according to the panelists, these associations

are increasingly marked by diffidence. Although they used to be relatively well organized, internal conflicts have weakened them to the point that they no longer stand up for the interests of their members.

As for organizations representing media professionals, there are about 60 or more specialized professional associations and networks that promote and protect the interests of their members, but they focus primarily on providing training rather than advocacy work.

Furthermore, almost all of them are based in Bamako; there is very little representation up country. Most of the associations belong to an umbrella organization, Maison de la Presse.

There is just one union, the National News, Press and Book Industry Union (SNPIL), specifically for the public media. Some panelists expressed the view that SNPIL fails to represent most journalists, leading to attempts to create a new union. Unfortunately, though, these efforts have amounted to nothing.

There are nongovernmental associations and organizations, including the International League for Human Rights and the Malian Association for Human Rights, that monitor the strength of freedom of expression and the independent media. The panelists believe that these NGOs are generally relevant and committed to their mission.

As far as formal training efforts are concerned, the new journalism training college announced to be opening in the 2009-2010 university year, in response to the poor state of professional standards, appears to have been delayed. In the absence of a school of journalism at the national level, there are organizations that offer training programs in communications and marketing. According to the panelists,

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.

graduates of these programs enter the employment market lacking adequate qualifications to enter the profession. Most of the more professional journalists graduated from foreign colleges; they returned to Mali to use local outlets as stepping stones before moving on to work in organizations that pay better.

Maison de la Presse offers advanced training for various types of media professionals. The umbrella organization, founded in 1996, receives an annual subsidy of CFA 30 million (\$62,000) by the state to provide in-service training. Furthermore, Maison de la Presse receives additional financial support from domestic NGOs and international partners for its capacity-building work. Depending on their specific needs, some associations also provide training sessions.

With the exception of the French-language national daily *L'Essor* and other state-owned local-language publications issued by AMAP, newspapers are privately owned. AMAP has its own printing press, as do the private daily newspapers *L'Indépendant*, *Les Echos*, and *Kabako*. All other printing houses in Mali are completely private and operate without state interference. However, as the state is the largest client, many printers tread carefully to preserve the state business.

For both print and broadcast media, distribution channels are free, but many papers are sold exclusively in Bamako. The very few newspapers that go up country arrive late. There are regional newspapers such as *Le Ségovien* bimonthly, which is distributed in the region around Ségou, 200 kilometers from the capital. In the absence of a press distribution company, newspapers are most likely to be sold by street sellers.

The Internet is becoming more and more widely available. Although initially the government held a monopoly in this sector, through the Malian Telephone Company, the sector is now open to other companies, and the panelists consider it a promising development that many operators have carved out a presence in that market.

List of Panelists

Alexis Kalambry, journalist; publication manager, independent daily newspaper *Les Echos*, Bamako

Filifing Diakitè, journalist and chairman, Network of Journalists for the Protection of Human Rights, Bamako

Tènèfing Traoré, journalist, rural radio of the Office of Radio-Television Mali, Bamako

Moustaph Maïga, founder, *Le Ségovien*, Ségou

Sékouba Samaké, journalist, editor-in-chief, *Info-Matin*; secretary-general, Journalists Association for the Promotion of Professionalism, Bamako

Alou Djim, secretary general, Malian Union of Free Radio and Television Broadcasters; director, Radio Benkan, Bamako

Tiégom Boubèye Maïga, journalist and director general, Algaïta Communication Agency, Bamako

Ramata Diaouré, journalist, *22 Septembre*, Bamako

Sadou Yattara, journalist, coordinator of the Institute for Democracy and Media Education, Bamako

Kassim Traoré, journalist, Radio Klédu; secretary-general, Organization of Young Reporters of Mali, Bamako

Moderator and Author

Mahamadou Talata Maïga, journalist and trainer, Bamako

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

The year 2010 proved momentous for Mauritania's media. Among the most important breakthroughs, the government moved to liberalize the broadcast media. Prior to this decision, Mauritania's government had maintained a monopoly in the broadcast sector, comprised mainly of the state outlets Télévision de Mauritanie (TVM) and Radio Mauritanie. At the time of the MSI panel no private broadcast outlets had yet launched, but the panelists expressed hope this would soon change.

Additionally, Mauritania previously had only one regional radio station, in Nouadhibou, but the government opened regional stations in the towns of Aïoun, Kiffa, Kaédi, Atar, Tidjikja, Sélibabi, Zouerate, Néma, and Akjoujt, and some of these stations have become operational.

The growth in new media heralded in last year's MSI continued as well, with a new press agency, Sahara Media Agency, offering multimedia content online. Additionally, the daily newspapers (*le Quotidien de Nouakchott*, *Nouakchott Info*) launched a paying subscriber service in French and Arabic to receive information and news alerts on multimedia telephones. SMS news alerts in minority languages are also appearing.

Another positive stride was the creation of a public institution, the National School of Administration, Journalism and Law (known by its French acronym, ENAJM). Before this development, Mauritania's media had no formal journalism school. The media community hopes that the new school will answer the need to elevate professional standards and give journalists who previously had to travel abroad for their training a choice to obtain their training in Mauritania.

These improvements notwithstanding, some within the government have not caught up with the new regulatory changes, as seen in the warning to online media sent with the sentencing of cyber journalist Hanevy Ould Denah to two years in prison for defamation and offending public decency. (He was pardoned by President Mohamed Ould Abdel Aziz and freed after serving eight months.) The move heralded the government's interest in regulating the online media, answered by the year's end by the Council of Ministers' approval of a law governing the electronic media in Mauritania that stipulates, among other things, that Internet service providers (ISPs) operating in Mauritania shall be held accountable before the law.

In addition to such mixed signals from the government, other problems that hurt Mauritania's prospects for media sustainability include the ingrained preferential treatment for state media, censorship and intimidation of journalists, and the lack of lawyers trained to defend media rights in the country. Furthermore, in terms of business management, neither private nor public outlets can be described as well managed.

MAURITANIA AT A GLANCE

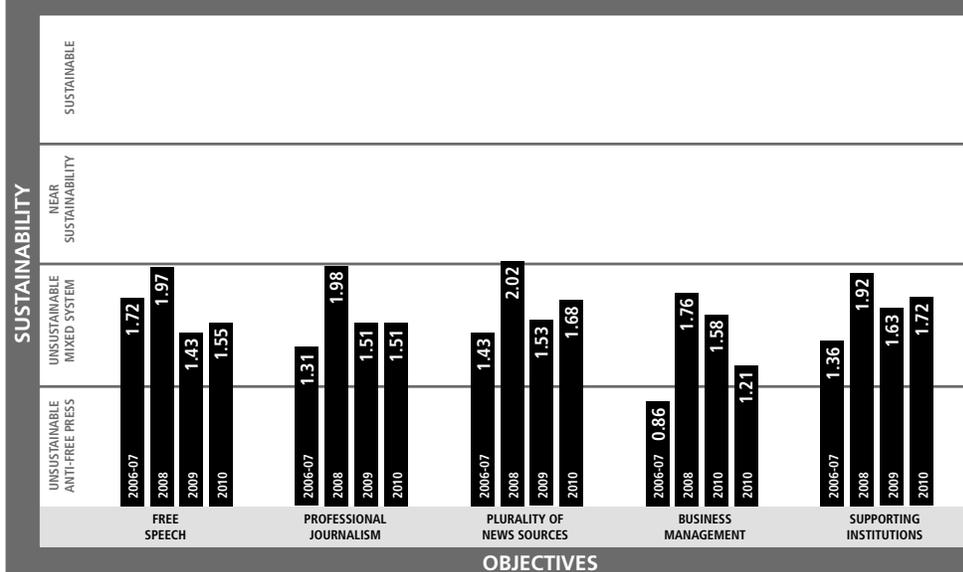
GENERAL

- > **Population:** 3,281,634 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Nouakchott
- > **Ethnic groups (% of population):** N/A
- > **Religions (% of population):** 100% Muslim (*CIA World Factbook*)
- > **Languages:** Arabic (official and national), Pulaar, Soninke, Wolof (all national languages), French, Hassaniya (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$3.571 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$2,000 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 51.2% (male 59.5%, female 43.4%) (2000 census, *CIA World Factbook*)
- > **President or top authority:** President Mohamed Ould Abdel Aziz (since August 5, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 229 (200 in Arabic, 29 in French, 1 in English); Radio Stations: 5 (all state-run); Television Stations: 2 public channels, 1 private Internet station (Ministry of Communication)
- > **Newspaper circulation statistics:** Top four by circulation: *Le Calame*, *L'Éveil Hebdo*, *La Tribune*, *L'Authentique*; these circulate between 500 and 2,000 copies each
- > **Broadcast ratings:** N/A
- > **News agencies:** Mauritanian News Agency, Agence Nouakchott d'Information
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 75,000 (2009 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: 1.55

After a dramatic dip in indicator 1 scores between 2008 and 2009, the rating improved significantly over 2009 MSI scores, increasing about 1 point. The change reflects Mauritania's progress during 2010 in terms of legal and regulatory standards promoting the freedom of expression. One area of progress concerns the law liberalizing the sectors of radio and television communications, adopted in July, and a second area concerns the electronic media, modifying certain measures of Ordinance Number 2006-017 of July 12, 2006. According to the panelists, there is no reversing the process that has been initiated. The government and social forces are all engaged in its implementation.

Unlike its predecessor, the constitution created in 1991, the Islamic Republic of Mauritania's new constitution, amended in June 2006, guarantees the freedom of expression. It evokes in its preamble its commitment to Islam and to the democratic principles defined by the Universal Declaration of the Rights of Man and the African Charter on Human and Peoples' Rights. Article 10, for example, guarantees the freedom of opinion and thought: "The state shall guarantee to all its citizens the freedom of opinion and thought; the freedom of expression; the freedom of assembly; the freedom of intellectual, artistic, and scientific creative effort."

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.

Asked Camara, "When the law forces a media outlet to broadcast up to 90 percent in a language that 90 percent of the inhabitants of the referred geographical area do not understand, is that really respecting cultural diversity?"

And yet, according to the panelists, certain legal measures are still not in line with international standards of human rights and freedom of expression. Sy Mamoudou, publishing director of *L'Éveil Hebdo* and president of the Mauritanian Press Group (known by its French acronym, RPM), pointed to Articles 35, 44, and 45 of the constitution, which give protection to the president, foreign heads of state, and accredited diplomats in Mauritania, as contrary to international principles on freedom of expression.

The legislative and regulatory framework of the Mauritanian information and communication sectors also guarantees the freedom of expression. A specific law (Ordinance Number 017 of October 2006) on the freedom of the press frames and regulates this freedom of expression, and the panelists admitted that certain standard guarantees regarding the freedom of expression do exist. "There is relative freedom of the press since journalists, at least those in the private media, can freely report on all facts and issues in the news," commented Guèye Birome, an official at the High Authority for the Press, Radio and Television (known by its French acronym, HAPA). Other panelists, however, said that while supportive laws exist, they remain weak.

Moctar Ould Mohamed Jaafar, a correspondent of the weekly *Le Divan*, feels even stronger. "This freedom is often nothing but an illusion," he said, "because the authorities are always there ready to guide and even, at times, manipulate the facts they find damaging." In fact, some panelists maintained, quoting the online news site canalrim.info (www.canalrim.info), that the publication (in July 2010) by the local press of pictures of terrorists in an Al Qaeda in the Islamic Maghreb (AQMI) camp killed by Mauritanian troops cost a TVM employee suspected of the leak his job.

Moreover, in September 2010, deadly fighting between the Mauritanian army and AQMI forces left five dead on the Mauritanian side and 12 on the terrorist side. The private press made a great deal of this military operation in their papers, with sometimes contradictory and misleading information from various sources—prompting a harsh response by the government, remarked Birome. To restore calm, HAPA publicized a statement acknowledging "errors

“Between August 6, 2008, and February 2011 no fewer than three general directors of TVM, two directors of Radio Mauritanie, and two directors of AMI were appointed and then removed from their positions by the ruling authorities,” observed Diop Mountaga, a regional correspondent for L’Éveil Hebdo.

committed by certain media groups during their coverage of the strike by our national army against terrorist positions.” The statement also said that “the majority of these media groups broadcast inaccurate news stories, often unfounded and striking at the Army’s morale.”

Noting that any mistakes by the press always draw consequences, occasionally serious, for the journalist or the publication, the panelists were unanimous that freedom of expression is little appreciated within Mauritanian society. Seydi Moussa Camara, publisher of the independent weekly *La Nouvelle Expression*, was quite definite in his view that “public opinion guaranteeing the right to information still does not exist in Mauritania.” He commented, “Public authorities and other politicians take advantage of the clause defining defamation by the media to drag journalists into the courts. Cyberjournalist Hanevy Ould Dehah was condemned on February 4 to an additional two years of prison following an unprecedented parody of justice; he was freed only when he obtained a presidential pardon on February 6, 2010.”

The panelists noted as well that the legislative and regulatory officials of the information and communications sector in Mauritania proved unable to keep up with the rapid changes in this sector. According to Mamoudou, “The regulatory officials were restrained, because of the authorities’ interest in checking the media in order to better control it. During the past 20 years, numerous media laws or legal regulations concerning the freedom of speech or communication were promulgated, but many of them have now become obsolete and cannot be adapted to the changes that have occurred since then in the information and communications sector.”

After years of the state monopoly, broadcast licensing in Mauritania is still not fully transparent. The panelists are encouraged, though, by the adoption of the law promoting the liberalization of the radio and television communication sector, the suppression of the state monopoly, the end of censorship, and the transformation of the state media (Radio Mauritanie and TVM) into a public-service media.

HAPA will pilot the process of granting licenses to operate broadcast stations.

According to the bill, a fee will be charged whenever a license is issued or renewed. Associated private radios must pay MRO 1 million (\$3,415), commercial private radios MRO 10 million (\$34,150), associated private television stations MRO 15 million (\$51,235), and commercial private television stations 40 million (\$136,630).

However, Bah Ould Kaber, a former TVM journalist, expressed caution, noting that “the reach of this liberalization of broadcasting media is limited by legislation, especially by Article 3, that requires future private operators to safeguard law and order, the unity and integrity of the nation, which in my opinion are contrary to the international standards in radio-television broadcasting and telecommunications.” The law also directs broadcast media outlets to “respect the cultural and linguistic diversity of Mauritanian society in accordance with the national languages as defined in the guidelines of the future operators of broadcast communications,” set by HAPA.

Ould Kaber believes that this measure on language quotas is difficult to apply and nearly incompatible with the full right of peoples to information and to the freedom to communicate, as “community radio stations are directed to an audience often of a limited area and of the same ethnicity.” Asked Camara, “When the law forces a media outlet to broadcast up to 90 percent in a language that 90 percent of the inhabitants of the referred geographical area do not understand, is that really respecting cultural diversity?”

Criminal acts against journalists or media outlets are very rare in Mauritania, the panelists said, but journalists, photographers, bloggers, or media outlets are exposed to some physical and verbal abuse. During 2010, a few isolated cases were registered by the Union of Mauritanian Journalists (known by its French acronym, SJM); they did not draw any media coverage.

In the past, various cases of physical assault, destruction of production equipment, death threats, and arrests have been reported, both in the private as well as the public media. In December 2010, a cameraman from Québec, Stéphane Lapierre, and an American documentary producer who were in Mauritania to film a documentary on clandestine immigration were arrested and held in jail for several days by the Mauritanian authorities. According to Agence France-Presse (AFP), they were accused of spying in addition to filming without proper authorization. They were freed only after posting bail.

In other cases, journalists face disciplinary sanctions. According to the online information site GPS (www.gps.mr),

“The famous sports anchor on TVM, Mohamed Ould Hassen, was suspended for three days for announcing the withdrawal of the Mauritanian national soccer team before the President of Mauritanian Federation of Soccer had a chance to officially announce it during a press conference.

According to the panelists, crimes against journalists are often publicized in the state media, but they are also reported with sympathy in Western media and by international media organizations, such as Reporters Sans Frontières (RSF)—as seen when cyber dissident Ould Dehah was imprisoned in 2010. They are equally unanimous in believing that the legal system does not yet guarantee freedom and equal treatment for all the media in Mauritania, and in their belief that the public or state media benefit considerably from biased treatment. According to Bocar Bâ, a journalist from Radio Mauritanie, “The state media are regulated by a cadre of legal and regulatory officials who are ill equipped for the purpose. This affects the media’s independence and turns it into a propaganda tool in the hands of government officials.”

The online media organizations that exist in Mauritania work without being subject to any regulations. Before the adoption at the end of 2010 of the law regulating the online media in Mauritania, the Web was a no-man’s land filled with professional and ethical blunders of all kinds. Camara commented, “The absence of a regulatory framework, however, did not prevent judges, on February 4, 2010, from imposing a heavy prison sentence on the cyberjournalist Hanevy Ould Dehah, the publishing editor of the Taqadoumy website (www.taqadoumy.com), for undermining decency, incitement to rebellion, and crime in publishing.” He continued, “As the stiff sentencing to two years in prison was being read, it also heralded the government’s ironclad will to begin regulating the online media and services.” Thus, the Council of Ministers approved a specific law governing the electronic media in Mauritania in December. It stipulates, among other things, that Internet service providers operating in Mauritania shall be held accountable before the law.

Barely enacted, this law has already given rise to some caveats because it has, according to Jaafar, some shortcomings: “It does not clearly define either the main purpose of the online media service, or the content to be published by the editor, or let alone the limits of his accountability.”

In Mauritania, the organizations that are, according to the law, controlled, managed, or financed in large part by the government are the Mauritanian Information Agency (known by its French acronym, AMI), TVM, Radio Mauritanie, the National Printing Office (IN), and HAPA. But as a prelude to the upcoming opening of the press and broadcast sectors to competition, Hamdi Ould Mahjoub, the minister of communications, was quoted in the government daily,

According to the panelists, even if all the conditions are met to obtain a renowned “national press card,” the waiting time to receive this precious “open sesame” can be very short (less than one month) for some journalists or extremely long and discouraging, up to eight months, for most others.

Horizons, as saying in a speech given in January 2011 before the Senators: “The press organizations belonging to the state will soon be transformed into hybrid companies, allowing them to have a role to play in an open and competitive media environment.” In Mauritania, mixed-economy companies, governed under a specific Ordinance, are public companies in which the state holds a stake of capital and the remainder of the shares are held privately.

According to the panelists, the publishers of public media groups are nominated in an impartial manner but are subject to political considerations. They pointed to the Council of Ministers’ nomination of Yedali Ould Cheikh, from the main opposition party in Mauritania, the Rassemblement des Forces Démocratiques (RDF), as president of the Conseil d’Administration (CA) of IN. Cheikhna Ould Nenni, a former diplomatic consul, close to the government and owner of a private media agency, Agence National d’Information (ANI) and *Nouakchott Info*, was appointed head of AMI.

The panelists said that the method of appointing the head of HAPA adheres to political considerations as well: “HAPA benefits from administrative and financial autonomy and freedom of decision making,” according to the 2006 Ordinance. But the reality is different; its president is appointed by presidential decree and is placed under the direct authority of the president of the republic. The method used to appoint its nine members is also perplexing: two other members in addition to HAPA’s president are appointed by the president of the republic, three by the president of the National Assembly, and three by the president of the Senate, noted Mamadou Alassane Thiam, local correspondent for *Lumières du Nord*.

The heads of these public information bodies serve at the mercy of the government, frequently paying with their jobs for poor management or for inexplicable reasons. “Between August 6, 2008, and February 2011 no fewer than three general directors of TVM, two directors of Radio Mauritanie, and two directors of AMI were appointed and then removed

from their positions by the ruling authorities,” observed Diop Mountaga, a regional correspondent for *L’Éveil Hebdo*.

The panelists confirmed that there is a law against libel and slander in Mauritania, in the ordinance on the media and media offenses. Defamation is punished by fines and/or disciplinary or professional sanctions administered by HAPA and the courts. Depending on the gravity of the offense, the fine can be accompanied by the withdrawal of the journalist’s press credentials for a period ranging between three to six months and a temporary suspension of the publication. Defamation can also land the journalist in prison.

Some panelists maintained that HAPA is often either bypassed by the Mauritanian Supreme Court, whose judges are often quick to bring the accused journalists before the court well before HAPA can rule on the defamatory act. They further maintain that the impartiality of Mauritanian judges in handling issues concerning freedom of speech is still far from guaranteed. As proof, they point to the Ould Dehah case. RSF denounced the severity of the sentence and the abusive and incomprehensible legal proceedings that led to Ould Dehah’s conviction: “We fail to understand how the judicial authorities could reach such a decision at the end of this farcical trial.”¹ Coordination de l’Opposition Démocratique (COD), an opposition coalition, strongly denounced the verdict: “This untenable verdict reflects a ferocious attack by the judicial apparatus completely in the hands of the Executive power, in flagrant violation of the rule of law and basic freedoms enshrined in the constitution.”

During 2010, no cases of corruption among judges and prosecutors in charge of libel and slander cases were reported by the press or journalist advocacy organizations. Panelists, however, are confident that the executive authority and certain businessmen often exert pressure on judges so that they impose exemplary sentences to journalists deemed “uncooperative.” They also stress that the education of judges leaves something to be desired in light of the number of journalists brought every year before the courts for “procedural errors.” According to them, this is mainly due to the fact that there are still no lawyers in Mauritania trained in and specializing in the defense of the rights of journalists and of the media.

According to the panelists, the laws concerning the media in Mauritania favor the public media over the private media. This often results in better access to information by the journalists from the state media and consequently a near ban on private media to report on certain government activities,

¹ “Court imposes new two year sentence on website editor.” February 5, 2010. Reporters Sans Frontières. (Accessed at <http://en.rsf.org/mauritania-website-editor-freed-under-26-02-2010,36319.html> on November 26, 2011.)

including sessions of parliament, particularly by denying them access. A minister can grant an interview or an infomercial about his particular department to journalists from state media. But he cannot, in any way, do the same for private media, one panelist noted.

Article 2 of the Ordinance on the media and media offenses clearly states that “journalists have a right to access to information sources, the duty and right to protect their sources in every circumstance,” recalled Mamoudou. And yet, he said, “Until now, only a few journalists have had access to elected officials. We encounter enormous difficulties in performing our work properly before the parliament.” He believes, however, that “with more journalists accredited to parliament or the National Assemblies, there will inevitably be more openness and transparency in these institutions.” For now, though, public information is virtually inaccessible to some journalists. The practice of withholding is widespread within the state apparatus and even in private enterprises,” noted Hawa Traoré, a freelance journalist. The panelists pointed out that some Western diplomatic missions based in Mauritania also tend to limit access to sources. In July 2010, during a press conference at the French embassy in Mauritania, only accredited correspondents of the foreign press were invited—leaving private media out.

Complaints from journalists—especially those from the private press, faced with the daily challenge of gaining access to public information sources—led HAPA to sound the alarm on this issue in September by making public a statement insisting on the “need to open the sources of information by all parties involved, official or private, so as to allow the press and public opinion to obtain accurate and true information in a timely manner.”

According to the panelists, journalists have unrestricted access to international news and information sources. The private media can reprint and rebroadcast foreign programs or information from media agencies, both local and those based abroad, but are subject to mentioning the source. However, it seems that some of them do not want to adhere to this basic provision, claim some panelists. In fact, following a copyright dispute between the online information site *cridem* (www.cridem.org) and the state-run AMI, the latter forbade the online site from carrying its dispatches. The site then reacted, “We are sorry for not being able to publish the statement by the Council of Ministers, but AMI now reserves its publications to its subscribers only. We regret that an official news agency that must inform the citizens of Mauritania acts in this way.” An amicable solution was found several days later.

Similarly, access to the Internet is free and does not require prior government approval for journalists or for fellow citizens. The price, however, is relatively high, and the

coverage is still poor. Some media agency owners benefit from Internet subscription packages at very reasonable rates for their newsrooms, though, and there is not a single press newsroom without access to the Web.

Some panelists believe that laws regulating the entry of foreign language publications into the country are incompatible with international standards. Aydaly Ould Hemed, a journalist at the government daily *Horizons*, singled out Article 21, which stipulates that "foreign publications are subject to bans or heavy fees if they are 'liable for undermining Islam or the credibility of the state, harming the public interest, undermining the public order and security.'" Hemed said that this provision raises the specter of censorship in the foreign press.

Entry into the profession of journalism is relatively free. Article 5 of the 2006 press ordinance considers a journalist to be "any person who is compensated for the occupation of the gathering, processing, and dissemination of information." However, the person must hold, in advance, a "graduate degree in journalism/communications" or give proof of another graduate degree with proven professional experience of between 12 months and five years in a public or private print or broadcast media organization. Panelists believe that this definition is too narrow, as it excludes numerous bloggers and other online media professionals.

There is also a law regulating press cards in Mauritania, reserved for journalists with adequate training or proven experience in a private or public media organization (print or broadcast). But until now press cards have been granted rather sporadically. According to the panelists, even if all the conditions are met to obtain a renowned "national press card," the waiting time to receive this precious "open sesame" can be very short (less than one month) for some journalists or extremely long and discouraging, up to eight months, for most others.

As for the state's role in hiring journalists, Ould Kaber commented that the procedure for hiring entry-level journalists is fraught with irregularities, as the state media recruitment procedures are murky. According to them, journalists often need a permit to report on specific events, to cover certain activities by government or parliamentary officials, or even sometimes to simply attend, inside the country, an international conference organized by the Mauritanian government.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mauritania Objective Score: 1.51

This objective scored identically to 2009. The rating for indicator 4 on the treatment of certain key issues by journalists scored about two-thirds of a point higher than the objective score. Indicator 5, pay levels for journalists, and indicator 7, facilities and equipment for media production and broadcasting, both scored half a point lower.

Members of the panel were unanimous that professional quality standards are still lacking in journalism. According to Hemed, "Most journalists, whether from state or public media, were trained on the job. Journalistic writing techniques have not been mastered. Confusion of grammatical genders is common. Ironically, many of them have nevertheless enjoyed one or two internships or short training sessions."

Generally, the panelists believe, reporting is dominated by subjectivity and commentary, presented from only one angle. Moreover, journalists lack the professional training and general cultural background needed to conduct background research. The public media, when they even bother to consult outside experts, depend on the same people over and over. And, the problems are not limited to public media. "Just as in the programs and news columns in the state media, there exists a real problem in the biased and sometimes irreverent coverage of information in most of the newsrooms of so-called independent newspapers," said Birome.

The panelists feel that journalists show little respect for widely accepted and recognized ethical and good-conduct

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).

When self-censorship occurs, it generally stems from a need to comply with certain business interests rather than a fear of offending certain influential circles or senior political officials that pushes them to engage in self-censorship.

standards. On May 3, 2001, the private press of Mauritania adopted a “Charter of ethics and good conduct,” comprising rights and duties developed by the Comité pour le Respect de l’Ethique et de Déontologie (CRED), to “make the press more worthy of the trust of its readers.”

CRED, an independent organization, aims to ensure ethical and professional conduct rules are adhered to among and between all its members, and between its members and the broader society. The panelists said that some highlights of this charter were inspired by standards developed and recognized by associations of international professional journalists. However, CRED has only the power of moral persuasion, with no power of deterrence.

In December 2010, SJM sponsored an international conference on press ethics, resulting in the adoption of a declaration called “The Nouakchott Declaration on the Journalistic Profession” in which participants, both local as well as those coming from abroad, reaffirmed their commitment to respect the charter on national and international pride and professional conduct. However, according to the panelists, there are serious and recurring violations of these standards—although no cases were brought before a judge over the course of 2010, as the parties in dispute often favor amicable settlements.

According to some panelists, journalists and editors engage very little in self-censorship. This is true in the private media even with regards to subjects touching on religion or sexuality, say the panelists. Reporters and editors are rarely pressured to practice self-censorship due to a real or perceived fear of losing their job or of jeopardizing their safety or well-being, emphasize the panelists.

When self-censorship occurs, it generally stems from a need to comply with certain business interests rather than a fear of offending certain influential circles or senior political officials that pushes them to engage in self-censorship. “Because of the relationship editors or publishers often maintain with certain influential wealthy individuals or politicians, self-censorship is sometimes imposed on journalists. This unwritten rule on reporting limits journalists considerably

in their ability to conduct original reporting or to freely investigate certain matters,” maintained one panelist.

Furthermore, some of the panelists agreed, journalists do not report on events and key issues affecting the country in complete freedom. Slavery, which still exists in Mauritania, homosexuality, and prostitution are virtually absent from the pages of government dailies or state television and radio broadcasts. According to a report from the privately owned Agence Nationale d’Information (ANI), in June 2010 the director of Radio Mauritanie censored a weekly broadcast investigating slavery in Mauritania; the star anchor was asked to change the subject matter. “The censoring of this broadcast is a flagrant contradiction of the commitments of the institution to grant full liberty to report on selected issues without bias,” suggested a panelist who asked to remain anonymous.

Many other issues are considered sensitive. In August 2010, following floods that assailed the region of Gorgol, the governor forbade reporters of two private media agencies, the ANI and Al-Akhbar Info, from taking pictures of the affected population, according to the information site www.riminfo.net. The governor defended his actions by pointing to the concern not “to expose” the poverty of the affected population to the “outside world,” explains the same source. Rokhaya Tall, a lawyer and member of the Mauritanian Association for Women’s Rights (known by its French acronym, AMDF), believes that “the journalist, of either the public or private media, cannot avoid the socio-cultural inertia...it increases a feeling of insecurity and forces the journalist too often, for fear of reprisals, to avoid writing about certain issues.”

The panelists believe that, generally, the risk undertaken by editors, reporters, bloggers, and photographers reporting on these issues is that of being censored by their employer, being charged, or being brought to court by plaintiffs. Often, editors or employers forbid reporters to report on certain events. This is especially prevalent in the public media.

According to the panelists, the taboo subjects that are not reported on by the public media organizations find a somewhat sympathetic outlet in certain independent press editions, online information sites, blogs, or social media sites (especially YouTube and Facebook). Some unique blogs like Lakhbaar Tebgue Vi Dar (<http://ltvidar.blogspot.com/>), Canal H (<http://canalh.blogspot.com/>), or the once famous blog of X Ould Y made headlines in the city from 2005 to 2007, say the panelists. A famous lawyer, Master Mohameden Ould Ichiddou, said about blogger X Ould Y: “He’s phenomenal. He is the mirror of this society. Through his writing, he faithfully describes what people are saying. He puts on the Web what is talked about in lounges. His is a witness, everyone believes, of

someone with intimate knowledge of Mauritanian society.” However, the scope of these media still remains rather limited in Mauritania, particularly due to the high number of people who are illiterate.

When reporting on certain events, journalists are sometimes faced with a scarcity of information or an outright restriction on information. For example, there is no longer enough freedom to report on events relating to military defense or security, which are considered state secrets and liable to charges of undermining the security of the state, say the panelists. Indeed, during a seminar on ethics and approaches to national information reporting held on May 27, 2010, the Mauritanian Minister of National Defense himself stated, “Mauritanian journalists no longer have the right to publish information regarding military secrets,” according to a dispatch from Agence de Presse Africaine (APA).

According to the minister, quoted by the same source, journalists have repeatedly published information on the movement of military units, their positions, or their command without incurring any penalties. This “dangerous (practice) can no longer be tolerated, and the perpetrators will be subject to the law, in all its force,” he warned. Some panelists believe this is a warning by the government of its intentions to limit the scope of the activity of journalists.

Although some state media publishers and some private media editors benefit from wages and favors that reduce their level of insecurity, the panelists maintain that salaries for journalists and other media and communications professionals, both in the private and public sectors, is still not high enough to discourage bribes. To increase their income, journalists and editors, especially those in the private media, often feel forced to “prostitute” themselves, by promoting or defending in their articles politicians or companies. Media professionals are often inclined to accept bribes or kickbacks as gifts in exchange for covering certain types of events, and the practice is widespread in both the private and public media without distinction for age or experience. According to them, corrupt bureaucrats, businessmen, and elected officials often fuel this practice. A panelist who requested anonymity claimed that it is customary, during trips by the president or the prime minister, for journalists to demand or accept money or favors offered them. Birome questioned whether Mauritanian journalists’ professional associations would ever follow Senegal’s lead and forbid the practice of payment for coverage.

In Mauritania, the range of pay in the public-service sector is especially low. The minimum salary is MRO 21,000 (around \$72)—on par with salaries for nurses and teachers. Journalists from the private sector earn on average MRO 50,000–60,000 (around \$170–205); however, unlike public media journalists, they do not benefit from social security or health coverage,

In Mauritania, the lack of facilities and technical equipment is felt at all stages in the collection, production, or broadcasting of the news.

and they are often not tied down by contracts. This does not prevent public media association representatives from organizing sit-ins, as they have every year since 2006, to demand the payment of back wages going back four years, given the government’s failure to keep its promises of salary increases for all state officials and employees.

Poor conditions and pay for journalists in both public and private media have driven some to move to other professions (communications chiefs at private companies, editors and designers in communications agencies, etc.) in the past few years.

As for the balance between news and entertainment, the panelists do not feel that entertainment programs overshadow news and information talk shows, although they exceed in number of hours programming devoted to the news. However, say the panelists, during election campaigns, these tend to balance out. Large swathes of morning radio programming are dedicated to entertainment, whereas on TVM the news and political talk shows fill the first part of the evening before giving way to entertainment. With the exception of soaps (two hours per day), mostly in Arabic, and sportscasts, TVM broadcasts on average 11 hours of programming per day (reports, debates, televised news), focusing only on Mauritania. The only French-language program is the daily news broadcast, while the national languages (Pular, Soninké, and Wolof) take up only 45 minutes per day. The rest of the programming is in classical Arabic.

The facilities and equipment for gathering, producing, and broadcasting the news are relatively modern, but they are not completely effective and sufficient. TVM broadcasts in very high frequency (VHF) in Nouakchott, as well as in the 12 regional capitals and some smaller cities. It has also broadcast via satellite, ARABSAT, since 1995. During the past 10 years, it has acquired modern facilities, including a mast, an earth station, six new cameras, and 11 staging benches, say some sources. However, the number of new cameras, production units, and facilities for digital transmission via satellite is still inadequate. Problems with microphones and cameras are commonplace at TVM Plus (the second public television channel); broadcasts sometimes air without any footage.

In Mauritania, the lack of facilities and technical equipment is felt at all stages in the collection, production, or broadcasting

of the news. In the public radio and television sector, this often results in the limitation of reports to one single area—more specifically to Nouakchott, the capital of the country. In the private media, the lack of printing equipment and the poor print quality of publications likely discourages advertisers, said the panelists. Also, they said, print editions and selective reporting (surveys, economic / business, local, political) of high quality are rare.

The lack of professionalism is displayed in productions reflecting a total lack of research and originality. Some socio-professional media organizations, apparently recognizing these shortcomings, hold regular training sessions for journalists. In April 2010, SJM organized a training workshop on investigative journalism for the benefit of public- and private-media journalists. Mountaga lamented, “Investigative journalism remains a neglected genre in the newsrooms. Yet our country contains mines of shady affairs yet to be brought out into the open.” Camara, meanwhile, asked, “With newspapers operating without advertising, where can they find the means to send out their journalists to investigate?”

The panelists were unanimous that the print media do not produce more field reports than the televised media. But journalists from the private media use a freer tone in their reporting than those from the state media. The most important constraints on the print media as well as on the public media are the lack of resources, education, and experience by the journalists and reporters to produce specialized news reporting. The same goes for bloggers who do not provide, according to the panelists, quality coverage of issues or field reports.

OBJECTIVE 3: PLURALITY OF NEWS

Mauritania Objective Score: 1.68

Compared with 2009, the rating for this objective shows progress. In particular, the ratings for indicators 1 (plurality of outlets and viewpoints in the media) and 4 (news agencies) improved. Additionally, new sources of information in minority languages are starting to appear via mobile phone. The panelists were unanimous that the government and private operators will continue to sustain this plurality in information sources.

The plurality in private and public news sources (press, radio, and Internet) today is a tangible reality in Mauritania. However, the panelists believe, these sources are not always approachable, objective, or reliable.

The major shortcoming in terms of plurality is in the broadcast sector. At the time of the MSI panel, there was still

no independent broadcast media in Mauritania; the sector remained under a state monopoly comprised mainly of public media, specifically Radio Mauritanie and TVM. However, following the adoption of the law liberalizing private radio and television media at the end of December 2010, the panelists believe that the country will soon see private radio and television stations emerge. For now, aside from the state-run outlets, it is possible for Mauritians to listen to or to watch foreign broadcasts legally. The use of satellite receivers, especially in large cities, is very common. Al Jazeera is very popular and even has an office in Nouakchott. Other international radio stations are available as well, such as Radio France Internationale (RFI), the BBC (British Broadcast Corporation), and Africa Number 1, the Pan-African channel broadcasting from Gabon.

According to the panelists, Mauritians living in large cities like Nouakchott, Rosso, or Nouadhibou depend on the Internet more and more to obtain information. Every year, no less than a dozen general information sites in Arabic or French spring up in Mauritania. Some, like the information site Oum Tounsy (www.oumtounsy.com), which came on the scene in May 2010, only publish information of a local nature and specifically one sole region, Nouadhibou, the economic capital of Mauritania. Others, like canal Rim (www.canalrim.info) and GPS (www.gps.mr), are broader in scope.

There are Mauritanian blogs on the Web. Similarly, since 2006, phone applications and mobile news services in Mauritania have expanded. Following in the footsteps of the public AMI, a private media agency (Sahara media), the daily newspapers (*le Quotidien de Nouakchott*, *Nouakchott*

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.

Info), and a job portal (beta.mr) all launched in 2010 a paying subscriber service in French and Arabic to receive information and news alerts on multimedia telephones. Besides Arabic and French, the Mauritanian private media agency Al-Akhbar launched at the end of December 2010 a paying service of short messages over mobile telephone (SMS), entirely given in the country's minority languages, Pulaar, Soninké, and Wolof. It is the first service of its kind in Mauritania. Similarly, in 2010, AMI's website was revamped and equipped with RSS (<http://www.ami.mr/fr/rss.xml>), allowing subscribers to receive daily feeds.

Social network sites like Twitter, YouTube, and Facebook are still little utilized by the adult population in Mauritania for news. Their use is mostly limited to young city dwellers from large cities, especially Nouakchott or Nouadhibou. Internet usage at home and over other media (3G mobile telephones) tends to be spread throughout mainly urban areas, say the panelists. According to the panelists, even if it is true that today almost all Mauritians in both rural areas and in cities have mobile phones, the use of these new sources of information is still very marginal. Additionally, advertisers are still hesitant to embrace these types of media.

The inhabitants of large cities like Nouakchott and Nouadhibou benefit more from the plurality of news sources than those living in cities in the interior of the country or in rural villages. In Mauritania, private media outlets, especially the print media, essentially cover only certain large cities like Nouakchott, Nouadhibou, or Rosso. The types of media or other information aids available in rural settings remain essentially the radio, followed by mobile telephone, shortwave radio, and satellite television. The panelists also underscored the absence of community media in Mauritania. However, since 2010, the government has moved ahead to open regional stations in the towns of Aïoun, Kiffa, Kaédi, Atar, Tidjikja, Sélibabi, Zouerate, Néma, and Akjoujt, and some of these stations have begun operating. Prior to this development, only the town of Nouadhibou had a regional station. These regional stations cover a radius of 50 km and broadcast eight hours per day. Coverage focuses on local issues and educational programs of interest to the people of the affected regions, mostly ranchers and farmers.

Cost and literacy are additional barriers to media access. Given the very high rate of illiteracy in the country—nearly half of the population—and given that most people live on less than one dollar per day, they cannot afford to buy private press copies, and foreign publications are out of reach. The readership comes mostly (80 percent) from the public administration or private enterprise sectors. Some French and Arabic publications are available, but they are not generally affordable to large segments of the population.

In Mauritania, private media outlets, especially the print media, essentially cover only certain large cities like Nouakchott, Nouadhibou, or Rosso. The types of media or other information aids available in rural settings remain essentially the radio, followed by mobile telephone, shortwave radio, and satellite television.

The Pan-African weekly magazine *Jeune Afrique* (*Young Africa*) sells for MRO 1,000 (around \$3.40). However, certain national press editions, such as the general news magazine *Mauritanies1*, printed in color abroad (Tunisia), are sold for the same price as foreign publications.

In contrast with print media, according to the panelists, the low income of the people and the low salaries of civil servants do not affect greatly the access to the Internet, satellite television, or other paying broadcast services, especially in the urban areas.

Aside from barriers posted by cost and geography, there is no way for the government to either directly or indirectly restrict the access of its citizens to national and international media, panelists said. Access to the Internet is free in Mauritania. There is no censorship or restriction on access to Google or to social networks (Facebook, YouTube, Twitter, etc.); however, there is some uncertainty of how the legislation adopted by the government in December 2010, which holds ISPs accountable for content, might affect this.

In terms of the state media's record of reflecting the full political spectrum and serving the public interest, according to the panelists, the public media are still far from these goals. Citing *Le Quotidien de Nouakchott*, the panelists estimated that the annual subsidy to state media approaches MRO 2 billion. But even though these media groups are heavily subsidized by taxpayer money, they continue to be managed archaically and are not truly independent from the state or the political party in power, the Union pour la République (UPR). The public media generally present an editorial line from only one viewpoint, that of the government. In March 2010, even the Mauritanian president, during a surprise visit to the TVM offices, scathingly criticized its journalists and the technical staff, telling them that they appear more interested in the speeches given by the president and the ministers rather than in the concerns of average citizens, and their programs are rebroadcasts with

Said Ould Kaber, "Only on rare occasions is the state media open to the political opposition," such as a February press conference held by Ahmed Ould Daddah (the leader of the main opposition party in Mauritania).

never-ending scenes poorly filmed, with poor audio quality. He told them that he expects TVM to give a voice to the concerns of the citizens of Mauritania, not the ministers that he sees every week.

State media coverage leans heavily toward the government at the expense of the opposition. A 2010 HAPA report criticized *Horizons* for its lack of respect for diversity of opinion, noting that in March, only one edition of *Horizons* reported on an opposition event, and the newspaper avoided giving detailed information. Said Ould Kaber, "Only on rare occasions is the state media open to the political opposition," such as a February press conference held by Ahmed Ould Daddah (the leader of the main opposition party in Mauritania). But this openness did not last long. In a statement made public on July 21, 2010, the joint committee of the Mauritanian democratic opposition denounced as biased TVM's coverage of a televised event on President Azziz's assessment of the regime.

In the opinion of the panelists, very few editors and journalists in Mauritania in the public or private media are professionally aware of the dedicated role they have to serve the public interest in an apolitical manner. The state and public media do not yet promote cultural or educational programs. Nevertheless, the HAPA report welcomed the fact that *Horizons*, since April 2010, has published reports on issues of concern to the people, like the report on food safety and clean-water shortages.

In Mauritania, independent media agencies collect and disseminate news only for the print media. Between 2006 and 2010, no fewer than four private media agencies were established. At least two new private online media agencies emerged in 2010, most notably the Sahara Media Agency (www.saharamedias.net) and the Agence d'Informations et de Nouvelles (AINRIM, www.ainrim.com), which publish in French. The Sahara Media Agency is a Mauritanian private media agency with a focus on international news. Besides Mauritania, it has offices in West and North Africa (Rabat, Dakar, Abidjan) with over 70 employees, journalists, and technical staff from various countries. AINRIM offers a nonstop, 24-hour information service covering national political, economic, social, cultural, and sports news.

ANI, an independent electronic information agency that has been in existence for five years, is owned by the Mauritanian Society of Press, Printing, and Communications (known by its French acronym, MAPECI), which publishes the two dailies *Nouakchott Info* and *Akhbar Nouakchott*.

ANI and AINRIM do not provide pictures, videos, or other visuals allowing for connections to social networks (Facebook, Twitter) via their website, or options to receive news alerts on mobile telephones. Sahara Media Agency, in contrast, provides multimedia content (audio and video). In addition to its audio and video, the agency Al Akbar offers a messaging service on mobile telephone (SMS) in the national languages of Pulaar, Soninké, and Wolof; it was launched on January 1, 2011.

Media agencies provide their news to the independent print and broadcast media without distinction. The media outlets relay dispatches or other content of these local or international media news agencies, like Reuters, AP, and AFP. But, say the panelists, local newspapers rarely mention the sources.

There is no real transparency in media ownership permitting consumers to judge the objectivity of reporting, the panelists said, and there are no laws or regulations on the disclosure of media ownership. Foreign investments in the media are very small, and this is simultaneously an advantage and a disadvantage, say the panelists.

There are no press conglomerates in Mauritania, however; media ownership is very often concentrated in the hands of a single owner. *Le Quotidien Nouakchott Info*, *Al-Akhbar Info*, the Agence de Presse Nouakchott Info, and MAPECI are held by a former journalist-turned-politician, Cheikhna Ould Nenni, with close ties to the ruling party. In a similar way, a former correspondent of RFI, MBC, and Al Jazeera, Abdallahi Mouhamdy, owns the Sahara Media Agency, the daily *Arabic Al Akhbar*, and a printing press company. It is also very common for these media owners to try to influence the editorial line of their publications.

The panelists do not believe that a broad spectrum of social interests are reflected and represented in the media, including sources of information in minority languages. According to them, the public media (Radio Mauritanie, TVM, and *Horizons*) still continue to be tools for the ruling regime or of a sole ethnic group, the Arabs. There is very little time or space given to other politicians, civil-society members, and minorities.

The media, especially private media and bloggers, often address a variety of social issues, such as those concerning gender, ethnicity, social mores, religion, and sexual orientation, with little difficulty. However, the same is not true of the state media. The government and the chief editors in the media, who are not forthcoming with their

reasons, often enforce this resistance. In April 2010, RPM decided to boycott a state television program, "Press Club," after a guest on the show, the chief editor of the weekly *La Tribune*, was censored after bringing up controversial issues (including national unity, toxic waste generated by certain foreign mining companies, and the expansion of electricity to outlying districts) on the show.

While the panelists could cite no proven case of harassment of journalists for writing about issues affecting ethnic minorities, they noted that out of a total of nearly 200 newspaper editions published more or less regularly, only one, *Foyre Bamtaré*, is published in Pulaar (one of the four national spoken languages officially recognized in Mauritania). Furthermore, in September 2010, a famous Mauritanian singer, Ousmane Gangué, lamented in the columns of *Le Quotidien de Nouakchott* the low number of hours devoted by TVM to a cultural program in a minority language, such as Pulaar. "If there is no Pulaar programming at TVM, I will never be able to do a show on television, since a Pulaar performer cannot participate in a program with Moor hosts or journalists. I prefer to do my shows with a guy like Bosco (a famous journalist from this ethnic group), because he will conduct the show in Pulaar. But if we do not give him the necessary time to meet the performers, how can he do his show properly? At TVM, we give three or five minutes of antenna time to black Mauritians; this is not normal. If we were to give them one hour of broadcast time, they would have the time to do a proper television variety show. When Bosco does a show he has to constantly be looking at the time."

Ethmane Ould Bidiel, a political activist from the Alliance Populaire Progressiste (APP), also complained, in a post published in August 2010 on the information website *cridem.org*, about the absence of the Haratine community (descendants of former slaves) from TVM—an absence he equates to a quasi-racism of the state. "Why do all the regimes that succeed each other agree on one thing and one thing only, the principle of excluding and of marginalizing systematically the Haratines from all public media organizations, especially radio and television?"

The private media have a better record than the public media for reporting on issues affecting minorities and providing minority-language programming. In addition to Arabic and French, the Mauritanian private media agency Al Akhbar launched at the end of December 2010 a paying service of short messages over mobile telephone (SMS), entirely given in the country's minority languages, Pulaar, Soninké, and Wolof. It is the first service of its kind in Mauritania.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mauritania Objective Score: 1.21

The ratings for nearly every indicator in this objective decreased in comparison with 2009. Indeed, the panelists are unanimous in judging that media companies in Mauritania are all basically just barely staying afloat, with a business environment that is not yet favorable to the establishment of media companies. Only indicator 5, government subsidies for private media, registered some progress, resulting from the recent establishment of an aid fund for the media.

Neither the independent nor public media in Mauritania can be described as well-managed enterprises allowing for independent journalism, say the panelists. Neither the media outlets, nor support companies (distribution, print) are professional or profitable. In 2006, a report by the National Commission for the Reform of the Press and Broadcast Media noted the absence of a text defining what a media company is, its collective responsibilities, as well as its moral character and its commitment to its employees. Five years later, little has changed.

Newspaper companies cannot afford their own ambitious projects. The majority of independent publications do not yet own cars to run errands, let alone to allow journalists to travel. Some newsrooms do not even have a standard telephone line or a connection to the Internet. And even where it exists, its access is tightly controlled, according to Birome. Media outlets and supporting companies do not have business plans. Accounting and financial practices remain dubious and noncompliant with international standards.

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.

And yet, private media professionals have generally not received any basic training in the search for new markets and advertising resources, claimed Thiam, who added that “media editors lament that for many years there was no national advertising agency in the country.”

In the private media, accounting functions, sales, and human resources are sometimes carried out by the publishing editor or perhaps even by his brother, cousin, or someone else close to him, claimed Djeinaba Bâ, a salesperson for the communications agency 3MC.com. The panelists said that typically there is no personnel policy in place; instead, tasks are assigned haphazardly.

The panelists also believe that the public media do not use taxpayer money responsibly. Indeed, private newspapers regularly feature cases of misappropriation of funds in these enterprises.

The private media have multiple sources of revenue, the most important being sales, subscriptions, and sponsorships. However, this income seems very inadequate for the sustainability and viability of the media companies, considering that newspaper circulation is poor (it varies between 1,500 and 2,000 copies for each publication), and other sales and advertising revenue are also insignificant. The panelists note as well that the purchasing power of the Mauritanian people, who live on less than one dollar per day, makes for a poor readership, given that newspapers, on average, cost MRO 100 to MRO 200 (\$0.35–\$0.68). Certain private newspapers benefit from assistance, namely from some Western governments, said Camara.

Contrary to other neighboring countries (Senegal, Mali, etc.), the Mauritanian private media do not yet benefit from any direct state subsidy. For about 15 years, the only form of aid to which it was entitled was a reduction in the cost of the printing of newspapers. “In 2010, the state took on 70 percent of the cost of the printing of 229 newspapers, which is about MRO 240 million (\$820,000),” confirmed by the communications minister in the local press.

Revenue and funding sources often influence the editorial policies of newspapers, their management, and the content itself of media outlets, say the panelists, who believe, however, that this practice is more deeply anchored in the

private media than in the public media. Some business leaders of the private or public sector, senior government administrators, or elected local officials often subscribe, as a show of support, to private newspapers in return for increased and improved visibility.

Advertising is still very little developed in Mauritania. Outside of Nouakchott, there are no consulting agencies in communications in the other large cities, including Nouadhibou, the economic capital. International agencies (Moroccan, Tunisian, and Senegalese) dominate the advertising world.

The economic and industrial base of Mauritania counts no fewer than one hundred companies, and yet, the companies using advertising are almost nonexistent. For about 10 years, advertising space in the private newspaper columns, as well as space in the public media, was essentially purchased by the three mobile telephone operators in the country (Mattel, Mauritel, and Chinguitel). Their advertisements, on average 15 minutes long, are replayed continually on radio and television. These operators have also entered into contracts with the most widely read private newspapers to carry regular advertisement flyers throughout the year. But advertising revenue, if there is any, still remains insignificant to the survival of the newspapers, say the panelists.

According to the panelists, in Mauritania, it is the media organizations that take responsibility for soliciting and selling advertising space to advertisers. And yet, private media professionals have generally not received any basic training in the search for new markets and advertising resources, claimed Thiam, who added that “media editors lament that for many years there was no national advertising agency in the country. Such an entity would have undoubtedly allowed for a better distribution among various newspapers’ and other media organizations’ advertising and subscription opportunities.”

According to the panelists, the public media have sufficient access to adequate and guaranteed funding sources without risking political interference. The figures released by the private media show that indeed, TVM receives an annual subsidy of around MRO 2 billion (\$6,831,000), Radio Mauritanie around MRO 1 billion (\$3,416,000), MRO 600 million (\$2,049,350) for AMI, publisher of the two government dailies (*Chaab* and *Horizons*), and MRO 300 million (\$1,024,650) for the IN.

The government has also taken a step to support the private media by passing a bill in late December 2010 that establishes, for the first time in the history of independent media in Mauritania, direct public aid to the private media. According to the communications minister, the modalities of managing and setting up the fund will be overseen by a

committee whose mission had not yet been defined at the time of the MSI panel.

In general, the panelists did not feel concerned that direct or indirect subsidies from the government to private media would affect editorial independence. They noted that in the past, *Le Calame*, a private weekly newspaper, had received a reduction in its printing costs with IN, without any signs of ensuing influence on its political editorial line or management. On the contrary, the newspaper adopted a hard editorial line against the policies of the government. And yet, the panelists conceded that because of this critical attitude, the editions of the newspaper were regularly censored.

Panelists also emphasize that public administration and the state-owned companies are an important source of advertising revenue and subscriptions for Mauritanian newspapers. However, "the offers benefit only the two government dailies, *Chaab* and *Horizons*. In general, public administrators are quite reticent in granting advertising or subscriptions to the private print media," says Sidina Ould Ely, responsible for distribution and customer relations at the national printing company.

The panelists think that market studies in the media sector in Mauritania can certainly provide a mine of information for different targets. But the media or their sponsors rarely use the information obtained. The types of research used by the media are limited at this time to opinion surveys on the popularity of politicians that are prepared by media organizations. "Rarely have the studies specifically concerned market segmentation or the profile of the private newspapers' readership. These studies have so far concerned above all the audiences of public radio and television, Mamoudou said.

Djeinaba Bâ commented, "Better market research will necessarily lead to improved quality in news and newspaper distribution. But the problem is that no media editor is yet prepared to sponsor at his own expense such a study, let alone to implement its strategic or business findings."

The panelists believe that audience ratings, circulation figures, and Internet statistics are generally produced by the government or by other related organizations, rendering their reliability questionable. Nevertheless, certain international organizations (UNFPA, UNICEF, World Vision) operating in the country also sometimes carry out media research. The results produced by these appear less focused. The results of the audience ratings or circulation figures from these studies are rarely made public and are still less used by media outlets or other organizations. Figures on the number of copies of the print media or on the consistency of publication of private newspapers in Mauritania have been

produced since 2007 by a research team from HAPA—but the results, compiled purely on the basis of individual interviews, are often viewed as biased.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mauritania Objective Score: 1.72

The overall average of Objective 5 showed slight improvement compared with 2009. Indicator 3 (the role of media NGOs) recorded the largest increase. The panelists also noted progress with regard to indicator 4 (formal education options for journalists), mainly because of the launching of classes at the trade school for journalism created in 2009 by the government. Indicator 5 (short-term training options) improved as well. The ratings for most other indicators remained virtually unchanged from 2009; the exception to this was indicator 6, access to printing facilities and newsprint, which lost some ground.

Since 2008, the media sector experienced a revitalization of the union labor movement. New associations launched to defend the interests of media professionals, reflecting the aspirations of the Mauritanian media as a whole. Some of these associations include RPM, SJM, the Association of Mauritanian Media Publishers, the Association of Mauritanian Journalists, and the Union of Independent Press and Media in Mauritania. However, according to the panelists, some of these organizations still do very little on behalf of the interests of independent journalists. They do more for the preservation of interests of publishers and of the institutions.

There are still no associations of broadcasters in Mauritania, and there are only a few associations for media publishers.

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.

According to the panelists, professional associations, including unions, generally represent individuals in the media (such as editors, journalists, or other media professionals). Furthermore, the independence of these organizations or their leaders, vis-à-vis the government, is often very strongly criticized, say the panelists.

The most important are RPM, which represents the traditional print media, and the Association of the Mauritanian Electronic Media, for online media. RPM, created in 2008, numbers at least 23 newspapers and information site members, while close to 25 Mauritanian newspapers and electronic sites have announced the creation of the Association of Mauritanian Electronic Media, with the goal to “defend the moral and material interests” of the electronic media. As noted in last year’s MSI, RPM is the trade association most representative of the profession (while SJM is the most representative in terms of looking after journalists’ professional interests). This year’s panelists singled out trade associations like RPM for most actively defending the media’s interests before the government. For example, following an IN decision to increase costs for independent newspapers by three times, RPM decided to observe a day without newspapers on Sunday, January 3, 2010. By the end of day, IN caved in to RPM’s demands, and the communications minister ordered IN to restore the subsidized prices.

According to the panelists, in Mauritania, union activity is still underdeveloped in media circles. Certainly, associations of media professionals have existed for around 15 years, but they have not encountered problems of legitimacy. Some of these associations, modeled after CRED, which was launched in 2001, are under the control of media owners who do not share the same concerns as the journalists. Others, like the National Association for the Independent Media, created in 1991 and influenced for a long time by the theories of the overthrown dictatorial regime that ravaged the country from 1984 to 2005, were plagued by leadership quarrels, which handicapped their ability to function. A new group that emerged in December 2010, called the Club of Reporter Journalists, is open to all journalists and seeks to defend journalists against all attacks on their material or moral rights.

According to the panelists, professional associations, including unions, generally represent individuals in the media (such as editors, journalists, or other media professionals).

Furthermore, the independence of these organizations or their leaders, vis-à-vis the government, is often very strongly criticized, say the panelists. There are professional associations for the defense of journalists in general, but their number is very small (around one dozen) and their usefulness remains very limited. Services offered by these organizations are limited typically to moral support for journalists or their families in case of arrest, organizing sit-ins to show solidarity, and other efforts to mobilize public opinion.

The conditions necessary for membership in these associations are generally not very restrictive. For example, Article 4 of the CRED’s ethical charter stipulates that, for example, every journalist or publisher having subscribed to the Charter and having confirmed his/her membership by an oath of honor duly signed can be a member of CRED. The number of members in these organizations tends to decrease every year. Since its creation in 2001, CRED has held only two general meetings (in 2001 and 2010) and currently numbers just 59 member journalists.

There are a number of NGOs operating locally that collaborate with the media sector to support freedom of speech and the independence of media groups, including the Forum of Organizations for Human Rights in Mauritania (known by its French acronym, FONADH), the Mauritanian League for Human Rights (known by its French acronym, LMDH), and the National Order of Lawyers. Although their number is still very small and collaboration is sporadic, they collaborate with the international organizations defending the freedom of speech or human rights, and these local organizations, which are mainly located in Nouakchott, often spare no effort when reacting and responding to attacks on the media. The panelists believe, nevertheless, that these NGOs are involved only marginally in the evaluation of legislative changes affecting the media. However, some among them, like LMDH, often provide legal support to journalists or other media outlets.

Ever since Mauritania acquired independence 50 years ago, there had been no public or private journalism schools in the country. However, in March 2010, the Mauritanian government adopted a draft decree supporting the creation of a publicly owned institution, ENAJM, to answer the need for highly qualified administrators to reduce the deficit adversely affecting the administration.

The panelists stressed that before the creation of this establishment, Mauritanian graduates in journalism, communication, and information sciences were trained in foreign countries (Senegal, Morocco, Tunisia, Egypt, Iraq, Syria, France, etc.). “After receiving their diplomas, most return to Mauritania with new expertise but without any promise of employment—except, of course, for those on a

fast track,” said Bocar Bâ, who added that media outlets are generally very satisfied with the quality of the graduates.

The panelists feel that there are short-term training and development programs that allow journalists to improve their skills or to acquire new ones. “Training seminars have benefited the Mauritanian media. Some workshops are funded and organized by embassies and international organizations, but these opportunities are often hard to come by. Generally, training programs are implemented by local organizations in partnership with their international colleagues or local NGOs. The most popular courses generally focus on ethics and good conduct in the journalistic profession, investigative journalism or reporting, the electronic press, etc.

According to the panelists, the media outlets give very little support to the efforts of the personnel wishing to take part in professional development opportunities. There are programs to address all the training needs of professionals of all fields (editing, advertising, etc.), but very often the level of learning in these programs is undifferentiated for all the participants: beginner or advanced journalists all take the same courses. “As for courses held abroad, the participation fees are exorbitant—and neither journalists nor editorial offices are often ready to pay them,” admitted Camara. Some Western embassies (USA, France, Germany) offer to cover expenses for one or two Mauritanian journalists from the private media to take short training courses in journalism in their respective countries.

There are very few printing presses owned by businessmen. By far, the government-run IN is the largest printing company, said Ely, and it prints nearly all the independent newspapers as well.

The state pays up to 70 percent of the costs associated with printing private newspapers. The panelists believe that IN, which benefits from a yearly state subsidy, is managed as a for-profit company. However, the panelists criticized IN’s quality of services and ever-rising prices, which, they said, significantly impede the development of print media. Overall, according to Jaafar, “The support from the printing companies and distribution companies for the media is fainthearted and ineffective.”

Ely noted that Mauritania lacks an adequate distribution network, and that is a major reason why newspapers remain nearly inaccessible to the vast majority of the population.

List of Panel Participants

Camara Seydi Moussa, publisher, *La Nouvelle Expression*, Nouakchott

Mountaga Diop, regional correspondent, *L’Éveil Hebdo*, Boghé

Birome Guèye, executive, High Authority for Press and Broadcasting, Nouakchott

Thiam Mamadou Alassane, regional correspondent, *Lumière du Nord*, Nouadhibou

Bocar Bâ, journalist, Radio Mauritanie, Nouakchott

Djeinaba Bâ, advertising consultant, 3MC.com Communications, Nouakchott

Hawa Traoré, freelance journalist, Nouakchott

Moctar Ould Mohamed Jaafar, correspondent, *Le Divan*, Nouakchott

Aydaly Ould Hemed, journalist, *Horizons*, Nouakchott

Rokhaya Tall, legal expert, Mauritanian Association for Women’s Rights, Nouakchott

Sidina Ould Ely, director of distribution, Imprimerie Nationale, Nouakchott

Bah Ould Kaber, former journalist, Télévision de Mauritanie, Nouakchott

Moderator and Author

Mamoudou Sy, director of publication, *Éveil Hebdo*, Nouakchott

Assistant

Dewa Dianifaba, IEC supervisor, Health and Nutrition Support Project of the World Bank, Nouakchott

Other panelists believed the media's failure to provide adequate space for dialogue on public interest topics was a factor in the clash. They suggested that if the media provided a better forum for those affected by the rising cost of living to air their concerns, the violence might have been avoided.



MOZAMBIQUE

Rising bread and fuel prices drove protestors to the streets of Maputo in early September 2010. The protests led to violent clashes between protestors and the authorities; 13 people lost their lives, and the authorities arrested hundreds. Blaming a viral text message for fueling participation in the protests, the National Communications Institute of Mozambique (INCM) ordered Mozambique's two major telecom companies to block SMS messaging. The government cited national security concerns to justify this step, which ignited more anger. The protests reveal much about Mozambique's media, showcasing the growing use of new media tools and the government's evolving reaction to this changing tide.

The media coverage of the protests reflected the differences between Mozambique's public and private media. Panelists noted that private media agencies covered the September scene live—prompting figures close to the government to accuse the press of encouraging the protestors. During the demonstrations, the public generally applauded coverage by the independently owned STV television station. Unsurprisingly to the panelists, public agencies provided no reports in the early stages of the crisis.

Other panelists believed the media's failure to provide adequate space for dialogue on public interest topics was a factor in the clash. They suggested that if the media provided a better forum for those affected by the rising cost of living to air their concerns, the violence might have been avoided. The panelists agreed, though, that the use of Twitter and other new media tools and blogs gained new respect as they helped spread news of the protests internationally. For example, diplomats based in Mozambique and international news agencies cited the blog of a Mozambican sociologist as an independent, alternative information source on the protests.

Despite the government's reactions to the protests, and shortcomings in Mozambique's libel and information access laws, the panelists generally praised Mozambique's legal and social standards for strengthening and protecting the freedom of expression and the press. In particular, they pointed to the diversity and plurality of news sources, the absence of legal restrictions to access of information, and the emergence of an informed and increasingly more active civil society, capable of advocating for the effective exercise of rights and freedoms of citizens and journalists.

Accordingly, panelists scored Objectives 1 and 3 in the upper half of "near sustainability," believing that the gains are fairly solid. Objectives 2 and 4 scored lower because, despite the atmosphere of press freedom, there are very serious deficiencies and shortcomings in training—both theoretical and practical—and technological modernization, which undermine Mozambican journalism. Mozambique's media outlets must boost professionalism and editorial independence to strengthen their financial footing and improve management practices.

MOZAMBIQUE AT A GLANCE

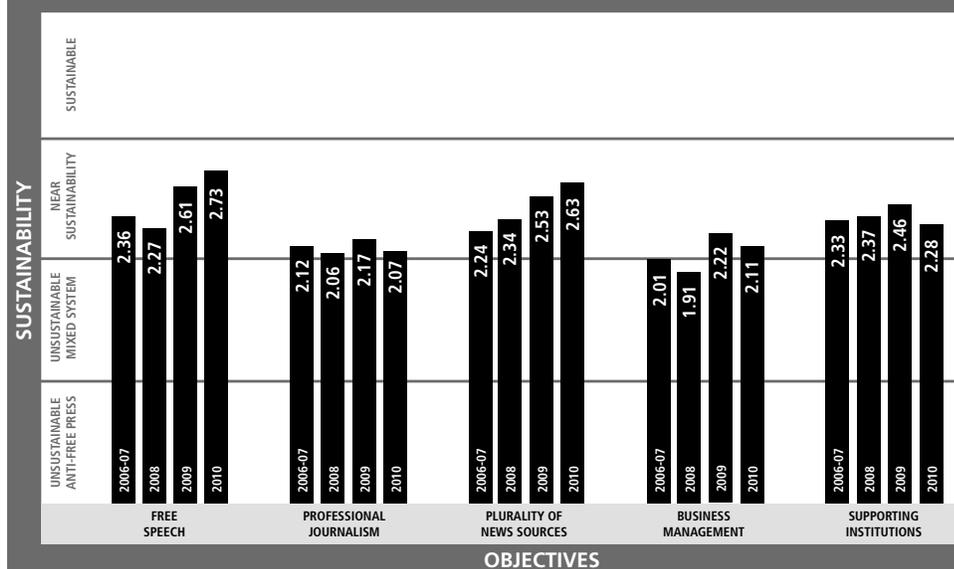
GENERAL

- > **Population:** 22,948,858 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Maputo
- > **Ethnic groups (% of population):** African 99.66% (Makhuwa, Tsonga, Lomwe, Sena, and others), European 0.06%, Euro-African 0.2%, Indian 0.08% (*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 (2010-Atlas):** \$10.34 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$920 (World Bank Development Indicators, 2011)
- > **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 Stations: 88, including community stations; Television Stations: 5
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Mozambican Information Agency (Agência de Informação de Moçambique; state-run); GMGmedia (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 613,600 (2009 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: 2.73

Objective 1 drew the highest scores from the panel, reflecting the strength of the relevant legislation, although the panelists feel that awareness of the laws supporting free speech could be improved, as journalists generally consult only the relevant legislation when a crisis occurs.

Mozambique's constitution guarantees the freedom of expression for media professionals, and Law 18/91 of August 10, also called the Press Law, provides a regulatory infrastructure. There are no regulations that explicitly inhibit free speech. Carlos Coelho, chair of CoopNorte Management Group and manager of the electronic newspaper *WamphulaFax*, noted that Mozambique's freedom-of-speech legislation is among the strongest in Africa. In view of this, the panelists concluded that freedom of speech in Mozambique is increasingly exercised and protected, and the media facilitate democratic debate between various social groups on the most varied political, social, and cultural topics.

Florentino Escova, director of Radio Terra Verde (RTV) and a member of the High Media Council, added that the Press Law extends the right to enjoy freedom of speech to citizens, journalists, and leaders. When violations occur, the law allows victims the right of appeal or recourse to the appropriate authorities, including the courts. The judiciary is legally empowered to settle disputes related to the abuse of 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.

However, Escova commented on the distance between the letter of the law and reality: "There are laws regulating entry into the media market, but the laws are not enforced, illustrated by discrepancies in the treatment of the public and private media."

freedom; however, the panelists believe that there are still problems concerning the appreciation of the Press Law.

In general, the legislation is upheld, but violations continue to occur in some cases due to ignorance of the principles and laws governing the media, or because of the arrogance of powerful leaders. Isaías Branco Sebastião Natal, journalist and correspondent for the weekly *O Público (The Public)*, expressed his concern about harassment of journalists who criticize the government. Furthermore, while theoretically Mozambique's laws do not contradict international standards of human rights, Mozambique is sometimes slow to adopt specific supporting laws or regulations. For example, the regulatory framework for television broadcasting in general, and community broadcasting in particular, lags.

Strengthening broadcast regulations would widen the enjoyment of freedom of expression, according to some panelists. Amílcar Pereira, a professor at Eduardo Mondlane University (UEM), said the biggest problem for the country is not a lack of laws and legal norms. It is their application, or enforcement, that is problematic. He said there have been notorious instances of the government's and the ruling party's exercising control over the public media, and even the private media. As an example, he pointed to efforts to control commentators on political television and radio programs. During the November 2009 elections, Pereira revealed, a list of names of people approved to participate in political debates on television circulated. Alfredo Libombo Tomás, a journalist and the executive director of the Media Institute of Southern Africa in Mozambique (MISA), touched on a similar issue, remarking that while the president outwardly appears to respect free speech, people who speak before the president and his entourage seem to be pre-selected.

Ezekiel Mavota, a journalist and director of information at the public Radio Mozambique (RM), provided a slightly different perspective. He commented, "In Mozambique, there is a good legal environment for the work of media professionals, but these journalists do not always respect the rules their profession requires, and the laws themselves seem disconnected from the Mozambican context. One is

often under the impression that many laws and conventions are imposed by the forces of global financial powers and, therefore, are hardly sustainable.”

To an extent, the Press Law protects the confidentiality of information sources. However, judges tend to ignore this aspect of the law in court and demand that accused journalists reveal their sources. Gabriel Chihale, a High Media Council (Conselho Superior da Comunicação Social) media monitoring technician, added, “There is quite a discrepancy between laws and reality. On the one hand, specific laws are missing, and, on the other hand, some laws are interpreted incorrectly. For example, when journalists are accused of libel or defamation, the judge demands that they denounce their sources. The reporter often refuses to do this, and this alone constitutes sufficient grounds to be sentenced.” However, the government cannot intervene because this issue lies outside the jurisdiction of the government’s executive powers.

Chihale also underlined the culture of secrecy that surrounds justice: “Often, managers and government officials refuse to give information to journalists to enable them to reach the most relevant officials, a right enshrined in number 1 of Article 48 of the Constitution of the Republic. Officials excuse their refusal with the rationale that justice or state confidentiality must be protected.” Chihale added that a specific law addressing this problem could benefit all.

In fact, during 2010, a coalition of civil-society organizations, headed by MISA, and the relevant public institutions established a mechanism for cooperation on the Draft Law on the Protection of Access to Information Sources, which augurs well for its approval by the Assembly. However, in the meantime, Coelho said that some inappropriate legislation continues to prevail, while the revised Press Law draft, which has yet to go to parliament for approval, sits in the hands of the Council of Ministers.

The panelists agreed that there are no restrictions or requirements imposed by the government for access to the Internet or to any other media platform.

As in previous reviews, this year’s panelists were unanimous that broadcast licensing is fair and apolitical, and there are no limitations or bias in the licensing of broadcast media and telecommunications. They noted that the criteria are primarily technical; therefore, they are not easily circumvented.

Further, the panelists believe that the private and public sector are treated equally in this regard, and they were not aware of any cases of refusal to grant a license or to withdraw a license. However, the process can be agonizingly slow. A number of institutions are involved in processing applications, including the Council of Ministers, which approves permits to radio and television operators; the INCM,

which controls the distribution of frequencies, particularly for radio and television, and handles technological issues inherent in the use of such frequencies; and GABINFO, which oversees public operators, coordinates the government communication strategy, and issues licenses for all media operators, once approved by the Council of Ministers. Additionally, the High Media Council oversees the broadcast content of the media, in terms of ethics and conduct, and reacts to press freedom abuses, Press Law violations, and harm to social ethics and public morals. The High Media Council also issues an opinion prior to approval and granting of permits, while the Ministry of Trade and Industry approves and issues licenses to advertisers.

In fact, with the exception of the High Media Council, these institutions all depend on the government. However, the panelists consider the licensing criteria very clear and public, and not generally disposed toward bias and manipulation. Any possible bias is reflected in the delay in allotment of broadcast channels. The procedures for setting up an information agency are fair and without political prejudice.

Coelho, for his part, said the setup of radio stations is difficult, in contrast to print media. His organization, he said, experienced no trouble obtaining permits for its two newspapers (tabloid and electronic) but still has not managed to secure a radio license and has been waiting since 2009 for the allotment of a broadcast channel.

In Mozambique, entry into the market is free and equal for any lawful business, including the print media, broadcasting, and the Internet. All kinds of media are regulated under the Press Law, which does not differentiate between print and broadcasting, and there is no differential treatment among public, private, and community media according to the law. However, Escova commented on the distance between the letter of the law and reality: “There are laws regulating entry into the media market, but the laws are not enforced, illustrated by discrepancies in the treatment of the public and private media.” Both sectors pay the same amount of taxes, but the public pays for the broadcasting licenses for public agencies. Public media also receive more government advertising publicity.

Palmira Piedade Velasco João, president of the Association of Women in Social Communication (AMCS) and director of Radio Muthyiana, agreed, noting, “There are some hidden restrictions, felt through the high tax rates for the import of raw materials, such as paper for newspapers and equipment for private radios and televisions. That is where a difference is seen in the treatment of private and public entities.” Also, there is no law that regulates the Internet in general, and blogs in particular. Legally, Internet companies are treated like any other.

Mavota touched upon the differences between launching a media business and other types of businesses. "On one hand, any person or legal person who decides to join a business must be aware and prepared to face the challenges of the prevailing business environment, and, on the other, the market itself has to be flexible and not hostile toward the new actors/business agents." Specifically, the media sector must be viewed differently from others, since it is different, for example, from a juice factory, panelists believe. However, Ouri Pota Chapata Pacamutondo, deputy director of programs for RM, argued that the public sector requires greater protection because it has the responsibility to serve a broader, national audience, reaching all social classes. As for tax issues, existing discounts and tax breaks result from bilateral agreements—for example, between certain media organizations and the Tax Authority of Mozambique (ATM), the Ministry of Science and Technology, etc. The government itself has not taken broad measures to reduce the operating costs of media companies.

As in previous years, crimes against journalists were not very frequent in 2010, but threats and intimidation persist. Manuel Matola, a journalist of the LUSA News Agency, thinks that in Mozambique, there are really no serious cases of harassment of journalists, so one cannot speak of crimes against journalists. Rather, there are threats and random acts against journalists—usually by people who realize they are the subjects of journalistic investigations—that can be classed under this indicator.

However, along with other panelists, Pereira expressed his concern about serious incidents in the provinces and districts of the country in particular, where the press is more tightly controlled. In one highly publicized example, a citizen was arrested and accused of defaming a local administrator after speaking at an open forum with the president. Noting that some district administrators, particularly in the provinces of Tete, Sofala, and Niassa, have interfered in the activities and the content of community radio programming, panelists called for specific regulations to address this interference.

Crimes against journalists or media organizations are investigated by civil-society organizations like MISA and the Mozambican Human Rights League (LDH), which publish an annual list of these types of incidents in the country. Sanctions by the courts or court trials result mostly in the imposition of fines.

Escova believes that libel and slander crimes are common; however, few journalists are sentenced for reporting on corrupt government officials. The investigative reporters suffer the most persecution, he said, because their investigations tend to touch powerful people. Chihale revealed that journalists suffer a great deal of censorship in

the newsroom from their superiors; in his view, censorship counts as one of the most frequent crimes against journalists, along with death threats. Politicians, businesspeople, and government leaders are behind most of these crimes, and they are never punished.

In 2010, most reported threats against journalists were registered in the provinces of Maputo and Tete, but the perpetrators of these threats were not pursued. For example, Louis Nhandote, a *Zambezi* journalist, was harassed and received death threats for reporting on drug trafficking, and Celso Manguana, from the same newspaper, suffered persecution and death threats from the police for his reporting on a personal affair concerning a government official's daughter. Accused of libel, Manguana had to launch an alert on the Internet to protect himself. The panelists also noted that independent newspapers generally report harassment, threats, and so on against journalists more frequently than in the public media.

Regarding the question of preferential legal treatment of the state media, the panelists noted that legally, there are no stipulations that the media give special treatment to certain categories of people. Yet in practice, they observed that the public broadcast media (TVM and RM) and the pro-government press, although they may strive for professionalism and objectivity, devote more time and energy to covering the government and the ruling party. In effect, these media agencies are vehicles to disseminate the government's communication strategy and agenda. Escova said, "In this case, complying with the law is not enough. Public media agencies receive funding from the state and, editorially, depend on what is dictated by the government. Furthermore, the appointment of the Chairmen of the Boards of Directors (PCA) is biased and made on the basis of political trust."

Chihale also commented on the appointment of officials. He said, "The public media, in a way, serve the interests of the public; however, there are cases of preference for some parties over others, particularly those from the opposition. In my opinion, the error starts with the appointment of top managers of these publicly owned companies by government officials in power. This situation contributes greatly to compromising the editorial independence of the public media, and, since they depend financially on the state, the programs produced in these companies tend to promote the interests of members of government—in particular, those who appointed them."

Chihale also said that while the law guarantees editorial independence, there are people who use their positions to try to influence the editorial policy of the media, especially in the private sector. He pointed to an example from the Tete

province, where he said certain private media groups were excluded from covering government functions after they took issue with officials who asked journalists to fabricate data/facts in their reports. And, even in the private sector, certain media publishers and other professionals have been overlooked for leadership positions for their failure to adhere to the positions of the political authorities.

Panelists also commented that the private press, particularly the written press, is sometimes considered to be at the service of the political opposition, perhaps because it reveals an independent editorial line and journalistic aggressiveness in relation to those wielding political power and the government.

As for libel, the panel concluded that the situation remains essentially unchanged from earlier MSI studies. Defamation is treated as a criminal and civil violation, and the president enjoys immunity. Mozambique's legal system separates the private sphere from the public sphere for important personalities and government officials. In addition, the burden of proof rests with accused journalists in defamation cases.

Generally, there is equality under the law in cases of defamation, and the background of the victims, or whether the victim plays a public role, is not a factor influencing the sentences handed down by judges. Yet there are cases of corruption among judges and magistrates. Such cases, when detected, are handled by an organization that oversees and disciplines judges and magistrates: the Supreme Judiciary Council (CSMJ), chaired by the president of the Supreme Court. Chihale said that many corruption cases against judges or magistrates can be tied to influential victims of defamation. Often members of the government are politically connected, socially well-positioned individuals, and they try to influence judges to decide in their favor in libel cases.

The panelists were not aware of any situations in which Internet providers and web hosting companies have been held liable for information published. Partly, this has to do with the lack of legislation in this specific area, but also with the fact that these technologies are not sufficiently publicized and popular.

Escova believes that information is not universally accessible to all journalists, especially those from the private sector. Journalists in the public sector, on the other hand, can access information without any difficulty—provided it flatters the state. Edson Inacio Magaia, a TVM editor, expressed his view that access is declining, due to the attitude of the institutions and the charisma and strength of those who oversee them, and that recourse to or consultation of the legislation generally occurs only in crisis and conflict situations.

Tomás said the outlook on information access changed very little in 2010; he said that although the constitution guarantees the right of access to information, the absence of a supportive law on the right to information discourages many from releasing information of interest to the public. A Law on Access to Information Sources is sitting before the parliament but has not been passed.

Furthermore, not only is the legislation lacking in this regard, but a culture of secrecy within public institutions also prevents researchers, journalists, and citizens from getting the information they need. Coelho and Natal agreed with Tomás, stressing that the media culture has not developed to the point that federal and state officials feel obligated to make information of public interest available, either to the general public or to journalists.

Additionally, the panel said that journalists and media houses do not stand up for their rights as forcefully as they might. The National Union of Journalists is less interventionist and acts like an arm of the government. Because of this, Tomás said that MISA often assumes the role of a union, either in relation to the Movement for the Elaboration, Lobbying, and Advocacy for the Law on Access to Information Sources or to fund the legal defense of journalists prosecuted in the course of carrying out their jobs.

Magaia commented that the lack of information to develop journalistic reports renders the media unable to fulfill their duty to give voice to the voiceless in Mozambique, and to bring the public information on social and other issues directly impacting their lives. Magaia, backed by all the panelists, said this was precisely the case with mob violence that occurred in early September 2010. If the media had served as a forum for dialogue regarding the rise in the cost of living, and had given those affected a place to air their concerns, the violence could have been averted.

Regarding the professional capacity of journalists to collect information of public interest, the panelists said there are many gaps, although national and foreign organizations have provided some training activities. Mavota mentioned, for example, that there is now a tendency by journalists to talk directly to a minister, rather than looking for department heads, directors, or spokesmen.

Still, 2010 was a historic year for the media in this regard because of two events: the parliament held talks with the network led by MISA on the need for debate and adoption of the Law on Access to Information Sources, and the media became the subject of a draft study by the Committee on Public Administration, Local Government, and the Media. The panelist suggested that this be a sign of growing recognition that the work of the government belongs to the taxpayers.

The panel agreed that in Mozambique, access to international news and news sources is not restricted. Matola emphasized, though, that journalists in Mozambique have no resources to purchase content from news agencies, which limits their ability to obtain international news. The panelists also agreed that almost all newsrooms now have e-mail addresses and Internet access. However, not all employees have Internet access at home, and only a handful of the smaller media organizations have websites, due to the expense. Media firms with the financial resources and the necessary equipment are able to purchase material to reprint and rebroadcast news from foreign agencies, generally respecting the procedures that apply, for example, in citing the original source.

Regarding the ease of entry into the profession, panelists were not aware of any special privileges or restrictions imposed by the government. Both private- and public-sector journalists are invited to cover presidential visits, ministerial events, and other government events in different parts of the country and abroad, and the inviting institutions cover the journalists' expenses. In general, there are no restrictions on the coverage of public events and government-specific events. The panel also noted that the government does not restrict people from taking journalism courses, nor does it issue professional press cards or impose an official definition that journalists must meet.

For now, bloggers are not considered journalists, but rather people who share information and opinions and stimulate discussions that draw in the public. John Boden, deputy editor of *Diário de Moçambique*, and Felizardo Massimbe, program director of Televisão de Moçambique (TVM), said the constitution guarantees freedom of association. The SNJ exists to help journalists defend these and other rights, and journalists are also free to create other socio-professional organizations to defend their rights. Massimbe pointed out that the Press Law resulted from the joint efforts of journalists determined to establish a legal means to democratize the journalistic profession in the country.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mozambique Objective Score: 2.07

Massimbe summed up the challenges that Mozambican journalists face in their efforts to elevate professionalism. "The quality of our journalism has fallen, possibly because the quality of education in the country has decreased. There are no restrictions on news coverage, but journalists see little returns in the relation between work and reward. Journalists are poorly compensated for the risks they face, which makes them even more vulnerable. Moreover, the working

conditions of journalists are still very poor: we need all kinds of resources, from chairs, desks, computers with Internet access, to cameras and print and broadcast equipment. All this contributes negatively to the practice of journalism and weakens its ability to respond to important issues."

Pereira also believes that the quality and professionalism of Mozambican journalism is still quite low, but some panelists pointed to slight improvements following the availability of college courses in journalism—though there is still little diversity in these courses. News reports tend to emphasize the sensational aspects and lack objectivity. There is little evidence of effort to seek out various opinions. On the one hand, the behavior of many journalists does not meet ethical standards of quality journalism; on the other hand, panelists agreed that professional journalists are not fairly compensated. According to Tomás, "The standards of journalism in Mozambique are not yet those one would hope to find; many factors contribute to this, from the lack of professional standards and principles to low salaries to weak trade unions." Other panelists agreed with Tomás, noting that journalists often do not consult two or more relevant sources, and research is very defective. Journalists frequently blame these shortcomings on the lack of working phones. Regarding the quality of journalism, Pacamutondo added that competition among outlets to break a story first also contributes to lower professional standards because some agencies opt to disclose information without taking steps to verify it—preferring to publish now and apologize later if the news turns out to be false.

Still, Pacamutondo argued that for the most part, Mozambican journalists tend to follow professional standards of quality; however, the difficulty of communicating with

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).

For example, Mavota said, “During the September riots, the diplomatic corps based in Mozambique and some international news agencies consulted and cited the blog of Carlos Serra, a sociologist at the Center for African Studies of EMU, as an independent, alternative information source on the violence in Maputo.”

sources (i.e., spokespeople or media advisers of the state, public, or private institutions) frequently undermines quality. Although access to public sources is limited, journalists are free to address different issues without interference. Mavota added that in the broadcast media, at least, professional standards vary from station to station.

Most of the panelists agreed that the work of bloggers is still restricted to certain sectors of society. Blogs differ greatly in quality; some attempt to air different sides to an issue, while others stick to publishing their opinions. While blogs are used as information for certain sectors, the panelists agreed that parameters to assess the practices of bloggers have not yet been set.

For example, Mavota said, “During the September riots, the diplomatic corps based in Mozambique and some international news agencies consulted and cited the blog of Carlos Serra, a sociologist at the Center for African Studies of EMU, as an independent, alternative information source on the violence in Maputo.” Regarding the role of specialists and experts consulted on various topics, the panel expressed no doubts as to their importance, since journalists do not have sufficient knowledge to address in depth all the issues. However, it was noted that there is little substantive preparatory work between journalists or talk-show hosts and the experts consulted.

Weighing all of these concerns about flagging professionalism and the profession’s reputation, the panelists said there is a growing debate over whether Mozambique has a journalistic class, noting it is a controversial but necessary discussion that could pave the way for renewed appreciation for journalists.

The National Union of Journalists and other associations that fight for press freedom have worked to establish ethical codes, and there are recognized and accepted ethical standards, reflected in the Code for Election Coverage and the relevant monitoring organizations (SNJ and MISA), the Proposed Code of Conduct, Professional Card, and the Statute

of the Journalist (which has already been drafted but not yet signed by the members or representatives of the journalism sector), and the Press Law, which governs the newspaper business (a revision of this law has not yet been passed). However, the media do not always observe universal ethical principles, especially by certain newspapers that opt for sensationalism and groundless, defamatory reports. Escova noted that the reasons for journalists’ failure to observe ethics range from a lack of training, to corruption, and to the lack of a sense of ownership in their work.

The panel confirmed that there are media professionals and even senior editors who accept payments and gifts in exchange for journalistic coverage. These cases are not publicized but are well known within the field to occur in both the public and private media. Younger and less experienced professionals are regarded as being more prone to corruption.

Magaia commented that a media outlet’s adherence to professional standards might be gauged in direct proportion to the media’s dependence on the political, economic, and business authorities. Given that this dependence has grown along with the media’s financial struggles, there is a tendency for journalists to take on outside jobs and, in extreme cases, to demand payments for coverage—a phenomenon called *telegenócio* (tele-business). Magaia said this reduces investigative reporting to a secondary role and ultimately undermines the relationship among the media, citizens, and the authorities.

The panelists said self-censorship is a reality among journalists and editors in almost every media. Escova said censorship in news agencies, especially in stories referring to powerful individuals, stems from a fear of reprisals. Matola commented that, while censorship is not officially sanctioned, it is understood that media organizations tend to self-censor due to economic and political interests.

Panelists cite pressure from publishers, who require special treatment of news stories concerning certain individuals and institutions, as a major reason leading editors to censor journalists and journalists to self-censor. As Natal explained, “Censorship persists in the media, and there is too much interference from the editors who censor articles that clash with the interests of figures wielding political and economic power.” He also feels that some media companies make their journalists turn a blind eye and avoid reporting on problems touching on their sponsors.

There are some brave exceptions. In a prime example, in 2010, the panelists noted that all media groups reported on the fact that the government had authorized the steel production company MOZAL a “bypass” for

emissions. The media coverage presents a rare example of professionalism and displays the courage of journalists and the public in Mozambique to protect the population's environmental health.

In general, panelists agreed that journalists cover key events and issues, and they could not name specific events that journalists are deterred from covering. What often stands in their way is the lack of financial resources and equipment, as well as self-censorship. There are editors who "correct" the work of their journalists in a clear reflection of agreements and pacts made with powerful individuals covered in the news. Escova stated his opinion: "Public media organizations present only partial coverage of certain events for fear of reprisal from the country's rulers."

For example, the private media agencies covered the events of September 1 and 2 of 2010 live—prompting figures close to the government to accuse the press of encouraging the protesters. However, unsurprisingly to the panelists, public agencies provided no reports. In contrast, STV television station, owned by the independent media company Sociedade Independente de Comunicação (Independent Communications Company), won public approval for its presentation of events.

STV and the Record (Miramar) informed many people, in a timely manner, about the demonstrations and warned people to take necessary precautions if they had to venture outdoors. The panel agreed that issues related to defense and national security must be handled with care and responsibility; however, when there are direct threats to people's health and safety, such as the "bypass" to release toxic emissions by MOZAL in 2010, reporters assumed and exercised their freedom and duty to inform and discuss this issue in the media, which the government had tried to restrict to the sphere of national security and economic policy.

Mavota and Pacamutondo added that some events not covered by the national media are covered in blogs or other social networking tools; however, for these panelists, the information circulating on Twitter, YouTube, and Facebook—though popular—is unreliable and difficult to access for most people.

The panel agreed that corruption is not directly tied to salary levels and that statements to the contrary are false. Still, many media agencies continue to pay their reporters, editors, and staff low wages. Notable exceptions include RM, TVM, and the newspaper *Notícias* (News), which offer far higher wages than other media companies. Mauelele said low wages and poor working conditions are primary reasons behind the brain drain from the journalistic profession to other fields. Tomás added that private media companies have no

contracts with their employees and owe back wages. While salaries for editors and journalists are low, though, directors, administrators, and PCAs receive very high salaries.

Salaries are not disclosed publicly, but panelists said there is a disparity between wages paid to state and public media professionals and those from the private/independent sector. Teachers at all levels, public servants, doctors, and nurses are also very poorly paid. However, there are a number of public companies, including the RM, TVM, Telecommunications of Mozambique (TDM), and the state banks, whose workers, at all levels, are very well paid and can have a relatively decent life.

Matola emphasized the need to fix wages for journalists: "There is no justification for companies to continue paying low wages, sometimes even below the minimum wage, when the journalists are well trained in the field. Moreover, many news companies already have journalists possessing diplomas or pursuing higher education in the field." He added, "Although I do not agree with the suggestion that low wages encourage corruption, the SNJ should be more engaged in efforts to improve pay if we want improve the outlook for the Mozambican media."

Some panelists believe that, in the public media, entertainment programming does not overshadow news programming. Mavota, however, said that in the public broadcast media, program scheduling depends on editorial policies. Thus, RM allots eight hours for news and children's programming, while educational and recreational programs run 16 hours a day.

A major reason that private broadcasters tend to prioritize entertainment programs is the lack of quality news-gathering and production equipment. Mavota added that the slow migration from analog to digital media affects the entire broadcast media, including RM and TVM, and affects the preference for entertainment programs. The transition to digital also would facilitate coverage across the country.

Massimbe shared his opinion that technical development seems to be slowing. For example, he said, TVM put on many live broadcasts in the 1990s, but they have recently become a rarity. It is always easier to schedule entertainment programs than to seek news and information sources. According to Pacamutondo, there are more radio and television stations today, and people have more choice. Furthermore, he said that in the mass media entertainment programming outstrips news because managing publishers and editors do not share a sense of the need for a balance between entertainment and news programming. This is likely because managing publishers are focused on attracting funding from sponsors, while editors usually incur costs for the media company.

For this reason, Pacamutondo said, "Media companies do not fund research to improve and develop news coverage, because management is not on the same page as the editorial staff." Aggressive advertising agencies and corporations sometimes force the operators of radio and television stations into a difficult position: choosing between a healthy balance in programming and selling advertising spots. Audiences, for their part, demonstrate greater interest in the quality and originality of programming than in a balance between news programming and entertainment programming. Younger audiences, the panelists noted, tend to be more drawn to entertainment programs.

The technical facilities and equipment for gathering, producing, and distributing news cannot be described as modern and efficient. The lack of equipment is a serious problem for all media, particularly small independent outlets and community media. This is one reason that solid reporting is totally absent from many publications and broadcasts, which instead feature editorializing, debates, and low-budget soap operas and movies. In Escova's view, "The lack of equipment has greatly impacted some agencies... they limit themselves to recycling stories from newspapers or from the Internet, synthesizing reports and press releases because they do not have the equipment to do field work or even online research." Some agencies cannot afford to pay the rent for their facilities or even their phone bills, forcing them to constantly switch their phone numbers. However, according to the panelists, all newsrooms now have computers, even if they are not the latest models. Some new media organizations receive equipment donations from various supporters. Also, Maputo and Beira now have new graphic-design centers; thanks to the new Sociedade de Notícias graphic design center, *Notícias* is no longer printed in black and white and is now comparable to *O País*, owned by SOICO, which also boasts a newly installed graphics center. In Beira, the capital of Sofala province, a graphic-design center produces *The Daily of Mozambique*, the second-largest national daily.

According to the panelists, the entire news production cycle is problematic, from the availability and competence of the teams, their technical and intellectual abilities, to the collecting and synthesizing of information from various sources, to the observation of technical criteria for presentation and publishing. The panel feels that support for journalism in Mozambique should go toward practical and focused training, whether for radio, television, online, print, or community media. Training is also needed for scientific and cultural journalism, photojournalism, and helping journalists improve their language skills in English and Portuguese.

Despite the innumerable difficulties besetting journalism in Mozambique, quality niche reporting can be found. In the private media, for example, STV and *O País* have reporters who offer bold coverage, reporting and conducting debates on newsworthy topics, such as the problems of minorities. This reflects a positive trend in the field of research journalism.

Private weeklies such as *Savana* and *Zambeze* demonstrate greater capacity and inclination to cover niche topics than the public media, the panelists said, but investigative journalism stands to be improved in both private and public media. There are agencies that produce specialized programs, but, paradoxically, the journalists responsible for such programs themselves are not specialized. Even experienced journalists, reporters, and editors need training or retraining, particularly in the management of new technologies.

Due to financial constraints, there are still very few journalists and reporters able to conduct investigative research and specialized reporting. As for bloggers, the panelists expressed doubt as to whether they are able to produce investigative reports and reliable news or to cover niche topics.

OBJECTIVE 3: PLURALITY OF NEWS

Mozambique Objective Score: 2.63

Mozambique has several newspapers, radio stations, and television stations, both private and community, allowing consumers to make comparisons among the different sources of news. As far as the array of viewpoints available

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 the media, the editors on the panel claimed that one editorial policy tends to prevail in each organization. Pereira commented, "In many cases, news reports do not differ greatly, and people tend to rely more on private media than on public." Furthermore, Pacamutondo argued that although there are multiple sources for news, they still do not provide national coverage.

Among available media, radio comes the closest in this respect. RM, for example, has expanded its transmission; it covers the greatest territory and is accessible to most people. For many decades, RM has been deployed in all provinces and blankets the entire country with local programming—using the dominant local languages in each of the 11 provinces of Mozambique. Tomás, however, lamented that the public RM is the only station that covers a large part of the national territory; he said this is a prime example of the technical weaknesses that result from a shortage of resources, which leave national coverage looking like an elusive dream.

As for television, the public TVM has offices in almost all provinces and also offers local programming in some cities, including Beira and Nampula. Although the news media have experienced difficulties in providing coverage for the whole country, private media organizations have made efforts to broaden the geographic scope of their coverage as well. A few television stations—the Miramar station, Record, and STV—already cover some provincial capitals.

Although the Internet has begun to be used in academic circles and among the youth of the nation's largest cities, it is still not popular among broader segments of the population. Mavota said there are blogs, SMS, and Internet news sources that the public generally trusts. In fact, many radio broadcasts and television programs are tapping new media platforms to interact more with the public. The shift in this direction was brought to light in the coverage surrounding the September protests; the Committee to Protect Journalists provided a snapshot of citizens' and journalists' use of Twitter, Ushahidi, and Facebook to share news and videos of the violence. CPJ quoted one Maputo resident who noted on Twitter that few local broadcasters were relaying information: while RM played music, only RTP Africa and STV provided news. CPJ also described how *Jornal a Verdade* "overcame the logistical problems by using its website and Facebook fan page to post dozens of articles and videos in Portuguese. The paper's editor, Erik Charas, was one of the first journalists to disseminate news of the crisis in English, helping to turn this local event into an international news story. Charas integrated an Ushahidi crisis reporting tool on the paper's

website and used his Twitter feed (@echaras) to post updates, crafting an English hashtag: #maputoriois."¹

In Mozambique, the authorities do not directly restrict access to national and international media, although urban residents can access news with far greater ease than those living in the small towns and villages. Pereira explained, "There are many sources of information, but access is limited by cost and geography. People in the country's capital and in provincial capitals generally find more diverse sources of information. In rural areas, radio is the media most within reach, while access to the print media and even television is much more challenged. Additionally, one of the strongest limiting factors is the low level of education across much of the population." The panelists agreed that while technological development is slow, some rural residents can access radio (community radio and RM), television, SMS, and even the Internet as long as they have suitable equipment and other means to access the radio and television, as well as the financial capacity to buy newspapers and get access to mobile technologies. Even the most disadvantaged portions of the population can afford radios and alternative sources of power, such as alkaline batteries and scrap car batteries. Television, newspapers, magazines, and the Internet, on the other hand, are out of reach for many.

Although expensive for the average citizen, Internet access is not otherwise restricted, and work is under way to introduce regulatory legislation. Unfortunately, there are no recent, reliable statistics on the percentage of people with access to the media and their income levels, but the consensus is that income does affect access to the Internet via satellite—even among the panelists. International media circulate freely, but prices make them inaccessible to ordinary people; costs to watch online broadcasts are high.

The panelists also feel it is likely that the government can take indirect measures to restrict access to national or international media. For example, in 2010, the government ordered the registration of all mobile-phones users, reportedly in response to the violent demonstrations in September 2010, which were organized via SMS.

According to Escova, the public media are not fulfilling their role entirely because they tend to favor the party in power rather than the general public. Tomás commented, "We can hardly state that they serve the public interest and reflect the views of all sectors of society. However, RM is the only one making an effort, albeit with many ups and downs. TVM

¹ Keita, Mohamed. "New Media Tools Bring Mozambican Crisis to the World." Committee to Protect Journalists Blog: September 3, 2010. Available at: <http://www.cpj.org/blog/2010/09/new-media-brings-crisis-in-mozambique-to-the-world.php#more>.

Pereira explained, "There are many sources of information, but access is limited by cost and geography. People in the country's capital and in provincial capitals generally find more diverse sources of information."

openly reflects the state's views and provides little coverage of opposition events."

Natal believes that the editors of the public/state sector try to uphold the principle of objectivity, but they are required to follow the guidelines set by political authorities. João said the appointment of public-sector leaders by the prime minister restricts the ability of these organizations to fully serve the public, because often the government's interests collide with those of the citizens.

Lobao João Mauelele, deputy publisher of the *Daily of Mozambique*, Natal, and Escova all agreed that TVM and RM, operating with taxpayers' money, do not serve the public interest. They referred to the delay of these media groups in reporting on the September demonstrations and the favorable bias they give to politicians and supporters of the ruling party. Magaia said, "There is a prevalence of political debates in the news media, and the media adhere to the political hierarchy: those in power receive the most coverage, followed by those with a parliamentary seat, then, finally, those with little electoral expression. Social issues, meanwhile, remain in the background, particularly in public media. However, extending his reflection to independent media, Magaia observed that they also suffer from the tyranny of sponsors, rendering their independence relative, as the large companies buying advertising space often influence media companies as well.

The panelists feel that independence is growing more and more compromised; according to some panelists, public and private media content differs only in presentation. Independent newspapers lure consumers with a more open, splashy, sensationalist approach. Public media are more restrained, secure in their guaranteed state funding.

The only news agency distributing news to independent and public media is the state AIM. It is entirely government-funded, and some panelists believe it operates in a free and apolitical manner. There are one or two other national agencies, but they do very little in terms of distributing news material. Foreign agencies are free to pursue their activities; moreover, there is a foreign agency

with offices in Maputo, Mozambique: the Portuguese News Agency (LUSA).

Mavota informed the panel that MISA is a sponsor of a nonprofit specialized news agency, the Agency for Journalists Against HIV/AIDS, and owner of the electronic *Daily News*, which provides news services to various organizations. According to the panelists, the news is not expensive, but still most newspaper companies are not in a position to buy news programs. AIM is the agency most often used by the national media, but other media sources and both national and international publications are used as references. National agencies provide both print and online news services, but audio and video services are not yet available. National media use the services of all international new agencies they have access to, and they cite their sources.

Panelists noted that in recent times, independent broadcasters have taken steps to produce their own newscasts, although there is still a tendency to read stale newspaper reports as news of the day. There are glimmers of progress, though, as seen on STV. However, in this respect, private stations cannot yet compete with the public/state media, which have greater experience and better conditions to produce news and information programs. RM and TVM delegations in the provinces produce their own local news but open their programming with the national news. The public, private, and community media have access to information from various sources, including governmental and international organizations.

Despite facing many difficulties, community broadcast media produce their own news programming, and the state helped create a partnership to share RM news and other programs in community radio.

Mauelele noted that the expense is the greatest obstacle for private broadcast media in producing their own news, because many cannot afford to pay travel expenses to send journalists to distant provinces. Thus, many programs display themes and scenes from the capital, where many of these media organizations are based. In the panel's view, rather than producing their own content, bloggers generally recycle content from the media and other sources.

Escova noted that there is no transparency in media ownership, for both public and private media—although blog owners are identified. Furthermore, Mavota said that people show little interest in learning who the owners are, although this information should be available on the cover sheet of technical publications and government bulletins. The government owns AIM and ICS and is involved in RM and TVM through state funds. The Sociedade de Notícias, with major participation from the Central Bank (Banco de

Mozambique, or BM) owns *Notícias*, the weekly *Domingo* (*Sunday*) and *Desafio* (*Dare*); the SOICO Group owns a daily, a radio station, and a television station; the journalists' cooperative Mediacoop owns the weekly *Savana*, daily fax and e-mail newspapers, and a radio station. The CoopNorte Group owns a daily fax newspaper, a tabloid, and a weekly and has applied for a radio license. Regarding foreign investments, the law stipulates that foreign ownership is fixed at 20 percent. Considering whether an increase to this level of investment would be beneficial, the panelists' opinions diverge. Some feel that a greater foreign presence in media would imply editorial interference, while others think it would be beneficial for the development of the media in general, given the financial difficulties they face. Despite the law, the panelists noted that in many organizations, private foreign investment in the media is far above the reported 20 percent.

The panelists believe that the media reflect and report on a wide variety of social, religious, ethnic, and sexual topics. Still, Mavota said that the press mirrors society and added that there are forgotten minorities—for example, homosexuals. Some panelists noted that the media are beginning to cover issues related to gay groups, but Massimbe commented, "Mozambican society is somewhat puritanical."

According to Magaia, "Minorities are heard from only in certain areas and when they launch organizations or campaigns, or during times of crisis. For example, the press mentioned albinos murdered in Kenya and Tanzania, or when they launched an advocacy organization in Mozambique in 2010. However, while some minorities, such as albinos, are beginning to have their own space in the media, others, such as homosexuals, have not yet reached that point."

For instance, public television virtually ignored a conference of homosexuals, despite the fact that some of its events were held near TVM. Moreover, in the case of Mozambican albinos, it is unclear whether their sponsorship by the Minister of Health has helped promote their cause to the media. In reality, panelists said, there is resistance within media organizations to reporting on issues affecting minority groups. Journalists who cover issues on minorities are simply ignored. There are no minority media openly available to the public, although there is no legislation prohibiting their circulation.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mozambique Objective Score: 2.11

In essence, the panelists' view on this objective differs little from the conclusions reflected in earlier MSI studies. Tomás said, "Independent media in Mozambique are still very poorly managed. Most managers are journalists without any management training." Coelho agreed with Tomás, as well, that editorial management skills should not be confused with business management knowledge.

In Mozambique, former journalists, not business entrepreneurs, own most newspapers and radio stations. This sometimes results in poor management. Pacamutondo said it is difficult to say whether the independent media operate as businesses that allow editorial independence, noting that the public media receive much more support from the state. In the public media, editorial management is separated from financial administration, and revenue is not as critical as in the private sector. Here, both branches of management have solid and professional structures, panelists said, and with the benefit of financial support from government and public fees, operational difficulties are less apparent in comparison to their private counterparts. In addition to their direct support, they enjoy exemptions on imports of equipment and supplies, giving them an unfair advantage over independent outlets when it comes to advertising.

Neither the public nor private media advertise their activities and financial reports. In principle, RM and TVM should at least publish their balance sheets in the government bulletin. Escova and Mavota commented that even when 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.

In Mozambique, former journalists, not business entrepreneurs, own most newspapers and radio stations.

for example, the Sociedade de Notícias—publish their accounts in newspapers, neither the public nor journalists are trained to read and interpret balance sheets. Only RM, TVM, the Sociedade de Notícias, News, SOICO Group, and Mediacoop prepare consistent business plans and strive to follow international accounting and finance standards, and they seem to manage human resources reasonably, according to the panelists.

Community media outlets, in particular, face substantial problems building sustainability, and, with very few exceptions, planning, programming, and management are all deficient. There is no way to judge whether the state or public media use taxpayer funds responsibly, because accountability is not public—which is why Escova argued that public media lack management transparency and publication of balance sheets of both public and private agencies would be of considerable value to the public. Chicale was the only panelist to defend, categorically, the management of newspaper companies as professional and profit-generating.

The common assessment is that all organizations are generally susceptible to influences. The media, in general, receive revenue from their owners, advertisements, sponsorships, and selling of services. Additionally, the public media receive government funds and remain susceptible to political interference. While the community media receive funds from the state, their budgets are rounded out by national and international NGOs, such as UNESCO, IBIS, and religious organizations.

Private media businesses may find enough resources to survive, but these are not secure enough to guarantee their editorial independence. Magaia noted that relationships with sponsors can be harmful. For example, a media house sponsored by a bank might ignore or manipulate coverage of a strike by bank staff.

The advertising industry is dominated by developing Mozambican agencies, flourishing businesses that share a greater presence in the capital, Maputo, with the largest media companies. Further, the panelists added that most of the advertising seen in newspapers, radio, and television seem to come from the same sources: the two major mobile-telephone companies.

Smaller advertising firms produce other quality ads for small and medium-sized businesses, industries, and services.

There are two main agencies in the Mozambican advertising market, and one of them, Golo13, wins international awards nearly every year. Small advertising agencies complain that businesses do not provide enough advertising opportunities for the mainstream media, but media operators also complain that they earn scant profits from advertising. In fact, according to panelists, the well-established advertising agencies, as well as institutions and companies, prefer the corporate mass media to advertise their products and services.

For example, RM, RTV, and TVM include ads from advertising agencies in their channels but also use their internal resources and capacity to produce about 10 percent of their ads in-house, using their own professionals, with acceptable results in terms of quality. The panel could not say whether similar opportunities exist for the private media. According to Pacamutondo, advertising revenues are buoyant; the high points are usually at Christmas and surrounding the entrance exams to universities and ministries. Much of this advertising is targeted to the broadcasting public, the journal *Notícias*, and *O País*.

Although they were not aware of international standards, the panelists believe that the quality and percentage of advertising, especially in radio and television programs, could be increased. Furthermore, as the public media also receive government funds and licensing fees, the private media must resort much more to advertising than their public counterparts. However, even with state support, the public media still try to gain as much advertising as possible to improve their financial standing.

Subscriptions are insufficient to sustain the press, but they are still the most reliable source of revenue. Recently, the line between advertising and programming has become blurred, among both public and private broadcasters.

All of the panelists agreed that the government is not a significant source of funds for private organizations. Although government advertisements appear in private-sector newspapers, the bulk of official advertising continues to be channeled to public-sector outlets. Chihale noted the obstacles private organizations face in securing funds, “Advertising is not distributed fairly, and the public sector is privileged over the private. Furthermore, the receipt of government grants may somehow affect the independence of these organizations; often the grantor expects something in return.”

There is no definite plan of equitable distribution of advertisements between private and public media. Advertising agencies work with government ministries and large corporations that wield tremendous power, and they want to see their advertisements carried by the large media

groups. However, the panelists said there is no information that political authorities have retaliated against private media groups that have criticized government content by withdrawing advertisements in such situations. On the other hand, the panelists noted that many private press agencies already receive government ads, and if they were subsidized as well, they questioned whether the private media would be strengthened or become less independent editorially.

In terms of market research, broadcast media outlets periodically announce changes to the programming schedule, seek input from listeners and viewers about programming, and announce the results of audience surveys. Yet, no significant changes seem to stem from these efforts. As Mauелеle said, "The research on audience levels results in self-flattery; the organization sponsoring the research is always first in the poll." Magaia added that getting publicity is a battle for survival, and many press outlets believe that all means are valid to extol the "quality" of the media and win advertising.

In this sense, the results of audience surveys are used exhaustively to attract advertising, which is important to balance the finances of public organizations and vital to the survival of private media. Therefore, the panelists concluded that however many studies are carried out, they are unreliable given their character and, in general, the panel finds that there are no clear or specialized criteria; nor are there any effective research organizations to perform serious and independent surveys.

There are companies that perform market research for various types of businesses, but the panel is not aware of any experienced, specialized agencies engaged in media issues. The broadcaster's commission sponsors research studies that have been publicized, but these are not deemed reliable. The panel is not aware of any research studies on the distribution of media, and the audience surveys are not reliable in terms of their analyses and research parameters. Similarly, there are still no reliable assessments related to print media circulation.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mozambique Objective Score: 2.28

There are no trade associations to represent the independent media. The Association of Journalistic Companies is nonfunctional and is not even properly registered with the Ministry of Justice. It was designed to represent the media bosses, including representative members of the administrative councils of the public media. It does not include publishers and unions, and, although a Mozambican

Publishers Association has been in the works for a number of years, it has not launched yet. The only existing union, the SNJ, represents individual members, not corporations. The Association of Advertising Agencies works as an industrial-level organization and represents member agencies, all of them private.

The only organization that brings community broadcasters together is FORCOM, a network that represents and protects the common interests of member radio stations. FORCOM promotes cooperation and collaboration between radio stations and the government, private sponsors, and development programs. FORCOM lobbies on behalf of the interests of its members and provides facilities for training and capacity building. Although membership is free and voluntary, the panel said there is weak participation of the private groups in relevant associations.

Mozambique's professional associations operate independently from the government. Tomás continues to believe that professional associations are almost nonexistent, or, at a minimum, their work is not visible. Again this year, the panelists felt that among media advocacy organizations, MISA-Mozambique works most actively on behalf of journalists and the general public in advocating for freedom of press, speech, and access to public information. It also provides legal support to reporters.

Apart from offering training activities developed in conjunction with other national institutions (mainly ministries and other government agencies) and interested foreign NGOs, the SNJ does not properly execute its mission to defend the interests of journalists, and new members are rare. Also, the Association of Newspaper Companies, and the still unofficial Publishers Association, has failed to defend or

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 graduates of journalism courses enter the profession with unacceptable deficiencies—for example, poor knowledge of the Portuguese language, unsatisfactory writing ability, and a lack of practical, hands-on training. Mavota emphasized the need to improve command of technologies and foreign languages.

promote the corporate interests of newspapers. At this time, there are still no organizations representing specific sectors of journalism.

According to Pacamutondo, there are some supporting institutions that have cooperated with independent media organizations by sponsoring journalists-in-training courses, providing supplies, and financing advertising campaigns or media campaigns. There are also active, locally managed NGOs that work with the media, particularly in the areas of training journalists and organizing thematic workshops and conferences. They include MISA, FORCOM, AMMCS, the Mozambican Association of Photography (for photojournalists), Photo Training Centre, Parliamentary Network of Journalists, the Mozambican Association of Filmmakers, AMCS, and SNJ.

Partnerships between NGOs and news organizations generally occur at the regional level of SADC, as well as at the national and local level, and aim at improving the coverage on various development issues, human rights, good governance, improving health quality, journalism techniques, etc. MISA responds to violations of media freedom, monitors the situation throughout the country, and actively engages in the review and drafting of laws on media and legal support to journalists.

MISA also cooperates with regional African organizations, such as the Southern African Broadcasting Association, the Publishers Association of Southern Africa, Gender and Media in Southern Africa with the Committee to Protect Journalists, and organizations from the Nordic countries. Traditionally, the SNJ has had strong links with the International Federation of Journalists.

A number of public institutions offer journalism courses, including the School of Communication and Arts of Eduardo Mondlane University, the Intermediate School of Journalism, the Advanced School of Journalism, and the Training Center for Photography. A handful of private institutions

also provide graduate courses: The Polytechnic University, the Catholic University of Mozambique, the Institute of Science and Technology of Mozambique, and the Institute of Technology and Management, among others. Vacancies for public journalism courses are very limited in comparison with the private sector. Panelists agreed that, although there are courses in journalism in high school and at the university level, the quality of work provided by many journalists remains weak.

The panelists point to low-quality teaching in the national education system as a cause. Many graduates of journalism courses enter the profession with unacceptable deficiencies—for example, poor knowledge of the Portuguese language, unsatisfactory writing ability, and a lack of practical, hands-on training. Mavota emphasized the need to improve command of technologies and foreign languages.

There are many young people who obtain their degrees in journalism abroad, mainly in Brazil and Portugal, and many of them return to their country after graduation. Generally, the training offered abroad is more solid than the training available locally. Although media organizations employ these returning individuals, retention is poor across the profession because of low wages. Tomás remarked, “Although there are schools of higher education for journalists, they are not supplying professionals to the media because many students prefer careers in marketing, advertising, and public relations”—fields that pay higher wages.

Chihale, in turn, admits the existence of gaps in the training of journalists but said that there are well-prepared journalists as well. Panelists also noted that media NGOs have supported and encouraged women to participate in short- and long-term training, as well as in higher education.

Several organizations offer training courses or practical training to journalists, either through government organizations, or through international or domestic NGOs. UNESCO has supported many training courses for journalists in the public sector, as well as in the private and communitarian sectors. The Nordic-SADC Journalism Center, which panelists said provides some of the best free training for all media sectors, unfortunately ceased functioning due to management problems, almost completely shutting down the program exchange of journalists in the SADC region. Most recently, in 2010, the PANOS Institute established an office in Mozambique, which already provides vocational training aimed at improving the quality of coverage and journalistic work throughout the production cycle.

According to the panelists, public speaking and broadcast presentation courses are currently most in demand. RM, through its Vocational Training Centre, offers short-term

courses for both basic training and more advanced topics in publishing, advertising and marketing, and management. It also provides courses on production, speech, management of information and communication equipment and technologies, and more.

Except for internships for graduate students, beneficiaries or media houses generally pay for staff to attend Vocational Training Centre courses. RM and TVM also take in and train interns in the final year of their journalism course. In terms of needs for short-term practical training courses, panelists said that, given the magnitude of training needs, it is difficult to highlight just a few challenging areas, because the entire production cycle suffers from a shortage of skilled professionals.

The sources of print media and printing facilities are private, apolitical, and unrestricted and are managed as for-profit businesses. They provide graphic services not only to the newspaper industry, but also to other industries or organizations. Almost all newspapers are headquartered in Maputo; privately owned printing facilities are also centered in Maputo. The main printing houses are Tempográfica (Timegraphic), of *Notícias*, the SOICO Group, and, in Beira, the graphic company that serves the *Daily of Mozambique*. They are not subject to official pressure and do not receive government grants. However, the panel found that printing options are insufficient for the needs of the newspaper market; the costs are high for many, so many opt to take their business to more affordable South African print shops.

There are no companies specializing in distribution. Instead, media organizations forge direct trade agreements directly with distributors. Typically, in small towns and villages, there are fewer distribution channels, but these channels are private, apolitical, and unrestricted. The distribution of print media throughout the country is problematic.

Magaia commented that the kiosks and other distribution agents are not completely disinterested and tend to benefit from their relationship with the media. "The public company Mozambique Airlines (LAM), for example, acts as distributor of print media but establishes a commercial relationship with the media, including public media. Relationships with graphics firms are also commercial, and there is no evidence of imposed restrictions on certain content of the media in relation to that connection," he concluded.

In principle, the private national broadcasters are responsible for their own equipment. Technically, Internet access is controlled by various public companies (CIUEM, TDM), but some are privately owned Internet service providers, operating with licenses issued by the government. It is unknown what degree of political influence these Internet service providers may eventually come to exercise.

List of Panel Participants

Alfredo Libombo Tomás, executive director, Media Institute of Southern Africa, Maputo

Amílcar Frederico Pereira, professor, Department of Political Science, Eduardo Mondlane University, Maputo

Carlos Rodrigues Coelho, chairman of the management board, Coop Norte, Nampula

Edson Inácio Magaia, program editor, Mozambique Television, Maputo

Ezequiel Agostinho Mavota, director of information management, Radio Mozambique, Maputo

Felizardo Carlos Álvaro Massimbe, director of program management, Mozambique Television, Maputo

Florentino Escova Chassafar, director, Radio Terra Verde, Maputo

Gabriel Armando Chihale, media monitoring technician, Higher Council for Media, Maputo

Isaías Branco Sebastião Natal, journalist, *O Público*, Beira

Lobao João Mauelele, deputy publisher, *Mozambique Daily*, Maputo

Manuel Matola, journalist, Lusa Agency, Maputo

Ouri Pota Chapata Pacamutondo, deputy director of program management, Mozambique Radio, Maputo

Palmira Piedade Velasco João, president, Mozambican Association of Women in Media, Maputo

Moderator and Author

Julieta M. Langa, professor and head of Linguistics Section, Eduardo Mondlane University, Maputo

Logistics and Administrative Support

Arlindo Carlos Tembe, retired journalist, Radio Mozambique and Mozambique Television, Maputo

...NBC scrapped a carefully crafted formula for coverage of political parties, resulting in zero electioneering on the public broadcaster in the all-important weeks before the election, apart from the generally government-dominated news coverage.



NAMIBIA

Since it gained independence in 1990, Namibia has enjoyed a stable political and economic environment, with free and fair elections dominated throughout the country by the ruling party, the South West African People's Organization (SWAPO). Economically, the country is tied to South Africa, with a shared currency (the Namibian dollar is pegged one-to-one with the South African Rand) and numerous South African businesses and shops operating in the country. Despite this stability and economic growth, the country remains characterized by an immense disparity between rich and poor, with a minority of the population enjoying a high standard of living but the majority living in poverty.

Perhaps the most dramatic move in recent media developments in the country has been, after many years of discussion, the passing of the Communications Act in 2009. The final tabling and eventual passage of the bill was highly controversial, with allegations of "hidden agendas" by the government, which, despite consulting fairly widely on the bill, slipped in a so-called spy clause at the last minute. This gave government agencies the right to tap into e-mails, SMS messages, or telephone conversations in the interests of "national security" without judicial consent.

In addition, the ruptured state of the public broadcaster, the Namibian Broadcasting Corporation (NBC), continues to cause great concern, with funding shortfalls (leading to regular appeals to the government for further cash injections), a lack of perceived neutrality (especially noticeable during the 2009 election campaign), leadership issues, and excessive turnover.

The tenure of acting director General Mathew Gowaseb, for instance, although notable for a general strengthening of professional standards, was short-lived, and he tendered his resignation citing personality clashes with senior members of his staff, who allegedly had connections to the former president, Sam Nujoma. Unfortunately, his time at NBC was marked by two issues thought by many to degrade freedom of expression. First, two popular phone-in radio programs were dropped. Second, NBC scrapped a carefully crafted formula for coverage of political parties, resulting in zero electioneering on the public broadcaster in the all-important weeks before the election, apart from the generally government-dominated news coverage.

On the positive side, the Editor's Forum of Namibia grew in strength, drawing members from commercial, community, and public print and electronic media. Another positive move was the establishment of the Office of the Media Ombudsman and appointment of Clement Daniels (a human-rights lawyer) to the role in November 2009. This is an impartial and industry-led office independent of government to deal with complaints about the media.

NAMIBIA AT A GLANCE

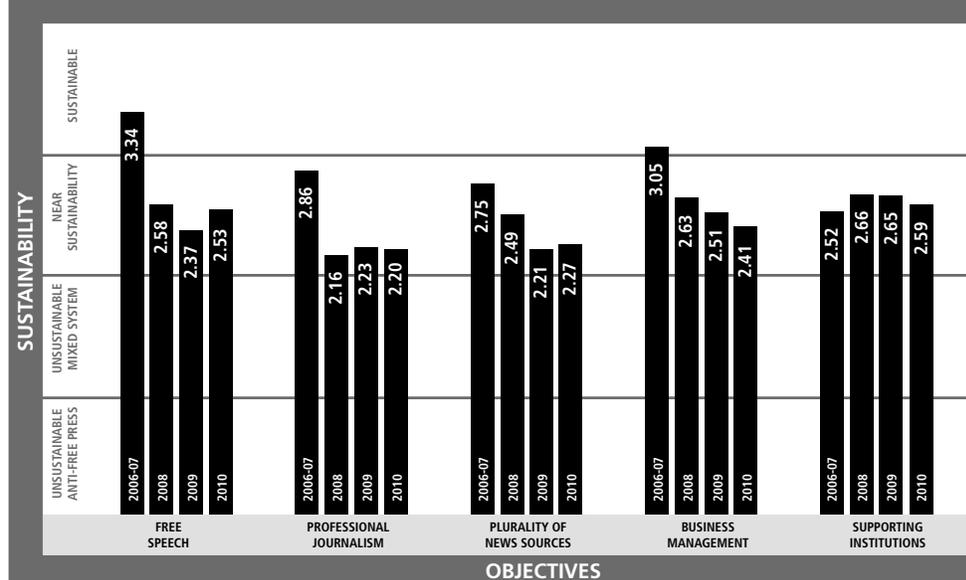
GENERAL

- > **Population:** 2,165,828 (2011 est., *CIA World Factbook*)
- > **Capital City:** Windhoek
- > **Ethnic groups (% of population):** Ovambo about 50%, Kavango 9%, Herero 7%, Damara 7%, Nama 5%, Caprivian 4%, San 3%, Baster 2%, and 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 (2010-Atlas):** \$10.29 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$6,580 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 85% (male 86.8%, female 83.5%)
- > **President or top authority:** President Hifikepunye Pohamba (since March 21, 2005)

MEDIA-SPECIFIC

- > **Number of active print, radio stations, television stations:** 9 newspapers, including 4 daily; 2 radio stations; 3 television stations
- > **Newspaper circulation statistics:** Top two by circulation: *The Namibian* (43,000 print run, reaching 420,000 readers), *Informanté* (70,000 weekly). (Source: Nangula Shejavali, *The Namibian*)
- > **Broadcast ratings:** Top three radio stations: NBC National Radio (85%), Radio Energy (25%), NBC Oshiwambo (42.8%) (AC Nielsen Namibia 2001)
- > **News agencies:** Namibia Press Agency (state owned)
- > **Annual advertising revenue in the media sector:** Approximately \$175 million
- > **Internet usage:** 127,500 (2009 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: 2.53

In this objective, indicators scores were separated by a wide margin. Indicator 8 (unrestricted access to international news and news sources) scored nearly a point higher than the objective score, followed by indicator 9 (free entry to the journalism profession), which was nearly three-quarters of a point higher. Indicator 2 (fair licensing of broadcasting), indicator 5 (legal guarantees of independence for public broadcaster), and indicator 7 (right of access to information), all lagged behind the objective score by half a point or more.

Overall, the panelists felt that, by international and African standards, the country enjoys freedom of speech and journalists are generally free from abuse. Journalists in Namibia have not been killed, and there are no direct threats to their lives. In addition, people are free, for instance, to express themselves openly in newspapers (letter pages and the very active SMS pages in *The Namibian* are good examples), radio stations, or television stations. Furthermore, a communication policy is in place, and freedom of speech is guaranteed as a fundamental right in the Namibian constitution.

The panelists pointed to examples of Namibian courts upholding media freedom. For example, they cited the

judgment in the case *Shikongo versus Informanté*.¹ The case concerned an allegation of the sale, below cost, of land in Windhoek, implicating the city's mayor, Matheus Shikongo. Though the judgment favored the plaintiff (also in the later appeal), the court reiterated that the onus is on the plaintiff to prove that they had been defamed.

However, panelists expressed concerns that the new Communications Act passed in 2010 threatens the freedom of speech. Despite public hearings on the bill,² the Act allows the Central Intelligence Service to view private e-mail communications and monitor all electronic communications using sophisticated hardware.³

Amon Ngavetene, a lawyer with the Legal Assistance Centre, said, "If I have information, it can now go to people whom I did not intend to receive it. If there is a threat to political dominance, then I am not sure whether freedom of speech will continue to exist." He conceded, however, that the environment is generally conducive to freedom of speech, but the Communications Act is an interesting test of public opinion on the issue and whether there would be a reaction on the limitations of freedom of speech. General public outrage to the "spy clause" in the Act, he said, is encouraging.

But Sandra Williams, chair of MISA (Media Institute of Southern Africa) Namibia and station manager of community radio station BASE FM, expressed concern that although the public has expressed its concerns and although the process of formulating the Communications Act was open, "Where there is a public outrage, nobody seems to listen. The government knows that, because of the type of society we live in, the people's views will not be heard." On the issue of defamation and the Shikongo court case, she pointed out that the case came to court only because Shikongo (the mayor of Windhoek) was relatively wealthy and could afford that route. "Most people lose out because they cannot afford to sue on matters of defamation," she said.

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.

¹ Supreme Court of Namibia. Judgment delivered on 7/7/2010. CASE SA 8/2009. Trustco Group International Ltd, Max Hamata and Free Press Printers versus Matheus Kristof Shikongo. The case ruled that "the importance of freedom of expression and the media in a constitutional democracy must be borne in mind," but this appeal reinforced the original judgment that the newspaper in question had been incorrect and could not be said to be "reasonable or constituted responsible journalism."

² Weidlich, Brigitte. "Public hearings on communications bill." *The Namibian*, April 9, 2009. [http://www.namibian.com.na/index.php?id=28&tx_ttnews\[tt_news\]=59174&no_cache=1](http://www.namibian.com.na/index.php?id=28&tx_ttnews[tt_news]=59174&no_cache=1) (Accessed August 16, 2010.)

³ Weidlich, Brigitte. "'Big brother bill' becomes real." *The Namibian*, April 6, 2009. http://www.namibian.com.na/index.php?id=28&tx_ttnews%5Btt_news%5D=55898&no_cache=1 (Accessed August 16, 2010.)

There was also some confusion about the standpoint of Minister of Information, Communication, and Technology Joel Kapaanda, who had claimed previously to be in favor of media self-regulation. A statement released by the Editor's Forum of Namibia in August 2009 mentioned Kapaanda's applauding the appointment of the media ombudsman. But later, in Keetmanshoop, according to Elizabeth M'ule of the Editor's Forum and sub-editor at *Informanté*, he had threatened to "pass legislation" to "regulate the media."

Andre Engelbrecht of the community radio station Ocean Wave expressed concern about the licensing procedures under the Namibian Communications Commission. It is a "struggle" to obtain a license, and the process was not transparent, he said. There is no appeals process, and only written submissions are accepted, without public hearings. There is no equality between the public, commercial, and community media as per international protocol. Williams alleged that commercial media and public media are given more frequencies, or better frequencies, than community media. She went so far as to claim that the government is "stalling the development of community media in Namibia." Others said that the media owners are influenced by those with political links to the ruling party.

Panelists cited the example of the commercial radio station Fresh FM, which, despite a lack of FM frequencies in Windhoek, managed to obtain a frequency—allegedly because high-ranking figures with links to the ruling party, SWAPO, own the station.

They cited another example revealing the unfair regulation of frequencies: the FM 100 MHz frequency originally allocated to the community station Katutura Community Radio (now BASE FM). Because of political and commercial influences, the SWAPO-owned commercial station Radio Energy demanded the frequency, and KCR was forced to relinquish and move to 106.2. BASE FM is currently also embroiled in a battle with the regulator to expand transmission to other parts of the country, but the NCC insists that the station should be restricted to the "community" of two Windhoek suburbs, Katutura and Khomasdal. Williams claims that this is an anti-competitive practice and cites the concept of "community of interest" (religious groups, workers, etc.) that is used elsewhere.

Moreover, because of the new Communications Act (and a new regulator—the Communications Regulatory Authority of Namibia) there is currently confusion regarding licensing. The Act also states that there should be no political interest in media ownership, but panelists said it is a fact that, at least in broadcasting, political allegiances played a role.

Comparing the print and broadcast media fields, the panelists feel it is clear that it is much easier to enter the print field, although maintaining a publication successfully is a challenge.

Despite the relatively free media environment there were nevertheless some examples of intimidation. These incidents include the beating of journalist John Grobler⁴ and the expulsion of South African journalists, who were arrested for "working illegally" by filming Namibia's annual seal slaughter.⁵ The panel, however, qualified these incidents, noting that the situation regarding Grobler was complex, as his "assailants" had also laid a charge against him for assault. Similarly, panelists defended the expulsion of the South African journalists, saying it was fully within Namibian law because the journalists had failed to obtain the necessary work permits for filming.

Panelists also felt that the public broadcaster, NBC, is not fully independent from the ruling party.⁶ M'ule pointed out that the NBC board members are appointed by the minister of information, communication, and technology. Panelists also believe that there should be a distinction between public media (in the "public" interest) and what Namibia is faced with in actuality: state-funded media. The panelists also noted that NBC scrapped a carefully crafted formula for coverage of political parties (40 percent equal time and 60 percent of airtime based on previous results), resulting in zero electioneering on the public broadcaster in the all-important weeks before the election, apart from the generally government-dominated news coverage.

There have been instances of camera operators from independent television stations (such as One Africa TV) being pushed to the back of the press area, while the state-owned media (NBC) camera operators received preferential treatment.

In Namibia, libel is a civil matter and not a criminal offense. The plaintiff must prove guilt. The panelists also believe that the judiciary is independent, with little corruption among judges. The Shikongo versus *Informanté* case demonstrated that publication of matters in the "public interest" is taken into account in judgments on libel or defamation.

One glaring omission from Namibia's freedom-of-information legislation is the lack of a law to facilitate access to information legislation. Unlike South Africa, with

⁴ "Reporter embroiled in Windhoek bar fracas." *The Namibian*, January 11, 2010. [http://www.namibian.com.na/index.php?id=28&tx_ttnews\[tt_news\]=63363&no_cache=1](http://www.namibian.com.na/index.php?id=28&tx_ttnews[tt_news]=63363&no_cache=1) (Accessed on August 11, 2010.)

⁵ Foreign Journalists arrested in Namibia for filming seal clubbing. <http://www.antisealingcoalition.ca/newsstory.php?rid=553> (Accessed on August 11, 2010.)

⁶ Award ceremony for most transparent & secretive public institution in Namibia. <http://www.misa.org/awards/padlockaward.html> (Accessed on August 11, 2010.)

its Promotion of Access to Information Act (2000), one cannot demand information from Namibian government institutions. This explains why stories are often “leaked” to publications and sources are not explicitly mentioned. One prominent investigative story in *Informanté* dealt with the nonpayment of municipal accounts by prominent politicians. The information was leaked, but according to M’ule, this information should be in the public domain to begin with: “Surely we should be able to see the bills of the ministers?”

MISA Namibia’s survey of Namibian institutions in 2009—called the “Golden Padlock” award— noted that not one of the government ministries (such as the Ministry of Health and Social Services) or semi-government organizations (such as the NBC) had responded to requests for information. Murangi also noted that if information is required, there is normally a cost involved, even for national documents. This puts the information out of reach of the average Namibian.

Panelists also noted that information is sometimes given out on a personalized basis, and the extent of access depends on the specific media house or specific journalist. Thus, though public or state media can get records easily, the investigative tabloid *Informanté* would find it more difficult.

Regarding access to international news, panelists perceive this as generally open and unrestricted, with news organizations receiving regular and uncensored feeds from Reuters, AFP, AP, etc. through NAMPA (Namibian Press Agency). For citizens there is a wide range of access to international news channels (BBC World, CNN, Al Jazeera), though access requires subscription to satellite services. However, even the public and commercial (free-to-air) channels relay services such as Deutsche Welle and Al Jazeera, and the public broadcasters use international coverage feeds from CFI (France) for the main evening television news.

To attend official functions in Namibia, journalists need to be accredited. Although this is considered to be a fair process, M’ule expressed concern that “it could be used as a tool to exclude journalists from a function.” She also noted that one could have accreditation with backing only from his or her institution (an editor has to sign the application form). Furthermore, the incident involving foreign journalists covering the seal clubbing shows that foreign journalists must apply for permission to film from the Ministry of Fisheries, and they are required to apply for accreditation at the Ministry of Information.⁷

⁷ Hartman, Adam, and Brigitte Weidlich. “Foreign journalists arrested for filming seal cull.” *The Namibian*: July 17, 2009. http://www.namibian.com.na/index.php?id=28&tx_ttnews%5Btt_news%5D=57455&no_cache=1 (Accessed November 15, 2011.)

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Namibia Objective Score: 2.20

In this objective, most indicators scored within a half-point of the objective score. The exception was indicator 3 (journalists do not practice self-censorship), which fell below the objective score by more than half a point.

The panelists expressed concern about interview programs such as “One on One” on NBC TV, saying it sometimes feels as though the journalists work from prepared, canned questions, and the shows are not objective enough.

The panelists also find that Namibian journalists show weak investigative skills, often seeking only hard copies of speeches, which, generally, they publish verbatim. Jacqueline Hindjou-Mafwila, a journalist with NBC Radio, explained, however, that there is often a lack of background information available, and journalists are sent on stories without having the time to do full research on a given topic. Therefore, journalists are forced to rely on the speeches. The panelists pointed out that the country’s lack of access-to-information legislation also affects professionalism.

Another concern is the lack of sources in some stories. “Single-source” stories appear to be the norm, and journalists rely on a small pool of experts to discuss certain issues, leading to concerns about objectivity and a narrow range of opinion.

On the positive side, panelists noted that the code of ethics for Namibian media has been fully implemented, and the government has established and filled the media ombudsman

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).

role. The next phase is to ensure that all regions of the country are aware of the mechanism for expressing concerns about the media, and information booklets have already been translated into local languages. The media ombudsman has already handled nine cases since his appointment.

However, panelists pointed out that journalists themselves are sometimes not interested in their own activities regarding ethics, and some are not aware of the code of ethics.

Regarding the ethics of payments, even when money does not change hands, journalists are generally keen to accept “freebies.” For instance, because of the generous gifts for attendees, the launch of the popular television reality series “Big Brother” was very well attended by the media. However, the panelists said that there was no overt pressure on journalists to write positive stories about this event.

Some media houses have internal policies about accepting free items for covering a story, stating that they must be declared. At *New Era*, for example, anything greater than NAD \$500 (\$60) must be declared.

Another area of ethical debate is the ongoing battle between two of the country’s cell phone operators, Mobile Telecommunications (MTC) and Leo. Panelists pointed out that MTC often gave out cell phones to journalists covering a press conference, and there would naturally then be a temptation for the journalists to write a positive story about MTC. Panelists also pointed to the issue of MTC sponsorship of the Sam Nujoma soccer stadium in Katutura, where one presenter from NBC Radio, Mario Locke, lacked objectivity on the issue, siding with MTC on air.

In terms of self-censorship, Hindjou said, “Self-censorship indeed does exist, be it in public or private media. Independent media outlets may not want to go against a particular company, whereas state-owned media may not wish to go against a particular politician or government ministry. This has the effect of policing the sector in a mute mode and going against professional ethics.”

Certain topics were covered only minimally, especially health. Journalists are perhaps “fatigued” by certain stories, the panelists surmised, especially HIV and AIDS—which are underreported, despite their status as a significant ongoing national challenge. In addition, certain key events (such as ministers’ speeches) would generally be covered, but not smaller events. “If the minister is not there, the event will not be covered. Our media tend to focus on individuals,” said Manfred Isaacks, manager of the Namibian College of Open Learning Radio Project.

Williams noted that media workers are paid poorly. There is also a disparity between private and public media, which

tends to pay more. However, even within the private media, “some media pay more than others,” said M’ule. Given low salaries, the panelists find it unsurprising that the profession is weakened by an outflow of good people moving into public relations.

Another barrier is the “ceiling” in the media. Presenters on radio or television, for instance, feel the need for growth in their careers, but such opportunities are limited. Panelists recommend that managers invest more in training their personnel and create career mobility.

Although corruption is not rife, there are instances, such as the NBC staff member who was caught using NBC’s equipment for making private videos, because she was “poorly paid.”

Regarding the balance between news and entertainment, Umbi Karuaihe-Upi, corporate communications manager at NBC, feels that, at NBC, there is sometimes too much news and not enough entertainment. However, private radio stations are generally the opposite, with too much entertainment and not enough news. There are a lot of music and listener-request shows, and little balance. The panel regards presenters on these radio stations as “DJs” rather than journalists. Isaacks, however, challenged this view. “In the past there was a lot of news and not much entertainment, but now there is more of a balance,” he said.

Yvonne Stramiss, a psychologist in private practice, expressed concern about a lack of serious information given out on radio. Information is offered, but it cannot be called educational, she noted. However, Williams said, “More than 50 percent of the population is most interested in trivial information, and we cannot deny them that.”

Regional coverage is sometimes difficult. In the Omaheke region, for instance, Murangi noted that only NAMPA has an office there, and its journalist did not have a camera or a car. He had to borrow Internet facilities in the region in order to send stories back to the head office. The lack of vehicles and no (high-speed) Internet connectivity is generally regarded as common in Namibia in the regions.

Another problem in the regions is maintenance and sustainability. Ohangwena community radio has equipment from the Namibia Institute for Democracy (NID), but the equipment is not maintained. Lusina Ngashikua, manager of the Ohangwena Community Radio at Eenhana, commented that, although her station has studio equipment, there is no editing or recording equipment at the station.

The panelists feel that, although much reporting focuses on speeches or press conferences, there is some investigative reporting in the country, such as that done by freelance

journalist Grobler (who, as mentioned above, was assaulted last year). Grobler tackles corruption and the exploitation of resources in his work for *The Namibian*. There are also thriving investigative publications, including *Informanté*, *Namibia Sun*, and *Windhoek Observer*, as well as the monthly magazine *Insight*. However, the panelists suggested that there is a need for more mentoring of investigative journalists through their careers.

As for specialized reporting, there are specific reporters doing good work to cover fields such as economics; the panelists singled out Jo-Mare Duddy of *The Namibian* and Dani Booysen of *Die Republikein* for praise. Ultimately, however, Williams feels that the lack of human resources at most media houses means that “nobody can afford to have people doing niche reporting,” and thus most reporters have to be versatile and multi-skilled.

OBJECTIVE 3: PLURALITY OF NEWS

Namibia Objective Score: 2.27

In this objective, indicator 2 (citizens’ access to domestic and international media) exceeded the objective score by more than two-thirds of a point; all other indicators scored within a half-point of the objective score.

With some indicators, panelists felt there should be two separate questions. Thus, with indicator 1 (plurality of public and private news sources) they said that in the Namibian context, a distinction has to be made between the rural and urban areas. Whereas urban dwellers have a variety 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.

plurality of both public and private media outlets, in the rural areas they are mostly limited to public broadcasting and the NBC.

Newspapers in Namibia have no “morning” or “evening” editions. M’ule pointed out that this reflects people’s low income level and their financial inability to sustain myriad editions of a newspaper.

Although panelists noted positive initiatives such as “Parliament Online” (a mobile bus moving around the country offering Internet access), they believe that the potential of these options is not maximized. The government idea of “community multimedia centers” was similarly poorly executed. Operi Murangi, of the Ounongo Technology Centre, noted that they are often “simply a computer and printer, but set up without a clear structure.” Murangi suggested also that old-age homes and schools should be provided with free Internet access. One step in this direction was the X-net development alliance, which provided the Internet to schools and hospitals at a subsidized price.

Stramiss pointed out that, if you are not literate and computer literate, these facilities are of little use. Panelists mentioned that there is a need for “localization of content” on the Internet, especially translating content to local languages.

Anthony Auchab, coordinator of the Social Call Consultancy, said, “Even for working people in Windhoek, the charge of NAD 1,000 a month (\$120) for unlimited use of the Internet is too much.” In addition, both computer and electricity supply are required. Estimates state that about 200,000 people have access to the Internet, though most have access to it at work, not at home. Access to media is therefore dependent on economic means. Those with the finances enjoy wide range of access to all forms of media, but for those with limited funds the range was much more restricted.

In other new media developments, the 2009 Media Matrix survey made note of the growing popularity of the use of the Internet on cell phones. Another development of note is the move by print publications (such as Caprivi Vision) toward online editions.

State media are perceived to be generally partisan and not serving the public interest. A distinction was made between the print and broadcast media, however, with *New Era* considered less partisan than the NBC, for instance. The 2009 election coverage on NBC was thought to be somewhat biased toward the ruling party. Panelists suggested that NBC should answer to the taxpayers and to parliament, not to the Minister of Information, Communication, and Technology.

Isaacks stated that there is a difference between state media and private media. Working for state media, one

is “sanctioned” in terms of what constitutes acceptable reporting. “But private media have the freedom to say what they want.”

Ngavetene stressed that there is no legal requirement to protect the state media, and there is no explicit legal guarantee of editorial independence. The panelists noted, during previous election coverage (2009), that some NBC reports would include journalists showing excitement in the ruling party’s victory and participating in the celebratory dancing mentioned in their reports. However, the panelists admitted that the NBC also included programming of a cultural and educational nature.

Namibia is served by a government-funded and -appointed news agency, NAMPA, and all foreign copy (Reuters, AP, etc.) is channeled through it. NAMPA is a state-owned agency and not perceived as editorially independent.

Copy from NAMPA is distributed to all media houses without favor, but only those that can afford the (considerable) cost. Subscriptions have now risen to NAD 50,000 (\$6,000) a month. Some newspapers and radio stations have begun to gather stories from the Internet, but without regard to copyright law. NAMPA distributes photos as well; however, during the 2010 World Cup in South Africa, some photographs were obtained directly from FIFA—again, leading to possible copyright violations. NAMPA does not distribute other forms of media (such as audio-visual material).

In addition, NAMPA has a monopoly in the distribution of foreign newswire services such as AP and Reuters, although questions of censorship linger. Generally, however, the panelists feel that NAMPA does not censor news from foreign services.

Many radio stations in Windhoek now have their own newsrooms, including Radio Wave, Kosmos Radio, and BASE FM. BASE FM, in Katutura, includes a lot of news from that township. There are also numerous programs that are broadcast on BASE FM featuring the work of NGOs. However, Williams said, “The angle we take on stories is different compared to public or commercial stations.”

Regarding ownership transparency, the panelists said that although people may know the public figures that run a radio or television station, the “backbone” of the ownership is less clear. Most people, for instance, would not know that Radio Energy is in fact owned by the ruling party’s commercial arm, Kalahari Holdings. Sahara Sintayo, a media officer with the Nawalife Trust, noted, “It seems that there are just one or two key players in the media, and all are connected to each other in a way.”

Stramiss, another non-media panelist, feels that, from the point of view of the average consumer, there seem to be plenty of radio stations and a wide choice of media, and the average person would be happy about the apparent diversity of media available. But information about the actual people behind the scenes in terms of media ownership is lacking. The panelists also observed that media ownership in the country is becoming monopolistic. DMH (Democratic Media Holdings) runs two (soon to be three) daily newspapers,⁸ as well as the country’s only newspaper printing press and a radio station (Nam FM 99).

NBC radio has a comprehensive range of coverage, with 10 language services, including minority languages such as Tswana and German. The latest offering is !Ha radio in Tsumkwe, for the San-speaking community. On NBC TV, news bulletins and some discussion programs provide sign-language interpretation for deaf viewers. But there is concern about the “second-class” status of local languages, with news bulletins on television appearing only every second or third day offering only mere translations of what had been broadcast in English the previous evening.

Namibian newspapers cover minority issues and different languages. *The Namibian* has at least four pages each day in the country’s predominant ethnic language, Oshiwambo, and there are also stories in *New Era* each day in various languages (Otjiherero, Damara>Nama, SiLozi, etc.) However, there are no full-fledged newspapers in any Namibian language apart from Afrikaans (*Die Republikein*) and German (*Allgemeine Zeitung*).

However, panelists feel that publications and broadcasters, although translating information into languages, do not reflect minority issues. For example, gays and lesbians (who until recently had a program each week on BASE FM) are no longer featured, ostensibly due to a lack of funding from the international donor community after the closure of the NGO (Rainbow Project) that handled the interests of this minority group.

This prompted a discussion of donor funding of content. Stramiss expressed concern that this could be dangerous because “donors could then set the agenda for development.” For example, donor money funded a workshop on HIV and AIDS reporting. Karuaihe-Upi felt that journalists didn’t need that workshop, but rather one on financial reporting. Williams commented, “Donors are not that interested in minority interests.”

⁸ *Die Republikein, Allgemeine Zeitung, Namibia Sun*

OBJECTIVE 4: BUSINESS MANAGEMENT

Namibia Objective Score: 2.41

Only indicator 5 (independent media do not receive subsidies) in Objective 4 scored much above the objective score, exceeding it by about a point. Indicators 6 (market research is used to formulate plans) and 7 (broadcast ratings and circulation figures are reliably produced) lagged behind by more than half a point.

Again, some of the indicators touch on more than one question, and the panelists noted, for example, that although commercial and private media companies operate profitably, professionally, and effectively, state/public media do not use public funds responsibly. Part of the success of commercial media houses is their emphasis on marketing, with some newspapers deploying teams of 30 people marketing their publications to potential advertisers. Marketing, it is felt, is essential to the success of media, creating a need to emphasize training and effective use of marketing professionals in the industry.

Regarding community media, Williams made it clear that although startup funding is readily available, the real issue is sustainability. "We rely on voluntary workers and need funding to sustain our existence." Development agencies are not only interested merely in their specific areas, to the exclusion of other forms of coverage, but they are also unwilling to understand the high operational costs (Internet, water, electricity, transport costs, etc.) of community media. They also failed to understand that staff turnover in these media outlets is very high, panelists noted.

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.

Isaacks spotlighted another dilemma of the community media: "Community radio cannot rely on advertising too much; otherwise it will become just another commercial radio station." Despite their commercial nature, private media houses were also able to engage in social responsibility programs, such as the sponsorship of an annual "Namibian newspaper soccer cup" by *The Namibian*.

Karuaihe-Upi feels that coverage of individuals is influenced by the businesses that advertise in the medium. The story of a prominent businessperson, Harold Pupkewitz, and his disagreements with the trade unions is a good example of biased coverage; the panelists feel that to a certain extent, he was cushioned with coverage that was less critical than it could have been.

The popular and free tabloid newspaper *Informanté*, although originally funded by the commercial organization Trustco, is now totally funded by advertising. Panelists said that because of the wide circulation and popularity, the cost of advertising in this publication is more expensive than in the mainstream media.

Advertising is based in Windhoek, Oshakati, and Swakopmund, with no advertising from the southern or eastern parts of the country. The large number of advertising agencies housed in expensive-looking buildings implies that the local advertising market is very wealthy. However, most agencies work in partnership with international agencies, and much advertising still comes from South Africa. Panelists pointed out that this is merely a reflection of Namibia's economic situation and continued dependence on and connection with South Africa. Sintayo suggested that even though the advertising is international, it should nevertheless be made more relevant. "Companies will often localize their advertising for specific countries, but that does not seem to happen in Namibia," said one panelist.

There is a racial element as well, and the media are still segregated in practice. Because the advertising industry is still perceived to be white controlled, it therefore seems to support the white-owned media outlets. Although black-owned advertising agencies exist, they are also placing most of their advertising on the existing white-owned media. Williams asked, "Why, if the bulk of listeners are black people, does the industry continue to put money into white stations?"

Panelists mentioned the high percentage of advertising in newspapers. At times nearly 40 percent of content is advertising, and on some days there is more advertising than editorial copy. Newspaper advertising rates are flexible, based on circulation. Thus, most publications charge more for certain days of the week (such as Thursday or Friday).

Despite an NBC regulation that no more than six minutes of advertising are allowed in every 30 minutes of broadcasting, Karuaihe-Upi said broadcast media are actually under this limit and have, on average, only four minutes every 30 minutes.

Although the government does not subsidize media, the issue of possible government subsidies for community media proved contentious, with some panelists arguing that it could lead to censorship. Auchab commented, "Government subsidies would persuade journalists to censor any form of open reporting on the government." However, Stramiss feels that it is not necessarily the funding that produces the effect, saying, "Even without that subsidy, community media nevertheless are walking on eggshells in their coverage of government activities."

Panelists pointed out that the ongoing government ban on the purchase of *The Namibian* as well as the ban on government advertising in that publication was, in effect, a "negative subsidy," whereby the newspaper was deprived of income that went to other publications. Isaacks said that this was a subtle attack on the independent media, designed to pressure the paper economically to be less critical of government.

In terms of market research, panelists noted that the Media Matrix survey conducted in 2009 did look at usage of the media by interviewing people on their media use, but it was extremely expensive to purchase, at NAD 100,000 (\$12,000) a copy. NBC radio popularity, according to the survey, was very high, along with One Africa Television. Soap operas were the most popular programs.

While advertisers are well informed on the results of the Media Matrix, media houses themselves are not. Advertisers also conduct numerous focus groups, but the information is not shared with the media.

Most media research is not quantitative or verifiable, concluded the panelists, and Williams was skeptical of the methodology of the Media Matrix. "Some media do not trust those figures," she stated.

Regarding newspaper circulation, *The Namibian* is the only local publication with verifiable circulation figures, courtesy of its membership in the Audit Bureau of Circulation.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Namibia Objective Score: 2.59

Most indicators in this objective scored very close to the objective score. The exceptions are indicator 6 (printing facilities in private hands), which scored more than half a

point higher, and indicator 1 (trade associations represent media owners), which lagged by about two-thirds of a point.

There was confusion among the panel regarding the terminologies used in the IREX questionnaire. The Editor's Forum of Namibia, for example, did not just represent "businesses and institutions" (as stated in indicator 1) but included journalists and editors. However, individual journalists do not generally join the Editor's Forum. The Forum was not funded by donors, but by the media houses themselves.

The Editor's Forum, along with MISA Namibia and the Legal Assistance Centre, had also been a driving force in the establishment of the Code of Ethics for Namibian media and in the appointment of the Media Ombudsman. The latter was also entirely funded by media houses, not by donors.

MISA Namibia views itself as an active advocacy group and not a trade association. It works in the interests of journalists, striving for a pluralistic, independent, and diverse media development in Namibia, and operates independently of government. Individual journalists are members of MISA Namibia, and there are restrictions on becoming a member, but it was not a trade union as such. However, it did assist journalists with legal help in matters of dispute over media freedom issues, for instance. The annual MISA Media Awards were an example of how the Institute is attempting to improve professional journalism standards in the country. Williams, as its chair, reported that membership is growing.

Therefore, MISA and the Editor's Forum of Namibia are regarded as "professional associations" (indicator 2) rather than "trade associations" (indicator 1), which explains the poor score for the first indicator.

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.

Other organizations that actively support free speech are the Legal Assistance Centre as well as the National Society for Human Rights. However, there is a concern that although NGOs willingly pay for newspaper advertisements, they are reluctant to actively and financially support community media. NGOs expect to appear on community radio for free.

Journalism training is not perceived to be of high quality, although both theory and practice are taught. Graduates do not seem to have enough practical experience but are full of theory. "Most of them cannot write," said M'ule. "They also cannot speak; in broadcast media you simply cannot hear them well," added Williams. The panelists also feel that graduates are not fully trained when they reach the industry and always require extensive retraining.

Short courses are being offered for journalists, but they are not always entirely relevant. Organizations present courses, but there are few takers because the courses do not further the journalists' careers. In addition, sometimes those most qualified for training are not allowed to attend by their managers.

There is a need for courses in investigative and financial journalism, science and health coverage, content development for stories and programs, scriptwriting and voice training, and in developing a personality for the broadcast media. Such training opportunities, panelists feel, should be worked out in conjunction with the media themselves. It is also not always necessary to import training facilitators from Europe, panelists noted, as they can be sourced more effectively locally.

There is only one major printing house for newspapers in the country, Democratic Media Holdings (DMH). It is a monopoly. *Windhoek Observer* is the only newspaper printed independently; it comes from South Africa.

However, DMH does not have a reputation for bias in any way; even the government-subsidized newspaper, *New Era*, is printed there. Regarding the distribution of newspapers, in the rural areas papers in some towns (such as Gobabis) would arrive early in the morning, but in other areas (such as Henties Bay) they would arrive a day late. In Luderitz, papers sometimes arrive nearly two days late.

Panelists also raised concerns about the broadcast distribution network of the NBC, which blocked independent broadcasters from using its transmission towers.

Regarding the Internet, there is essentially a government monopoly. Panelists expressed concern about the possible interception of e-mail correspondence with the new Communication Act. Panelists also discussed the lack of VOIP (Voice over Internet Protocol) in Namibia; Williams feels that it is not allowed due to "political interests."

List of Panelists

Ngamane Karuaihe-Upi, broadcasting officer, MISA Namibia, Windhoek

Sahara Sintayo, media officer, Nawalife Trust, Windhoek

Anthony Williams Auchab, coordinator, Social Call Consultancy, Windhoek

Umbi Karuaihe-Upi, general manager for corporate communication, Namibian Broadcasting Corporation, Windhoek

Jacqueline Hindjou-Mafwila, journalist, Namibian Broadcasting Corporation, Windhoek

Operi Murangi, project officer, Ounongo Technology Centre, Gobabis

Sandra Williams, manager, BASE FM community radio station, Windhoek

Elizabeth M'ule, sub-editor, Informanté, Windhoek

Amon Ngavetene, lawyer, Legal Assistance Centre, Windhoek

Manfred Isaacks, manager, Namibian College of Open Learning Radio Project, Windhoek

Lusina Ngashikua, manager, Ohangwena Community Radio, Eenhana

Yvonne Stramiss, psychological counselor, Windhoek

Andre Engelbrecht, manager, Ocean Wave Community Radio, Swakopmund

Moderator and Author

Robin Tyson, media lecturer, University of Namibia, Windhoek

Co-authors

Johanna Mavhungu, Sol Plaatje Institute for Media Leadership

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

An upsurge in serious attacks against the freedom of expression accompanied the upheaval. They peaked with the president's decision to grant the chair of the media regulatory body, the Supreme Council for Communications (CSC), sole power to punish the media and journalists.



NIGER

A decade of political stability in Niger, ushered in by the general elections of 1999, came to an end by mid-2009, as the country began to recede into another cycle of political turmoil. For the first time since 1991, the country was preparing to undergo a peaceful handover of power from one civilian president to another. But quite unexpectedly, the country lapsed into another political crisis reminiscent of those that paved the way for the military coups of 1996 and 1999.

Up until May 2009, most of Niger's citizens exuded confidence about the future of democracy in their country—their assurance based largely on signs that relations had become less confrontational between the regime in power and the parliamentary opposition. Thus, in May, when President Mamadou Tandja announced his intention to host a referendum on a new constitution—tailor-made to allow him to stay in power for three more years—he took most of the public by surprise. Soon after the official announcement, political and social advocacy groups in Niger mobilized to condemn the president's bid to remain in power. In a show of protest, a number of media outlets imposed a news blackout for a week in July. The plan's opponents said that the move was obviously designed to bring back authoritarianism, and fundamentally undermined the democratic progress that had been constructed so painstakingly. Nevertheless, in August 2009, the Republic of Niger found itself with a new constitution, following a referendum that was declared unlawful by the Nigerien Constitutional Court.

An upsurge in serious attacks against the freedom of expression accompanied the upheaval. They peaked with the president's decision to grant the chair of the media regulatory body, the Supreme Council for Communications (CSC), sole power to punish the media and journalists. Furthermore, the president was given the authority to appoint a majority of CSC members. These changes effectively wiped out any semblance of CSC independence. Public and private media outlets alike suffered a great deal throughout the year at the hands of authorities. In addition to its standard censorship of the public media, the regime did not hesitate to take other steps to hush the media, such as arresting journalists and shutting down private outlets whenever it did not like their tones. The public media, meanwhile, served as propaganda outlets for President Tandja's bid to hold onto power.

Given these serious steps backwards, MSI scores, especially in respect to Objective 1 (freedom of speech), have slipped from the initial study in 2006/2007. Expressing concern as well over the effects of the extremely unfavorable economic environment, the panelists also judged that the situation of the media sector in Niger had not improved in the context of Objective 4 (business management).

NIGER AT A GLANCE

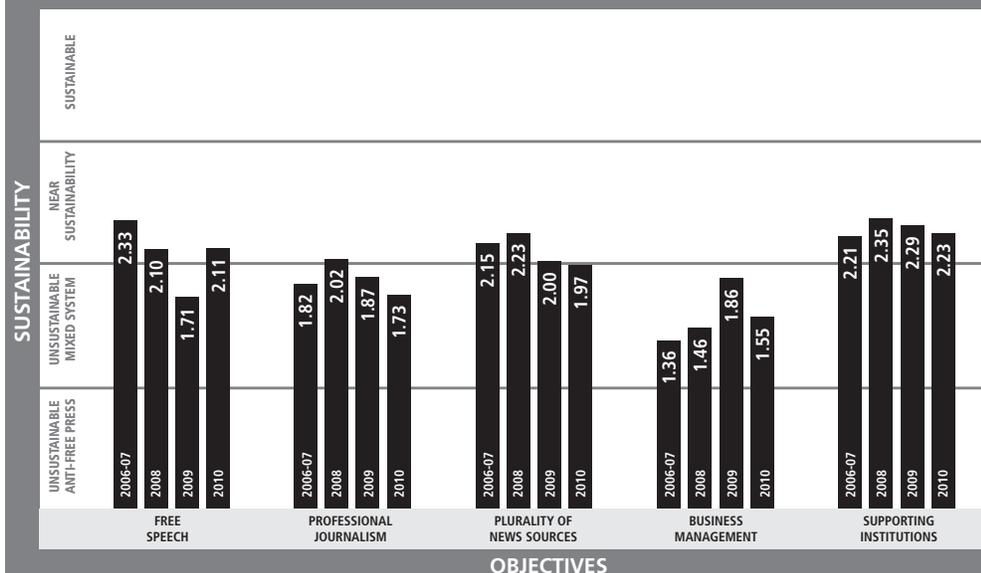
GENERAL

- > **Population:** 16,468,886 (July 2011 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:** French (official), Hausa, Djerma (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$5.689 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$700 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 28.7% (male 42.9%, female 15.1%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** Prime Minister Issoufou Mahamadou (since April 7, 2011)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 2 public newspapers and 65 other publications; Radio Stations: 8 public and 29 private; Television Stations: 2 public and 5 private channels (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:** (115,900 2009 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: 2.11

The new constitution succeeded in changing the nature of the political regime in power to a presidential regime, concentrating executive power into the hands of the president. In accordance with the president's wishes, the new law also put an end to the sacrosanct principle of presidential term limits, and opened the way for the president to stay in power beyond December 22, 2009, the lawful end of his term of office.

Abdourahamane Gayakoye, deputy state prosecutor at the Court of Appeal, said that Niger is one of the few countries in West Africa with legislation that respects universal press freedom standards. Theoretically, the country's legal framework guarantees freedom of expression and allows journalists to engage in their profession, but in everyday practice, news professionals face serious obstacles that relate more to the shortcomings of the dominant political culture than any loopholes or gaps in legislation.

Although no law explicitly limits the freedom of expression in Niger, most panelists did not gloss over their concerns about the potential fallout of the provisions of the new constitution. One of its most significant impacts on freedom of expression lies in its alteration of the composition of CSC, which supposedly operates independently of the executive and legislative branches. Under the new constitution, CSC is composed of seven members, four of whom the president

Other panelists, in agreement, decried the backward-looking culture that persists among many state officials, who simply refuse to communicate with journalists. Panelists also criticized parliament for indefinitely postponing consideration of the draft law on access to public information.

nominates; the speaker of the National Assembly, the speaker of the Senate, and the minister responsible for the media nominate the remaining three. In addition, the new constitution provides for the CSC chair to be appointed by decree of the president—contrary to tradition and to rules instituted by the constitution of August 9, 1999 and Law No. 2006 24 on CSC composition, powers, and operation. In essence, the new constitutional provisions take away CSC's neutrality; as the panelists said, the degree of independence of a body such as CSC is linked intrinsically to the independence of its leaders.

Regarding the fairness of broadcast frequency allocation procedures, most panelists held to their beliefs that the media regulatory body is non-transparent and discriminatory. Some radio and television station owners obtain permits with no difficulty, panelists noted, while authorities force others to wait for long periods just to have their applications processed. Similarly, the heavy taxes on private media hinder market entry, although last year's panelists expressed the belief that no outlets receive preferential treatment in that respect. Newspapers, however, are forced to pay a professional tax despite facing great hardship; previous panels have questioned the appropriateness of taxes on newspapers in particular.

Concerning attacks on journalists, Freedom House's Freedom of the Press 2010 noted that while "arrests and legal harassment constituted the government's main method of media control in 2009, cases of physical attacks were less common."¹ Freedom House documented the measures against the private Dounia Media Group as an example. Two of the group's journalists were arrested in April on charges of "broadcasting false information." While authorities released them the following day, by June, CSC had shut down Dounia outlets for several days.²

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.

¹ "Freedom of the Press 2010: Niger." Freedom House, 2010. Available through this website: <http://www.freedomhouse.org/template.cfm?page=16>

² Ibid, Freedom House.

Discussing the question of legal preference for public media outlets, Gayakoye argued that from a legal point of view, the private press enjoy complete freedom, whereas the public press are under state control. Journalists in the public sector, bound by their status as public officials, are subject to constant pressure from the administrative hierarchy.

The panelists had the opinion that the restrictions on public media members greatly promote the practice of self-censorship, and clearly represent a roadblock to diversity of opinion within the public media. But according to some panelists, the responsibility for these shortcomings is shared between public sector journalists, who generally are reluctant to take risks, and political leaders with authoritarian leanings. The panelists said that journalists in the public sector enjoy a few small advantages relative to their colleagues in the private sector, especially in the area of access to public information and coverage of certain government events (e.g., council of ministers meetings, audiences with the authorities, etc.).

Balkissa Hamidou, a journalist with Alternative FM radio, expressed the feeling that the government gives strong preference to journalists from the state media. She recalled with indignation that one of her colleagues at the government daily newspaper had no difficulty obtaining information from the leaders of a local public corporation, while the same information had been denied to her. Diaffra Fadimou Moumouni, a journalist and the former director of television and secretary-general of the Niger Office of Radio and Television (ORTN), disagreed. Moumouni claimed that journalists in the public sector do not receive preferential treatment, and noted that all the media are subject to the same taxes as commercial companies.

As for libel, Nigerien legislation still stipulates prison sentences for press offenses, and journalists still bear the burden of proof in defamation cases. The Committee to Protect Journalists (CPJ) highlighted a case involving a prison sentence for Abdoulaye Tiémogo, editor of *Le Canard Déchaîné*, for “casting discredit on a judicial ruling.” His defense lawyer told CPJ that the case stemmed from his reports on alleged corruption scandals involving the minister of justice and the president’s son.³

Aboubakari Kio Koudizé, the former chair of the National Media Observatory (ONC), said that journalists face enormous problems gathering public information from officials, who claim that much information is confidential. Unsurprisingly, public officials are reluctant to pass any information to journalists from the private press.

Other panelists, in agreement, decried the backward-looking culture that persists among many state officials, who simply refuse to communicate with journalists. Panelists also criticized parliament for indefinitely postponing consideration of the draft law on access to public information. A member of the opposition submitted the draft before President Tandja dissolved the parliament in the run-up to the constitutional referendum of August 2009.

Last year’s MSI report noted that the country has become somewhat inhospitable to foreign journalists—especially those seeking to report on topics that the authorities consider sensitive, such as the food crisis and security issues.

In terms of entry into the profession, however, journalism is one of the few professions in which access is relatively free, especially in the private sector. But as last year’s MSI noted, political authorities have shown increasing intent to limit access. According to some panelists, CSC discriminates in granting press cards to professional journalists. Souley Magé, editor-in chief of the Hausa-language *Dokin Karfe*, fulminated against CSC’s refusal to issue press cards to certain accredited journalists. Last year’s MSI panelists noted that CSC runs checks on an applicant’s file before issuing the card, and apparently CSC denies cards for some journalists solely due to their critical views of the government. Although the panelists noted that the requirement for a professional card is not a restriction imposed from outside—the Union of Journalists demanded the cards originally—Albert Chaibou, editor-in-chief of *Alternative*, criticized the practice. He argued that in this day and age, requiring press cards is indeed a restriction on entry into the journalism profession.

Mahamadou Boubacar Diallo, owner and publication director of the newspaper *Libération*, and chair of the Niger Association of Independent Press Publishers (ANEPI), agreed. He noted that twice in the past year, police arrested him for not having a press card. But as head of the organization of publishers, he said, he is well aware that the standards for entry into the profession are not the main problem facing journalists in Niger. The absence of social norms protecting journalists, and the lack of a collective agreement to ensure decent income, pose even larger challenges. Media professionals—in particular those in the private sector—are not insured against any of the risks they incur in the course of their work. The political context of 2009 was particularly unfavorable for Nigerien journalists. First, they had to organize public mobilization against the presidential decision to strengthen the CSC chair’s power to impose punishments on the media. Then, they came up against the arbitrary measures forced on a number of private media outlets—such as Dounia radio and television, which were shut down unjustly.

³ “Niger editor sentenced to prison.” Committee to Protect Journalists website, August 19, 2009. Available at: <http://www.cpj.org/2009/08/niger-editor-sentenced-to-prison.php>

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Niger Objective Score: 1.73

For the fourth year in a row, the panelists were unanimous that professionalism is one of the weak spots of Niger's media. Most of the panelists said that Nigerien journalists do not abide by the profession's standards of ethics and practice, but recognized that a few rare journalists observe high standards—particularly in the broadcast sector. Print media journalists exhibit more lapses, which the panelists tied to that sector's more lax entry standards. Furthermore, working conditions in the independent print media are less secure, and pay rates for print media professionals are poorer than for their counterparts in the broadcast sector. The disparities between the two sectors are also evident in terms of initial and in-service training and social welfare benefits.

While job insecurity and poor working conditions certainly do not inspire professionalism, they are not at all sufficient to explain the clear lack of professionalism among so many print media journalists, the panelists argued. In truth, they said, many journalists are not aware of those standards; panelists emphasized strongly that standards are not taught in schools of initial training in journalism. Furthermore, newsroom managers—even those who are perfectly well aware of the standards—very seldom use them as a basis to evaluate their journalists' work. Managers are seemingly unconvinced that they stand to profit by holding up standards, such as rigor in handling information and moral integrity among journalists.

Although it is true that many consumers complain about the media's shortcomings, panelists conceded that seemingly

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 said that the most flagrant example is political actors, who complain of the lack of professionalism in the media while continuing to attempt to manipulate journalists. Also, the panelists condemned Niger's persistent culture of political-hire journalism.

no outlets have suffered following such accusations. Rather, consumers appear ready to put up with and even contribute to the abuses of trust, according to some panelists. They said that the most flagrant example is political actors, who complain of the lack of professionalism in the media while continuing to attempt to manipulate journalists. Also, the panelists condemned Niger's persistent culture of political-hire journalism. As Gayakoye explained, some journalists in Niger excel in writing for hire, leaving by the wayside the principles of telling both sides of the story and obtaining multiple sources.

Souley Adj, a professor at Abdou Moumouni University, agreed wholeheartedly, and made the equally damning observation that journalists in Niger are too subjective, often publishing their own opinions over the facts. Journalists are generalists, he said, and ideally more would specialize in specific areas, such as economics or environmental coverage. Clearly, self-censorship plays a major role, and some subjects invite the wrath of the authorities. CPJ commented that this year, the government cracked down on the media's coverage of corruption, "particularly in the management of Niger's natural resources."⁴

Other panelists, however, said that the fundamental problems are the insecure living and working environments for journalists. Moumouni argued that the impoverished conditions for journalists could not fail to affect the quality of their reporting.

On that very controversial subject, Boubacar Diallo said that low pay does expose journalists to corruption, although pay rates cannot explain all the profession's lapses. Magé claimed that the corruption prevalent in press circles is not related to journalists' pay levels, because journalists in the public sector are the most corrupt—even though they are better paid than their colleagues in the private sector.

Concerning the balance of entertainment and news, the panelists agreed that political news dominates, at the expense of all other subjects. The situation is particularly

⁴ Ibid, Committee to Protect Journalists.

Community radio plays a key role in raising awareness about the importance of girls' education, disease prevention, livestock security, etc. However, the quality of community radio programming is not on par with programs aired by private commercial stations.

worrisome in the print media; Adji attributed their focus on political subjects to the fact that many print media outlets are in politicians' pockets. Souleymane Maazou, journalist and director of Alternative FM radio in Zinder, noted that the treatment of topics depends on reporters' personal interest, not the subject's relevance to the public. He complained about his colleagues and their lack of attention to subjects such as the environment.

Panelists agreed that only better training, and measures to protect journalism as a profession, could eradicate these lapses. Gayakoye agreed with Kio Koudizé that journalism is too noble a profession to be open to just anyone, and commented that a tragedy of Nigerien professional journalism is the lack of standards required to become a journalist.

OBJECTIVE 3: PLURALITY OF NEWS

Niger Objective Score: 1.97

The panelists' thoughts on Objective 3 differed little from previous years. The panelists were unanimous in recognizing that several sources of news (newspapers, radio stations, television channels, news agencies, and the Internet) are available and accessible to the Nigerien public. Unlike other countries on the continent, Niger has no laws limiting media access, and authorities are not in the habit of blocking the distribution or broadcasting of media products.

Illa Kané, chair of the Niger Independent Media Observatory for Professional Ethics and Practice (ONIMED), added that the plurality of news sources gives people a choice and helps them escape the propaganda that permeates the official media. Boubacar Diallo stressed that the public appreciates the importance of media pluralism, as having access to multiple sources allows them to cross-check information and form their own opinions.

Speakers noted, and welcomed, Niger's significant progress in expanding the radio and television landscape. The state

monopoly in that sector seems safely a thing of the past, even though public radio and television remain the largest in terms of geographic coverage. Many radio stations and private television channels complete the picture, though, including international channels such as BBC, RFI, Deutsche Welle, Radio China, and VOA. Those stations can be picked up on FM in most major urban areas.

An impressive number of community radio stations cover rural areas. Despite the numerous intractable problems they face—stemming, Kio Koudizé commented, from the government's initial resistance to the stations—they try to provide local service for a largely illiterate population. Community radio plays a key role in raising awareness about the importance of girls' education, disease prevention, livestock security, etc. However, the quality of community radio programming is not on par with programs aired by private commercial stations. Primarily, untrained volunteer presenters that lack proper equipment to produce quality content run community stations.

Some panelists were quick to note that the plurality of news sources exists in urban areas only. Access to some media—particularly newspapers and the Internet—does not extend as easily to rural residents. Newspaper distribution is still limited to the capital and a few other cities, and the cost of Internet access has kept it a luxury for much of the country. Furthermore, the issue of affordability does not affect just rural citizens; the cover price of print titles and costs for Internet and cable television subscriptions are very high for most ordinary people in the urban centers. According to Chaibou, Niger remains one of the most expensive countries

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 the world in terms of telecommunications, including telephone and Internet.

Although the authorities do not control access to the Internet in Niger, last year's MSI reported that after the resurgence of fighting in the north, the government began to monitor e-mail and the online distribution of data. In one example, the developers of Tamtaminfo, an information website on Niger, were pressured to withdraw articles that angered the authorities.

Last year's MSI also noted that citizen access to international media is unrestricted, but the foreign media in Niger have faced tremendous pressure, and some have been sanctioned. RFI, for example, was suspended twice, and one of its correspondents was jailed. Still, the foreign media play an influential role in informing the public, as many citizens trust them more than government news sources.

As for content production, the panelists stressed that the private broadcast media produce their own news programming, but some radio and television stations relay programs from international channels, especially programs in national languages and French. Gayakoye noted that Nigerien media have made considerable progress in providing the public with news, thanks to independent radio and television outlets, which he said provide the most reliable information overall.

The panelists concluded also that the private media reflect the diversity of opinion within Niger better than the public media. Hamidou agreed, commenting that the public media fail to cover the whole political spectrum, as they ignore the activities of opposition political parties and civil society. Kio Koudizé agreed as well, and Moumouni added that during the referendum campaign, the people of Niger had heard only one side of the story—that of the ruling party. Aichatou Seyni Mounkaila, a researcher and member of the Niger Anti-Corruption Association-Transparency International (ANLC-TI), added that the bulk of the reports aired on state media in 2009 were designed to encourage people to support the president's proposed constitutional amendment, and that sometimes public media broadcasts sound more like propaganda than news.

Most of the panelists also denounced the linguistic imbalance in the public media. Adji, speaking as a sociologist, maintained that some minorities are effectively excluded from public debate because the state media provide them with only weekly news summaries. Other panelists agreed that the minority situation is unacceptable, deeming it a form of discrimination and urging the regulatory body to act on the issue as quickly as possible.

The absence of clear legislation for advertising favors a degree of anarchy that damages the media. Kio Koudizé pointed out that the advertising industry lacks any degree of organization. To achieve that goal, not only would the government need to adopt specific legislation, but the media sector would need tools such as the Audiomat® audience rating system.

OBJECTIVE 4: BUSINESS MANAGEMENT

Niger Objective Score: 1.55

The panelists noted that the business management side of Nigerien media has become worse. They cited the sluggish economy and lack of managerial culture that plague the sector.

Kio Koudizé said that management of press outlets tends to be a hit-or-miss, "mom-and-pop" sort of affair; often, only the founder of a media business has any real idea of its resources. He noted that very often, the founder serves as general director, publication director, editor, accountant, bill collector, and courier. Maazou agreed that the entire staff at some newspapers could all be rolled into one publication director. Gayakoye characterized the structure and management of independent press businesses as prehistoric.

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.

According to the panelists, the week-long news blackout presented an opportunity for professional organizations to overcome the differences and leadership disputes that undermine their standing with political authorities.

Ibrahim Manzo Diallo, publisher of the private French-language regional newspapers *Air Info* in Agadez and *Le Damagaram* in Zinder, added that some press outlets run as family businesses in a manner lacking completely in transparency—and to the detriment of their journalists. Kané, however, found that criticism to be too harsh: in his view, it goes too far to talk of mismanagement, because the private media have no resources left to manage. He said that it must be recognized that against the odds, many outlets have made significant strides in the past few years to obtain a registered office, computer equipment, and competent staff. Some panelists, however, suggested that progress has more to do with the desire to meet the criteria for access to press than a desire to modernize management. Adji agreed that at least a handful of press outlets operate like real businesses, with registered offices, accounts departments, and permanent salaried employees.

The panelists concluded that a clear distinction should be made between the business issues of print and broadcast outlets. They observed that commercial broadcasters are driven to make a profit on their investment, while independent printed press and the community media suffer more from unreliable and unstable sources of funding than mismanagement. The panelists also lamented the difficult environment for independent media, given their lack of access to the advertising market or subsidies for the press.

Sophie Ledru Gazéré, a journalist and the former sales director of the National Publishing and Press Office (ONEP) and *Le Sahel*, emphasized the gap between the desire for quality media and the lack of consistent support. In her view, the private press's great misfortune is that the public media continue to have privileged access to advertising. Furthermore, advertising revenues are still far from equaling the ideal 70 percent of total income, and public companies—which are the main suppliers of advertising—are not even-handed.

The absence of clear legislation for advertising favors a degree of anarchy that damages the media. Kio Koudizé pointed out that the advertising industry lacks any degree of organization. To achieve that goal, not only would the government need to

adopt specific legislation, but the media sector would need tools such as the Audiomat® audience rating system.

Given the challenging economic environment, most panelists welcomed the government's implementation of aid for the press. Generally, panelists judged the distribution of the funds to be transparent and effective. The legislation and regulations concerning the management of the subsidies provide for appeals for any outlets that believe that they have denied unfairly. Most panelists said that they do not feel that the subsidies detract from the independence of the media recipients. Gayakoye even argued that the subsidies had actually strengthened the independence of the outlets. Maazou, on the other hand, claimed that a number of media outlets had courted the regime in order to appear on the list of the fund's beneficiaries.

Gazéré assured the panel that the establishment of a press assistance fund had not changed the situation of the independent media in Niger. She was convinced that with or without the subsidy, press businesses could not thrive in a country where people are mainly focused on satisfying basic needs.

As Chaibou noted in last year's report, most media outlets in Niger are launched without any market research. Newspapers publish circulation numbers, but they are widely considered inflated.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Niger Objective Score: 2.23

In 2010, strong mobilization by professional organizations in defense of press freedom was again a highlight under Objective 5. The week without press, in reaction to the president's decision to empower the CSC chair to punish the independent media, is a prime example. Journalists displayed unity and solidarity in the face of the regime's authoritarian inclinations, and some panelists welcomed that initiative as evidence that supporting organizations are capable of forming a powerful pressure group.

According to the panelists, the week-long news blackout presented an opportunity for professional organizations to overcome the differences and leadership disputes that undermine their standing with political authorities. This mobilization was significant, considering that for quite some time, professional organizations had communicated very little with each other. In the past, collective actions tended only to exacerbate the splits within the journalism community.

Professional organizations continue to play an important role in capacity building for their members—particularly with the

support of the American Cultural Center and the German Development Service (DED), the principal partners of the Press House association in Niger. Although the regime frowns upon this umbrella organization, the Press House has become a linchpin for training activities. Private and public media journalists on the panel united in recognizing its usefulness, and said that the Press House largely makes up for the individual shortcomings of the organizations under it.

However, some panelists said that professional organizations have not proven very effective in resolving a number of key issues, such as the adoption of a collective agreement for journalists. Some panelists also criticized certain associations for their timid response to the closure of the Dounia, a private radio and television company. While the panelists acknowledged some support from civil society organizations in Niger, they argued that the efforts are insufficient to meet the need.

In the realm of training, the panelists noted considerable effort by the Institute for Training in Information and Communication Technologies (IFTIC). IFTIC professor Kio Koudizé emphasized that the institute provides training that is up to international standards. Some speakers questioned this, though, given the deplorable operational level seen in newsrooms staffed by graduates. The panelists also noted that several civil society organizations contribute to capacity building for journalists through short-term training courses.

As for the state of printing and distribution, the panelists stressed that printing shops, newsstands, and telecommunications infrastructures are accessible and owned privately, with no discrimination of any kind. However, at a time when other countries are preparing for digital convergence, the panelists lamented, Niger has a considerable delay in that respect.

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

Souley Adji, professor, Abdou Moumouni University, Niamey

Aichatou Seyni Mounkaila, researcher, member of the Niger Anti-Corruption Association, Transparency International, Niger Section, Niamey

Balkissa Hamidou, journalist, Alternative FM, Niamey

Mahamadou Boubacar Diallo, journalist and owner, *Libération*; chairman of the Niger Association of Independent Press Publishers, Niamey

Chatou Mahamadou, director, Alternative FM, Niamey

Diaffra Fadimou Moumouni, journalist and secretary-general, Association of African Women in the Media, Niger Section, Niamey

Sophie Ledru Gazéré, journalist; former director, National Office for Editing and Publishing, Niamey

Aboubakari Kio Koudizé, journalist and former chairman of the National Media Observatory, Niamey

Abdourahamane Gayakoye, judge and deputy state prosecutor, Niamey

Ibrahim Manzo Diallo, publisher, *Air Info* and *Le Damagaram*, Zinder

Souley Magé, journalist and editor-in-chief, Dokin Karfe, Hausa

Albert Chaibou, editor-in-chief, *Alternative*; chair, International Francophone Press Union-Niger Section, Niamey

Illa Kané, chairperson, Niger Independent Media Observatory for Professional Ethics and Practice, Niamey

Souleymane Maazou, journalist and director, Alternative FM, Zinder

Moderator and Author

A.T. Moussa Tchangari, chair, Alternative Media Group, Niamey

Assistant

Hamadou Boulama, journalist, *Alternative*, Niamey

Speculation in the media about the president's illness and the nature of his ailment frequently resulted in various attacks on the media.



NIGERIA

After a significant improvement in the media environment in Nigeria in 2009 over the previous two years, the situation deteriorated just slightly in 2010 with the overall country average dropping from 2.23 in 2009 to 2.18 in 2010.

It is unclear how much of the media's decline resulted from the political crisis that dogged Nigeria for many months, beginning in 2009, related to the poor health of then-president Umaru Yar'Adua, which spilled over to the early part of 2010 until he died on May 5, 2010. Speculation in the media about the president's illness and the nature of his ailment frequently resulted in various attacks on the media. At least three journalists were killed in 2010, and others were arrested and faced civil litigation on defamation charges. Media organizations also endured raids and charges that they violated national security, and the government shut down some broadcast stations. There was clearly a heightened sense of general insecurity within the general population during this period, including for a substantial part of 2010, which progressively worsened with bomb attacks in public places.

Indications of Yar'Adua's poor health first became public knowledge in 2007, during the presidential election campaign, in which he was the clear front-runner. Amid the campaign in early 2007, Yar'Adua collapsed and was flown to Germany for treatment, igniting speculation across the country, including rumors that he had died. Although senior government officials and members of his ruling Peoples Democratic Party initially dismissed speculation about the president's health, it became obvious only a few months into his presidency that he suffered from a serious ailment, which affected the performance of his political functions. Rarely seen in public, he also frequently made foreign trips, particularly to Germany and Saudi Arabia, where he reportedly underwent medical treatment for an ailment that remained undisclosed for the better part of his presidency.

As the president's health apparently worsened, the media grew bolder in reporting on it, with fewer and fewer repercussions for journalists. In the latter part of the year, controversy and confusion trailed the ill-health of the president as he left the country to undergo treatment in Saudi Arabia without formally handing over to the vice president or anyone else to serve as acting president, as required by the 1999 Nigerian Constitution. Amid intermittent reports that the president was brain-damaged and had even died, Yar'Adua's ill-health triggered a major political crisis in the country, with in-fighting within the ruling party over succession, which resulted in political, economic, and social crises in Nigeria.

As in previous years, Objective 1 (legal and social protection of free speech) recorded the lowest score, with a 1.79, while Objective 5 (supporting institutions) scored the highest, at 2.70, consistent with the pattern established annually since 2007. Movements in all objectives were small: Objective 1 and Objective 2 (professional journalism) each recorded a minor drop in score. Only Objective 4 (business management) improved over previous MSI studies, rising from 2.02 in 2009 to 2.14 in 2010.

NIGERIA AT A GLANCE

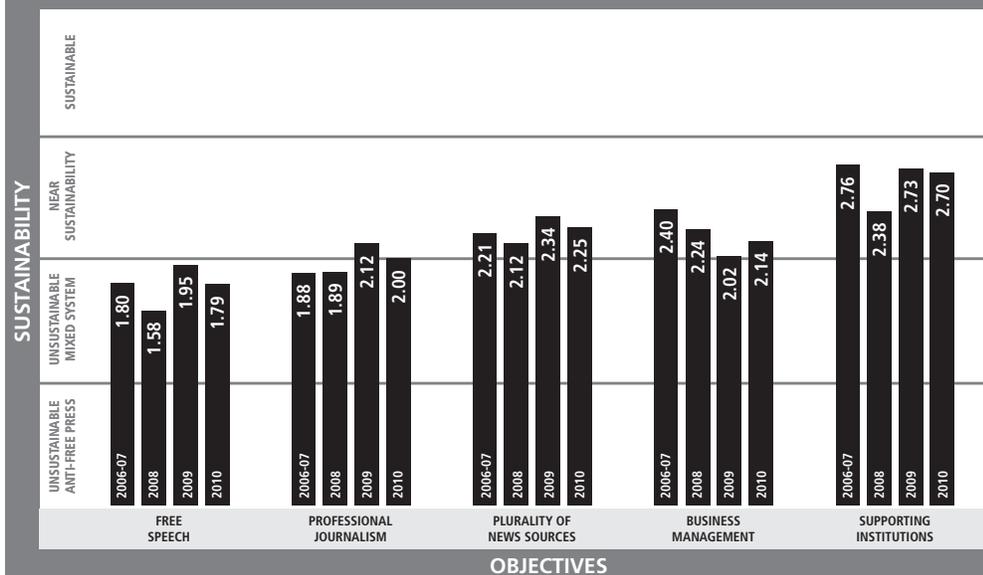
GENERAL

- > **Population:** 155,215,573 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Abuja
- > **Ethnic groups (% of population):** Hausa and Fulani 29%, Yoruba 21%, Igbo (Ibo) 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:** English (official), Hausa, Yoruba, Igbo (Ibo), Fulani (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$186.4 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2009-PPP):** \$2,160 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 68% (male 75.7%, female 60.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Goodluck Jonathan (since May 5, 2010)

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). 126 radio stations (16 privately owned, 27 not-for-profit campus radio station, 45 owned by the federal government, and 38 owned by various state governments). 104 television stations (15 privately owned, 57 owned by the federal government, and 32 owned by various state governments). (Source: National Broadcasting Commission website <http://www.nbc.gov.ng/index.php>)
- > **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; altogether Nigerian newspapers are said to circulate several million copies daily
- > **Broadcast ratings:** N/A
- > **News agencies:** News Agency of Nigeria (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 44 million (2009 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: 1.79

The overall average score for this Objective was 1.79, a small drop from 1.95 in 2009. Most of the panelists feel that although the constitution guarantees the freedom of speech, other laws and practices that restrict media freedom undermine the effectiveness of the constitutional provisions.

Furthermore, according to Tunde Akanni, a journalism teacher in the Department of Journalism and School of Communication at the Lagos State University, "A number of obsolete, anti-press freedom laws remain on the books, although certain judicial pronouncements have practically invalidated them. Some of these are the handiwork of the colonial regime, including the Law of Sedition, Criminal Defamation, Secrecy Act and a couple of others." Akanni argued that despite the restoration of democratic rule in Nigeria in 1999, press freedom has not made substantial progress.

As for broadcast licensing, Akanni said the process is not fair; the president has sole discretion to grant broadcast licenses and is likely to favor his political party. Akanni added that the government's fear of criticism may also contribute to the licensing decisions. Despite the president's claim that the National Broadcasting Commission has sole power to grant licenses for community radio stations and he has no

Akanni also stressed the trend toward re-centralizing the media. "All governments, at state and federal levels, have at least two broadcast stations located in each of the capitals of the 36 states, as well as the national capital," he said.

recourse, not a single license has been granted since the pronouncement was made on October 19, 2010.

Akanni also stressed the trend toward re-centralizing the media. "All governments, at state and federal levels, have at least two broadcast stations located in each of the capitals of the 36 states, as well as the national capital," he said.

For Omolola Anne Famuyiwa, project director of Cares Global Network and editor-in-chief of its publication, *Willows*, "Over the years, preference has been given to government owned stations. Though these media have not been set up solely for political reasons, they in no small way have become the mouthpieces of the government, federal or state. Fairness is expected in granting licenses, but lobbying and preferential treatment play a role." She described officials of the National Broadcasting Commission as the "rubber stamp of the government," saying the fear of removal from office and the strict control exercised over them keep them in check.

Funke Treasure Durodola, of the government-owned Federal Radio Corporation of Nigeria in Lagos, also does not believe that the broadcast licensing process is completely fair and apolitical; even stations that meet all of the established criteria cannot be sure they will receive a license, she said. To illustrate, she pointed to the license granted to the Silverbird Group. She feels the license should have gone to Daar Communications, which has the facilities and infrastructure on the ground, and already broadcasts on a satellite channel.

Durodola said there is a temptation to describe the licensing process as fair because of the sheer number of broadcast stations in the cities. But, she argued, this is an insufficient basis to describe the process as fair because it is impossible to say how many applicants were denied broadcast licenses, and why they were denied, given the lack of transparency in the process. Edith Nnaji, a reporter at the News Agency of Nigeria (NAN) in Abuja, also questioned the fairness of granting licenses only for broadcast stations located in urban areas while the rural areas are completely neglected.

Market entry and the tax structure are generally considered fair across the board for all sectors, including the media—

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.

although in practice, some minor cases contradicted this general perception, as noted in last year's MSI.

As noted earlier, Nigerian journalists work in very dangerous conditions. Most seriously, three journalists were killed in April 2010. As the Committee to Protect Journalists reported, Muslim rioters killed two reporters working with a local Christian newspaper, while two gunmen shot dead court reporter Edo Sule Ugbagwu, from the private daily *The Nation*.¹

In addition, Enato Isikul of the Bayelsa State Television in Yenogoa noted that kidnappings of media personnel, assault and battery of journalists, and seizures of media equipment by security agents were quite common during the year under review. Panelists heard a chilling account by Adolphus Okonkwo, the secretary of the Lagos State Council of the Nigeria Union of Journalists (NUJ), who also works as news editor with the Voice of Nigeria, Nigeria's external radio broadcasting organization, of his experience in the custody of kidnappers for a week in July 2010.

Okonkwo was abducted at gunpoint on July 11, 2010, a few days before the MSI panel discussion for the 2009 edition. He was abducted in Aba, Abia State, in southeastern Nigeria, along with Wahab Oba, the chairman of the union; Sylva Okereke, the assistant secretary; another journalist, Sola Oyeyipo and their driver, Azeez Yekini. The incident occurred while they were returning to Lagos in a van owned by NUJ after attending the union's National Executive Council meeting.

Their abductors demanded payment of a ransom of NGN 250 million (about \$1.66 million) to secure their release. However, they were released on July 18, 2010, after all the cash and equipment they had in their possession had been taken from them. Okonkwo, who was to have been a panelist for the 2009 panel discussion, was therefore unable to participate, but recounted for this year's panel how he and his colleagues were harassed and intimidated by their abductors. They were held in the middle of the forest under very harsh conditions, and kept constantly on the move at nights to avoid detection. He said they lived in constant fear for their lives, as they were frequently threatened with execution if the ransom was not paid.

Yewande Iwuoha, the head of news at Raypower FM, and Bose Olusola-Obasa, a correspondent with *Saturday Punch*, both opined that attacks against journalists are not diligently investigated or prosecuted, a view shared by all the other panelists.

¹ "Three Journalists Killed in Nigeria." Committee to Protect Journalists website: April 26, 2010. Available at: <http://cpj.org/2010/04/three-journalists-killed-in-nigeria.php> (Accessed October 24, 2011.)

Funmi Falobi, a reporter with the *Daily Independent* in Lagos, observed that state-owned media evidently enjoy preferential treatment over the private media, arguing that this is because the public media are established—and paid—to protect the interest of the government of the day. She said that state-owned media pander to the whims of the executive arm of the government, but added that even privately-owned media houses tilt their reporting in favor of the political leanings of their owners.

Libel is covered under civil law, but it can also be treated as a criminal offense under provisions in a number of criminal laws at the federal and state levels. Although public officials are held to a high standard, and offended parties must prove malice and the falsity of the charges, public officials tend to receive more substantial damages than ordinary citizens when they win their cases.

According to Isikul, in contrast to the impression of panelists last year, public information is not easily accessible. Laws on the books, such as the Official Secrets Act, preclude public access to official information, while the National Assembly has still not passed the Freedom of Information Bill.

But there was a consensus that media outlets have unrestricted access to international news and news sources. The panelists also expressed doubt that any attempt to restrict access to international news would be effective, as technological developments have overtaken NAN's monopoly as the only source of foreign news in Nigeria. The panelists also agreed that the media are allowed to rebroadcast or publish foreign news agency reports.

As noted in last year's MSI, entry into the journalism profession is free, the panelists agreed, and in practice, the government imposes no licensing restrictions or special rights for journalists. Although the Nigerian Press Council Act No. 82 of 1992, as amended by Act No. 60 of 1999, imposes licensing requirements and restrictions for journalists, the provisions are not being enforced.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Nigeria Objective Score: 2.00

The overall average score for this Objective 2, 2.00, shows a small drop from the 2.12 recorded in 2009. The panelists believed that although reporting is reasonably well-sourced, given the resources and facilities available to journalists, such reporting is nonetheless not generally fair or objective.

Highly critical of journalists' adherence to professional standards, Durodola noted that "Interviews, especially ones centered around a personality, are increasingly not conducted

professionally because of socio-economic factors. Most of the time, interviews are done in exchange for financial rewards to promote the person and swell his social status and meet the financial needs of the journalists and not for the news relevance.”

According to Okonkwo, “Journalists try, to the best of their knowledge and given the resources available to them, to cross-check their information and consult a wide variety of sources.” He added that although the profession is guided by ethical standards, they are usually not followed strictly, as most journalists have not even read the Code of Ethics for Nigerian Journalists. But, he said the NUJ takes steps to try to ensure that journalists follow recognized and accepted ethical standards, adding that NUJ also has its own Professional Code of Conduct, which it expects every member to comply with.

Juliana Ezeoke, a reporter with the weekly *Tell* magazine, expressed similar views about the challenges of complying with ethical standards. She said, “Journalists make efforts to conform to professional ethics, but are usually constrained by the realities on ground, especially economic factors.”

According to Tosin Odusola, a principal reporter and editor at the state-owned Radio Lagos, “With no guarantee for freedom of speech and information, journalists are forced into self-censorship because most times they are not sure of their facts and are afraid for their jobs and their lives.” Famuyiwa added that for those covering business or corporate beats, the need to remain within the fold is often reason enough for self-censorship, especially as there are attractive fringe benefits that journalists on such beats enjoy.

Isikul stated that although journalists cover almost all key events and issues, those in the public media practice

Juliana Ezeoke, a reporter with the weekly Tell magazine, expressed similar views about the challenges of complying with ethical standards. She said, “Journalists make efforts to conform to professional ethics, but are usually constrained by the realities on ground, especially economic factors.”

self-censorship primarily for fear of losing their jobs and other kinds of sanctions.

Famuyiwa commented that financial reasons play a role in coverage, as well. Key events are not always covered, she said, as “Coverage is based on manpower, access to the event and availability of funds, equipment and resources,” adding that, “Lack of equipment means fewer opportunities for adequate coverage and broadcast.”

But Durdola argued that social networking sites and new media have brought a certain degree of independence to reporting that is unprecedented in the country, as matters that the traditional media cannot or do not cover are increasingly made available to the public through these platforms. Durodola continued, “Citizen journalists are also trying to fill in the gaps, pushing and stretching the elasticity of traditional media more than ever and challenging their status quo, offering the missing link and an informed eye witness account.” She recalled citizen Naomi Lucas’s treatment of the issue of the president’s book campaign account on Facebook, noting, “It was one of the best commentaries written on that event, yet it didn’t make a newspaper or news magazine. She had tired out trying to write for the different titles available.”

Discussing the question of pay for journalists, Ezeoke noted that journalists are often compelled to accept gratuities for reporting because salaries are sometimes not paid by their organizations—and even where they are paid, the salaries are so poor that some journalists still feel the need to accept bribes. Olusola-Obasa stressed, “Pay levels in most media organizations are grossly insufficient to discourage corruption,” but acknowledged that there are many examples of journalists who still keep to the Code of Ethics out of personal principles, despite the challenges.

Famuyiwa added, “Due to the high commercialization of media and the low wages, media professionals tend to accept payments or gifts in exchange for certain types of coverage. They may even go out of their way to create a

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).

program around an event, which they then cover in exchange for airtime payment. It is a widespread practice, but most prevalent among the younger journalists.”

There was consensus among the panelists that entertainment programs eclipse other news programs in the media. Isikul estimated that 70 to 80 percent of the programs in the media are centered on entertainment. Durodola blamed local and multinational companies in Nigeria for the situation, saying they are guilty of eclipsing news and information programming with entertainment programs, especially reality shows.

Last year’s MSI panelists noted that facilities and equipment for gathering, producing, and distributing news, are often not modern and efficient—and the situation tends to be much worse in the state-owned media than the privately owned stations. This year’s panelists shared the same opinions. Nnaji, of NAN, said that in the Abuja office of the agency, most reporters are given equipment, including laptops and Internet modems, to aid them in their work of gathering, processing, and disseminating news. But Durodola, who also works with state-owned media, said that only a privileged few receive modern equipment—it does not trickle down to all reporters. Others confirmed that receiving modern equipment to use is not a general or widespread practice in the media.

While some panelists feel that investigative reporting is faltering, journalists in Nigeria produce a wide variety of niche reporting, covering economics and business, politics, sports, health, and the environment—although the quality of reports is lacking. Various NGOs provide training in specialized reporting, especially regarding health and political coverage.

OBJECTIVE 3: PLURALITY OF NEWS

Nigeria Objective Score: 2.25

The overall average score for this Objective, 2.25, reflects only a slight decrease from last year’s score of 2.34. As in previous years, the panelists agreed that there is a plurality of public and private news sources available to citizens in print and broadcast as well as online, especially in urban areas, which accounts for the relatively high score for this objective. Ezeoke observed, “There are hundreds of newspapers and magazines, as well as broadcast media, that citizens can read or listen to and compare notes. Despite the fact that these news sources are owned by individuals with different interests, they try to reflect divergent political views, although they sometimes tilt in favor of the owners.”

Durodola noted that Nigerians have embraced the use of the Internet, both as a source of news and for the distribution of news and information. She said that Nigerians now rely heavily on social networking tools for information sharing.

However, panelists underlined the absence of community media, which leaves rural residents behind. Although there are community newspapers, they are concentrated in urban or semi-urban locations. The National Broadcasting Commission has licensed numerous campus radio stations, which it classifies as community radios, but these are again located in tertiary education institutions, mostly based in or near cities.

The panelists also agreed that access to local and international media is unrestricted, although Segun Fatuase, deputy editor of the *National Mirror*, emphasized that economic and social conditions restrict access to multiple news sources. Adetokunbo Abiola, the political editor of *Hope*, a community newspaper located in Akure, in Ondo State in southwestern Nigeria, added that people in larger cities have greater access to media sources, compared to people in villages and smaller towns, as cities have the necessary infrastructure in place—as well as literate residents with enough disposable income. Isikul contended that few people living in rural areas have Internet access; they rely mostly on the radio for information.

On the issue of whether state-owned media reflect the views of the broad political spectrum, are non-partisan, and serve the public interest, the panelists were unanimous that state-owned media are partisan and reflect mostly the views

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.

of the executive and the ruling party, rather than a broad spectrum of political views.

Famuyiwa commented, however, that although the state-owned media are biased in their coverage, they nonetheless fill the gap in the provision of in-depth reporting, especially of public events and community development projects. Furthermore, they also promote educational and cultural programming more than the private media outlets.

Isikul, who works for the Bayelsa state government television station, expressed the view that a well trained professional journalist will balance reporting between government and the public. She added that the lack of professionalism and the prevalence of partisanship in employment practices had caused too much focus on government.

Durodola suggested that the performance of state-owned media varies station by station; when there are good professionals at the helm, she said, the stations tend to be more professional in their operations and less partisan in their news reporting than those being led by less professional managers. However, she disclosed that in some instances, state government spin doctors write “spotlights,” which newscasters are made to read during news programs, giving the impression that they were written independently by editorial staff and that they are the opinions of the station broadcasting the material. Sponsoring state governors pay for such spotlights, but listeners are not informed that it is not the editorial work of the station.

Odusola noted that Nigerian journalists have an array of news sources to help in their newsgathering and production activities, including news agencies such as NAN; Agence France-Presse, the French news agency; and Reuters. In addition, she said journalists also have access to other news sources such as the Internet, social networking sites like Facebook, press releases and news coverage by reporters.

Nnaji, who reports for the government-owned NAN, said that although the orientation of NAN is favor of the government, the agency nonetheless caters to the specific demands of its clients. Panelists also noted that local news agency reports are not always acknowledged and credited when media organizations use their reports. Nnaji gave various examples of instances in which newspapers published, virtually verbatim but without giving credit, news reports that she wrote for NAN.

Panelists disagreed over whether Nigerian media organizations are able to afford the cost of subscription for the services of news agencies. According to Famuyiwa, because most media outlets cannot afford the services of local or international news agencies, they download materials online free of charge without citing the sources.

Famuyiwa commented, however, that although the state-owned media are biased in their coverage, they nonetheless fill the gap in the provision of in-depth reporting, especially of public events and community development projects. Furthermore, they also promote educational and cultural programming more than the private media outlets.

But Olusola-Obasa insists that most media outlets can afford to pay the subscription fees charged by international news agencies. Such services, she said, have become imperative, because “the world has become a global village—leaving no serious media manager with any choice but to provide a variety of news items from around the world.” The panelists agreed, though, that independent broadcast media largely produce their own news programs.

Regarding the transparency of media ownership, Ezeoke said the inability of citizens to figure out the powers behind some of the media organizations makes it difficult for them to understand the difference between content published under the influence of the owner and material published in the public interest. Fatuase said media ownership is still largely shrouded in secrecy; Okonkwo agreed, claiming that most media owners hide their identities. Falobi also insisted that media ownership is not transparent.

In terms of the media’s efforts to cover issues of social importance, Falobi said that the media do not adequately cover a range of social interests including gender issues, children, religion, etc. Instead, there is a lot of focus on politics and business.

OBJECTIVE 4: BUSINESS MANAGEMENT

Nigeria Objective Score: 2.14

The overall average score for this Objective is 2.14, representing an increase from the score of 2.02 in 2009. The panelists agreed that media outlets generally operate as profit-generating businesses, but they expressed concern about the levels of competence and professionalism in their management.

According to Olayinka Oyegbile, an editor at *NEXT*, independent media are not necessarily well managed

But according to Famuyiwa, although government subsidies are not disbursed to the private media, "Private media have been known to receive sponsorship through government funds for pro-government productions or broadcasts."

businesses that allow editorial independence. He recalled instances when the owners or publishers of newspapers had stopped the publication of certain stories when they jeopardized their business interests. Oduola added that the fact that many media outlets are often unable to pay workers' salaries points to poor management. According to Fatuase, the independent media outlets are not well-managed businesses and have no editorial independence because they always bow to the whims of the owners, who frequently interfere in their operations.

Backing this impression, Famuyiwa noted that the accounting and finance practices of some of the media outlets fall short of international standards, adding that even where dedicated professionals are hired to manage key areas, the practice of making business decisions on the basis of personal interests is fairly ingrained—and few appear to follow business plans. But Falobi emphasized that both state-owned and privately owned media outlets still fail to appoint enough trained professionals in key accounting, marketing, and human resources positions. Nevertheless, Famuyiwa argued that those media outlets owned by media professionals stand out

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.

as more efficient and professional businesses that are able to retain staff.

Ezeoke added that independent media managers often fail to invest in their reporters, seeing them as expendable rather than assets. In other cases, she said, managers might be well intentioned, but they fail to manage their organizations well because of a lack of adequate funding.

In general, the panelists feel that the media organizations do not earn revenue from a broad enough pool of sources. They said there are very few revenue streams available to them: primarily, advertising, sponsorship and grants, awards, sales for the print media, and partnerships for the broadcast medium. Government subsidies and grants sustain the state-owned media, although there have been reports of plans to make state-owned media generate their own revenue to sustain their operations.

Oduola said some of the revenue sources of the media outlets, such as advertisers, create ethical problems for them. Oyebgile explained that media outlets that obtain advertising patronage from a government or a corporation lean toward self-censorship, for fear of losing their funding. In general, the panelists also agreed that all media organizations are susceptible to editorial influence by advertisers and sponsors, while state-owned media are significantly less independent, as they receive 100 percent of their funding from the government.

Famuyiwa said advertising is quite developed and a number of advertising campaigns are well researched and professionally produced. However, she noted, the use of agencies undercuts the income to media outlets, especially as the commission to advertising agencies was recently increased to 20 percent, excluding the VAT that is deducted on cash payments. She also shared her view that private media professionals are not very skilled in exploiting the potential of advertising to generate revenues in ethical and professional ways.

There was consensus among the panelists that private media outlets do not receive government subsidies. But according to Famuyiwa, although government subsidies are not disbursed to the private media, "Private media have been known to receive sponsorship through government funds for pro-government productions or broadcasts." She added that a number of private media outlets survive on government funding in this way, especially during political campaigns by public office holders seeking re-election.

Panelists agreed that there are communications research companies operating in the country that conduct media research and audience ratings, but added that their research is widely considered unreliable, tainted by payments from

stakeholders. They also agreed that there some media houses that conduct in-house audience research, but the results are not consistently put to good use.

Famuyiwa specifically expressed reservations about the nature of market research by media outlets, saying it is not done in any tenable way. She explained that media outlets use informal research, mostly phone surveys, to rate individual programs, adding, "I am not aware of any media outlet that commissioned research for the purpose of determining viewership or readership."

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Nigeria Objective Score: 2.70

Most of the panelists feel that professional bodies represent various sectors of the media adequately, while NGOs working in the areas of media development, media assistance, and freedom of expression provide valuable and substantial support and assistance to the media.

Famuyiwa noted that broadcasters and publishers associations exist and support members' interests. These organizations lobby government on behalf of their members and advocate for media independence. For example, the Newspaper Proprietors' Association of Nigeria in the past challenged the constitutionality of a law imposing a licensing regime on journalists. Other trade organizations include the Broadcasting Organisations of Nigeria, and the Independent Broadcasters Association of Nigeria.

As for professional associations, historically, MSI panelists have disagreed over their commitment to protecting the rights of journalists. This year, Ezeoke said that although the

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.

Famuyiwa commented, "Distribution is still largely done on foot, with vendors selling on the streets, at kiosks, and from house to house. The days of subscriptions and house-to-house drop by bikers or drivers are yet to come for newspapers."

influence of trade unions is still very limited in the media, professional associations such as NUJ help protect journalists' rights. She noted that on many occasions, NUJ stepped up to criticize the maltreatment of journalists by politicians who felt threatened by their reporting. In last year's MSI, however, one panelist likened NUJ to a "toothless bulldog." In addition to the NUJ, other bodies representing media professionals and media workers are the Radio, Television, and Theatre Workers Union, the Nigerian Guild of Editors, and the National Union of Printing, Publishing, and Paper Products Workers. While theoretically independent unions and associations, in practice they have proved susceptible to the influence of federal and state governments, as noted in last year's MSI. They often rely on governments for cash and gifts to cover everything from operating costs to building and equipping press centers.

According to Famuyiwa, there are a number of active, locally managed NGOs working in cooperation with the media sector to support freedom of speech and media independence. Such organizations include Media Rights Agenda, the International Press Centre, and the Centre for Free Speech. They play a media watchdog role, provide legal assistance to journalists, and offer training and other capacity-building activities. Famuyiwa added, though, that such NGOs are still relatively few, given the number of media outlets in the country. Furthermore, she said, they could be more effective in their advocacy if they formed long-term partnerships, rather than their current tendency to team up for one-off partnerships around specific activities. They also tend to focus on the cities, where media houses are located.

Regardless of the NGOs' shortcomings, the panelists noted that quite a lot of journalists owe their in-service training to local and international NGOs, citing popular training programs that include political and health reporting, among other areas.

Durodola noted the shakiness of continuity and succession in the media, as young and aspiring journalism graduates are unskilled to fit into the industry. Their training curriculum is too theoretical, in her view—despite assertions by panelists in last year's MSI that journalism training institutions are increasingly using hands-on methodology, encouraging more

newsroom internships, and taking advantage of the growing number of campus radio stations to give their students practical training in various aspects of running radio stations or producing campus newspapers or journals. Nevertheless, Durodola stressed the need for support organizations to fill the skills gap, as the journalism departments appear to be “dumping sites” for everyone who failed to secure admission to study other courses; journalism generally attracts below-average students, she said.

As last year’s MSI reported, opportunities for short-term, in-service training of journalists exist, but for the most part journalists must pay for their own training. Media managers have shown a lack of receptiveness to such opportunities, therefore depriving journalists of these chances to grow. There are some in-house training programs for journalists.

Famuyiwa said although printing firms are sufficient, particularly in the southwestern part of the country where

most of them are located, they are not efficient enough to support the media industry. Also, while channels of media distribution are generally in private hands, apolitical, and unrestricted, the system to distribute newspapers in the country is fairly primitive. Famuyiwa commented, “Distribution is still largely done on foot, with vendors selling on the streets, at kiosks, and from house to house. The days of subscriptions and house-to-house drop by bikers or drivers are yet to come for newspapers.”

Oyegbile also pointed out other challenges to the media industry surrounding the distribution of newspapers. He said although distribution networks are in private hands, and therefore not really subjected to political control, the distributors do not “remit all sales money to the company, complicating life for the publishers, because they do not receive the cash they need to run the business on time.” Durodola also underscored the challenges posed to broadcasting by the irregular power supply in the country: “Power generation is an albatross in broadcast operations in Nigeria; a lot of broadcast stations are struggling to survive as a result.”

List of Panel Participants

Enato Isukul, news manager, Bayelsa State Television, Yenogoa

Adetokunbo Abiola, reporter, *Hope*, Akure

Edith Nnaji, reporter, News Agency of Nigeria, Abuja

Tunde Akanni, lecturer, Department of Journalism, Lagos State University, Lagos

Funmi Falobi, reporter, *Daily Independent*, Lagos

Olayinka Oyegbile, editor, *NEXT*, Lagos

Tosin Odusola, principal reporter, Radio Lagos; editor, Eko FM, Lagos

Chuks Nwanne, reporter, *The Guardian*, Lagos

Segun Fatuase, deputy editor, *National Mirror*, Lagos

Yewande Iwuoha, head of news department, RayPower FM radio, Lagos

Omolola Anne Famuyiwa, editor-in-chief, *Willows Magazine*, Lagos

Bosedede Olusola-Obasa, correspondent, *The Saturday Punch*, Lagos

Juliana Ezeoke, reporter, *Tell Magazine*, Lagos

Adolphus Okonkwo, news editor, Voice of Nigeria radio, Lagos

Funke Treasure Durodola, head of presentations, Federal Radio Corporation of Nigeria, Lagos

Moderator and Author

Edetaen Ojo, executive director, Media Rights Agenda, Lagos

“The government is using our historical problem to deliberately suppress the media, and from what is going on now we don’t see any hope of the situation getting better,” concluded one panelist who preferred to remain anonymous for fear of reprisal.



RWANDA

The year 2010 was a difficult one for the media in Rwanda as presidential elections fomented a crackdown on opposition voices. One journalist was shot dead in broad daylight by gunmen who have been neither arrested nor prosecuted.

Jean Leonard Rugambage was deputy editor-in-chief at *Omuwugizi*, a tabloid that was the government's most outspoken critic until it was suspended by the country's Media High Council in April, shortly before he was killed. His editor, Jean Bosco Gasasira, is in exile in Uganda for fear of assassination by Rwanda operatives.

More than five journalists were arrested and charged with criminal libel on government orders, and some of them were handed down suspended sentences by the court. These include Didas Gasan, Richard Kaigamba, and Charles Kabonero (*Umuseso*) and Gasasira John Bosco (*Umuwugizi*) for libel.

The Media High Council also shut down two popular private newspapers—*Umuseso* and *Umuwugizi*—the day after the president denounced them in a public speech with the justification that they may lead the country into trouble.

Several media outlets were blacklisted from covering state or public functions before the election, a ban that is still in place. Surprisingly, not a single media association, not even the Association of Rwandan Journalists, now becoming a trade union, spoke out to defend the media houses that were closed and condemn government action.

The deteriorating safety situation has led some journalists to flee to neighboring countries, where they have begun online outlets. Journalists contend that the government will tolerate only positive stories and that anything critical is judged to be reckless reporting and its authors are persecuted. Opposition candidates have faced similar treatment.

Though some journalists believe that media freedom has improved in Rwanda since 1997 and hope that the situation will continue to improve, many journalists and human-rights activists say that if the government continues to move in its current direction, Rwanda is likely to join other African countries where repressive regimes have silenced all independent voices.

"The government is using our historical problem to deliberately suppress the media, and from what is going on now we don't see any hope of the situation getting better," concluded one panelist who preferred to remain anonymous for fear of reprisal.

RWANDA AT A GLANCE

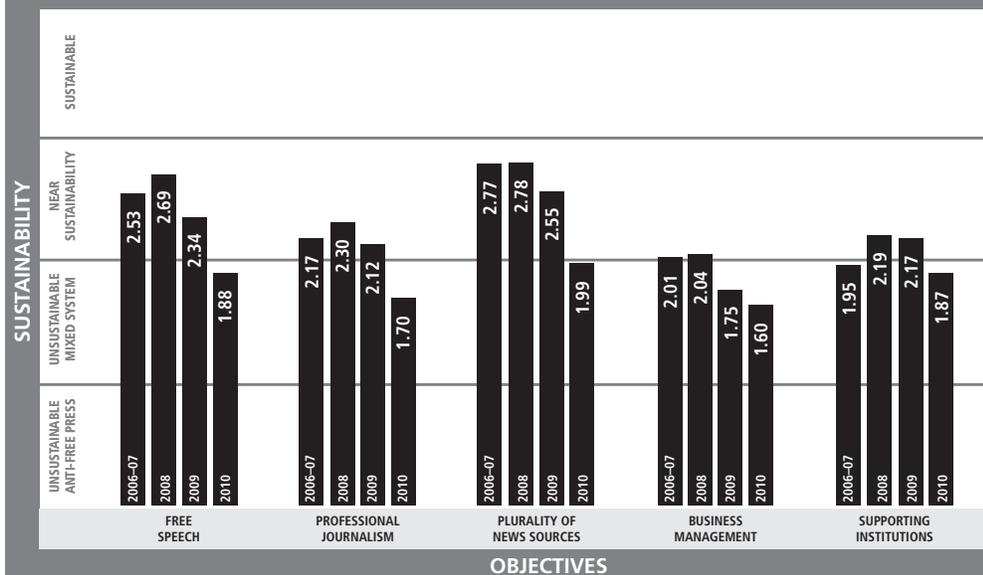
GENERAL

- > **Population:** 11,370,425 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Kigali
- > **Ethnic groups (% of population):** Hutu (Bantu) 84%, Tutsi (Hamitic) 15%, Twa (Pygmy) 1% (*CIA World Factbook*); however, many scholars believe Hutu and Tutsi to be class distinctions rather than actual ethnic groups
- > **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 (2010-Atlas):** \$5.537 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,180 (World Bank Development Indicators, 2011)
- > **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: 39 newspapers (Ministry of Information); Radio Stations: 18; Television Stations: 1 (state-owned)
- > **Newspaper circulation statistics:** Top three by circulation: *Imvaho Nshya* (state-owned bi-weekly), followed by *The New Times* (private English newspaper and the only daily publication), *Umuseso* (privately owned), and *Kinyamateka* (Catholic Church-owned weekly); none has a circulation in excess of 10,000.
- > **Broadcast ratings:** Top radio stations: Radio Rwanda (state-owned), Contact FM (private), BBC (international)
- > **News agencies:** Rwanda News Agency (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 450,000 (2009 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: 1.88

The panelists reported little change in the constitutional provisions for freedom of speech and the press. However, they noted that constitution guarantees are not respected. In addition, a media law passed in August 2009 gives stronger control over the journalism profession by requiring a university diploma to obtain a press card, and it controls media outlets with additional financial and management requirements. The law also includes clauses allowing suspension of media for attacks on the president or divisionism. The Access to Information bill, a good piece of legislation according to all, was drafted but has yet to be voted on. Another law gives more regulatory and punitive powers over journalists and media outlets to the Media High Council. Finally, the penal code categorizes divisionism and genocide ideology, as well as libel and defamation, as criminal offenses in Rwanda.

“The situation has worsened in that freedom of speech has been suppressed by the ruling Rwanda Patriotic Front headed by President Paul Kagame,” observed one of the panelists who remained anonymous for fear of retribution. “Many politicians opposed to his government and journalists who are critical of the regime have been arrested and are languishing in prison; media houses have been closed and some newspapers banned by the regime in power.”

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.

Even as journalists are forced into exile, the public has remained silent due to fear of government backlash.

The panel noted that although victims have petitioned the courts for redress, little has been achieved because the judiciary is highly influenced by the state. Those who have managed to recover their freedoms have done so through appeals in higher courts, noted the panelists.

The panelists agreed that Internet access is unrestricted and that neither the government nor service providers impose any kind of restrictions. However, the newly launched online version of *Umuvugizi* was blocked by the Rwandan government shortly after the print publication was shut down. Limited access to the Internet restricts access to online news, but the government is investing heavily to increase Internet access across the country.

Licensing of broadcast media is fair and transparent and is governed by two bodies: The Rwanda Utilities Regulation Agency (RURA) and the Media High Council. An appeals process exists for whoever is denied a license. The head of the former and the majority of the members of the latter are government appointees. Panelists noted that some of the media houses that applied for licenses have never made it through either because owners have failed to raise the required funds and others because they fear the prevailing media situation. Shortly before the elections, the Media High Council published a list of the media outlets legally registered in Rwanda. Noticeably absent were Deutsche Welle, Voice of America, and Voice of Africa.

The panel noted that the tax structure applies the same regulations as it does to all businesses, which makes entry into the media industry relatively easy. However, the political environment has made the market hostile to independent media and has made attracting steady advertising to attain sustainability nearly impossible. The panelists agreed that newspapers are required to pay only VAT (value-added tax) on the advertisements they run and that a 5 percent tax applies to all newspapers and magazines imported from other countries.

Crimes against journalists are on the rise, especially in Kigali. In addition to the murder of Jean Leonard Rugambage, deputy editor-in-chief at *Omuvugizi*, and the subsequent flight of two other editors of opposition tabloids from the country, five other journalists were arrested on charges of defamation and incitement, and some of them are still languishing in prison.

The panelists reported that some of their colleagues have retreated into exile in neighboring countries. The panel noted that most attacks are carried out by the government, and

The panelist noted that media laws treat state and independent media equally. However, state media are indirectly favored in many ways, especially when it comes to access to information.

though the public is on the side of the journalists, they do not dare speak out.

The panelist noted that media laws treat state and independent media equally. However, state media are indirectly favored in many ways, especially when it comes to access to information. Members gave examples of monthly presidential conferences and functions held at the State House, to which some media houses are denied invitations according to the government's caprice.

"Since 2008, the government has stood by a decision to blacklist Voice of America, BBC, *Umuwigizi*, and *Umuseso* from covering public functions. Sometimes I buy information from those who attend these functions or pay people to take my recorder. My bosses have appealed to the Rwandan government, but they were denied," reported a correspondent for Voice of America in Kigali. Additionally, the Media High Council issues national press cards that are required for a journalist to cover any public function. The panel also noted that some government agencies favor radio outlets over print publications, as reflected by the journalists invited to their events.

The panelists reported that the government fully controls public media and that editorial independence does not exist.

The top management of public media are appointed by the government through the cabinet, who, in turn, appoints the lower cadres. The ruling party also appoints managers and editors of the main private media outlets, including *The New Times* and its French, Kinyarwanda, and weekly versions.

As in previous years, libel remains a criminal offense, and whoever is arrested and charged in courts of law must prove his or her innocence. In 2010, the panel noted that four journalists—Didas Gasan, Richard Kaigamba, and Charles Kabonero from *Umuseso* newspaper and John Bosco Gasasira of *Umuwigizi* newspaper—were charged with libel and lost the cases. The court ordered each media house to pay a fine of three million Rwandan francs (\$4,000). Kaigamba and Didas were also sentenced to six months in prison, a ruling that they appealed and of which they are awaiting the outcome. Kabonero's two-year suspended sentence has been in effect for almost a year now and is still on. The panelists

fear the diminishing independence of the judiciary, citing a report of the country's ombudsman, which ranked the judiciary as the second most corrupt institution next to police.

The panel reported that access to public information by the media has not changed from last year, in that the government has been reluctant to pass the Access to Information bill drafted two years ago into law. The delay is attributed to the failure of media stakeholders and the government to agree on what kind of information should be accessed by the journalists and who should be in charge of giving out this information.

However, as the situation stands today, the process to access information is lengthy and undefined. If the Access to Information act is passed, it should include clear provisions on how, where, and who should be charged with providing the government information.

The panelists added that today the police and the army each have only one spokesperson who provides minimal information. Ministries with public information officers and permanent secretaries charged with the responsibility of providing information in reality do not supply information, and it is instead only the ministers who speak, often for self-promotion. Even the members of parliament who represent the people refuse to give information to journalists, referring them instead to the speaker.

The panel agreed that citizens are free to access international news and that media houses are free to reprint or rebroadcast foreign material or programs, but the source must be cited or given credit. Foreign-language publications are also unrestricted, and only the cost prevented people from accessing them.

Internet access in Rwanda is the lowest in the region. The government has established telecenters in all 30 districts of Rwanda and has introduced mobile Internet buses to familiarize Rwandan citizens with the Internet.

The panel noted that entry into the profession is now more restricted. The new media law requires any new entrant to acquire some training and a certificate in journalism or communication from a recognized institution. However, for those who are practicing without these qualifications specified under the new law, a grace period of five years has been granted, which started in August 2009, in order to acquire formal training.

"We are happy that media houses have been stopped from recruiting people without qualification under the new law," said one of the panelists. "This will prevent free entry to the profession, promote good standards, and give opportunities to those with qualifications to get jobs."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Rwanda Objective Score: 1.70

Panelists reported a dearth of objective, balanced, ethical reporting. They attributed this to a number of factors, including financial constraints, pressure from editors, lack of qualifications and skills, corruption due to poor pay, influence from external forces, and the exodus from the media profession.

However, the panelists agreed that Rwanda still has some journalists who do their work objectively, but they are often prevented by their editors from publishing or broadcasting these stories. Media-house politics often dictate the content, favoring propaganda over objective journalism.

A code of ethics is in place but is not respected by the majority of journalists, who continue to receive gifts and demand bribes from sources in exchange for positive coverage or to ignore incriminating news. The panelists said that the main reason journalists compromise their ethics is poor pay and lack of respect for the profession by the journalists themselves. "Trainings on ethics have been conducted, and associations like the Rwanda Ethics Commission and the Rwanda Journalists Association have been trying to implement the code of ethics, but in vain," added a panelist.

Self-censorship is very prevalent in Rwanda because journalists, including editors, have a persistent fear of the media's role in the genocide. The panelists noted that apart from this historical problem, journalists practice self-censorship for fear of losing their jobs and lives 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).

"Trainings on ethics have been conducted, and associations like the Rwanda Ethics Commission and the Rwanda Journalists Association have been trying to implement the code of ethics, but in vain," added a panelist.

printing information that goes against the editorial line of the media outlet or incriminates the current administration.

The media are free to cover most key events, but high-profile events are restricted to those with an invitation or national press cards. The panelists observed that there is no freedom to cover security-related issues or events, and those who have tried have faced the consequences.

Journalists, especially freelancers, have remained poorly paid in Rwanda, compared with other sectors, leading to rampant corruption in the media. Freelancers, on average, are paid \$100 per month, yet their colleagues working on permanent terms for big media houses earn about \$500 monthly.

Editors who work for big private media houses like *The New Times* earn \$1,000–1,200, but even some editors who are well-paid end up taking kickbacks to ensure that certain stories are run or not run, depending on the demands of the source.

The panel noted that there are some media houses that make journalists work for free and seek out payment from the source, leading to even more corruption. Journalists working for state media are paid better than those working for private media. However, the panelists reported that the disparity is high between editors and reporters in all media houses.

Entertainment takes up 90 percent of the space in broadcast media and news and information only 10 percent, while in print media news takes up the biggest amount of space, about 85 percent, reported the panelists. Radio listeners prefer music over information, and FM stations that play more music attract more advertising.

The equipment used for news gathering and dissemination is quite outdated. Many media houses still use old-fashioned cameras, recorders, and typewriters instead of computers.

This affects the quality of the final product and makes production unnecessarily time-consuming.

Niche reporting is weak mainly due to lack of proper training for many of the journalists. Those who have had a chance

to train and acquire skills lack facilities in which to carry out such work.

The panel recommended that media house owners invest in training journalists in such areas and also encourage them to specialize.

OBJECTIVE 3: PLURALITY OF NEWS

Rwanda Objective Score: 1.99

The panelists agreed that multiple news sources exist, including broadcast, print, and Internet, and that citizens have benefited from a variety of sources of information. Both print and broadcast media cover national and local issues, but rural areas mainly depend on electronic media, which is more affordable to them. Both national and local media are largely shaped by pro-government agendas.

Most media are concentrated in urban areas, and as such, urban populations have greater access to information than those in rural areas.

There is only one true community radio station in Rwanda: Radio Izuba. Radio Salus is a station operated by National University of Rwanda students and serves as a community station for Butaré. The other public stations are controlled by district authorities. The panelists noted that some citizens, especially in urban areas, also depend on the Internet for news and information and that the cost of using the Internet has dropped drastically.

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 government does not generally restrict access to either domestic or international media, but access either through the Internet or print is prohibitively expensive for the majority of citizens, especially in rural areas where income levels are very low. The government did block the online version of *Umuvugizi*, and *Umuseso's* English version, published in Uganda, was recently confiscated at the border.

Print editions of foreign newspapers are available on the Rwanda market and cost slightly more than the local newspapers, but they are still affordable.

The panelists reported that those who can afford cable or satellite television also have access to international news.

State media in Rwanda are fully controlled by the government, and all top management are appointed by the State, according to the panelists. In the interest of job security, most state media journalists produce government propaganda. However, it was noted that during the election period, the state media tried to balance their reporting by giving airtime and space to the opposition candidates in compliance with election laws. Nevertheless, positive coverage of the ruling party dominates most programming aired on state media, and the coverage of the opposition is overwhelmingly negative.

The panelists observed that public media broadcast public-service announcements, dedicating time to programs that cover issues that benefit the public in areas of health, education, culture, and environmental protection.

The panel reported that the Rwanda News Agency is the only independent news agency that exists after the closure of Internews. This news agency sells news only to subscribers at a rate of \$800 per month. Very few media houses use their services.

It was also noted that several international news agencies operate in Rwanda, including Reuters, AFP, and AP.

The majority of media houses produce their own fairly high-quality programs, noted the panelists, adding that some media houses also supplement their own content by buying foreign content, primarily entertainment programs and documentaries. Some broadcast media copy information from newspapers or other radio stations and run it verbatim without crediting the source.

News programs produced by private media are very different from those produced by public media, as they touch on social issues other than the government propaganda that dominates public media.

The panel noted that community broadcast media exist and have continued to growing their production of programming tailored to local needs.

Media ownership information is easily accessible because the minister of information requires ownership disclosure for registration, noted the panel. The ministry also publishes owners of media in newspapers. No media really represent the vast majority of the population. Most media outlets are owned by ruling party members or sympathizers. *Umuseso* and *Umuvigizi*, considered opposition outlets, are no exception, except that they represent a dissident faction of the ruling party—the faction of the generals who have taken refuge in other countries or been arrested or been victims of attempted murder. The panel also reported that there was only one foreign investor in Rwandan media this year—City Radio, owned by a Ugandan.

The panel reported that minority-language media and papers do not exist in Rwanda because everyone speaks Kinyarwanda to communicate, in addition to other common languages, such as French and English. Journalists do cover issues concerning the minority Batwa tribe. Social issues are covered in all media with no restriction, including issues related to marginalized populations. The panelists agreed that community media have been very effective in providing relevant information to the people and reflecting their unique social issues.

OBJECTIVE 4: BUSINESS MANAGEMENT

Rwanda Objective Score: 1.60

The panelists agreed that most independent media houses are not well-managed, which has caused many outlets to collapse. A few that are well-managed have been successful because they employ professionals in appropriate positions. The rest are run as family businesses that employ relatives without qualifications.

In contrast, the panelists reported that state media employ professionals and are well-paid, but cases of embezzlement are common.

There are multiple revenue sources for private media, including from advertising, sales of copies and supplements, and bank loans. Some of these funding sources strongly influence the editorial line of the media house. The panelists reported that the government allocates advertising only to pro-government outlets, thereby weakening the voice of the opposition. The government also exerts total financial and editorial control over state media.

This year, several advertising firms opened in Rwanda but mainly in Kigali. The panel noted that these firms, which are both local and international, actively provide business to most media houses, both electronic and print.

This year, several advertising firms opened in Rwanda but mainly in Kigali. The panel noted that these firms, which are both local and international, actively provide business to most media houses, both electronic and print. Some of these firms double as public-relations companies and carry out promotional works for large companies. The panelists noted that big media houses have their own advertising departments to handle advertising and employ professionals who solicit advertising in addition to business from advertising firms. The panelists reported that advertising takes up the biggest portion of broadcast programming time—an estimated 80 percent. The panel noted that the global financial crisis has affected the media and that most newspapers have reduced the size of their publications because of the increased production costs. Many journalists fear losing their jobs.

The panel reported that there are no direct government subsidies to private media; however, tax exemptions have been extended to some outlets, which has influenced their editorial line. The panel reported that a media-development-fund initiative that had been proposed by the government last year was aborted without explanation.

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 no significant media research has ever been carried out by an individual media house. Only a few media houses have tried informal methods to gauge audience opinion through call-ins during talk-show programs and questionnaires. Often the findings are never used.

Different media houses have continued to claim the lead in terms of audience and circulation in the absence of official audience measurements and circulation figures.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Rwanda Objective Score: 1.87

The panelists noted that several associations exist but are of almost no use to its members. They cited the example of two newspapers, *Umuseso* and *Umuvugizi*, which were suspended by the government without any reaction from any of the associations.

The Association of Rwandan Journalists represents all journalists in theory. Its leadership is closely linked to the presidency and the Media High Council, and most activities organized in the past six months have been conducted by order of Kagame directly or the Media High Council. The board has been due for internal election for quite a while, but it has yet to be held. It is not expected that the elections will bring any independence from the administration. The panelists believe the association has become a money-making venture and pro-government in order to ensure its revenue stream. Its leaders have been accused of working directly for the state; they have never spoken out to defend journalists in trouble but instead always criticize them for being unprofessional.

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 Press House was set up by the Panos Institute. Once funding ended, the organization was unable to carry out activities. The cost of the house that the association occupies together with ARJ is currently paid by the government. The leader of the Press House owns Contact FM in partnership with the First Lady's brother, is a member of the Media High Council Board of Directors, and has been due for replacement for several years. He is a strong and active supporter of Kagame.

The Association of Rwandan Women Journalists (ARFEM) is led by an editor at the state radio, who is also a member of the Media High Council Board of Directors and a strong supporter of the decision to suspend the two opposition newspapers.

The Rwanda Editors Forum, led by the former Great Lakes Media Centre director, tries to stay at arm's length from the government of Rwanda but has not conducted advocacy for greater media freedom.

The panelists believe that both the Rwanda Editors Forum and the Press House cater to the interests of media owners and are only concerned about taxes and the rights of the owners but not about the condition of working journalists in general.

Smaller associations include the Rwandese Independent Journalists Association, the Association of Rwanda Journalists Against Aids, the Environment Journalists Association of Rwanda, and other special-interest groups.

"Some of these associations have been turned into government arms and are being used by the state against some of us. Its leaders are agents of the government, and the only role they play is to praise the government for promoting press freedom, which is not even there," noted one of the journalists who has been persecuted by the government. Some of the editors and journalists working for these newspapers expressed fear for their lives, accusing the government of seeking revenge for exposing government corruption.

"We have done nothing wrong; our papers are independent and critical of the government. We cannot just sit back and watch the government messing up our country, harassing the opposition politicians, and grabbing the national resources," complained one of the journalists. "When we expose this in our media to government, it's a crime and this is why we were closed down."

The only association for independent journalists remains unregistered by the government because its founders or leaders are regarded as enemies of the state.

However, the panel reported that becoming a member of any of these associations is as simple as applying to the General Secretary, filling out a form, and paying the required membership fees, which vary from one association to another. But most of these associations are losing members, due in part to poor services.

Nongovernmental organizations working in the field of press freedom and freedom of speech exist, while others have supported media development programs and the media law reform process, reported the panelist.

One NGO listed includes the League for Human Rights in the Great Lakes Region (LDGL), which sends out alerts whenever there is a journalist in trouble. It also conducts surveys on the state of the media and publishes a report every two years. Other NGOs include Human Rights Watch, the Bar Association of Rwanda, and recently IREX, which helped in the process of drafting media laws and funded training and capacity-building programs.

The panel agreed that high-quality public and private media training institutions exist in Rwanda that offer degree and diploma courses, but that education standards are deteriorating. The two universities in Rwanda offering journalism degrees are the National University of Rwanda, which has a School of Journalism and Communications, and the Catholic University of Kabgayi. These institutions produce graduates seeking jobs with existing media houses but who are often unprepared for the work.

Training opportunities abroad are frequent. However, many trainees who return to Rwanda opt for jobs in other sectors in public-relations positions, which pay more than journalism jobs.

Free short-term training opportunities exist and are funded by international donors, the government, or media houses themselves, reported the panelists.

The panel noted that the most popular courses are news-gathering and professional ethics, while the most needed courses are investigative and niche reporting.

The panel noted that though newsprint and some printing facilities are in private hands and run as profit-generating businesses, they hardly benefit the newspaper industry because of their high costs. As an alternative, most private print media are printed for much lower prices in neighboring countries and imported back into the country with a 5 percent tax.

Newspapers that are critical of the government are monitored even at the printing stage. Some papers are censored at this stage and blocked from printing by certain printing presses

within the country. The government printing press that was being installed last year has not been completed because some parts were missing. Thus, no decline in printing prices is foreseen.

Media distribution channels, such as kiosks, supermarkets, and shops, are in private hands and are managed efficiently. Private broadcasters manage their own transmitters, but in case of any problem with the government, the state can switch them off without consulting the owner. The government also has its own transmitters, which are managed properly and in a nonpartisan manner, noted the panelists.

The Internet is neither restricted nor controlled by either the government or business conglomerates, though isolated cases of news sites being blocked have been reported.

List of Panel Participants

Kim Kamasa, managing editor *Izuba Rirashye*, Nyagatare

Abraham Roxy Rumanzi, *Focus*, Kigali

Edwin Musoni, journalist *The New Times*, Kigali

Muligande Sengabo Charles, journalist Rwanda News Agency, Kigali

Beatrice Kabiligi, journalist, *Expression Today*, Byumba Town

Jeanne d'arc Umwana, correspondent, Voice of America-Rwanda, Kigali

Richard Muratankwya Kayigamba, senior reporter, Rwanda Independent Media Group, Nyamirambo Town

Mark Akankwatsa Ramba, chief editor, Umuseke News Papers, Kigali

Bosco Kagaba Hitimana, correspondent, *The East African Business Week*, Kigali

Yvette Umugwaneza, correspondent, Voice of America-Rwanda, Kigali

Jean Bosco Nduwimana, media director, Human Rights Watch-Rwanda Office, Kigali

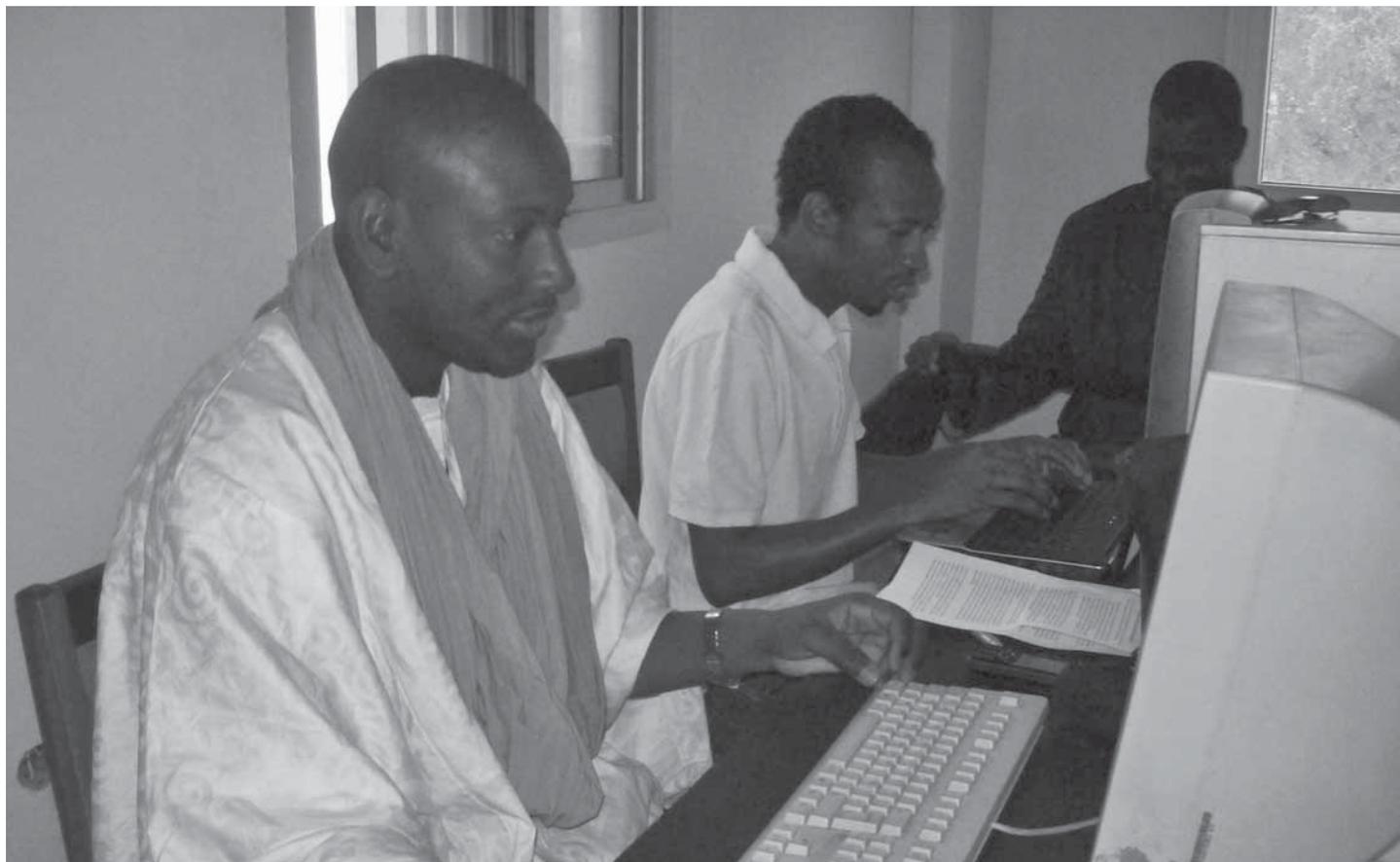
Moderator

Didas Gasana, editor, *Umuseso*, Kigali City

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda

Despite these optimistic signs, problems remain. Self-censorship poisons much reporting, and ethical and professional lapses, such as the acceptance of payment for coverage, continue.



SENEGAL

With a marked thaw in tensions between the press and the Senegalese political establishment in 2010, harassment and violent acts against individual journalists and vandalism against media outlets decreased significantly. Although journalists reported some verbal harassment, none were imprisoned in 2010. MSI panelists noted a sharp drop in the number of times that police summoned journalists and publishers to headquarters to defend their work.

The shift in mood is also symbolized by the new press code, which prompted optimism among last year's MSI panelists and has encouraged the media community. Issued by Assises National (a forum for national dialogue), the code's provisions decriminalize libel, improve access to information, and stimulate the production of more local content. The new code steers at least 70 percent of the advertising from public companies to the private media, addressing those outlets' major financial disadvantage. However, at the time that the MSI was prepared, the Senegal Parliament had not yet voted on the code.

Another significant media event was the launch of Television Futurs Medias (TFM), a privately-owned cultural television channel sponsored by the Senegalese singer Youssou N'Dour. N'Dour owns the Futurs Medias press group, which includes a daily newspaper (*L'Observateur*) and a privately-owned commercial radio station (Radio Futurs Medias, RFM). TFM met all sorts of delays; for two years, the state had refused to grant N'Dour a broadcasting license.

Despite these optimistic signs, problems remain. Self-censorship poisons much reporting, and ethical and professional lapses, such as the acceptance of payment for coverage, continue. Media equipment in many outlets is severely outdated, and training is not keeping pace with technology—sounding alarms that Senegalese media might not be prepared for Africa's swiftly approaching 2015 switch from analog to digital technology. In addition, poor management practices at many media businesses, coupled with the global economic crisis, have pushed many outlets to the brink of financial disaster.

After a troubling downward trajectory for the past couple of years, MSI scores for Objective 1 (freedom of speech) improved in 2010—albeit just slightly. The scores highlight the ease in tensions between the government and the press. Scores for Objective 3 (addressing the plurality of news sources) and Objective 5 (focusing on the associations that support the press) changed little from previous MSI panels, confirming the relative sustainability in those areas. However, lower scores for Objective 2 (professional journalism) and Objective 4 (business management) reflect the lingering problems facing Senegalese journalists and media outlets. Although Objective 2 scores showed slight gains over last year, Objective 4 scores declined further over the past year.

SENEGAL AT A GLANCE

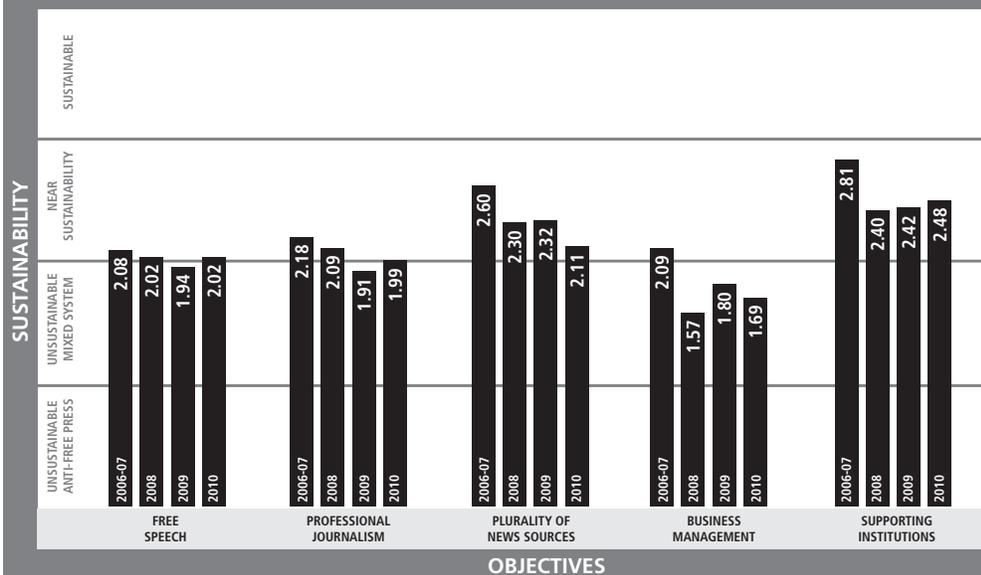
GENERAL

- > **Population:** 12,643,799 (July 2011 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 (2010-Atlas):** \$13.53 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,850 (World Bank Development Indicators, 2011)
- > **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 Stations: 2 state-owned radio channels, 18 private commercial radio stations, 50 community radio stations; Television Stations: 2 state-owned channels, 7 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:** 1.818 million (2009 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

The freedom of speech is relatively well protected by Senegal's constitution, according to Mbaye Sidy Mbaye, former manager of Radio Senegal. He quoted the 2001 constitution's Article 8, which guarantees the freedom of speech and defines it as among civil and political liberties. Mbaye added that Law 96-04 of 1996 (known as the Senegalese press code) also protects the freedom of the press, but Abdoulaye Thiam, secretary general of the Convention des Jeunes Reporters du Sénégal, pointed out that this legislation includes ambiguous legal mechanisms that can be used to threaten or obstruct press freedom. The mechanisms purport to protect national security and guard against contempt for the head of state.

All in all, the panelists said that they believe that Senegalese laws officially protect the freedom of the press and the freedom of speech, but regret that protections are not enforced often. The lack of enforcement is due mainly to pressure from political and religious forces that have systematically used violence to deter the media. The 2009 panelists decried that informants had heavily infiltrated the Senegalese government, that the authorities would frequently summon journalists to justify their work, and that telephone tapping had increased. This year, however, panelists reported far fewer such incidents, and appeared

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.

confident that the new press code will pass and strengthen free speech protections further.

But Ibrahima Benjamin Diagne, RFM regional correspondent in Fatick, disapproved of the fact that the new code gives magistrates and prosecutors the right to suspend any press identity card in cases of "serious offense." In his opinion, if the offense is proven, a panel of journalists should make the decision to suspend the offender's press card. Otherwise, he argued, the risk is that the state may use the judicial system to muzzle the press, especially since the judicial power is not independent from the executive.

Just as in previous MSI studies, this year's panelists criticized the broadcast licensing process harshly. They said that they consider the process politically biased, with the state granting licenses only to political allies. According to a law dating back to 2001, applicants must file requests with the Ministry of Communications to acquire broadcast licenses. If accepted, an application is forwarded to the Agence de Régulation des Télécommunications et des Postes (ARTP), the agency that issues licenses. But last year's panelists commented that ARTP has become a political tool. This year, panelists denounced the "intrusion" of the president in the television license granting process, noting that even Youssou N'Dour had to visit President Abdoulaye Wade in person to receive a license. In Mbaye's opinion, the president should not interfere with licensing procedures; the Ministry of Communications and the ARTP should handle the process.

In terms of market entry, print media outlets continue to enjoy advantages over their counterparts in broadcasting, according to the panelists. It takes less than 48 hours to launch a newspaper, in contrast to the hurdles involved in obtaining broadcast licenses. The panelists were unanimous that media businesses are not granted any special privileges, however, and expressed a wish for the state to make good on its promise to implement tax amnesty for media companies. But according to Bacary Domingo Mané, a member of the National Executive Office of the Senegalese Union of Information and Communication Professionals (BEN/SYNPICS), the idea that press companies are not treated favorably is inaccurate, as long as newsprint and audio-visual equipment are tax exempt. On the other hand, Mané was skeptical that tax amnesty could be possible, due to the lack of transparency in this area. He said also that an amnesty program might do more harm than good for journalists; for example, if press owners had the idea that they need not pay taxes for a given period of time, they also might not pay the required pension contributions for journalists. This is why press publishers have lobbied the Ministry of Finance in favor of a tax amnesty, and why SYNPICS prefers to abstain on the question, Mané concluded.

Regarding criminal acts against media members and the judicial treatment of journalists, the panelists recognized that the Senegalese press did not suffer from as much repression in 2010. The participants saluted the courts' progressive stance in the case of the police officers that attacked journalists Kambel Dieng and Karamokho Thioune, and panelists were encouraged by the Ministry of the Interior, which controls the national police, and its promise to not obstruct justice. Nevertheless, Mame Diarra Da Sylva of Dakar community radio station Manoore FM said that the number of physical attacks against Senegalese journalists and media outlets might have decreased relatively in 2010, but there are still acts of verbal aggression. As an example, she cited threats by Farba Senghor, a transportation minister, who suggested that journalists lack ethics and need to be taught a lesson in that respect.

Ibrahima Benjamin Diagne, an RFM correspondent in Fatick, brought up the problems that regional correspondents face out in the field, as well. Diagne was kidnapped when he went to the Saloum Islands, the "mystical" preparation place of Senegalese wrestler Yekini, to do a story on the Yekini versus Tyson match. Diagne said that if it were not for the intervention of the local authorities, he would not have made it out alive. He is convinced that he was going to be thrown into the sea—and indeed, the law enforcement teams that freed him from his kidnapers told him the same. Mbaye expressed regret that Diagne neither filed a complaint nor informed SYNPICS or the Comité d'Observation pour le Respect de l'Éthique et de la Déontologie (CORED). In his opinion, such matters must be brought to court and are never amicably settled privately.

Although the law guarantees the independence of journalists, in reality, the public and state-owned media receive preferential treatment, most panelists acknowledged. A clear model of favoritism is the state broadcaster, Radio-Television Senegal (RTS), which has a virtual monopoly on official information and receives most of its advertising from state-owned companies (Port Autonome de Dakar, Loterie Nationale Sénégalaise, etc.). René Massiga Diouf, an RTS reporter, said the notion of preferential treatment must be taken with a grain of salt, as the state has not protected RTS journalists from delayed salary payments. In such cases, the RTS CEO draws on his connections to solve any salary issues, even if that means he will become indebted to banks.

Mané said that the Senegalese press code regulates defamation and provides financial sanctions as well as criminal penalties for defamation by the press. He added that the new press code to be voted upon by parliament is a step forward, in that it changes the punishment from prison terms to financial sanctions for journalists found guilty of defamation. Not all the panelists agreed on this point, though. For Antanar

Ndiaye, of *L'Office*, decriminalizing press offenses may place journalists above the law. She said that she sees the need to redefine defamatory acts because, in her opinion, the problem lies in the ambiguity of the code. And Younoussé Diedhiou, of RTS-Ziguinchor, said that he fears that replacing criminal penalties with financial sanctions may kill off the press outlets, given that they are quite fragile financially already. He wondered whether decriminalization is a false solution. Mbaye, for his part, said that he leans toward decriminalizing press offenses. He said that such policies will help to establish fair treatment of journalists—who by profession report on the acts of other persons and institutions—are much more likely than regular citizens to commit defamation.

Again this year, the great difficulties in accessing public information generated much discussion. According to Oumoul Khairy Diakhate, a journalist with *Nouvel Horizon*, possession of "sensitive" information is still considered "concealment of official documents," punishable under the law. But the pending new press code brings significant improvements on this point, asserting the right of access to public information, Mané noted.

In terms of accessing domestic and international news sources, the panelists' high scores reflect the lack of restrictions. Internet access is readily obtainable, and journalists can tap foreign media such as France 24, Reuters, and AFP with ease.

The Senegalese press code defines "journalist" and regulates the process of entry into the profession. Under the code's definition, a journalist must make most of his or her income by practicing journalism. But the question of free access to the profession stirred a lively panel debate. For Mané, the law gives anyone with no prior training the right to become a journalist. He said that he is satisfied with the provisions of the new press code, which make access to the profession somewhat more challenging. Based on the new code, he said, a person that wishes to practice journalism must have one of the following: a degree from a state-approved school of journalism; a university degree and three years of journalistic practice; or ten years of journalistic experience as an editor. An applicant without a degree from a state-approved journalism school must go before a committee to be recognized as a journalist.

According to Gamby Diagne, a journalist with *La Voix Plus* and a Lamp Fall FM correspondent in Saint-Louis, the "journalist" definition that the new press code proposes has led to a false debate, since, in his view, the self-educated journalists have always been those giving the press its credentials. Besides, he concluded, a degree does not guarantee reliability, just as a doctor with an eight-year education is not error-free.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Senegal Objective Score: 1.99

The question of quality in reporting also led to animated debate. According to Da Sylva, reporting is objective in Senegal to the extent that the reporter does fieldwork and research. Ibrahima Lissa Faye, managing editor of the online paper Pressafrik.com, did not share this view. He said that the Senegalese press do less and less reporting, in the true sense of the term. He said that articles may be written well but not documented well. Moreover, reporters do not always check every available source, and opinion often prevails over fact. For Diagne, the major problem is that reporting is usually biased, usually in complicity with the editors-in-chief interested in presenting just one side of a story. Ndiaye lamented that journalists do not draw on experts to develop their stories, but recognized that experts are not always available—and some of them—particularly those affiliated with the government—invoke their duty to be discreet about certain cases.

The panelists were even more critical of the media's observation of professional ethics standards. They all slammed the journalists' practice of accepting money from event organizers. According to Mbaye, journalists are not forced to cover an event if their outlets do not pay for their transportation expenses; even more, the law gives them the right to refuse. Mbaye shared his surprise and outrage when journalists from Benin—a country whose self-regulatory agencies are regarded as exemplary for the African continent—revealed how the money from event organizers is redistributed throughout the Beninese media. In his opinion,

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).

journalists must fight with their supervisors for better wages, and not use low pay as an excuse to yield to corruption.

Self-censorship is the poison of the Senegalese press, panelists said. Usually, it occurs in cases concerning friendly high-standing officials, advertisers such as SONATEL, or certain religious groups. Mané observed that sometimes journalists pressure advertisers to provide more business for their outlets; then, once the contract is signed, the same journalists succumb to self-censorship with respect to the advertisers.

Some members of the panel, including Ndiaye, defended self-censorship on sensitive issues, such as legal cases in which journalists must report with a presumption of innocence. In the same vein, Ibrahima Benjamin Diagne admitted that he often finds himself practicing a partial self-censorship. For example, when he covered a scandal involving a police officer from the city of Fatik that used a false degree to apply for a position, he omitted the name of the accused person because, in his view, it was more important to raise the public's awareness about that type of offense.

According to the panelists, generally the Senegalese press cover key events and issues. Nevertheless, Faye observed, the media very rarely address environmental issues, although they have become significant. The same is true of information and communication technologies—now a major sector of the Senegalese economy. At the same time, Faye admitted that the lack of journalists specializing in those areas might explain why those subjects receive so little coverage, and why the Senegalese press seem infatuated with politics instead. Ibrahima Benjamin Diagne agreed with this view, and added that he regrets that the press only address homosexuality and freemasonry in a negative tone.

One of last year's panelists noted the unfairness of Senegalese pay scales: a journalist that invests five years in school to earn a degree earns a monthly salary of XOF 200,000 (\$395 at the time) while someone with the same level of education working in a different sector earns more. Furthermore, many journalists do not have a work contract, and their salaries vary, from XOF 25,000 to XOF 50,000 (\$55 to 110). But in considering whether or not low media salaries tempt journalists into corruption, Mbaye said that Senegalese journalists are not the worst-paid individuals in the country, and the collective bargaining agreement governing the profession is not so bad. Gamby Diagne disagreed, saying that the number of press companies that actually observe this agreement is negligible. He added that, contrary to expectations, the best-paid journalists seem to ask for higher bribes than others when covering certain events.

In defense of press owners, Faye (who is a press owner himself) pointed out that media companies are in a very tight

situation economically. Ndiaye, on the other hand, said that she sees no reason why press companies should continue to exist if their situations are that difficult. In her opinion, press owners excessively invoke the tough environment to justify why they break the labor law.

As reflected in the score for the indicator on the balance of entertainment and news programming, all the panelists denounced the supremacy of “infotainment” in the Senegalese media. Every single programming rule is broken, they said, particularly on commercial radio stations and private television channels that air musical shows and television soap operas almost around the clock. Today, entertainment is so prevalent that show hosts are paid better and held in greater esteem than journalists driven by their duty to inform the public.

The panelists also expressed that the Senegalese media must show greater effort to modernize the technical equipment necessary to gather, produce, and distribute news. Mané said that he deeply laments the low picture quality of privately owned television channels—a problem he blames on reporters, who often shoot with simple photo cameras equipped with video capability. He also complained about the poor audio quality of privately owned commercial radio stations. In his view, media equipment is severely outdated—a reality all the more alarming considering that the world will switch from analog to digital technology in 2015. Whether the Senegalese media will be ready is uncertain, he said. Mbaye concurred with Mané’s diagnosis on digital conversion, but argued that technical equipment is adequate; the real problem, he said, is the lack of competence of television and radio technicians. In his opinion, press owners must stop taking the easy way and either provide training for their technicians or hire more skilled staff.

Despite the shortcomings they detailed, panelists expressed the belief that Senegalese media provide selective, quality shows and reports on various subjects. Rene Massiga Diouf, a reporter with National Television, mentioned “Objections” on Sud FM and “Le Grand Jury” on RFM—two talk shows that he enjoys listening to on Sundays. Ndiaye, on the other hand, complained that the same specialists are being invited on every show and they speak on various topics that do not always fall under their scope of competence. He added that other people certainly are better suited to address specific issues. Diouf pointed out that the constraints involved in producing these shows may stem from press owners that dictate guest lists, specialists who cite lack of preparation as an excuse to refuse being on the show, and politicians who decline invitations if they believe their interlocutors are not “up to their level.”

OBJECTIVE 3: PLURALITY OF NEWS

Senegal Objective Score: 2.11

The panel saluted the diversity of news sources available to Senegalese citizens, be it public or private; in print, on radio, on television, or through the Internet. The panelists indicated that there are still obstacles, however. Most of the Senegalese people cannot read newspapers due to the high illiteracy rate, and privately owned commercial radio stations and the Internet are limited to the larger cities. Pointing to those discrepancies, the panelists praised the role of the community radio stations in producing and distributing local interest news in the rural areas.

According to the panel members, there are no legal provisions restricting citizen access to domestic media. At most, one can speak about technical limits. Younoussé Didhiou, a journalist with RTS-Ziguinchor, mentioned the southern city of Sedhiou, where people struggle constantly with reception of the national television channel. In his opinion, the problems are rooted in geography, as the city lies in a low plain area. As for Matam, in the north of the country, Thiam said that newspapers—almost all of them printed in Dakar—often take 48 hours to arrive, due to the remoteness of the region. People there find it easier to receive Mauritanian television than Senegalese channels. The panelists lauded efforts by some privately owned television channels, such as 2STV, to broaden their reach, and panel members emphasized that access to the main foreign television channels and radio stations is not restricted.

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, the panelists said, they do not believe that the public or state-owned media reflect a diversity of opinions, due to their strict subordination to the political regime. Gamby Diagne said that the proof is their systematic coverage of all the activities of the government, while anyone who is not a friend of the regime must pay for media coverage. For Diagne, the worst part is that the state is not satisfied with controlling the public media; it also funds biased media outlets in order to cloud public perception of all privately owned media. At the same time, to certain panelists, the problem lies mostly with the national television channel, as opposed to the governmental *Le Soleil* and the national radio station, which seem to show more respect for a plurality of opinions. As a whole, the panel agreed that the professionalism of state media journalists is not being questioned, but rather their editors' pro-governmental policy.

Senegal has only one national news agency: Agence S n galaise de Presse (APS). Most of the international news agencies (AFP, Reuters, etc.) are accredited in Senegal. The panelists acknowledged that these agencies are professional and politically independent, but they objected to the way that some agencies present news from Africa—in the view of some panelists, it comes close to stigmatization. Ibrahima Benjamin Diagne does not understand, for example, why almost all presidents are presented as dictators. For that reason, he said, does not take seriously certain international news agencies.

Concerning the production of original news programs, the panelists lamented that the privately owned television channels fill air time with Western soap operas. According to Da Sylva, some channels do try to produce original programs, but often they turn out to be mere imitations of foreign shows. Man  commented that is why the new press code stipulates that 60 percent of audio-visual programs be produced locally, and recommends that the political establishment subsidize such productions, because currently, Senegalese media lack the required resources.

As for the transparency of media ownership, the panelists denounced the fact that consumers do not know who really owns many of Senegal's press outlets, despite the requirement by law that press companies disclose their owners. To Mbaye, the most alarming phenomenon is the clustering several media outlets in the hands of one entity, making it easier to manipulate public opinion. But Man  reassured the panelists that the new, pending press code will not allow media conglomerates.

In general, the Senegalese media do not reflect a variety of social interests. Man  commented that minority ethnic groups such as the Balanta, Malinke, and Mankanya (in the south of Senegal) appear only once a year on television. And yet, he added, the rest of the country has so much to learn from these communities.

OBJECTIVE 4: BUSINESS MANAGEMENT

Senegal Objective Score: 1.69

According to the panelists, Senegalese press companies in general—and privately owned ones in particular—are not profitable and are on the verge of economic disaster. Although the global social-economic context can be blamed, all the panelists agreed that the main problem stems from poor management practices. Man  said that Senegal has accountants and financial experts capable of managing media businesses effectively, but even if media companies employed experts, they would not have much room to do their jobs. Press owners treat media outlets as their personal pockets; they can just take out cash as they please, regardless of standard management rules. Often, Man  continued, press owners push their accountants to hand over cash to their relatives.

The financial situation of the press companies in the public sector is not much brighter. In recent years, state-owned newspapers and audio-visual media have delayed salary payments for their journalists. The core problem is that the state requires these media to operate as public services, while being reduced to finding their own funding, mainly through advertising.

The panelists pointed out that the media sector has many sources of financing: advertising, newspaper sales, sponsorship, patronage, state assistance to the press, etc. Advertising is the most important source of revenue. The estimated advertising market is more than XOF 10 billion (\$21.63 million), although half of that does not go to the media. The panelists denounced advertising distribution

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, as public companies unfairly favor the state-owned media in granting advertising contracts. According to Mané, the imbalance is the reason for the new press code's requirement that the private media receive at least 70 percent of publicly sourced advertising.

As for community radio stations, their mission prevents them from selling advertising space, but they are permitted to accept the sponsorship of individuals or organizations in keeping with their social (rather than commercial) style of programming.

The advertising agencies and subsidiary businesses related to the advertising market in Senegal have enjoyed significant development in recent years. However, the panelists criticized them because they draw more than half of the nation's advertising business, and they require very high commissions from the media to air commercials and publish ads. Some panelists also blame them for the passive attitude of press company sales managers, while advertisers negotiate directly with advertising agencies. The advertising business exists only in the larger, more economically modern cities, panelists noted also.

The panelists said that the media are constantly breaking rules regarding media advertising revenue. Advertising takes up more and more space, especially on television and radio, to the detriment of news—leading some panelists to ask whether advertising revenues are the main incentive for some to create media outlets in the first place. Ndiaye expressed outrage as well that privately owned television channels broadcast editorial advertising masquerading as news programs, noting that 2STV is well known for this practice. Editorial advertising in disguise has become so widespread that, in its quarterly bulletin, the Conseil National de Régulation de l'Audiovisuel (CNRA) issues warnings repeatedly to press companies and commands them to stop using images of children for advertising purposes.

Panelists said that the only public subsidy for the press is the state assistance introduced in 1996; it amounts to XOF 300 million (\$643,000) per year. The panelists complained that this money is distributed irregularly, and the authorities do not adhere to the set criteria—channeling the funds to government-friendly media outlets that do not meet the prescribed conditions.

The panelists said that market studies to inform strategic business plans, improve advertising revenues, and tailor content to public needs and interests are rare in Senegal. Ratings reports are published periodically, but the panelists give them no credit because they are conducted mostly in Dakar and its outskirts, and their conclusions should not be extrapolated to the rest of the country. If serious market

research were conducted in Senegal, the country would not have so many daily newspapers, Thiam commented.

The production of audience ratings charts, circulation figures, and other statistics is not very developed, either, but some media companies do make efforts in this direction. Thiam said that *Sud Quotidien* has circulation and sales figures available, and even statistics on the most productive journalists. But to Ndiaye, such statistics must be taken with a grain of salt, because they are being used purely for commercial purposes and apply every bias possible.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Senegal Objective Score: 2.48

The only press owners' association in Senegal is Conseil des Diffuseurs et Editeurs de la Presse Sénégalaise (CDEPS). According to Faye, a media owner, CDEPS certainly has clout, as it recently finished negotiating a three-year tax amnesty with the state. Faye was willing to bet that when the amnesty expires, the business environment of Senegalese press companies will be much improved, and the journalists' salary problem will be solved once and for all. More skeptical, Diakhate said that he fears that these anticipated improvements will only fill up the personal bank accounts of media owners, to the detriment of their companies and staff. Most of the other panelists sided with Diakhate on that point.

Among the professional associations working to protect the rights of journalists, SYNPICS is the most representative, bringing together journalists from the public sector and the private sector. Generally, the panelists agreed that SYNPICS works hard to defend journalists' interests. According to

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.

Faye, for example, SYNPICS played a major role in designing the new press code, and is about to propose a new collective bargaining agreement for journalists and other media professionals. At the same time, Ndiaye said, only a handful of journalists benefit from its actions—namely the defense of Kambel Dieng and Karamokho Thioune—and SYNPICS does not budge when other journalists are harassed.

In Senegal, many NGOs are upholding the freedom of speech and the independent media. They include Institut Panos Afrique de l'Ouest (IPAO), dedicated to democratizing communication; the German foundations Konrad Adenauer and Friedrich Ebert; the human rights organization Rencontre Africaine de Défense des Droits de l'Homme (RADDHO); and Forum Civil. The panelists credit these NGOs with very positive work out in the field. Thiam, for example, expressed satisfaction that these NGOs funded media training seminars and provided legal assistance during the recent defamation trial of investigative journalist Abdou Latif Coulibaly brought by people close to the government.

The relatively high score that panelists gave to the indicator on quality of journalism degrees is credited largely to the prestige of the Centre d'Etudes des Sciences et Techniques de l'Information (CESTI), founded by the state in 1965. All the panelists agreed CESTI provides solid training, just like the Institut Supérieur des Sciences de l'Information et de la Communication (ISSIC), a private institution owned by the Sud Communication media group. On the other hand, the panelists regretted that the student capacity of these renowned training schools is too limited, given the growing demand for training—and as a result, the country is seeing a boom of shady journalism schools.

The panelists said that SYNPICS and Convention des Jeunes Reporters du Sénégal offer short-term training sessions. With financial support from NGOs such as Institut Panos Afrique de l'Ouest and Konrad Adenauer Foundation, SYNPICS organizes training seminars that many journalists in Dakar and the other regions of the country attend. Also, thanks to SYNPICS' lobbying efforts, 10 percent of the XOF 300 million in governmental press assistance is invested in training. The panelists lamented, however, that media owners exert little effort in providing journalist training, on the job or otherwise—in part to avoid dealing with salary and reclassification demands detailed by the collective bargaining agreement of Senegalese journalists.

As far as the panelists are aware, newspaper sources and printing houses are apolitical generally and free of any legal restrictions. In fact, the panelists pointed out that the privately owned media are increasingly autonomous, and some of them have even acquired their own supply sources and printing houses.

Senegal has two newspaper distribution sectors. The official sector, covered by the Agence de Distribution de la Presse (ADP), works with newsstand managers; while an unofficial sector is covered by street vendors and traffic-stop vendors in the larger cities. According to the panelists, both sectors are apolitical.

The state does not control radio broadcasters, but ARTP, the frequency-granting governmental agency, has the right to monitor the broadcasting quality and has issued specifications describing the technical characteristics of the equipment used in radio broadcasting. Internet access is available through subscriptions to private providers (SONATEL, SUDATEL) or prepaid connections in Internet cafés. Providers' goals are purely commercial, according to the panelists.

List of Panel Participants

Rene Massiga Diouf, journalist, Radio-Television Senegal, Dakar

Younousse Diedhiou, journalist, Radio-Television Senegal, Ziguinchor

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

Oumoul Khairy Diakhate, journalist, *Nouvel Horizon*, Dakar

Mame Diarra Da Sylva, journalist, Radio Manore FM, Dakar

Bacary Domingo Mane, member, Senegalese Union of Information and Communication Professionals, Dakar

Mbaye Sidy Mbaye, former director, Radio Senegal, Dakar

Abdou Timera, journalist, Ferloo.com, Dakar

Ibrahima Lissa Faye, journalist and managing editor of Pressafrik.com, Dakar

Abdoulaye Thiam, secretary general, Convention des Jeunes Reporters du Sénégal, Dakar

Souleymane Bâ, manager, Radio Afia FM (community station), Dakar

Ibrahima Benjamin Diagne, journalist, RFM, Fatick

Gamby Diagne, journalist, *La Voix Plus*; correspondent, Lamp Fall FM, Saint-Louis

Moderator and Author

Mor Faye, professor of media and communication sociology, Gaston Berger University, Saint-Louis

Assistant

Mame Fatou Faty, journalist, Dakar

This study had the technical and logistical support of the Mass Media Study and Research Group, Gaston Berger University, Saint-Louis.

The media, themselves a major casualty of the war, have grown beyond recognition. On any single day, at least 10 newspapers are on sale in Freetown. The Independent Media Commission (IMC) has registered more than 40 newspapers and has more applications to consider.



SIERRA LEONE

Three years ago, Sierra Leone organized landmark democratic elections that brought about a peaceful transfer of power from the Sierra Leone People's Party, which governed the country during the turbulent periods of civil war and frequent military coups, to the opposition All People's Congress (APC). The elections, both national and local, were widely acclaimed as free and fair by all significant actors in the international community.

After more than two decades of one-party rule, characterized by tribalism, nepotism, widespread corruption, and political harassment, and culminating in a devastating civil war that destroyed the country's socioeconomic fabric—a war that killed, maimed, and displaced thousands—the elections of 2007 presented a rare opportunity for Sierra Leone to start all over again.

And yet, Sierra Leone continues to rely heavily on donor support for a significant part of its budget. The British government, through its international development agency, DFID, provides support, and the European Union funds major infrastructure projects. Direct foreign investment is insignificant. In recent times the mining sector has received investment from two companies, London Mining and African Minerals, which have acquired iron-ore concessions in the northern province of the country. The unemployment rate is more than 80 percent. Many young people have turned to crime or taken menial jobs in war-torn Iraq.

The media, themselves a major casualty of the war, have grown beyond recognition. On any single day, at least 10 newspapers are on sale in Freetown. The Independent Media Commission (IMC) has registered more than 40 newspapers and has more applications to consider. Radio stations have grown in number, too—mainly community radio stations operating in small rural communities.

Despite this plurality, the newspapers are divided along party lines, and accusations and counter accusations, rather than balanced reporting, are the order of the day. Scrutiny of government is lost in a relentless battle to convince a largely illiterate population of the advantages of one side over another.

As the nation prepares for crucial parliamentary and presidential elections in 2012, many observers are concerned that the media might have to be watched closely. This is an election that Sierra Leone will have to conduct on its own—UN soldiers have been withdrawn, and even civilian personnel have been trimmed drastically. Umaru Fofanah, president of the Sierra Leone Association of Journalists, warned in a speech last year that journalists must not become the “trigger for the next civil conflict in Sierra Leone.”

SIERRA LEONE AT A GLANCE

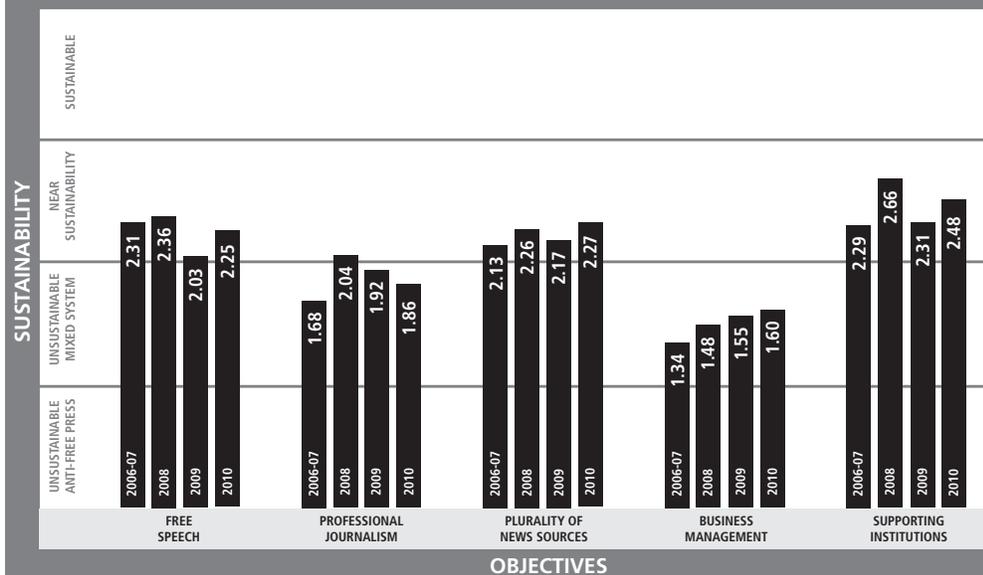
GENERAL

- > **Population:** 5,363,669 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Freetown
- > **Ethnic groups (% of population):** emne 35%, Mende 31%, Limba 8%, Kono 5%, Krio 2% (descendants of freed Jamaican slaves who were settled in the Freetown area in the late-18th century; also known as Krio), Mandingo 2%, Loko 2%, other 15% (includes refugees from Liberia's recent civil war, and small numbers of Europeans, Lebanese, Pakistanis, and Indians) (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 60%, Christian 10%, indigenous beliefs 30% (*CIA World Factbook*)
- > **Languages:** English (official, regular use limited to literate minority), Mende (principal vernacular in the south), Temne (principal vernacular in the north), Krio (English-based Creole, spoken by the descendants of freed Jamaican slaves who were settled in the Freetown area, a lingua franca and a first language for 10% of the population but understood by 95%) (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$2.009 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$830 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 35.1% (male 46.9%, female 24.4%) (2004 est., *CIA World Factbook*)
- > **President or top authority:** President Ernest Bai Koroma (since 17 September 2007)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 39; Radio Stations: 55; Television Stations: 1 (Independent Media Commission)
- > **Newspaper circulation statistics:** *Awoko* (privately owned), *Concord Times* (privately owned), *Premier News* (privately owned)
- > **Broadcast ratings:** Top three ranked 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:** 14,900 (2009 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: 2.25

The Sierra Leone constitution of 1991 makes free speech a fundamental part of state governance by guaranteeing the freedom to “express views and impart knowledge” in section 25 (1). This, according to lawyer Michael Kanu, is in line with international standards, and all panelists agreed that section (25) 1 of the 1991 constitution should be an adequate guarantee of freedom.

In section 11 of the same constitution, the media are obliged to “uphold the fundamental objectives contained in this constitution and highlight the responsibility and accountability of the government to the people.” Most journalists have used this section to underline the crucial nature of their work in the country’s democratic fabric.

On the other hand, Kanu argues there are other laws on the books that curtail those freedoms. There are common-law provisions contained in part (5) of the Public Order Act of 1965, for example, which successive governments have invoked against the press, particularly those media that dare to criticize the government. Emmanuel Abdulai, of the Society for Democratic Initiatives (SDI), described part (5) of the Public Order Act as a pack of “outdated and archaic laws,” noting that senior government officials have sometimes invoked what he called the “mythical official secrets act” to

Further impacting the press, Abdulai said the “judiciary has positioned itself as an anti-free expression organ.” The panelists were unanimous that when journalists are charged in court, the case is expedited. The public is generally not too bothered when such cases occur, because they tend to think that journalists are normally responsible for their predicament.

deny requests for simple information from journalists, despite the fact that Sierra Leone has no official secrets act.

Further impacting the press, Abdulai said the “judiciary has positioned itself as an anti-free expression organ.” The panelists were unanimous that when journalists are charged in court, the case is expedited. The public is generally not too bothered when such cases occur, because they tend to think that journalists are normally responsible for their predicament.

Predictions in last year’s MSI that broadcast licensing, which had been considered relatively free of political considerations, is beginning to change proved correct. The panelists changed their opinions on indicator 2 (broadcast licensing) dramatically this year, compared with the past couple of years, when they gave much higher marks to the issue. Many panelists changed their scores in the course of the discussion.

Francis Sowa, the station manager of Radio Mount Aureol, said while he is generally satisfied with the IMC’s procedure for the registration of media organizations, he sees “no need for the Commission (IMC) and the National Telecommunications Commission (NATCOM)—the body that allocates broadcast frequencies—to operate separately.” He expressed concern that the IMC approves radio and television broadcast applications, only for the applications to stall with NATCOM.

Ahmed Kallon, station manager of Eastern Radio, in Kenema, Eastern Sierra Leone, cited the example of an application made by a private radio production NGO, Talking Drum Studio, for a radio license to operate RADIO TORNYA about three years ago. NATCOM still has not granted, despite the fact that the IMC cleared Radio Torny’s application.

More than half of the panel believes that politics is at the root of NATCOM’s actions—a point stressed by panelist Rod Mac-Johnson, noting that he believes that some

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.

NATCOM commissioners were “brought in purely for their political leaning.”

Kelvin Lewis, of *Awoko*, criticized the IMC’s “open-door policy” by approving almost all newspaper applications. He said the IMC’s recent decision to deny the Freetown City Council a license to operate a radio station was “definitely political,” because the council is heavily dominated by the ruling APC party.

Panelists expressed concern over a major new development affecting entry onto the media market. They said the new integrated tax structure, called the Goods and Services Tax, or GST, which was controversially introduced about a year ago, is skewed against newspaper companies. Lewis argued that while businesses that service newspaper houses are charging GST, the National Revenue Authority has refused to allow newspaper companies to increase the cover price of newspapers to include the GST charged on newsprints and other such materials.

The panel noted that where other taxes are concerned, journalists are ignored—in other words, they are not forced to pay despite numerous threats made by the authorities. A good number of community radio stations are in arrears on license renewal fees, with both the IMC and NATCOM running two or more years behind, a problem described in last year’s MSI as well.

Sheik Barwoh, of *The Global Times*, made the point that the “government would always go after papers that publish unfavorable stories using taxation as a cover.”

Panelists said that assault is the crime most frequently committed against journalists, and it happens most in times of serious political tension, especially during demonstrations against political authority. Ismeal Koroma, acting secretary general of the Sierra Leone Association of Journalists, mentioned an ongoing case being jointly investigated by his organization and the opposition Sierra Leone People’s Party. The journalists were roughed-up when they went to cover the party’s most recent convention in the southern city of Bo.

Crimes against journalists are not prosecuted vigorously. Panelists mentioned the case of Abdul Charles Mansaray, of Radio Maria, who was arrested in the middle of the night by police officers on bogus allegations of visa fraud. Mansaray was released after three days without charge. A police tribunal concluded their officers acted unlawfully but fined them only ridiculously small sums. According to Abdulai, the general public is always “lukewarm,” and there is hardly any serious public outcry to such cases.

Regarding preferential legal treatment of the public media, the panelists noted that the IMC only recently urged the

state media to register all broadcasting outfits across the country. Unlike other media groups and freelance journalists, state media have unrestricted access to the State House to cover the president’s activities, and there is no system of accreditation for other journalists wanting to cover the State House.

On political interference, the panelists argued that recent incidents have dampened the spirit of many Sierra Leoneans. Sowa cited the rejection of Julius Spencer—nominated by the Sierra Leone Association of Journalists to represent the association on the Sierra Leone Broadcasting Corporation (SLBC)’s board of trustees—by a ruling-party-dominated parliamentary committee as a “clear indication of political interference.” Additionally, the panelists noted that the recent creation of “an independent national broadcaster” with considerable UN support “is very promising” but they feel that it is “too recent to judge.”

In Sierra Leone, libel is both a civil and a criminal issue, but most authorities who seek court action against journalists ignore the civil route altogether. Nearly all libel cases are brought against journalists by politicians, whether in government or the opposition, and truthfulness is considered a mitigating factor only, not a defense against libel. When it comes to libel cases, journalists have little or no chance against public officials because the judiciary usually sides with the politician or senior civil servant.

The panelists were at a loss as to why the national prosecution service pursues such cases against journalists on behalf of politicians and does not do the same for private citizens—who are responsible for huge legal fees if they want to bring a libel action to court.

Past MSI studies have detailed the difficulties journalists in Sierra Leone face accessing public information. However, in a potentially positive development, the panelists noted the government’s commitment to the enactment of the Freedom of Information bill during the next six months. They feel confident that once it is passed, public information will be relatively easy to access. One of last year’s panelists, though, said that an additional hurdle is the lack of training to give journalists the skills to obtain public information.

There is no restriction in Sierra Leone for any media house wanting to access and publish or rebroadcast international news. There are three international broadcasters relaying such transmissions into Sierra Leone, which many radio stations carry with or without permission: VOA, BBC, and RFI.

The profession is open, and there is no licensing of journalists by government. The only visible restriction is that to be an editor of a newspaper, a journalist is required to be a member of the Sierra Leone Association of Journalists. It takes on

average three months to conclude membership procedures in the organization. What's more, the recently formed Guild of Newspaper Editors is looking to make it a bit more difficult to become an editor. They are planning to introduce academic or professional qualifications.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Sierra Leone Objective Score: 1.86

Panelists noted that, with the increase in the number of newspapers and the corresponding competition for readership and advertising revenue, gains made over the period in terms of adherence to professional standards appear to have faltered.

Alimatu Fofanah, of *The Exclusive*, said, "There is too much one-sided reporting, as many journalists make very little effort to cross-check information." Sowa went further: "They do not only fail to fact-check; they concoct stories, and that is serious among newspapers. Sourcing is a major problem in Sierra Leone journalism...in fact, they encourage subjectivity."

In Sierra Leone, getting experts to talk about many issues is very difficult because of deep mistrust for journalists and the fear they might displease the government. Despite these obstacles, the panel noted that there remains a small group of journalists who practice professionally.

A Code of Ethics has been developed by both the Sierra Leone Association of Journalists (SLAJ) and the IMC. The code is binding on all journalists in Sierra Leone. Despite this, the panel agreed that frequent ethical violations persist,

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).

Williette James, a lecturer at Fourah Bay College, said: "There are three kinds of journalists in Sierra Leone: those who know the code and abide by it but do not have a say in what is published; those who flout the code out of ignorance; and those who know the code but still flout its provisions."

judging from the many complaints before the IMC Complaints Committee, which meets weekly.

Williette James, a lecturer at Fourah Bay College, said: "There are three kinds of journalists in Sierra Leone: those who know the code and abide by it but do not have a say in what is published; those who flout the code out of ignorance; and those who know the code but still flout its provisions."

James argued, without dissent, that "coasting"—the scheme by which journalists accept money to influence their coverage of a particular event—is widespread. She points the finger at editors who "are most responsible because they are the gatekeepers."

There is no doubt among the panelists that self-censorship exists in newsrooms across the country in order to conform to the dictates of their political and, particularly, business interests. The panel underscored that newspapers in particular have engaged in so-called press wars, attacking each other with scurrilous articles about the others' interest in mobile-phone and mining companies.

Generally, the media in Sierra Leone cover all events, even though access is restricted, depending on the organization one works for. State media enjoy greater access to the government and its agencies than the private media. Preference for the state broadcaster is clear with occasions like the state opening of parliament, the university congregation, and major football matches—while independent journalists are marginalized.

The panelists recorded significant improvement in the working conditions of many reporters and editors over the past year but noted that serious challenges still remain. They said that even though wages are paid in many media houses, they are still low. The average wage is \$30 a month. Fofanah pointed to the pay situation at her publication, *The Exclusive*, one of the biggest-selling tabloids. She said: "I will say it here: I am not paid ... in fact, there are four editors, but only one is paid a proper salary."

Furthermore, there was a consensus among panelists that it is difficult to depend on the news from just one media house to fact-check another, because “they all seem to be reporting the same thing from the same angles with the same emphasis.

The panel concluded that situations like these encourage corruption and lead to uncontrolled staff attrition.

Many radio stations in Sierra Leone operate a fixed-news bulletin schedule—no 24-hour news radio exists here. It was the consensus of the panel that entertainment programs cover about 60 percent of broadcast time as a way of attracting young listeners who are more into the hip-hop and rap culture now sweeping Sierra Leone.

Almost all radio stations have relatively good on-air digital studio facilities, but the greatest need is field equipment to collect materials, which would enrich programs. Many radio stations have resorted to cheap phone-in, studio-based discussions and syndicated programs produced by NGOs and international production houses to fill airtime. There is also a serious problem with expertise in maintenance and repair of broadcast equipment.

The country has a lot of generalist reporting and hardly any history of real specialized reporting. This is not to say that there haven't been attempts at improvement in the past, and the panelists noted that journalists are beginning to move toward specialization. There is the Parliamentary Journalists Group, and there are journalists specializing in court reporting, mining and extractives, and HIV/AIDS. And the recently formed Network of Development and Economic Reporters enjoys good World Bank country office support. Training was identified as the issue of greatest need for this kind of reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Sierra Leone Objective Score: 2.27

Media plurality continues to grow; as reported earlier, the IMC has registered more than 40 newspapers and has more applications to consider. Radio stations have grown in number, too—mainly community radio stations operating in small rural communities.

In terms of broadcasting, the broadcast equipment and staff were all transferred to the newly created National State Broadcaster, the Sierra Leone Broadcasting Corporation (SLBC). The SLBC, with its satellite units in major headquarter towns outside the capital, Freetown, covers almost 80 percent of the country; there is still no station with national coverage.

As far as newspapers are concerned, all are now based in Freetown. *Sweet Bo*, which was started in the second city, Bo, collapsed in less than six months. Newspapers have limited circulation even in Freetown. As for Internet access, there are hundreds of Internet access points for newspapers and general research, but at \$1.00 an hour to use the Internet, the average Sierra Leonean cannot afford it. Thus, rural populations rely on the growing number of community radio stations for news and entertainment.

Furthermore, there was a consensus among panelists that it is difficult to depend on the news from just one media house to fact-check another, because “they all seem to be reporting the same thing from the same angles with the same emphasis.”

There is no record of any government attempt to restrict citizens' access to news from any local or international sources. Foreign broadcasts from VOA, BBC, and RFI are relayed to the country in FM quality 24 hours a day. Foreign newspapers, particularly from the United Kingdom, are available in some stores in Freetown, but they are very expensive. Satellite news service provided by DSTV is available all over the country. Taking income levels into consideration, only upper-middle-class people in urban centers and those in the business of showing English Premiership Football in

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.

popular video houses can afford to subscribe to DSTV, paying about \$400 every three months.

The panelists were unanimous that the government has always controlled the state broadcaster, and even though the new SLBC promises a lot, the local and international goodwill it enjoys will soon evaporate if it continues as a mouthpiece of the government alone. James said she notices a “spillover” of reporting patterns from the old SLBS to the new institution, even though she believes that the new station needs time to settle and start winning the confidence of the people.

Barwoh pointed to recent activities marking the third anniversary of President Koroma coming to power, stating that the national television station “is all about the government...they never have time for public-interest programming.” He added that it will never succeed in being a true public-service broadcaster if it continues on this course.

Ahmed Kallon expressed concern that funding will be a crucial issue for the SLBC, adding that the statutory instrument creating the new institution should properly secure the funding of the station. He made the point that “if the SLBC starts looking for money to run itself like commercial broadcasters, the public interest will be affected.”

The Sierra Leone News Agency (SLENA) is now being restructured after falling on hard times because of budgetary constraints and the subsequent departure of trained and qualified staff. A new set of journalists have been appointed to start the rebuilding process. At full strength in the early 1980s and mid-1990s, SLENA stories were mostly used by the state broadcaster free of cost. In addition, there are international news agencies, like Reuters, AP, and AFP, that have local correspondents based in Freetown.

Discussing the question of whether independent media produce their own programs, panelists pointed out that radio stations in Sierra Leone have no choice but to produce their own programs because they have no money to buy expensive programs from private production houses. The quality of such radio programs and the volume depend on the availability of equipment and the capacity of the journalists.

The Cotton Tree News, or CTN—a news service jointly run by Fourah Bay College and the Swiss-based Foundation Hironnelle network—dominates high-quality news production in Sierra Leone. However, the project is facing serious budgetary shortfall and is now actively seeking donor support to run for another two years beginning in January 2011.

Media ownership is becoming a question of major concern to the IMC. At present, a stakeholder committee constituted by the IMC is finalizing guidelines to avoid cross-media

Media in Sierra Leone depend almost entirely on advertising; newspapers receive almost 90 percent of their budget from advertising. The cover price of newspapers hovers around SLL 1,000 (\$0.22). A one-minute radio jingle costs SLL 3,000 (\$0.68).

ownership that is likely to affect diversity in news gathering, processing and packaging, and delivery. While newspaper ownership is diverse, there are people—politicians and businessmen—who fund the setting up of newspapers to achieve their political and business objectives.

In terms of foreign investment, there are no foreign-owned newspapers in Sierra Leone, but Capital Radio is owned by British and Sierra Leonean businesspeople. It operates in Freetown and some parts of the southern region. However, significant grant money has gone into the setting up of community radios from foundations like Open Society Institute for West Africa, OSIWA, Radio Nederland, and the British government.

There is no resistance to the inclusion of any social interest in the media in Sierra Leone. It is only self-censorship and the fear of speaking out that prevents groups like gays and lesbians, for example, from appearing in the media more frequently. Journalists are also wary of reporting on female genital mutilation, particularly in the rural areas, where initiators are powerful and the practice is widespread.

OBJECTIVE 4: BUSINESS MANAGEMENT

Sierra Leone Objective Score: 1.60

In recent times, efforts are being made in many news organizations to improve the management side of the business from the one-man-show management model of the past to well-structured institutions. Many of them have no resident accountants or human-resource personnel but would normally contract such personnel when needed. The panelists pointed out that there is still “no clear line between the management and editorial boards,” particularly for newspapers.

Many community radios are not run on a sustainable basis, according to the panelists, because of overdependence on foreign grants in light of heavy operational overheads. The stations are located in poor rural communities with no electricity, further complicating their efforts.

The bulk of the journalism graduates have gone into public relations and marketing, at banks and other organizations. Only a handful have gone into the media proper.

Private media are generally financed by advertising revenue and sponsorships. The state broadcaster should be well funded under the new SLBC arrangements, with funding from the UN Peacebuilding Fund, but there are questions about whether the funding will be insulated from government control.

Community media depend on grants and a clutch of agreements with NGOs to advertise their programs in exchange for money or equipment. In a relationship like this, editorial policy is definitely slanted in favor of the NGO.

What started as a vibrant advertising market has suffered some reverses, with many freelance advertisers eating into the market of their better-organized counterparts. The culture of advertising is lacking, according to James. All the advertising agencies are based in Freetown, and the agencies are largely Sierra Leonean.

Media in Sierra Leone depend almost entirely on advertising; newspapers receive almost 90 percent of their budget from advertising. The cover price of newspapers hovers around SLL 1,000 (\$0.22). A one-minute radio jingle costs SLL 3,000 (\$0.68). Newspapers do not make money from the sale of the papers. Circulation is low.

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 gives no money to private media by way of subsidies, the panelists confirmed. As noted in last year's MSI, the IMC has called on the government to support community radio stations in rural areas, but even that has not materialized.

There are no such ratings officially produced in Sierra Leone. All media groups make their own claims about circulation and reach. Previous MSI studies have noted, though, that they believe circulation is very low.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Sierra Leone Objective Score: 2.48

As noted in previous MSI studies, there are still no trade associations for media owners. The Newspaper Publishers Guild, set up a few years ago, has collapsed. In the past, MSI panelists have suggested that a broadcaster's association might be created as a branch of the SLAJ, but there is no progress to report on that front.

The SLAJ is the legally recognized professional body for both broadcast and print journalists. At present, the Women in the Media, Sierra Leone, WIMSAL, the Reporters Union, and the newly resuscitated Guild of Newspaper Editors are all affiliates of SLAJ, seeking the welfare of their members under the banner of the SLAJ. The main effort of the SLAJ, apart from conducting training for young journalists, is advocating for legal reforms and providing legal support for members sued for libel and defamation.

There are very few NGOs actively supporting media in Sierra Leone—most prominent among them is the Society for Democratic Initiatives, which is heavily involved in advocacy

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.

with media-rights issues. Other local and international NGOs launch sporadic projects aimed at supporting the media through training.

Only Fourah Bay College of the University of Sierra Leone offers a journalism degree, through its communications department. A few journalists have been trained abroad on bursaries, and about 30 percent have returned home. The bulk of the journalism graduates have gone into public relations and marketing, at banks and other organizations. Only a handful have gone into the media proper.

The demand for acceptance in the journalism school is high. In the 2010 intake, only 85 candidates made it through the stringent entry process. About one hundred were rejected.

Local and international groups organize short-term training courses, mostly in basic journalism and radio production. All levels of the profession are taken onboard for the trainings. Media managers take very little interest, however, nearly always sending low-level staff in their places. In Sierra Leone, journalists who attend such training programs are paid per-diem and transport allowance; otherwise attendance would be extremely poor.

This is very true in Sierra Leone. But one panelist, Barwoh, recalled a particular worrying incident when he published articles critical of a powerful mining company African Minerals: the management of *Standard Times* stopped printing the paper Barwoh edits, *The Global Times*. Barwoh argued that while the “facilities are in private hands, journalists can still face difficulties depending on how they report on the political and commercial interests of the entrepreneur.”

Newspapers are distributed exclusively by an association of vendors—a well-organized body, panelists agreed. All newspapers are based in Freetown, but the vendors’ association has members across the country. Newspapers are always several hours late to reach rural areas; depending on where you live, it sometimes takes a few days to get your papers.

All radio stations have their own transmitters. The Internet is operated by private businesspeople, and the government makes no effort to control it. There is absolutely no politics in this, said panelists; it is purely business-driven.

List of Panel Participants

Kelvin Lewis, managing editor, *Awoko*, Freetown

Sheikh Bawoh, editor, *Global Times Newspaper*, Freetown

Francis Sowa, station manager, Radio Mount Aureol, Freetown

Michael Kanu, barrister, Freetown

Sarah Rogers, station manager, Voice of Women, Matru Jong

Williette James, lecturer Fourahbay College, Freetown

Betty Sesay, producer, Radio Mankneh, Makeni

Sahr M’Bayo, Initiative for Mobile Training of Community Radio Stations (INFORMOTRAC), Freetown

Ismail Koroma, assistant secretary general, Sierra Leone, Association of Journalists

Alina Kallon, Media Magic Advertisers, Freetown

Rod Mac Johnson, correspondent, Agence France-Presse, Freetown

Emmanuel Saffa Abdulai, director, Society for Democratic Initiative, Freetown

Ahmed Kallon, station manager, Eastern Radio, Kenema

Halimatu Fofanah, journalist, *Exclusive*, Freetown

Moderator and Author

Isaac Massaquoi, acting head of the Mass Communication Unit, Fourah Bay College, University of Sierra Leone, Freetown

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

Radio stations open and then suddenly disappear; journalists enter the profession with virtually no experience or training only to exit months later; and licensing is an informal process in much of the country.



SOMALIA

Since the collapse of the Somali government in 1991, the country has been governed by a patchwork of regional authorities, Islamist rebels groups, and clans. In 2004, the second and current interim government, the Transitional Federal Government (TFG), was formed and in 2009 Sheikh Sharif Sheikh Ahmed was elected president. Today, the TFG's authority is limited to parts of the capital Mogadishu and enclaves across the country. Meanwhile the anti-TFG Islamist group Al Shabaab controls a large swathe of southern and central Somalia, and the Puntland regional government has essentially autonomous authority over much of the north.

In this fluid and often explosive environment, journalists and media organizations face immense challenges. In 2010, Somalia remained one of the most dangerous countries in the world for journalists. Media outlets also came under pressure from the government and clans when they attempted to report on sensitive issues including the country's ongoing conflict. In Puntland, for example, the regional government instituted an across-the-board ban on airing interviews with rebels and imprisoned journalists who violated the edict.

Radio dominates the Somali media sector, although print publications and a handful of broadcast television stations exist. One of the MSI panelists described the media environment as being in a constant state of "anarchy." Radio stations open and then suddenly disappear; journalists enter the profession with virtually no experience or training only to exit months later; and licensing is an informal process in much of the country. Moreover, outlets lack the structure to effectively generate revenue and instead rely on financing from powerful and often secret backers.

Despite dangerous working conditions and meager pay, many brave Somali media professionals carry on. Against a generally dour backdrop, the number of radio stations continued to increase, Mogadishu University announced plans to open a journalism degree program, and international, Somali-language radio broadcast by the BBC and Voice of America remained accessible, offering some hope for the future.

SOMALIA AT A GLANCE

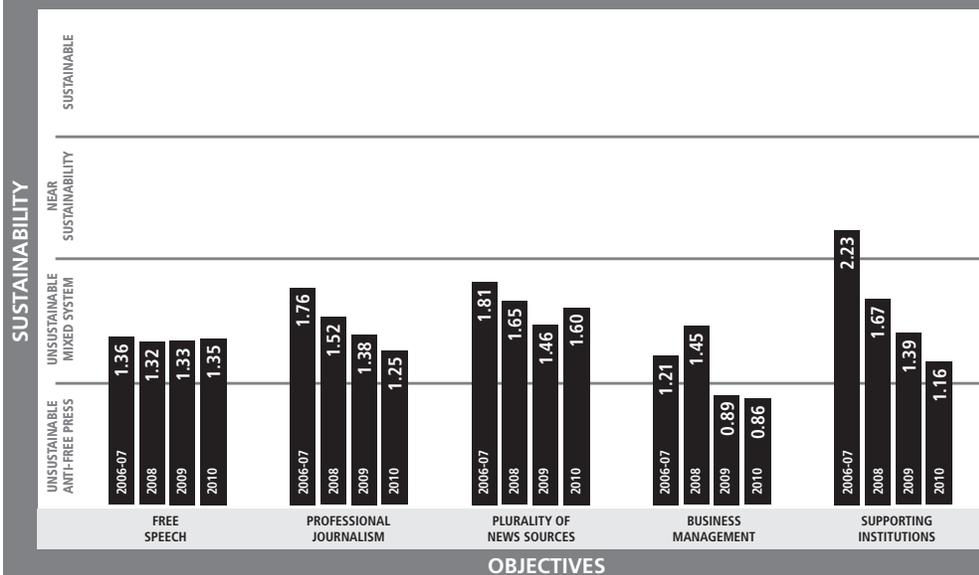
GENERAL

- > **Population:** 9,925,640 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Mogadishu
- > **Ethnic groups (% of population):** Somali 85%, Bantu and other non-Somali 15% (*CIA World Factbook*)
- > **Religions:** Sunni Muslim (*CIA World Factbook*)
- > **Languages:** Somali (official), Arabic, Italian, English (*CIA World Factbook*)
- > **GNI (2010-Atlas):** N/A
- > **GNI per capita (2010-PPP):** N/A
- > **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 January 31, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 20 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:** Somali Independent News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 106,000 (2009, *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: 1.35

The Transitional Federal Charter, Somalia's current governing document, guarantees freedom of speech and protects the rights of the press. In practice, however, the TFG is largely powerless to enforce these provisions and officials often flaunt them with impunity. According to the Committee to Protect Journalists, the government regularly prevents journalists from covering the country's ongoing conflict and works to censor the photos and stories that depict it in a negative light.¹ The Al Shabaab forced a number of stations off the air and enforces strict censorship backed by the threat of violence across much of the country.

In the northern, semiautonomous region of Puntland the situation is slightly better, panelists reported. Both the Puntland constitution and the law on the media guarantee freedom of speech and journalists there are under comparatively less pressure from rebel groups than their peers in the conflict-ridden south. That said, the panelists also reported that there was reason for heightened concern in 2010 after the Puntland government imprisoned Abdifatah Jama Mire, radio director at Horseed Media, after his station aired an interview with a rebel leader. Following Mire's arrest,

¹ *Attacks on the Press 2009: Somalia*. Committee to Protect Journalists: February 15, 2011. <http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php>

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

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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.

In areas controlled by Al Shabaab broadcast authorization is verbal and subject to the outlet's strict adherence to Islamic law as defined by the rebels. Over the course of the previous year, the militants seized equipment and destroyed stations at will.

the government summarily banned all media organizations from interviewing rebels.

Licensing of media outlets in Somalia is an ad hoc and often informal process. Panelist Omar Wardhere, the manager of Radio Tusmo, reported that some owners apply for and receive a letter of authorization from the TFG's Ministry of Information and Telecommunications but that authorization only extends as far as the government's control. Others simply broadcast without an official license.

In areas controlled by Al Shabaab broadcast authorization is verbal and subject to the outlet's strict adherence to Islamic law as defined by the rebels. Over the course of the previous year, the militants seized equipment and destroyed stations at will. In Puntland media outlets can apply for licenses issued by the regional government, but few do.

Otherwise, entry into the media field is unfettered. The tax system, where it is enforced, does not treat media outlets differently from other businesses.

According to the Committee to Protect Journalists, Somalia remains one of the most dangerous countries in the world for media professionals. Two journalists were killed in 2010 while engaged in journalism. In May, Sheikh Nur Mohamed Abkey, a veteran journalist with the TFG-backed Somalia National News Agency was gunned down outside his house in southern Mogadishu.² Representatives of Al Shabaab ultimately claimed responsibility for the killing. Later in the year, Hurma Radio journalist Barkhat Awale was caught in a crossfire and killed while attempting to fix the station's transmitter.³

Journalists reporting on Somalia's conflict face near constant threats and harassment. Al Shabaab considers most members of the press to be supporters of the government and thus potential targets. In this environment, many journalists turn to armed clans for protection. Independent and minority

² *Sheikh Nur Mohamed Abkey*. Committee to Protect Journalists: September 14, 2010 <http://www.cpj.org/killed/2010/sheikh-nur-mohamed-abkey.php>

³ 2010 Human Rights Reports: Somalia. U.S. Department of State. April 8, 2011

Self-censorship is a way of life for most journalists; to do otherwise would be to invite swift and harsh retribution from rebels groups or Somalia's various governing bodies.

journalists who operate without clan support are the most vulnerable to pressure—both from the rebels and the TFG.

In a small but significant improvement from 2009, the U.S. State Departments' annual report on human rights in Somalia reported that no journalists were directly threatened by the TFG in 2010, although reports of indirect threats and other forms of harassment were still widespread. Crimes against journalists are rarely, if ever, prosecuted and the judiciary is beholden to the government or armed groups depending on where the magistrate is located.

Libel remains criminalized although, unlike previous years, there were no reports that the TFG used the statute against media professionals in 2010. In practice journalists are regularly compelled to apologize or issue a retraction if a report offends a powerful figure.

Journalists often face impediments when attempting to access information. Government officials stonewall or otherwise work to obfuscate important facts if they are deemed sensitive. Somali media outlets are regularly forced to turn to international outlets like the BBC, Voice of America or Al Jazeera to fill in the gaps.

According to the panelists, the Somali media sector has an exceptionally high rate of staff turnover and as a result, there are virtually no limitations on entry to the profession; most outlets simply try to fill positions with bodies—regardless of the individual's experience or skill.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Somalia Objective Score: 1.25

Somali journalism on the whole falls well short of international standards of professionalism. Journalists lack basic skills and have little awareness of the need to accurately report facts, properly source stories, or maintain objectivity. According to the panelists, radio journalists routinely use fake eyewitnesses in an attempt to bolster the credibility of their reporting. Often a purported eyewitness is a station employee calling from a different room.

The absence of professional standards is directly related to the hardship caused by Somalia's ongoing conflict, panelists said. Somali journalists are subjected daily to physical danger and pressure from rebels, the government, and various clans. These issues are exacerbated by the fact that most journalists are young and inexperienced. Somali organizations, most notably the National Union of Somali Journalists (NUSOJ), work in partnership with international organizations to promote professional standards, but it lacks the support of many journalists and media business owners.

Self-censorship is a way of life for most journalists; to do otherwise would be to invite swift and harsh retribution from rebels groups or Somalia's various governing bodies. Those journalists who do not mold their reporting to serve the narrative presented by either the government or Al Shabaab are often forced out of the profession or into exile.

Despite these issues, the panelists reported that Somali journalists do a serviceable job reporting major events. Additionally, while few consumers have access to the Internet, online media has given journalists some space to report freely. In all regions of Somalia, news and information programming generally takes precedence over entertainment.

Panelists reported that journalists working for Somali outlets are poorly paid. Wardhere said that the highest wage he can afford to pay is \$50 per month but that most employees are paid less. The rest of the panel agreed that this is standard across the Somali media sector. Many journalists also receive bonuses or incentives from media owners as a reward for volunteered time or from local businessmen interested in favorable coverage. This practice is known as *shardoor*, a Somali phrase for the food and

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).

drink traditionally presented when a guest arrives. According to the panelists, many journalists sell advertisements or positive coverage to local businesses to augment their income. Journalists working for international news organizations receive significantly higher salaries.

The facilities and equipment used by most media outlets are rudimentary. The few remaining newspapers are printed on A4 paper using commercial printers with the exception of the state-owned *Xiddigta Oktobar*, which is printed on A5 in Nairobi, Kenya and imported. Radio stations generally consist of little more than a small building and a transmitter. Support from international organizations has helped the state-run radio station in Mogadishu expand its facilities somewhat but they still fall short of international standards, panelists said. All media outlets are plagued by frequent power outages. In areas controlled by Al Shabaab, radio stations are often forced to turn over their equipment to the rebels.

Amidst the ongoing conflict, niche issues receive little coverage and journalists rarely engage in investigative reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Somalia Objective Score: 1.60

Somalia's protracted civil war has forced media outlets to pick sides in order to survive. While Somalia still has a handful of active newspapers and television stations and a larger number of radio stations, few are truly independent. The TFG, the Puntland regional government, and Al Shabaab all pressure

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.

private media outlets in their respective territories to present a partisan narrative that essentially amounts to propaganda.

Years of fighting have taken an especially steep toll on the Somali press. According to Abdulkadir Mohamed Osman, director of the Somalia Media Center, most newspapers operate on the verge of extinction. Only one newspaper continues to publish daily while others publish weekly or as often as they can. The vast majority of Somalis instead rely on the radio for information. In the capital Mogadishu, 13 FM radio stations broadcast regularly, the majority of which are privately owned. Somali-language radio channels operated by the BBC and Voice of America are widely accessible and very popular. Indeed, these international radio channels are the only sources of information available in some parts of the country. The panelists reported that Al Shabaab tries to prevent citizens from watching or listening to certain broadcast channels, but that their attempts have been generally unsuccessful.

Only a small percentage of Somalis use the Internet regularly. Those that have access are able to view the plethora of media produced by the Somali diaspora in Europe and the United States. According to the panelists, most domestic media outlets have established an online presence and as access increases there is potential for expanded digital journalism in Somalia.

The state-funded media based in Mogadishu are unashamedly pro-TFG and offer little in the way of public interest programming. The panelists described the public outlets as tools in the government's propaganda war against the rebels. Similarly, outlets controlled by Al Shabaab rail against the TFG.

Because of the dangers associated with reporting in Somalia, there are no news agencies based inside the country. The Somali Independent News Agency, which was founded by NUSOJ in partnership with Reporters Without Borders is headquartered in neighboring Djibouti, with staff scattered across Somalia. Most radio stations rely on their local staff to research and report news. The panelists estimated that 90 percent of local news is produced by Somali media outlets, while the remaining 10 percent is taken from international broadcasters.

According to the panelists, media ownership in Somalia is opaque. Consumers are unable to judge whether an outlet's objectivity is impaired by the owner's interests, political connections, or clan affiliation. Outlets commonly receive financing from Somalis living outside the country, which adds another layer of confusion.

Reporting on the Somali conflict and related issues tends to dominate media coverage, panelists said. Somalia's minorities,

Formerly, well known radio stations like HornAfrik and Shabelle Media Network were able to make significant amounts of money from advertisements but the continued conflict in the south had a profound negative effect on the business sector and by extension the advertising market.

however, receive little attention—despite the fact that they have suffered disproportionately over the past two decades. Similarly, other social and cultural issues are rarely covered by Mogadishu-based media outlets. Outlets based in Puntland occasional report on minority and social issues. Most notably, in 2009 journalists advocated for the rights of internally displaced persons living in the regions of Bay and Bakol after the regional government announced a plan to deport them over security concerns. Officials ultimately dropped the initiative after pressure, fueled by the work of independent journalists, grew.

OBJECTIVE 4: BUSINESS MANAGEMENT

Somalia Objective Score: 0.86

The panelists agreed that privately-owned media outlets in Somalia are on the whole poorly run. Managers have little training and often no background in media. Owners prefer to hire employees on the basis of family or clan connections.

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.

Few outlets are able to generate enough revenue to cover basic operating costs, let alone turn a profit.

Media organizations are often funded directly by their owners with support from businessmen, politicians, or Somali expatriates. Outlets sell advertisements, but this revenue is rarely sufficient to sustain operations. Wardhere said that his station generates \$900 of advertising revenue per month, which is less than 5 percent of its operating budget. Formerly, well known radio stations like HornAfrik and Shabelle Media Network were able to make significant amounts of money from advertisements but the continued conflict in the south had a profound negative effect on the business sector and by extension the advertising market. Businesses have gone bankrupt or, in some cases, were closed by Al Shabaab; meanwhile potential consumers were displaced and impoverished.

While Puntland is more stable than the restive south, several large companies have monopolies over the various sectors of the economy and as a result advertising is of little importance to those business owners.

Advertising agencies do not exist in Somalia. Instead, media organizations generally have advertising departments that both solicit and produce advertisements for local businesses and occasionally international humanitarian agencies. Media owners rely heavily on personal relationships to recruit advertisers.

A handful of outlets receive support from international organizations, but the panelists reported that these grants are generally small. Independent media outlets in Puntland and TFG-controlled areas do not receive government subsidies.

Media organizations in Somalia do not conduct market research or attempt to tailor their programming to specific audience segments. The panelists speculated that this is because reliable statistics including broadcast ratings and circulation figures are not recorded.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Somalia Objective Score: 1.16

There are a number of local organizations supporting journalists and independent media outlets in Somalia. The most active include NUSOJ, the Somali Women Journalists' Association, and the Media Association of Puntland. Some panelists reported that Somali media support organizations are often riven by internal conflicts and limited in their geographic reach. Others cited the effective advocacy and

training work done by NUSOJ, among others, as an example of the positive role media support organizations have played in Somalia. Private newspaper and broadcast media owners do not have their own representative associations.

According to the panelists, Mogadishu University offers journalism courses and recently announced plans to start a journalism degree program. Panelists also noted that over the last two decades of conflict not only have the most qualified journalists fled, but many journalism instructors have left the country as well. As a result, journalism education in Somalia has been an uphill struggle.

Some Somali journalists receive professional training outside the country, while others participate in short-term courses funded by international organizations or receive on-the-job training. According to the panelists, Somali journalists, many of whom are young and inexperienced, are in desperate need of further training opportunities.

Somali news outlets regularly face shortages of material, panelists said. Channels of distribution for broadcast media are generally private and unrestricted, although panelists reported multiple instances of rebels seizing transmitters to prevent radio stations from broadcasting.

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

Abdulkadir Mohamed Osman, director, Somalia Media Center, Mogadishu

Mohamed Abdullahi, field producer, Al Jazeera, Mogadishu

Abdulnasir Moallim, member, Somali Pen, Mogadishu

Omar Wardhere, manager, Tusmo Radio, Mogadishu

Amin Khasaare, reporter, Somali Talk Website, Mogadishu

Sadia Mohamed Noor, reporter, IRIN Radio, Mogadishu

Hawo Mohamed Ali, chairperson, Somali Women Journalists Association, Mogadishu

Zahro Mohamed, member, Media Association of Puntland, Bosaso

Mowlid Ahmed, reporter, Radio Galkayo, Galkayo

Kadijo Abdi, reporter, Radio Mogadishu, Mogadishu

Isse Mohamed, chief editor, *Dalka*, Mogadishu

Shair Hareed, member, Somali Media Network, Mogadishu

Moderator and Author

Jamal M. Barrow, managing director, Center for Training and Consultancy, Mogadishu

The Somalia chapter was coordinated by, and conducted in partnership with, the Center for Training and Consultancy, Mogadishu.

The independent Somaliland media are currently experiencing fast growth in terms of media outlets coming into the market, especially the print media—including daily newspapers—and news websites.



SOMALILAND

Nearly two decades after declaring its independence from Somalia in 1991, Somaliland, originally colonized by the British, has established itself as a stable and constitutional polity in the Horn of Africa, although it has not been recognized by any state. After a decade-long bloody civil war, the northern protectorate of Somaliland split from the Italian-colonized south, which has since languished in chaotic fragmentation, based on clan and extremist ideologies. Somaliland, in contrast, enshrines the freedom of expression in its constitution and has allowed a free and vibrant media culture to evolve over the past two decades.

Despite Somaliland's low literacy rate (around 40 percent), it continues to display remarkable plurality in the media. The independent Somaliland media are currently experiencing fast growth in terms of media outlets coming into the market, especially the print media—including daily newspapers—and news websites. The panelists believe that this growth is partially attributable to the presidential elections, which took place on June 26, 2010. During the election year, 2009-2010, the daily journals grew by at least 30 percent. However, this growth did not extend to the broadcast sector, perhaps due to more stringent government licensing restrictions.

In the recent presidential elections, the ruling party (UDUB) candidates were defeated, and the opposition party (Kulmiye) won with a large majority (49.6 percent to 33.2 percent). A new government took office, amid strong expectations that many points of contention between the last government and the independent media would be relaxed. Already, the government radio and television are shifting toward a public media model, with some fairness introduced into their access and programming. The opposition-party politicians are already getting their message out on the government radio and television, without any obstacles. However, the new government has experienced problems with one international television channel, Universal TV, which it accuses of bias toward a regional insurgency group. The government has twice withdrawn its operating license.

The overall MSI score of 2.18 reflects an improvement from last year's score, indicating a freer media climate. Somaliland's constitution guarantees free speech, and the prevailing social norms of the Somaliland people strongly support and agitate for free speech. On the other hand, journalists are not meeting professional standards of quality and media institutions are still finding their footing. Journalism is a relatively new industry in Somaliland, and education and professional support structures are weak.

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

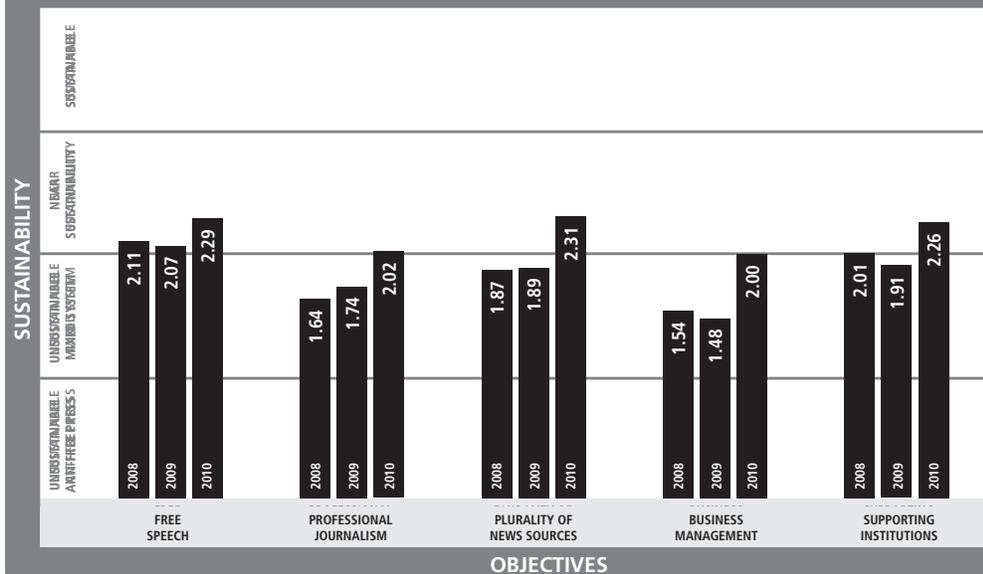
GENERAL

- > **Population:** Estimated at between 2.5 and 3 million
- > **Capital city:** Hargeisa
- > **Ethnic groups (% of population):** 100% Somali, with 3 major clans: Isaaq (majority) Dir, and Harti
- > **Religions:** Sunni Muslim
- > **Languages:** Somali (official), Arabic and English used for business purposes
- > **GNI (2010-Atlas):** N/A
- > **GNI per capita (2010-PPP):** N/A
- > **Literacy rate:** Estimated at 37.8%
- > **President or top authority:** President Ahmed Mohamed Mohamoud (Silanyo) (since June 26, 2010)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 7 daily newspapers; 7 weekly/semi-weekly; 1 monthly magazine; Radio Stations: 1 local station, 2 international FM stations available; Television Stations: 4 local, 2 satellite, 1 cable, and 1 International
- > **Newspaper circulation statistics:** Top three by circulation: *Geeska Africa* (privately owned), *Haatuf* (privately owned), *Jamhuuriya* (privately owned)
- > **Broadcast ratings:** Top radio station: Radio Hargeisa (state-owned); Top three television stations: Somaliland National TV (state-owned), HCTV (private), Universal TV (privately owned)
- > **News agencies:** Somaliland National Newsagency (SOLNA) (state-owned)
- > **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: 2.29

In this objective, the panelists gave their strongest scores to indicator 8 (media outlets have unrestricted access to international news and news sources) and 9 (entry into the journalism profession): each scored about a point higher than the objective score. On the other hand, indicator 5 (state or public media do not receive preferential treatment) and 6 (libel) lagged behind the objective score by more than half a point each.

Somaliland's constitution guarantees the freedom of speech in Article 32, but Mohamed Abdillahi Abdi, a media researcher for the NGO Candle Light, said, "Protection of free speech is in the constitution but not implemented." Adan Haji Ali, a media lawyer at Hargeisa University, added that furthermore "the judiciary does not act independently to deal with free speech." As noted in last year's MSI, there is also a Press Law that has not been implemented previously, but panelists this year report that it is now being revamped by the parliament. During the six months before the MSI panel convened, the Somaliland parliament worked to introduce a media law in keeping with the standard of international democratic nations, to replace the existing weak and ineffective law that the government usually bypasses. The bulk of media houses oppose the move, however, fearing that the government may overstep and introduce strong

In Haji Ali's words, "Our local televisions do not work under any broadcasting law. The government should first make the relevant law and set regulatory mechanisms, instead of pressuring people not to open their own media outlets."

provisions that restrict their operations. Broadcast licensing and disciplining journalists through an independent media board remain points of contention. Negotiations on these points are still continuing between the parliament and the media houses. Aside from these sticking points, the panelists agreed that there are strong social norms that protect journalists, especially against excesses from authorities.

The new government has relaxed the licensing of the television stations somewhat, granting licenses to some of the television companies that the previous government refused to license, including RAAD TV. The panelists reported that several new applicants had been granted licenses, although they had not yet started operations.

However, radio licensing is still off-limits. In the words of Hodan Elmi, a governance expert with CARE, "The previous government had a phobia over radio stations; it even it refused to allow an educational radio program by the Education Development Centre (EDC)." The universities also have FM radios, which could be used for educational purposes, but their licenses are still pending. This ban, a leftover from the last government, has not yet been seriously challenged in court or by any public applications for a radio license. In Haji Ali's words, "Our local televisions do not work under any broadcasting law. The government should first make the relevant law and set regulatory mechanisms, instead of pressuring people not to open their own media outlets."

Abdale Ali Yusuf, a reporter with Horn Cable TV, remarked, "Bans on private radio stations affected the whole country; our people listen to other radio stations from neighboring countries, such as Ethiopia and Djibouti. Our people are in the dark about what is happening in their own country, while they are fully aware of what is happening in other neighboring countries." Other participants also remarked that the lack of adequate local radio broadcasts drives young people to send their participation to the stations of neighboring countries, diminishing their involvement with media and civil-society organizations in Somaliland.

But the general belief is that the government of President Ahmed Mahamoud Silanyo will relax on this front. Despite

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 license restrictions, web-based radios operate without any government control, and people listen to many other radios in the region.

For Somaliland journalists and media houses, market entry is relatively free—especially for the print media. As noted in last year’s MSI, the tax structure is even more favorable than in other industries. There are virtually no taxes on media products.

Although social norms protect journalists to a degree, in practical terms, there is no official protection. Generally, if journalists publish something that might anger certain clans, they have to hide and lie low for a while. Journalists are also subject to occasional threats, which make them think twice when publishing. The general consensus is that the government does not adequately protect journalists and what little protection exists is only in the capital and not in the regions.

Elections frequently lead to government crackdowns on journalists, but the Committee to Protect Journalists (CPJ) praised Somaliland’s journalists for their efforts to cover the elections, noting that they endured harassment yet still managed to deliver. CPJ wrote that the police detained several journalists for a day in June, after presidential guards attacked people displaying an opposition flag. In addition, the editor of *Baadiya*, Hadis Mohamed, was arrested and held without charge for three days—coinciding with the voting. According to CPJ, Mohamed “said he was targeted for giving equal coverage to the opposition.”¹

While state and public officials do not receive preferential treatment, there is still no consciously upheld culture of editorial independence, and media owners often influence editorial content. As noted in last year’s MSI, there are no official censorship laws or practices in place in Somaliland, but previously the government owned radio and television used to strictly follow government directions. This has also been relaxed, in the sense that editorial independence has improved and programs are becoming more diverse and less politically biased in favor of the government. There are now popular programs that bring higher public officials on television for public discussion.

The treatment of libel cases drew some of the lowest scores for this objective. Jail terms are still possible punishments, although libel cases are usually settled outside the courts, via the clan arbitration system. Compensatory payments are settled through the collective efforts of the clan of the accused. There is no formal insurance system in Somaliland to

provide coverage against legal damages involving journalists or, for that matter, any other industry.

Regarding the new government’s handling of libel cases, the panelists noted that the present government accused an editor of one of the daily journals of false information and slandering the president for unsubstantiated fraud. He was sentenced to jail but was later pardoned by the president. The case demonstrates the ongoing use of the criminal code, carrying possible jail sentences for libel.

Somaliland still lacks legislation to facilitate access to information. Journalists usually obtain information through interviews and telephone confirmation from public officials, but there was also general consensus among panelists that public officials generally share only information that is favorable to the government. Otherwise, it is still not easy to extract information from government departments. On the other hand, media outlets have unrestricted access to international news and sources, especially through the Internet and from international news networks.

There are no restrictions on entry into the journalist profession; in fact, panelists believe it may be too easy to become a journalist, as even those without skills or training are able to land jobs.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Somaliland Objective Score: 2.02

The overall score of this objective reflects a modest improvement over last year, but the panelists expressed serious ongoing concern with the lack of professionalism

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).

¹ “Attacks on the Press 2010: Somalia.” Committee to Protect Journalists, February 15, 2011. Available at <http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php> (Access November 19, 2011.)

and the underlying causes: poor education and support for journalists. All indicators scored within half a point of the objective score.

There are no journalism faculties or colleges in any of the universities, and professional associations are still in their infancy. Therefore, the quality of journalism in Somaliland is still low, due primarily to the educational background of the journalists.

According to Mustafe Adan Muse, manager of Universal TV, “Journalists do not check their facts, they do not cite multiple news sources, they do not conduct necessary background research, and they lack training, experience, and professionalism.” The panelists agreed, as did previous MSI panels, that while they see some improvements, journalists have a long way to go for fair and objective reporting. The available resources for the media are basic, especially at the technology level. While many of the satellite television and online radios are using modern technology, the Internet, and advanced software, the print media are still lagging in the use of modern technology.

While no clear ethics and recognized standards have yet been set for Somaliland’s journalists, the panelists said again this year that in spite of that, many journalists try to report responsibly, and many journalists also respect their codes of conduct, especially during the elections. The panelists noted that reporting in a clan society, where one can easily incite conflict, carries special responsibilities and concerns. However, Yusuf raised the issue of disparity of development between the center and regions. In his words, “Journalists in the different regions have different journalism ethics and standards. Only those in the capital receive trainings and seminars on journalism ethics and standards.”

In terms of self-censorship, last year’s MSI noted that business interests frequently drive self-censorship more than official sources of pressure. In general, journalists working for private media outlets enjoy more freedom than their counterparts in the government-owned press, who work in a more restrictive atmosphere.

The degree to which journalists cover key events and issues is sometimes limited. Coverage of social, economic, and other aspect-of-life issues, for example, is neglected at the expense of heavy concentration on politics.

The panelists agreed that both public and independent journalists are underpaid and hence are easily corrupted. In fact, most of the young journalists operate as freelancers, lacking job security, which might render them especially vulnerable to corruption.

However, Yusuf raised the issue of disparity of development between the center and regions. In his words, “Journalists in the different regions have different journalism ethics and standards. Only those in the capital receive trainings and seminars on journalism ethics and standards.”

In Somaliland, entertainment programming generally does not crowd out news. As explained in last year’s MSI report, news and information programming dominate content in both print and broadcast media, although in the print media, sports and advertisements sometimes crowd out news articles in newspapers.

The media continue to work with very basic equipment. While many of the satellite television and online radio stations use modern technology, the Internet, and advanced software, the print media lag. Last year’s MSI noted that the poor technology is reflected in the low quality of print products on the market. For example, layout techniques and use of graphics and color have not improved since antiquated printing machines were reintroduced to Somaliland in the postwar years.

The level of investigative reporting is low, largely explained by the poor professional capacity of most journalists. Quality niche reporting on important topics, such as economics, is rare. The panelists suggested that improved training offerings and exchanges could prove beneficial in this respect by offering exposure to more advanced journalistic environments.

Investigative reporting and niche reporting are still weak. The panelists called for more training to encourage niche reporting on topics such as economics.

OBJECTIVE 3: PLURALITY OF NEWS

Somaliland Objective Score: 2.31

Improvements in this objective reveal real progress. Indicator 3 (state media are non-partisan) even showed growth, although it remained about two-thirds of a point behind the objective score. Indicator 4 (news agencies) lagged behind by the same magnitude. On the other hand, indicator 5 (private media produce their own news) fared relatively well, showing

Cost and geography, however, limit access for some, along with illiteracy. The price of a newspaper, around 2,000 shillings (\$.30) is out of reach for many. All print media are concentrated in the capital city of Hargeisa, and there are no established publications even in the regional capitals.

improvement compared with last year and scoring about three-quarters of a point higher than the objective score.

Given Somaliland's low literacy rate, it is quite remarkable that over 30 news websites, a dozen daily and weekly journals, half a dozen online radio stations, and four local television channels all originate from Somaliland and cater to its people and a wider audience from the Horn of Africa region. The panelists said the Somaliland people are savvy news consumers, and hence there is strong demand for plurality of news sources.

By far, the radio is the most widespread source of news and is accessible to more people, but unfortunately the national radio reach is limited to the environs of the capital city only. People are served by various sources of the broadcast media, including international radio stations such as the BBC Somali Service, which has been around since the early 1950s and can rightly be claimed to have now become part of the Somali culture and psyche; the VOA Somali Service, which is a recent

but strong entrant in the Somali news sources; and several online radio stations. Another popular source is from the television channels, which include the Somaliland National TV and the Somaliland TV (both government-owned), the Somaliland Space Channel, and the Horn Cable TV; are all locally owned channels. Universal TV is an international channel that also has a large audience. There are no community radio or television stations, however.

On the print media side, there are over a dozen daily Somali-language papers and several English-language sister papers. The main local daily or semi-daily papers include *Ogaal*, *Haatuf*, *Jamhuuriya*, and *Geeska Africa*, and all but the first have weekly English-language sister papers. Other English-language publications are appearing rapidly in the market, and they are also all weekly or biweekly papers. There is only one monthly magazine in the market. Additionally, around two dozen news websites focus on Somaliland news and audiences.

The media outlets usually reflect the opinion of their owners, but there are ample choices for audiences to hear alternative views. There are established papers and websites that are considered to be mainstream, and there are also new entrants into the market that take fringe views but gradually move to the center.

Citizens' access to all these media sources is not at all restricted by the authorities or any other actors. Cost and geography, however, limit access for some, along with illiteracy. The price of a newspaper, around 2,000 shillings (\$.30) is out of reach for many. All print media are concentrated in the capital city of Hargeisa, and there are no established publications even in the regional capitals. Thus, the print media mainly serve the elite and the urban population. However, most media houses now have reporters in almost all regions of Somaliland.

There are no independent news agencies; media outlets depend on their in-house news-gathering capacities and on international sources. Papers usually share news and invariably have the same sources. Independent broadcast media, such as the television stations and Internet radio stations, all produce their own news programs.

Last year's panelists expressed hope that the government-owned media would change their partisan approach after the presidential elections, in which the opposition campaigned to restore objectivity in the public media. Although some signs point to progress already, reflected in higher scores for this indicator, panelists noted that there is still no independent Public Media Commission, which could regulate the media and ensure media independence from the government.

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.

As reported in previous MSIs, media ownership is generally considered transparent, and no conglomerates monopolize the media in Somaliland. Media outlets generally fail to attract the interest of serious investors, as they are mostly not operated as profitable businesses.

As mentioned earlier, the Somaliland media are mainly urban-based and fixated on political issues rather than on social, economic, or even cultural ones. They are also based in the capital, and therefore issues important to the rural people, especially development issues, are hardly addressed. Even more marginalized are the interests of the minorities and peripheral communities. There is minimal coverage of issues about women, the disabled, and other marginalized groups. Last year's MSI reported that clans pressure journalists in this sense; the rule of the clan trumps the rule of law, and sometimes journalists feel compelled to back away from covering minority issues that go against clan wishes. Language is not a problem, according to the panelists, because everybody speaks Somali and there are no dialect variations in Somaliland, as is also the case in Somalia.

OBJECTIVE 4: BUSINESS MANAGEMENT

Somaliland Objective Score: 2.00

Although the score improved in this objective over last year, overall the panelists do not believe that the media outlets are effectively managed as businesses—despite the fact that the bulk of them are privately established. While several indicators did indeed receive higher scores, none did so enough to exceed the objective score by more than half a point; none lagged behind by more than half a point, either.

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 Somaliland, there is no access to bank credit for entrepreneurs, whether they are in the media sector or in other industries. Businesses are either established through individual savings or through a group of partners pooling their personal money. Most of the current media houses are funded in the former model.

There are no major investors in the sector, and hence it is still a small-scale business sector run on shoe-string budgets. People interested in opening a media outlet in Somaliland are often motivated by political goals more than business and therefore do not see the need for business plans. Many outlets are established to advance political or even clan interests, and many disappear after elections.

In Somaliland, there is no access to bank credit for entrepreneurs, whether they are in the media sector or in other industries. Businesses are either established through individual savings or through a group of partners pooling their personal money. Most of the current media houses are funded in the former model. The private media in their present state are not professionally managed and are not considered profit-making businesses.

The main media sources of revenue for the media include advertising, from both public and private sources, paid election campaign messages, and educational programs paid for by nonprofit organizations. There are no regulatory mechanisms or standards developed to rate the level of revenue generation from advertising or from other sources and to determine whether they are in line with international standards. As last year's MSI noted, advertising is less important for government-run outlets, which subsist on public funding. Also, news websites and radio stations are still free for consumers.

Panelists confirmed the importance of advertising as a source of revenue for the media houses, and it continues to grow. Last year's MSI noted that several new advertising agencies were building up the sector, including SAGAL Jet, ASAL, Code Media Centre, and Madar Advertising Center; they cater mostly to the television channels. It is still the case that media outlets solicit advertising contracts directly from the companies and often develop the content and layout themselves—both in print and broadcast media.

Regarding NGO support to the media, there are lingering concerns that NGOs do not provide enough support for important issues, such as media legislation.

Independent media houses do not receive any subsidies from the government; they are totally self-financing.

The practice of incorporating research into media design is not yet part of the Somaliland media culture. No media outlets undertake marketing research to enhance their advertising revenue and to tailor their products to the needs and preferences of their audiences.

While it is clear that newspaper sales are not strong—the panelists' rough estimates suggest they are in the range of 1,000 copies for the most popular dailies—no reliable circulation figures are available, and there are no independent agencies that provide such services. On the broadcast side, there are still no listenership or viewership statistics available to guide decision-making.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Somaliland Objective Score: 2.26

The weakest link in this objective is the lack of trade associations to represent the interests of the owners (addressed by indicator 1; it scored slightly more than half a point lower than the objective). However, various professional associations have developed to represent the

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.

independent-media journalists; they include the Somaliland Journalists Association, the Somaliland Women Journalists' Association, the Union of Somali Journalists, Media Monitoring Group, and the Somaliland Online Association.

As noted in previous MSI studies, these associations have stepped up to uphold codes of conduct and advocate for journalists who find themselves in trouble with the authorities. They also advocate for or against legislation that could affect journalists' work. They successfully lobbied the parliament to keep debate off the floor of draft Law No. 27, which the last government initiated, allegedly to clamp down on free speech. It is now being revamped to make it more comprehensive and to bring it up to international standards. A draft in circulation includes a free-information-access component and the formation of an Independent Media Board. Some journalists are resisting such a move, viewing it as a controlling mechanism, although they now operate in a legal vacuum.

Regarding NGO support to the media, there are lingering concerns that NGOs do not provide enough support for important issues, such as media legislation.

There are still no journalism degree programs in Somaliland, and the lack of training opportunities clouds journalists' prospects for professional growth. However, media professionals do receive some short-term training, both locally and in neighboring countries, from international organizations, including IREX and the BBC Trust. Somaliland journalists are often invited into programs run in Nairobi, Addis Ababa, and Kampala. High-caliber journalists also participate in short courses, seminars, and conferences offered by journalism institutions in the United Kingdom and other EU countries.

Last year's MSI study noted that one shortcoming of training opportunities is that journalists often receive training on upgraded equipment, which they have no access to in their jobs. Also, journalists complain that the same basic trainings are offered over and over; they would like to receive training on the business management side of media instead, for example.

The panelists generally agreed that Somaliland news sources and newsprint are in private hands, apolitical, and not restricted, and they assigned the related indicator the highest scores for this objective—despite the fact that last year panelists noted that even owners of private printing facilities have been known to interfere when controversial topics are involved.

While print media distribution channels are also private, apolitical, and unrestricted, the radio transmitters are in the hands of the government and subject to their control.

List of Panel Participants

Abdishakur Muhumed Muuse, editor, *Oodweyne News*, Hargeisa

Sahra Mohamed Ali, reporter, *Ramaas News*, Burao

Rahma Abdilahi Maygaag, reporter, Radio Hargeisa, Hargeisa

Mustafe Adan Muse, manager, Universal TV, Hargeisa

Mohamed Abdihakim Mohamoud, reporter, Somaliland National TV, Hargeisa

Abdillahi Abdi Mohamed, media researcher, Candle Light, Hargeisa

Hodan Abdi Elmi, civil society representative, CARE, Hargeisa

Hinda Mohamed Jama, National Electoral Commission, Hargeisa

Ayan Abdirizak Mohamed, secretary, Women Journalist Association, Hargeisa

Jimcale Abdilahi Jama, reporter, *Hadhwanaag News*, Barbera

Abdale Ali Yusuf, reporter, Horn Cable TV, Borama

Adan Haji Ali, media lawyer, Hargeisa University, Hargeisa

Moderator and Author

Mohamed Osman Fadal, director, Social Research and Development Institute, Hargeisa

Observer

Khadar Abdillahi, assistant, Hargeisa

The Somaliland study was coordinated by, and conducted in partnership with, the Social Research and Development Institute, Hargeisa.

At the time this report was prepared, the ruling party was attempting to ram through legislation that would threaten the freedom of expression and media freedoms, and the opposition was rising in defense.



SOUTH AFRICA

S

South Africa did not emerge unscathed from the global economic meltdown. Despite the country's prudent banking regulations and tight lending conditions imposed by the National Credit Act, manufacturing declined 22 percent and mining output plunged by 33 percent, leading to the loss of more than one million jobs. With a jobless rate above 25 percent (some estimates put it above 40 percent), unemployment is one of the major challenges to South Africa's economic growth, along with poverty, large wealth disparities, and a high incidence of HIV/AIDS.

However, as the country prepared for the 2010 FIFA World Cup, the economic outlook was brighter and the psychological spirit of the nation was elevated. Amidst the depressed conditions, patriotic flags flew high as South Africans set the stage to host the tournament. Whether there will be a post-World Cup momentum, and whether the South African people will really benefit, is yet to be seen. But at the time of the MSI panel, attitudes were positive.

Simultaneously, the period from May 2009 to May 2010 witnessed political rumblings within and outside the ruling bloc. In a very hotly contested election, a new party, the Congress of the People (Cope), challenged the African National Congress (ANC), the ruling party. Cope draws most of its support from ANC defectors that left the party after forcing then-president Thabo Mbeki from office. In the recent election, Cope came in third, and it threatens to drive wedges into the ruling party. So far, though, Cope has amounted to little, as the new party struggles with paralyzing internal difficulties. The strength of opposition parties is lukewarm across a political terrain where the ruling bloc's power remains essentially unchallenged outside ANC.

While ANC won the 2009 elections, it narrowly lost its two-thirds majority that would allow it to rewrite the constitution. Some believe that this may be a positive development, as it serves to check the ruling party from muscling in legislation that might violate South Africa's democratic system. At the time this report was prepared, the ruling party was attempting to ram through legislation that would threaten the freedom of expression and media freedoms, and the opposition was rising in defense.

Of the five objectives for this year's MSI, Objective 5 (supporting institutions) scored the highest, followed by Objective 4 (business management); both fell within the sustainable category. Objectives 1 (freedom of speech), 2 (professional standards of journalism) and 3 (plurality of news sources) remain a fraction below the sustainability range. Objective 2 (professional journalism) drew the lowest scores, but at 2.88 it is not far from being in the sustainable score category.

SOUTH AFRICA AT A GLANCE

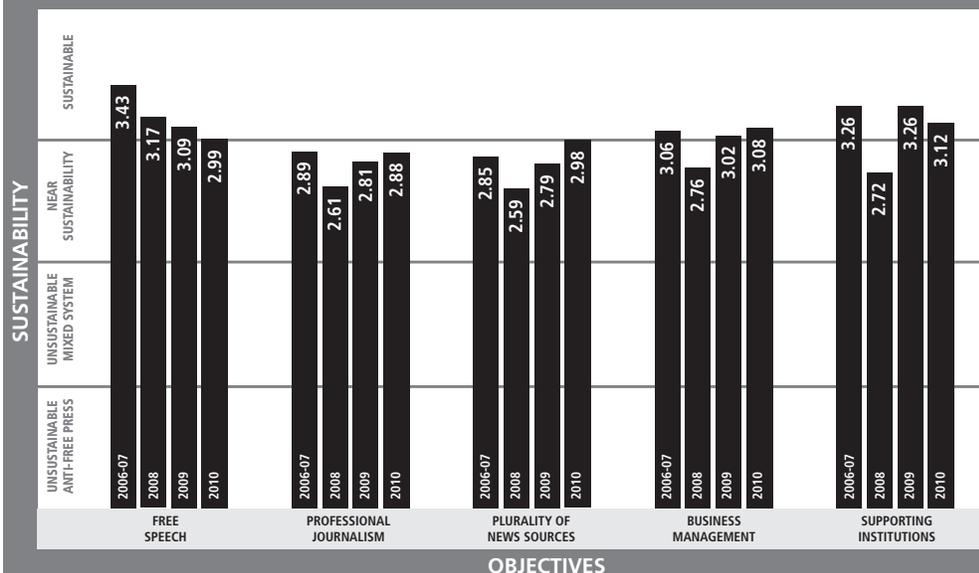
GENERAL

- > **Population:** 49,004,031 (July, 2011 est., *CIA World Factbook*)
- > **Capital cities:** Pretoria (administrative capital), Cape Town (legislative capital), Bloemfontein (judicial capital)
- > **Ethnic groups (% of population):** black African 79.5%, white 9.2%, colored 8.9%, Indian/Asian 2.5% (2001 census, *CIA World Factbook*)
- > **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, *CIA World Factbook*)
- > **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, *CIA World Factbook*)
- > **GNI (2010-Atlas):** \$304.5 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$10,280 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 86.4% (male: 87%, female: 85.7%) (2003 est., OMD Media Facts 2009)
- > **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 Stations: 100+; Television Stations: 50+
- > **Newspaper circulation statistics:** Top three dailies by circulation: *Daily Sun* (508,512), *The Star* (177,899), and *The Sowetan* (143,167), all private. Top three weekly/weekend newspapers: *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:** 4.42 million (2009 est., *CIA World Factbook*)

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: 2.99

For Objective 1, indicators 8 (media access and use of foreign and domestic news sources) and 9 (entry into the journalism profession is free and the government imposes no licensing restrictions or special rights for journalists) scored the highest, about three-quarters of a point higher than the objective score. Indicators 2 (media licensing) and 5 (state or public media do not receive preferential legal treatment, and law guarantees editorial independence) scored the lowest, about a half-point and three-quarters of a point lower than the objective, respectively.

Although Section 16 of the South African constitution explicitly affords the right to freedom of expression to the press, and Section 32 enshrines the right to access information (illustrated in the Promotion of Administrative Justice Act), the panelists stressed that these guarantees cannot be taken for granted.

Over the past year, ANC eroded the freedom of expression and media freedom, in spite of the constitutional framework that guarantees an open space in which the media can operate without fear or favor. Several contentious and insidious laws pose a serious threat to media freedoms and undermine democratic principles. The Protection of Information Bill, the Films and Publications Amendment Act, the Superior Courts Bill, and calls for a media tribunal

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.

(statutory regulatory body) all vexed media lobbyists and practitioners in the past year.

Critics of the Superior Courts Bill, 13 years in the making, have said that some provisions violate the constitution and threaten judicial independence. In effect, the bill aims to transform administrative aspects of the judiciary, and would limit the right to equality and the right of access to courts. How this transformation will impact other aspects of the judiciary—and ultimately media freedom—remains to be seen.

The panelists expressed concern that the Film and Publications Amendment Bill, passed in September 2009, has the potential to impinge on media freedom by allowing for pre-publication censorship of certain materials. The bill mandates that the Film and Publications Board (FPAB) review publications, films, and games for content that is sexual in nature, violates human dignity, incites people to cause harm, or displays hatred towards a group. Publishers that the press ombudsman does not recognize, along with film and game distributors, are required to submit their media productions to the board. The panelists said that they see room for the law to be abused by the authorities. “The amendment act constitutes a grave intrusion of the right to freedom of expression [and]... offends against the letter and spirit of the Constitution of the Republic of South Africa,” one panelist said.

Jude Mathurine, Rhodes University lecturer on new media and deputy new media editor of *Grocotts Mail*, raised another red flag. “Individuals who practice free expression using any tools, including mobile phones, blogs, or other platforms, are not protected,” she said. Additionally, Mike Maxwell, a lecturer for the Centre for Communication, Media and Society at the University of KwaZulu-Natal, said the signing into law of the Film and Publications Amendment Bill encourages self-censorship.

Franklin Huizies, CEO of the National Community Radio Forum (NCRF), a member-based association for community radio broadcasters, raised concerns about the Public Service Broadcast Bill. The bill defines the relationship between the broadcast community media and government. Municipalities have to be co-opted onto boards, for example, and for Huizies, this policy creates many problems. Explaining how the bill is susceptible to abuse, Huizies said, “Some stations have suffered from the withdrawal of municipality business. These stations were selling airtime to the municipality, and they canceled that support because they objected to statements made by the station.”

While government does not block electronic services such as VOIP, it is considering blocking pornography on Internet and mobile devices. The Home Affairs department directed the Law Reform Commission to explore new legislation in

this regard. While government does not yet regulate mobile Internet, Mathurine noted that an unregulated mobile web market has resulted in limitations in what the country's 9.6 million mobile web users access and use. The factors involved are the price of handsets, mobile web literacy, content provision, and high costs of mobile Internet access.

While media freedom and access to information exist, typically media members and citizens resort to the judiciary to assert these rights. The Protection of Information Bill, introduced in parliament in 2008 by the former minister for intelligence, Ronnie Kasrils, never passed. But the bill, sometimes referred to as the State Secrecy Bill, has returned, igniting fear among the media community, opposition parties, businesses, and other sectors of society. They are concerned that the bill's passage might lead to censorship of political expression, undermine the activities of investigative journalists, and criminalize the publication of information on matters of public interest.

Dario Milo, a media legal expert and visiting associate professor at Wits University, wrote a paper outlining some of the bill's fundamental flaws: the use of overly broad definitions of national interest, security, national security and state security; how it classifies commercial information; and its authorization of the classification of information as "top secret," "secret," and "confidential" on the basis of speculative harm. Milo warned that the low thresholds for classification and the broad definitions mean that information that should be made public will be censored "on pain of criminal offense." Disclosing classified information and failing to report possession of information carry heavy penalties: a three to five year jail sentence. Accessing classified information and disclosing state security matters prejudicial to the state are offenses that carry a minimum of five and a maximum of 10 years.

Jayshree Pather, an independent journalist and board member of ABC Ulwazi (an NGO focused on community radio training) said the act will have huge implications for journalists and is a threat to media freedom. Louis Marsland, editor-in-chief of *Advantage*, noted: "If this [MSI] research was conducted several months ago, this indicator/section would have scored higher—however, the scoring is lower [amid this threatening legislation] and signals a downward trend, as the media increasingly come under attack. The Protection of Information Bill is designed to muzzle the media and gag anyone from providing information that should be in the public domain. Our hope is that our legal fundamentals are in place."

Mike Aldridge, a Cape Town TV (CTV) producer, agreed that the bill would be highly detrimental. CTV is a non-profit, community-based television station serving the Cape Town metropolitan area. Founded by more than 200 non-profit

organizations in 2006, CTV is committed to providing community access to television as a tool to promote human rights, social justice, and community cultural development.

In terms of media licensing, the panelists said that licensing for broadcast media is fair, competitive, and apolitical on the whole. The broadcast regulator, The Independent Communications Authority of South Africa (ICASA), operates apart from the government theoretically, although it falls under the jurisdiction of the Department of Communications. The regulatory body for the IT and telecommunications industry, ICASA is tasked with the licensing of network operators, radio broadcasters, television channels, and related service providers within the sector. ICASA also investigates and adjudicates on complaints internally (between licensees) and externally (from members of the public against licensees).

Although the panelists expressed the belief that licensing procedures are fair, they had various complaints about ICASA's shortcomings. Some panelists raised the possibility of bias towards Black empowerment. Aldridge said that ICASA council members are nominated publicly, although final appointments are made by government officials and might be subject to political bias. Panelists also expressed concern at the continuing erosion of ICASA's independent status as a regulator between the government and the broadcast media industry. According to the panelists, ICASA barely functions as an institution, lacking operational and monitoring capacity.

Media Monitoring Project (MMP) Director William Bird summed up the general view of respondents: "ICASA is a shell of an institution...only big media voices prevail at that institution. Corporations determine policy and regulations. ICASA is basically there to rubber stamp the ideas and interests of the largest media groups...it cannot even monitor the South African Broadcasting Corporation [SABC]. ICASA is powerless; it cannot fulfill one of its basic functional roles. The Department of Communication's apparent intent to undermine it is very frightening, because it undermines our constitution and threatens fair licensing processes in the future."

Huizies remarked that ICASA proved unable to monitor the country's more than 100 community media broadcasters, and as a result, it faced compliance challenges among community media outlets. ICASA also failed to license local mobile television prior to the 2010 Soccer World Cup, and precluded the most viable provider candidates from participating on weak technical grounds, said Mathurine.

Regarding the ease of market entry, panelists said that the requirements for starting a small to medium micro-enterprise (SMME) media outlet—such as a small-town newspaper—are simple and straightforward, with no barriers. Companies need only complete a registration process according to terms

stipulated in the Companies Act. The greater issue is the ability for smaller players to survive against the economic and political might of the media conglomerates that dominate the industry. Therefore, the panelists expressed the belief that there should be tax breaks to encourage growth of community media.

Crimes against journalists or media outlets are rare, and when they do occur, they elicit public outcry and are prosecuted vigorously. The state's decision to prosecute eTV journalists, for example, generated considerable controversy. The journalists refused to reveal their sources for a story in which interviewees threatened criminal actions against tourists during the 2010 World Cup, but ultimately the prosecutor's case was defeated in court.

Indicator 5, regarding preferential legal treatment for public media, drew much debate and exasperation. Panelists agreed that the state of the public broadcaster, SABC, is dismal. While ostensibly the law guarantees the independence of public media, panelists said that the government's appointment of board members and senior employees compromises this independence. Parliament institutes the board appointments, and the ruling party ensures that its cadres are deployed to the SABC board. Aldridge commented, "For example, the ANC Youth League is represented on the board, while other political movements are not. The dominance of ANC ideology manifests throughout the organization in its commissioning philosophy and procedures."

Media Monitoring Project Director William Bird added that the Public Service Broadcasting Bill, if implemented in current form, would destroy the institution. "We can kiss the public broadcaster goodbye, and then [this indicator] would literally score a zero," he said. "The ongoing efforts to undermine SABC's credibility, through overt and covert political interference, have brought the situation to a precipice where its status as a public broadcaster is at stake. It will be a state broadcaster."

According to an executive producer at SABC, self-censorship is already at play. "Although our law guarantees freedom of speech, journalists at the public broadcaster are often instructed by their editors to run certain stories, to exclude others, or to alter the wording on stories." She added that the saga surrounding the appointment of SABC Head of News, Phil Molefe, is a case in point. "We were instructed not to run the story until we got orders from above. Some government officials are the chief violators of the media's right to decide on stories. It is ironic that the present-day government fought so hard for media freedom and other rights, but they are now the ones violating these rights. On the other hand, the journalists and editors, wanting to please and to be in the government or the ruling party's good books, are happy to toe the line and often practice self-censorship," she commented.

In South Africa, libel is a civil law issue, derived from British law. Parties must prove falsehood and malice. The panelists said that generally, the population is less litigious than, for example, the United States, and this law is not tested as often. If the journalist is acting as an agent for the publication in the normal course of employment, then the editor and publisher are liable. However, the ruling party's use of this law against the media is a worrying trend.

Freedom House's *Countries at the Crossroads 2010* report documents the ANC's increasing sensitivity to media criticism, including a 2008 defamation lawsuit launched by then-ANC president Jacob Zuma. The lawsuit was prompted by a political cartoon that depicted Zuma unbuckling his belt in front of a woman being constrained by ANC colleagues. A banner across the woman's body suggests she is a symbol of the judicial system, with the implication being that Zuma and other ANC leaders are "raping" that system. The cartoon came after Zuma was accused of rape in 2005 and went to trial on rape charges in 2006. (The Johannesburg High Court sided with Zuma's claims that the sex act was consensual, and dismissed the charges.) Zuma, now president of South Africa, pressed charges against the cartoonist, the paper that printed the piece, and the paper's holding company in the \$700,000 lawsuit. Zuma ended up filing a raft of other defamation suits, more than a dozen, against several media outlets that covered the 2006 trial.

In another case, the Gauteng-based *Sowetan* newspaper is defending a ZAR 20,000 (\$2,600) defamation claim brought by police boss General Bheki Cele. The case pertains to the paper's June 2007 use of a digitally manipulated image of the tough-talking Cele carrying a rifle, depicting him as a strong crime fighter, taking the battle to criminals. At the time, Cele was the Kwa-Zulu Natal member of the executive council for transport and community safety. Cele complained that *Sowetan* published the image without his permission, and claimed that the image is injurious to his privacy, insults his integrity, portrays him as "a man of arms," and degrades his physical image. He also objected to an article about him urging police to "aim for the head" when criminals pull their guns on the police, and another article linking his remarks to the police's subsequent killing of eight suspects. *Sowetan* spokespersons have rejected the notion that the media should seek the approval of people about whom they write before publishing images that the subjects might deem unflattering. Media observers await the outcome of this matter eagerly.

Regarding access to information, the Promotion of Access to Information Act 2 of 2000 (PAIA) provides the framework and procedures to exercise the constitutional right to information. Given that the constitution protects human rights, the South African Human Rights Commission (SAHRC) plays a key role in the implementation of PAIA. Furthermore, SAHRC functions

as a Chapter 9 institution—a statutory body supporting constitutional democracy and facilitating the enforcement of protected rights in cases involving putative infringement.

Panelists said government departments, spokespersons, and civil servants see their roles as regulators of information access, rather than facilitators of access to public information. Huizies added that community radio stations face many obstacles in accessing information from local government. “The municipalities make it very hard, and these radio stations do not have the money to take legal action, so most of those cases are just shelved,” he said.

Mathurine said that the worrying use of the courts to clarify and enforce such rights, typically by large media organizations campaigning to access information in the public interest, does not bode well for ordinary citizens and civil society groups that may not be as knowledgeable or have the financial resources to do the same.

At the same time, panelists said that *Mail & Guardian* deserves special praise for using the courts to enforce rights under PAIA, in the constitutional court judgment *Brümmer v. Minister for Social Development and Others*. *Mail & Guardian* had two other recent wins: one regarding the FIFA Local Organizing Committees’ denial of access to tender documents, and one regarding access to the South African election observers’ report on the 2002 Zimbabwe election.

Panelist said that journalists face no major restrictions accessing international news sources, aside from the inadequate Internet infrastructure. The high cost of Internet access has resulted in local newsrooms instituting bandwidth caps for staff, and banning access to certain bandwidth-heavy social media websites. International news is available through the multitude of Internet channels as well as on satellite television (exclusively DSTV until May 2010). Cost is the major factor affecting equal access to international news.

South Africa does not have a licensing regime for journalists. Journalists can form unions or professional organizations to protect their rights, as the March launch of the Professional Journalists’ Association of South Africa (ProJourn) suggests. Given the potential of new media, enforcing legislation to register journalists would be impractical and difficult, as a new generation of citizen reporters increasingly enjoys media freedom, Mathurine said.

In conclusion, the South African constitution ensures that the fundamentals of a free press are guaranteed. Panelists said that the legal protective framework is intact and that the country has an independent judiciary. Participants would have given higher scores but for the “draconian” legislation on the cards and talks about the media appeals tribunal—which suggest that the freedoms cannot be taken for granted, and that threats against media freedom need to be fought.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

South Africa Objective Score: 2.88

In Objective 2, all indicators scored close the objective score; in fact, none scored more than a quarter point higher or lower.

Participants said that for the most part, reporting is fair—although the quality varies, and some reports are not well sourced. Still, they said that the standard of journalism in South Africa is acceptable, with none of the blatant propaganda that characterized media earlier, particularly under apartheid. Bias and lack of professionalism tend to be seen at the level of smaller media outlets, such as commercial community media, which do not attract high-caliber journalists.

The Press Code of Professional Practice, established by the print media industry, captures the most basic and universal principles for journalists: “to report news truthfully, accurately, and fairly; and to present news in context and in a balanced manner, without an intentional or negligent departure from the facts.” This code is in line with other international codes. On the broadcast media side, the panelists mentioned that the National Community Radio Forum (NCRF) does not have a code for community radio journalists, but it does have an institutional charter that serves as a guide.

Panelists flagged several concerns regarding ethical reporting, and said that the score would be lower if coverage of gender, children’s, and human rights issues were taken into account. Panelists said that increasingly, the shift to new media platforms requires greater awareness of policy

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).

factors pertaining to real-time and social media publications. Yet news organizations have not updated their policies to consider social or multimedia practices. Although general principles and values of ethical journalism are applicable to any media platform, the panelists called for guidelines specific to the terrain of multimedia and social media.

Gifts or “freebies” are found in certain niches, e.g. travel journalism, and in some cases, journalists have been accused of taking bribes. But the panelists said that overall, instances of journalists breaching ethical codes are rare, and the profession frowns upon such practices.

Panelists concurred that media outlets appeal to specific audiences and rely on the patronage of powerful political and business interests, so some degree of self-censorship will always be prevalent—particularly at outlets with no strong ethic or tradition of speaking out against such practices.

In terms of covering key events and issues, journalists tend to report on events rather than topics. Coverage is often urban-centric. Furthermore, polar voices on the left and the right do not receive air time, except when there are incidents to cover. Mauthurine observed, “We are failing in language when it comes to print. Journalistic coverage of key events received an average mark, because the public broadcaster, despite its broad geographic scope, still covers mainly the metropolitan areas or provincial capitals and economic centers. This often means that only certain kinds of news tends to emerge from rural areas—often related to crime or corruption,” he said.

Journalists, on average, are not well paid. Salary scales vary regionally and reflect gender inequities. In its 2009 “Glass Ceiling” study, the NGO Gender Links pointed to package and contractual differences between men and women. Men secure better contracts and earn more; on average, women earn about ZAR 220,000 (\$26,000) per annum, while their male counterparts earn ZAR 260,000 (\$31,000).

The South Africa Writers’ College (www.sawriterscollege.co.za) reported on pay differences in the period 2007 through 2008, noting that on average, junior journalists earn a starting salary of ZAR 5,000 per month (\$702), or as much as ZAR 8,000 (\$1,122). As they move up the ranks, the salary might increase to ZAR 8,000 to ZAR 16,000 per month (\$1,122 to \$2,244). While starting salaries are low, more senior positions (such as news editing; senior reporting; and specialist beats such as politics, business, or property) command higher salaries. A managing editor, or even the editor-in-chief of a major-city publishing house, may command a monthly income of more than ZAR 35,000 to ZAR 40,000 (\$4,908 to \$5,609). However, most journalists occupy the middle to lower levels and never see such high salaries. This explains the outflow of journalists to other fields, such as corporate public relations and government communications.

According to the panelists, certain media outlets sell editorial space to businesses, but the incidence of individual corruption is low. Panelists referred to the reactions to the recent exposé of two Cape Argus senior journalists accepting payment in exchange for favorably portraying a political figure, raising questions of professionalism and credibility. Journalists widely and publically condemned these incidents, Jayshree noted.

All respondents agreed with Maxwell’s view that pay levels for most journalists have failed to keep pace with inflation, and remuneration for investigative journalists in particular is insufficient—leading to minimal coverage of controversial news. Investigative reporting consumes time and resources, and many budget-conscious publishers consider it dispensable. Maxwell added that often, consumers must seek out specialist publications to access solid investigative reporting. But those publications have limited circulations and remain inaccessible for the majority.

According to the panelists, ICASA licensing conditions for broadcasters include airtime quotas to ensure a balance between entertainment, current affairs, education, and social issues. However, television entertainment programming tends to overwhelm factual reporting such as news and documentary programs. Aldridge said that the disparity “is felt most acutely in the programming choices of the public broadcaster, which prioritizes entertainment at the expense of other genres.”

Dedicated news channels are available only through subscription channels and within the overall programming mix of community television channels. CTV is probably the only channel in the country that prioritizes documentary programming, outside of dedicated documentary channels in pay-television packages.

Respondents agreed that the problem of heavy focus on entertainment is less acute in print media. They also agreed that the lack of hard news impacts negatively on the population’s capacity to make informed political choices and decisions. Panelists said that although SABC runs excellent documentaries, they tend to air at inaccessible times—while “soapsies” prevail during prime time.

According to Huizies, cost is major factor in programming choices. “At the community radio level, news and current affairs content is more expensive to produce, and thus stations lean toward entertainment because it is easier... although I think that there are positive examples, such as Radio Riverside in Uppington, which has been able to forge partnerships to produce quality content at less expense,” he said. He explained further that Radio Riverside identified local NGOs working on development projects within their community and then partnered with these organizations. The NGOs also provided the station with content on health,

youth, and other issues. Bush Radio, he added, is another good example—the station enlisted journalism students as reporters, giving them the opportunity to develop local news with sound bites from local townships.

Huizies also pointed to the absence of data or scientific research on the current state of the community radio sector. Although ICASA has been regulating the sector, the weakness of the authority's monitoring has created a dearth of statistical information.

Facilities and equipment are on par with the best in the world. Digital distribution ensures a wide footprint for most broadcast media, although access to digital content favors the urban and the rich. The same applies for print. Panelist underlined positive growth in this regard for community television, but said that community radio lacks the ongoing capital investment to upgrade studios.

South Africa has a plethora of niche media, and some excellent niche reporting, both in print and broadcast. Print media outlets conduct the majority of investigative reporting, and specialist financial/economic reporting is available in most papers.

All four commercial print media organizations have reinstituted internship or cadet programs for in-house training. *Mail & Guardian* established a donor-funded investigative unit, and *Daily Dispatch* set up a civic journalism team. These initiatives signal that news organizations are refocusing their efforts on niche skills considered important for the support of democracy and development. Also, the major media houses are now conducting mentorship programs and internal media training classes.

Notwithstanding these positive examples, Mathurine criticized the Sectoral Education and Training Authority, responsible for media workplace training, for corruption and mismanagement. This has negatively influenced the capacity of most media workplaces to improve and upgrade their skills and capacity, he said.

In conclusion, while pockets of excellence exist, the media sector still has huge gaps with regard to particular specializations. Less glamorous topics (poverty, HIV/AIDS, health, and education) tend to get sidelined at an editorial level.

OBJECTIVE 3: PLURALITY OF NEWS

South Africa Objective Score: 2.98

In Objective 3, most indicators scored close to the objective score. Indicator 2 (citizens' access to domestic or international media is not restricted) was the highest-scoring indicator, coming in slightly more than half a point higher than the objective. Indicator 3 (state or public media reflect the

views of the political spectrum, are non-partisan, and serve the public interest) scored the lowest, more than half a point behind.

Clearly, the media sector has a plurality of public and private news sources (e.g. print, broadcast, Internet), and there are affordable options. The country has many national and regional newspapers as well as local and community newspapers; a wide variety of magazines; national, regional and community radio stations; and community television stations. But despite this diversity of sources, many outlets have limited circulations and some are relatively expensive, the panelists noted.

The Media Development and Diversity Agency (MDDA) reports that South Africa's 100-plus community radio stations account for less than 5 percent of the total radio audience, while 13 commercial stations account for 16.5 percent. SABC controls slightly more than 40 percent of radio audiences, and nearly 70 percent of television audiences with its three terrestrial television channels: (SABC 1, 2, and 3). eTV, a privately owned, free-to-air commercial terrestrial channel, has more than 18 million viewers and represents more than 22 percent of the viewing population.

National Radio is broadcast and received widely, and community radio has found a growing audience despite poor economics, which hamper sustainability. Still, rural areas tend to get the short end of the stick, panelist said. "Populations in metropolitan areas, where more elite audiences live, generally have access to a range of much wider, free-to-air radio and television stations, as well as free print media materials and hyper-local websites representing certain areas. For an example of the latter, see Avusa's MyParks project,

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 is run exclusively in affluent (formerly white) suburbs of Rosebank, Parktown, Sandton, Northcliff," Mathurine said.

Mathurine also commented on the increase of new media and alternative news sources. "It is unclear to what degree South Africa's 5,000 or so active blogs provide an alternative source of news and information. Given race, gender, and class dynamics of the South African digital divide, platforms such as blogs, social networks, and social media often replicate mainstream commercial media agendas or themes, leading to a replication of interests and voices of commercial media. The same applies to some community media that lack resources for general community or regional reporting. Tabloids increasingly provide an important source of news for the general populace, regardless of some retrograde human rights practices."

Citizen access to domestic or international media is not restricted or subject to legal impediments, but it is costly. Access to shortwave radio, satellite radio, Internet, and satellite television often depends on income. To access international information, people need to have satellite television, subscription television service, or Internet television. Competition in the satellite television market (three years after licenses were first granted) does have the potential to lower costs, but this is yet to be realized. Most people do not receive their information from shortwave radio.

Low Internet penetration, felt most keenly in rural areas, is a limitation. Overall penetration is just over 10 percent and broadband access around 2 percent. Internet costs are relatively expensive compared to the developed world; consequently, Internet is only accessible to the wealthy minority and the predominantly urban populace. This scenario could change, though, with increased web access via cell phones, as cellular penetration is very high. The incidence of pay television is relatively low, with the main subscription channel having a subscriber base of around two million. However, increased competition from a new contender is bringing prices down, and the emerging community television sector is gaining a firm foothold.

"Wired Internet access stands at between five to six million, although this number may go up to nearly 10 million, or 19 percent of the population, if mobile Internet methods are included, such as mobile web, WAP gateway and other applications," Mathurine said. "Even here, the top websites used by South Africans are generally international service and social media websites such as Google, YouTube, and Facebook."

Indicator 3 drew heated responses, with panelists criticizing the public broadcaster (PBS) as partisan politically. The panelists said that PBS has failed in its mandate to

provide independent and unbiased coverage of news and current affairs. Views of opposition political parties, civil society groups, rural dwellers, and trade unions are underrepresented in comparison to coverage of issues and personalities related to the dominant party. Extreme poles of political and economic views are seldom represented.

Aldridge said that the public broadcaster has been compromised severely by the deployment of ANC cadres to key positions—an illegal procedure that does not inspire confidence in its impartiality, he noted. Mathurine concurred, describing a recent event as an example: "The newly appointed board chair behaved inappropriately by pre-empting a decision on selecting the head of news, and claims to have confirmed the appropriateness of the candidate with the office of the presidency."

The South African media have access to a range of independent news agencies, including the main agency, the South Africa Press Association (SAPA), as well as I-net Bridge, Eye News Service, SACSIS, East Cape News Agency, Touchline, Health E-News Agency, Mpumalanga African Eye, Gender Links, and Sangonet. International agencies such as Reuters and Associated Press are also available.

Broadcast media do produce their own news, although some media, including certain television channels, purchase items from international news agencies to complement their own local coverage. Local and community radio and television stations also produce their own news bulletins and reports. BUA, the government news agency, provides free content—but tends to toe the official line.

Media ownership in South Africa is transparent, but the big four newspaper organizations (Avusa Publishing, Naspers, Independent Newspapers Group, and Caxton) own the bulk of print media. Naspers, through its subsidiary Media 24, is the largest media company.

New Age, a daily planned to start production in September 2010, is partly foreign-owned. The Times of India Group has a stake in the business. The Gupta Group, the family that manages Sahara Computers Ltd., controls the newspaper. *New Age* will compete with at least five large daily newspapers in the country's major cities, including the Independent News & Media PLC publication *Star* in Johannesburg. The new publication is viewed in some quarters as the ruling party's mouthpiece. Others say that the new entrant poses a challenge to the monopolistic control of the mainstream press, with its hegemonic culture.

Despite the plurality seen in the sector, the panelists concluded that print media is not diverse, and indigenous language publications are rare—but said that radio is much more inclusive. Citizens have only stunted access to complimentary and dissenting views. Poverty, development

issues (particularly among rural populations), unemployment, landlessness, homelessness, lack of basic services, HIV/AIDS, food insecurity, and gender issues are all examples of underrepresented issues in the mainstream media. Also, other than a few community services and SABC, there are no commercial channels that cater to indigenous languages. Indigenous-language newspapers are rare, and indigenous-language news and information sites and blogs are non-existent. In 2008, 24.com conducted the South Africa Blog Survey, with 688 respondents. According to its findings, only 3 percent of respondents blog in local indigenous languages.

OBJECTIVE 4: BUSINESS MANAGEMENT

South Africa Objective Score: 3.08

Objective 4 showed very little change from last year; all indicators scored close to the objective score.

The private media sector in South Africa is robust and healthy in business terms, although some panelists argued that managers tend to be fixated detrimentally on traditional models. The past year has been characterized by downsizing, retrenchments, and staff consolidation; for example, there is now just one national sub-editors room in the Independent Newspapers group. Similarly, *Media 24 Afrikaans* papers consolidated its sub-editors. The implication, apart from job losses, is that syndicated copy is used increasingly to cover news outside of the major metropolitan areas. Potentially, this could negatively impact the quality and diversity of news content, and indicate a narrowing towards the urban, desirable markets, especially in the commercial newspaper 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.

Community media tend to struggle to survive without robust state or institutionalized support, and according to Aldridge, a number of community radio stations have closed for financial reasons.

Financial struggles are apparent on the print media side as well. Circulation of many newspapers and consumer magazines fell by as much as 10 percent in the first quarter of 2009, according to the international research group Audit Bureau of Circulations (ABC). In the third quarter of 2009, only niche and tabloid titles—*Die Son*, *Isolezwe*, and *Post Natal*—maintained or increased circulation. *City Press*, *Sunday Independent*, *Cape Times*, and *Mail & Guardian* newspapers were redesigned in an attempt to attract readers. At Avusa, *Daily Dispatch* conducted a retrenchment at the beginning of 2009. *Business Day* and *Financial Mail* both retrenched staff, and Avusa shut its loss-generating *Weekender* newspaper. Avusa also retrenched staff in its African media ventures. At the year's end, Naspers started voluntary retrenchments at its Afrikaans titles. Naspers also closed its women's magazine, *Femina*, and its once-celebrated Kenyan magazine division, as Mathurine pointed out.

In the new media terrain, Telkom Media did not capitalize on its pay TV license—a failed bid that led to an estimated loss of ZAR 700 million (\$101.8 million). The Chinese Shenzhen group now has a 75 percent majority shareholding. Shenzhen established a new entity called Super5 media, which plans to produce satellite and IPTV. However, this acquisition has raised serious questions about international shareholding in local broadcast companies.

According to the panelists, SABC has been particularly disappointing in its financial management, having incurred massive debt and requiring a correspondingly large-scale government bailout. It reported losses amounting to ZAR 800 million (\$116.3 million) in 2009. This resulted in SABC closing some of its newly opened international bureaus. Subsequently, SABC received a ZAR 1 billion (\$145.6 million) bail-out from the government, with a further ZAR 500 million (\$72.8 million) forthcoming. *Sunday Independent* reported severe cuts to SABC's newsroom budget.

SABC's heavy reliance on commercial revenue impacts the variety of programming that it airs. SABC derives 85 to 87 percent of its revenues from commercial sales, 13 percent from license fees, and the remaining two percent from direct government grants.

Online advertising continues to grow by 27 to 30 percent a year; it now reaches about ZAR 319 million (\$46.4 million). Mathurine said that with the rise of online and mobile media consumption, a handful of entrepreneurs have stepped up to produce viable web-only platforms, including Duncan McCleod's TechCentral, Matt Buckland's Memeburn, and Branko Brkic.

The need to diversify profit streams has also seen the drive to paywalls on newspaper websites. Other than *The*

Independent's regional titles, *Natal Witness* became the first to limit access to its local content, and *Daily Dispatch* and *Mail & Guardian*, apparently, are likely to follow suit. Their creation of walled gardens eliminates space for free audience participation and dialogue on topical matters of local interest, among others.

Commercial media draw income from a variety of sources, including shareholders, advertising revenue, sales, and subscriptions. Broadcasting garners its income from license fees, advertising, and other marketing initiatives. Advertising agencies are actively employed.

Community media lack adequate, consistent funding, and often large advertisers ignore them. The community television sector is only now seeing increased support after more than a decade of neglect and marginalization, Aldridge remarked. "The government has plans to introduce a Public Service Broadcasting Fund that would support both the public service and community broadcasters. It remains to be seen how effective this might be. Sources of revenue definitely affect editorial decision-making across sectors. Commercial media always keep their markets in mind, while public and community media have to please their funders," he said. This view was shared by other respondents.

At a two-day community media conference, held toward the end of 2009, Bizcommunity reported on the challenges facing most of the country's community newspapers, television, and radio stations, which are seriously under-funded and under-equipped; lacking vision, expertise, and professionalism; and are structured weakly. Because of the lack of resources, community media are "bullied" by corporate powers, which leaves them in a poorer position when vying for quality programming. Huizies said that non-compliance with regulatory requirements is another general problem.

According to Media Online, ICASA mandates community radio stations to focus on local content and to ensure community access, particularly by poor and marginalized groups. But they must also compete with public and commercial broadcasters in attracting the advertising spend, and they have to make use of new technologies to improve radio programming and operations. Some stations now use digital production, satellites for program distribution, and the Internet for information sourcing. The panelists said that is imperative for community media to keep looking at innovative, sustainable business models if they are going to survive and offer quality programming.

The advertising industry in South Africa is sophisticated and well-tuned to local marketing nuances. Many agencies are linked to international offices, but a substantial number are wholly South African. Even though community media

struggle for access to revenue, advertisers tend to support mainstream media.

In the print sector, urban areas generate sufficient advertising revenue. There is some evidence to suggest that the Internet is causing some fall in media advertising, though, affecting the pricing structure and quantity.

MDDA, set up by the parliament in 2002 to enable "historically disadvantaged communities and persons not adequately served by the media" to gain access to the media, funds some private and community media organizations. MDDA provides start-up capital for community outlets and pays for staff training using funding from government and industry sources. Other than through MDDA, the state does not subsidize independent media.

The large media houses conduct market research frequently to position themselves in terms of programming and revenue generation. The South African Advertising Research Foundation (SAARF) conducts sophisticated market research surveys, while ABC collects circulation figures. All Media Products Survey (AMPS) is a measurement tool that SAARF uses to supply the media industry with audience measurement figures. This is an independent survey outsourced by SAARF to AC Nielsen, and is believed to adhere to high international standards. Aldridge pointed out that economies of scale and the costs associated with measurement mean that the main ratings agency, SAARF, does not measure local audiences in remote areas, while community radio stations complain that even in urban areas, their small audiences are not measured accurately.

Panelists agreed that the measurement of the Internet sector is highly problematic, and more so when mobile Internet is factored in. Data collection for Internet usage and access, including mobile Internet, is inconsistent and often based on flawed assumptions, such as SIM card sales. The Online Publishers' Association and SAARF both use different methods and indicators to determine the size of the wired online population. Mathurine pointed out previously that the inclusion of the wireless mobile population would almost double the figure for Internet users. A big problem in media management, particularly in the new media terrain, is the measurement of mobile media users due to the lack of clear aggregated data from cell phone companies such as Vodacom, MTN, Cell, and Virgin. This results in marketers and media managers relying on estimates instead.

Furthermore, the arrival of competition in the Pay TV market between DSTV and new entrant TopTV has created a price war, with increased segmentation of satellite television packages. TopTV still has to demonstrate its long-term sustainability, the panelists said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

South Africa Objective Score: 3.12

This objective received the highest score of the five objectives. All indicators scored similarly well, and none received a score more than half a point lower or higher.

South Africa has a number of trade associations that safeguard the interests of media owners and provide member services. These include South African National Editors Forum (SANEF) and NCRF. Print Media South Africa (PMSA) 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). Combined, PMSA represents more than 700 newspaper and magazine titles. The country also has organizations designed to serve the interests of new media organizations; they include Internet Service Providers' Association, Wireless Application Service Providers' Association, the Website Association of South Africa, and Online Publishers' Association. Community media are well represented by four organizations.

SANEF is a professional organization for editors and senior journalists, and Media Institute of Southern Africa (MISA) has an operational South African chapter as well. Other organizations are the Forum of Black Journalists, which was revived in early 2008; and the Association of Independent Publishers. The panelists explained that the South African Union of Journalists is now defunct. Unions such as the Communications Workers Union (CWU) do not represent journalists specifically. The Media Workers' Association of South Africa and the Broadcast & Electronic Media Allied

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.

Workers' Union represent the rights of media workers. Other NGOs are concerned with various aspects of freedom of speech and journalistic standards, but these are not professional membership associations.

According to Maxwell, a number of organizations, such as CWU, indirectly reflect the concerns of journalists or segments of the profession. The infant ProJourn, established in March 2010, has yet to show any meaningful impact. However, Marsland considers ProJourn a much-needed forum to ensure that journalist rights are protected and to facilitate the tabling of relevant issues. ProJourn resulted from extensive consultations, running over two years, in the journalism community.

The Forum for Black Journalists, established in early 2008, grabbed media attention and stirred some controversy because of its racial representation. According to the panelists, its impact has yet to be measured.

South Africa has a plethora of NGOs in place to check state power and generally offer a forum to debate issues affecting the freedom of speech regionally and nationally. NGOs supporting media interests include MISA, the Freedom of Expression Institute (FXI), MMP, and Gender Links. FXI, MMP, and the Media Advocacy Project lobby to protect media freedom. "Free Our SABC" is an NGO coalition that acts as a lobbying group, responding when the public broadcaster undermines the freedom of speech.

One shortcoming of the NGO community is that it is concentrated in urban locations, so rural representation is very limited. Funding is frequently an issue as well, but the panelists said that overall, NGOs still manage to operate effectively.

Panelists estimated that about 15 journalism courses are taught at the tertiary level in South Africa. Panelists noted, though, that while a number of tertiary educational institutions provide journalism training, their programs vary in quality and standards. All include practical components in their courses, and facilitate internship placements at media institutions. However, shrinking staff levels and the increasing need to rely on junior staff are growing resultant problems for the media, particularly in the newspaper sector. The shortfalls also limit the effectiveness of internships for aspiring journalists. Aldridge added that few opportunities exist for internships in broadcast organizations, particularly in television, although this may change as the community television sector grows.

Bird questioned the sustainability of some programs, noting a tendency to teach theory rather than craft. Maxwell agreed, and suggested this trend may have emerged because it better suits academic schedules. Practical training, he noted, is labor

intensive, time consuming, and poses a challenge for the large class sizes that universities prefer to maintain.

South African journalism students tend to study at home for a while, then head overseas to gain practical experience.

A number of organizations sponsor classes and short-term training opportunities in the different journalism disciplines, mainly offered in the major cities. For example, the Institute for the Advancement of Journalism offers short-term courses focusing on a variety of journalism skills. Outside the major centers, organizations such as the Sol Plaatje Institute for Media Leadership offer training, including in-house sessions, to media organizations.

Maxwell underlined problems with the process of accrediting short-term course and their structure. The difficulty of keeping pace with the dynamics of rapidly developing, swiftly changing technology presents specific challenges.

Newsprint and printing sources are owned privately, apolitical, and unrestricted. However, large companies monopolize distribution, and panelists claimed that small newspapers get the short end of the stick, frequently taking second place on distribution routes. Furthermore, news printing production is limited primarily to the area around the capital. Newspaper production is an expensive business, hence smaller outfits would face financial barriers because of the ownership and the distribution issues linked to a monopolistic environment. Market forces prevail in this sector, though; the government does not interfere.

While most print media are owned privately, broadcast media are substantially state-owned (although the country has a number of private broadcasters). Control of broadband and its pricing is restrictive, panelists opined. The public sector maintains full control of the various features of the national communications economy. For example, the regulator is ICASA, while broadcasting and transmitters fall under Sentec, and Telkom dictates the broadband monopoly. All the aforementioned institutions and organizations are state-funded or parastatal organizations.

Signal distribution facilities are in private and state hands. The signal distributor Orbicom transmits the main private (pay) television channels, while the state is the only shareholder of Sentec, which transmits SABC, eTV, community television channels, and community radio. Panelists said that Sentec has not been managed well of late and carries a heavy debt, which has led to the resignation of the CEO and the institution of a new board of directors. Community broadcasters complain that Sentec charges them commercial rates, with no rebate or differential tariff structure based on their non-profit nature. ICASA has not carried out a tariff

review in this regard. These issues impact negatively on the sustainability of the community media sector in particular.

In conclusion, panelists said supporting institutions do function in the interests of a professional media. The NGO and media lobbying groups are critical and spearhead media freedom agendas. The panelists called for a re-examination of training to meet the needs of a changing media landscape, and greater cognizance of technological trends.

List of Panel Participants

William Bird, director, Media Monitoring Project, Johannesburg

Franklin Huizies, chief executive officer, National Community Radio Forum, Johannesburg

Michael Maxwell, lecturer, Centre for Communication, Media and Society, University of KwaZulu-Natal, KwaZulu-Natal

Michael Aldridge, producer, Cape Town TV, Cape Town

Jude Mathurine, new media lecturer, Rhodes University; deputy new media editor, *Grocotts Mail*, Grahamstown

Portia Kobue, executive producer, SABC Television, Johannesburg

Louis Marsland, editor-in-chief, *Advantage*, Johannesburg

Jayshree Pather, board member, Applied Broadcasting Center Ulwazi, Johannesburg

Moderator and Author

Shehnaaz Bulbulia, owner, Shehnaaz Bulbulia cc media consulting firm

Editors

Johanna Mavhungu, media researcher, Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown

Simwogerere Kyazze, lecturer, 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.

For now, the media, especially independent/private entities, continue to operate under difficult conditions in the North, while in the South there is relative media freedom.



SUDAN

At the time of the 2010 MSI panel in Sudan, the people in the Southern Sudan, journalists included, were anxiously awaiting the outcome of a January 2011 referendum to determine the political future of Sudan. The MSI panelists predicted that when Southern Sudan becomes independent, as expected, the Sudanese in this region would enjoy greater freedom of speech and press than those in the North. The South will be politically and economically independent, thanks to oil lying beneath this part of Sudan.

That moment will be the climax of the Comprehensive Peace Agreement (CPA) signed between the SPLA and the Khartoum government in 2005 to end Sudan's long-running civil war, in which it was agreed that the people of the South will determine self-governance through a referendum. However, some Sudanese fear that development in the Independent Southern Sudan may be affected by the corrupt leadership, which, unless checked, could lead to greater suffering for the people than under a united Sudan.

For now, the media, especially independent/private entities, continue to operate under difficult conditions in the North, while in the South there is relative media freedom. Acts by security agencies to intimidate, harass, and torture members of the media is the order of the day, more so in the North, but to a certain extent in South Sudan. As the year drew to a close in December, the authorities began stepping up their harassment and arrests of journalists and human-rights defenders ahead of the referendum.

While such acts persist, journalists do occasionally speak out against the intimidation, through media advocacy and professional organizations. Efforts by the media to fight for their rights have yielded little, but the struggle continues through several media organizations. In the South, consultation with journalists on the proposed new media bill is still undergoing review by the media associations.

On a practical level, the media in the North are generally far better off than their counterparts in South Sudan in terms of infrastructure, investment, pay levels, and training, but much needs to be done to organize the profession in the region.

SUDAN AT A GLANCE

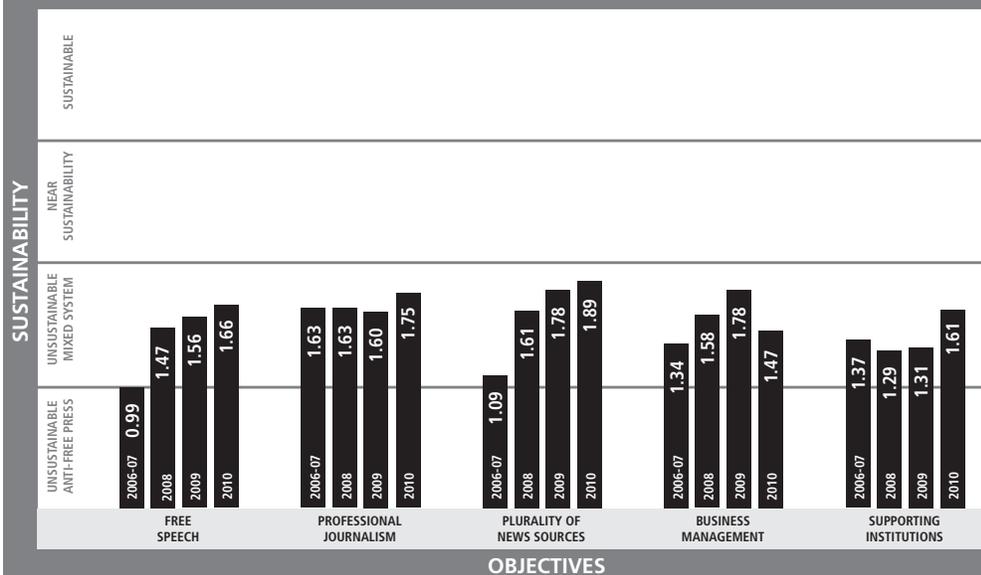
GENERAL

- > **Population:** 45,047,502 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Khartoum
- > **Ethnic groups:** Sudanese Arab (approximately 70%), Fur, Beja, Nuba, Fallata (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 70%, Christian 5% (mostly in south and Khartoum), 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 (2010-Atlas):** \$55.28 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$2,020 (World Bank Development Indicators, 2011)
- > **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:** 4.2 million (2008 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 Score: 1.66

The interim constitution for South Sudan guarantees free speech and freedom of the press, but the parliament has not yet passed the media law, which is still in draft form. “We think that if the South becomes an independent country on its own after the referendum, things will be much better because we shall be in a position to make our own laws,” noted the panelists.

However, in North Sudan, the situation has not changed much; the current constitution calls for free speech, but, in practice, it has been violated many times. Existing media laws are very unfair to the profession, with a lot of intimidation and harassment directed at journalists, especially in the private independent media.

The panelists complained that in the northern part of the country, the judiciary lacks independence to deal with issues related to human-rights violations and the media; they speculated that government influence cannot be ruled out. However, they said that in the South, there are no penalties yet for such behavior, as many laws are still being worked on. What happens after the referendum will decide the future.

The licensing process for broadcast media is not competitive in Sudan; it is fully controlled by government, both in the North and South. Furthermore, panelists said, the process also

The licensing process for broadcast media is not competitive in Sudan; it is fully controlled by government, both in the North and South. Furthermore, panelists said, the process also lacks fairness, as applicants for commercial and community licenses are made to pay the same amount.

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Both the Ministry of Information and the postal services and telecommunications, which are charged with the responsibility of licensing broadcast media, and with official appointments, are in government hands, and the licensing process remains politically driven. It is easier for politicians in power and their allies to acquire licenses than those who are seen as not supporting government. This applies especially in the northern part of the country. The panel noted that in the South, though, the government is very selective; while issuing licenses to electronic media, classifying licenses depends on the areas each media house handles.

The government has also enacted a bond of SDG 150,000 (\$55,600) for anyone who wishes to open up a media house, a move the panelists see as prohibitive. They reported that taxes on media houses remain high in many parts of the country, and journalists are still required to pay individual taxes deducted from their salaries. However, in the southern part of the country, the panelists noted that taxes have been reduced to encourage people who are interested in investing in the media industry.

The panelists agreed that crimes against journalists continue and those behind the acts are neither prosecuted nor punished, indicating that the state may be behind these violations. IFEX reported that the government began arresting not only critical journalists but human-rights activists toward the end of 2010, ahead of the referendum. Additionally, IFEX reported, “The Sudanese regime has controlled media coverage of the political and humanitarian crisis in Darfur for years. Outraged by Radio Dabanga’s coverage of the Darfur conflict, authorities arrested Radio Dabanga director Abdelrahman Adam Abdelrahman and closed down its office on October 30, reports ANHRI. Radio Dabanga is broadcast from Holland, but 13 of its staff were arrested in Khartoum during the raid. Abdelrahman has been

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.

subjected to torture while in custody, reports the Writers in Prison Committee of PEN International (WiPC)."¹

"We have had cases where journalists are beaten or illegally arrested in ungazetted areas; we petition government, and no action is taken—only that sometimes our colleagues are released after hours or days," observed one member of the panel.

Threats of closure of media houses, especially those critical of government, still exist in the North and South. For example, in May 2010, Sudanese security forces raided Rai al-Shaab's offices in Khartoum, shut down printing of the opposition daily *Rai al-Shaab*, and arrested three of its journalists. The Committee to Protect Journalists (CPJ) reported: "The daily's editor-in-chief, Yassin Omar al-Imam, told CPJ that the raid came after his paper published a report on May 14 alleging that Iran built some kind of weapons factory in Sudan to supply insurgents in Africa and the Middle East."² While such acts persist, panelists said that independent journalists do sometimes speak out against them through their organized groups. Furthermore, private media will report on them, although such reports do not cause any public outcry.

State/public media remain under complete control of the government, and as such there is no editorial independence, noted the panelists. They added that all top and middle managers and editors are government-appointed.

In the North and South, state media are given preferential treatment in all ways over private media. Those in the state media have more access to public information, are fully funded by the government, and, accordingly, end up doing whatever their employer dictates. State media have easy access to public information, and the government in the north uses the state media as a channel for propaganda.

The panelists, however, said that in the South, state media act in the same way; the only difference is when security operatives are harassing journalists from state and private media equally. Furthermore, powerful businesses often interfere with editorial content, as editors drop critical stories on request/instruction of these companies.

Not much has changed in the media laws; they remain the same across the board and favor neither state nor private media. However, in practice, the state media have advantages over private media in every respect.

The panelists noted that all sharia laws are applicable only in the North; they no longer apply to the South. However, the SPLM government is busy drafting media laws likely to be similar to those used by the Khartoum government—a point of concern for some panelists.

Panelists noted that libel remains both a civil and criminal offense throughout Sudan. Of late, a number of media houses in the southern part of the country have been sued. Some journalists have been arrested as well, with arrests often taking place on Fridays so that detention can last through the weekend, with a release-without-a-charge happening on Monday.

However, the panel members reported that in the North, cases of arrests of journalists over libel have been few. This is likely because most are part of the government system anyway and are forced to toe the government line while doing their work. Panelists agreed that in the North and the South, it is the journalists' burden to prove innocence in a libel case.

On the issue of corruption in the judiciary, the panelists noted that there is no proof; however, the matter of judicial independence is questioned, and many judgments go against the journalists.

There is no law that guarantees media access to public information, and access to information is not equal to all journalists, especially information from the government—in the North and the South. In the North, the government gives out information through its Ministry for Information, but it is mainly propaganda that is typically not useful to those in need of information.

In the South, the minister of information acts as the official spokesperson of the government, but when journalists approach, ministers often decide not to talk to them, especially if the journalist is from the private media.

"We have had cases where journalists from some media houses have been blocked from covering certain state functions. In one recent example, the former president of the U.S., Jimmy Carter, visited Juba, and reporters from *The Post* and *Citizen* were blocked from entering the VIP lounge. Another time, when the president of Southern Sudan, Salva Kiir, organized a state dinner, all of us from the private media were chased away, and our colleagues from the state media alone were allowed access to it," noted one panelist.

Panelists added that through their different associations, they are lobbying the government to enact laws that will ease access to public information.

¹ "Activists and journalists arrested ahead of the referendum." IFEX website, December 22, 2010.

² "Sudan shuts opposition paper, arrests three journalists." Committee to Protect Journalists website, May 17, 2010. Available at: <http://cpj.org/2010/05/sudan-shutters-opposition-paper-arrests-three-jour.php>

As last year's MSI reported, the government does not officially restrict access to foreign news, and Internet access remains free throughout the country. However, the panelists reported that the government blocks some websites, especially in the North. And yet, the panelists pointed out that while Internet access is easy in the North, at fair rates, in the South it is too expensive for journalists. Some foreign publications, especially those deemed pornographic, are restricted in both parts of the country. All others are allowed, and the only impediment is the cost to import.

At times, foreign news is also screened. In the South, however, Southern Sudan Television holds agreements with foreign television stations. A panelist last year commented that she believes the government does not interfere with foreign news out of fear for the international community.

The panelists agreed that entry into the journalism profession is free in the South and, with some academic restrictions, in the North. Anyone wishing to become a journalist must sit for an Islamic exam set by the national body after successful completion of an accreditation follows from government. They noted, however, that much as there has been no restriction on entry into the profession in the South, the government is considering measures through which it will be able to control entry into the media. The government has approached a NGO dealing in press freedom advocacy and media development, AIM, about taking charge of accrediting journalists, an action that is likely to be concluded after the national referendum in 2011.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Sudan Objective Score: 1.75

The panelists agreed that most journalists in Sudan are well trained, especially those working in the northern part of the country, and they do their work professionally—with stories that are not related to politics and security. Journalists working for the state or public media write stories favorable to the government, true or not, while their colleagues in the private media work objectively, but in fear.

In the South, however, few journalists, even when qualified, do their work objectively, but there are efforts by different media associations and NGOs to train those who are interested in improving their skills. As in the North, journalists working with government media in the South tend to concentrate on reporting about the state and rarely find time and space to write about issues that concern the public.

The panelists agreed that ethical standards developed by journalists' associations exist; however, they are not followed

Most journalists are still poorly paid, especially in the South, where some journalists earn less than \$100 a month. However, panelists added that in the northern part of the country, the situation is much better for both state and private media.

by many, especially those who work for small media houses. Poorly paid, they end up taking bribes from sources.

Without giving specific cases, the panelists noted that there have been incidents where journalists are paid to run certain stories. Other stories are killed for money. This habit is rampant among freelancers working for both print and electronic media.

Self-censorship is a common practice across Sudan's media, and it is done at all levels for many reasons—fear of losing jobs, policies in the media houses they work for, the business interests of owners, personal security, and personal interests of a reporter or an editor. For example, two journalists working for Southern Sudan TV lost their jobs because of a story they filed that displeased their employer. And, when a reporter with the *Southern Eye* wrote a story about the plane mishap of the Southern Sudan President Salva Kiir, it was blocked by his bosses and he was asked to leave.

While it is true that most Sudanese news comes from key events and issues across the country, panelists said that security issues are very sensitive, and covering such stories

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).

Most private broadcast media produce their own news programs, and they are high-quality when compared with state media, which are laden with government propaganda.

can bring trouble upon reporters and editors. There are cases where editors stop a reporter from covering a story, but this depends on issues that include a reporter's capacity and competency to handle such a topic. At other times, some issues are a deliberate effort to frustrate a reporter.

Pay levels remain a serious concern in the Sudanese media. Most journalists are still poorly paid, especially in the South, where some journalists earn less than \$100 a month. However, panelists added that in the northern part of the country, the situation is much better for both state and private media.

The panelists attributed the gains in the North to a strong journalists' union that has strong ties with the ruling government. They recommended one for the South, but independent of the government. The panel reported that due to poor pay, corruption in the media is rampant, where reporters and editors solicit bribes from sources to report positively or kill stories.

"Journalists working for the public service in the North and South earn the same as other professionals; however, when it comes to the journalists working for private media, their situation is worse than for people working in the private sector in the South," observed one panelist.

In terms of the balance between news and entertainment, little has changed since previous MSI studies. The electronic media allocate more space to entertainment over news, while the print media allocate more space to news than entertainment. Newspapers give more than 50 percent of space to news, while electronic media allocate about 75 percent of airtime to entertainment, arguing that their audiences are more interested in that.

The situation regarding equipment and facilities for gathering, producing, and distributing news remains bad in the South. Most of the journalists and the few media houses in existence go without or use obsolete equipment. The panelists reported that they are lacking some very basic equipment, such as digital still and video cameras, audio recorders, computers, and laptops. This has made their work difficult, especially for freelancers. Lacking facilities and equipment has negatively affected the quality of news and programming.

The situation is better in the North, as many of the media houses have become more modern, changing to digital equipment and broadcast.

The panel commended AIM for helping supply a few journalists with laptops but highlighted the need to help journalists in the South by providing assistance in the form of equipment and training to help media houses build capacity. Panelists named AIM as one of the few trusted organizations through which aid can be channeled.

The panel agreed that quality niche reporting exists in the North, but it is still in its infancy in the South, where only a few journalists are specialized.

OBJECTIVE 3: PLURALITY OF NEWS

Sudan Objective Score: 1.89

There are several news sources for people to compare, but many are not considered reliable as they appear to be publishers of propaganda. The panelists noted that as much as there are many news sources, some, especially the print media, are not affordable to most people. Private media cover local and national issues, and community media have expanded due to community residents coming together and starting radio stations for information and as a mobilization tool.

The panelists noted that Internet use for information has increased, especially in the North, where the rates are relatively low. In the South, it is mainly available in the city

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 big towns, and the cost is prohibitive. Other news and information sources, like blogs, SMS platforms for news alerts, Twitter, YouTube, and Facebook, exist in Sudan—and people depend on them.

As in the previous surveys, people in large cities and towns have more access to media sources than those in rural areas and small towns; radio is the main source of information for the rural areas.

Panelists reported that there is no official government restriction on access to domestic and international media; however, the government in the North blocks some Internet news sites. Also in the North, the government has imposed restrictions on importation of some foreign print editions that are seen as contradicting sharia laws and Islamic values.

Access to the Internet for information is likewise not restricted, but as mentioned earlier, the cost of media prevents people from using it.

Public media in Sudan are fully controlled by the state/ruling party in the North and South. Although by law public media are supposed to be independent, in truth they spend much time promoting government programs and propaganda. Views of the opposition can hardly find space on public media, according to the panelists.

Opposition views are tolerated only during election season, when the national elections committee issues guidelines to all media houses, including state media, on how they should cover elections with fair and equal coverage to all parties.

Top managers and editors are appointed by the government, and by virtue of that they concentrate on covering their benefactors—the government. On a positive note, the panelists commended public media for going an extra mile to provide extensive coverage of culture, education, health, etc.

The only independent news agencies in Sudan are foreign, and the two local agencies, the Sudan news agency (SUNA), based in Khartoum, and Southern Sudan News agency, based in Juba, are government-owned with little editorial independence to speak of. The two provide information to any media house that may need it, at no cost, but most of the content toes the state line.

The panelists commended foreign news agencies AFP, Reuters, and others operating in Sudan, saying that they are the most reliable when it comes to providing news and information.

Most private broadcast media produce their own news programs, and they are high-quality when compared with state media, which are laden with government propaganda. It was reported that this does little to stop some media houses from sourcing out to websites or news agencies, which

In the North, the government does not officially subsidize independent media houses, but friendly outlets—those owned by politicians belonging to the ruling party—get significant funding through government advertising. The panel noted that the situation is different in the South, as no independent media house gets government money in any form.

are willing to provide such programs. The news programs produced by private media cover a wide range of issues of concern to the public.

The panelists said that community media lack the capacity to be self-supporting and must depend on programs produced by other national media houses. This applies to bloggers, as well, who lift news stories from other sources.

On media ownership, panelists agreed that the situation varies; some media owners are known, while others prefer to remain hidden. There is no law governing disclosure of media ownership. There are some people associated with certain media houses who are not concerned if the public knows that they own them. Regardless, the panelists agreed that those media owners interfere a lot with the editorial content of their media, influencing the outcome of news to favor certain people and positions.

Panelists agreed that most media give fair coverage to social issues. However, there are some issues that contradict the highly respected sharia laws; thus, they are not covered. In last year's MSI, several panelists reported no resistance to the inclusion of social issues in the media and noted that the government has also delivered radio programs to improve coverage of local issues in all the regions. They said that minority-language media are not an issue in Sudan; however, the electronic media tend to cover social issues more than their counterparts in print. A panelist last year reported that journalists writing about issues affecting minorities are sometimes harassed indirectly.

OBJECTIVE 4: BUSINESS MANAGEMENT

Sudan Objective Score: 1.47

In Khartoum, most media houses and supporting firms are managed professionally and efficiently as profit-making ventures, noted the panel, adding that they have proper structures in place with good plans to follow. However, the panelists noted that in the South most media houses are poorly managed and usually closed. Some of them employ relatives with no qualifications, and no management or editorial structures and policies exist.

As for state media, the panelists noted that they are fully funded by government, but cannot account fully for the funds appropriated to them.

Many of the media houses in Sudan pull revenue from different sources, including advertisers, sale of copies, and supplements; however, these alternative revenue streams do little to prevent powerful sources from interfering with the editorial content of the media house of their choice. Influence on the editorial content by advertisers is a common practice in Sudan, but some media houses have stood firm and have performed better.

Media outlets have multiple sources of revenue, the major one being advertising. This has pushed some editors and media managers in some cases to favor ads even over news stories.

True advertising is well developed in Sudan, especially in the cities of the North. This has attracted many new companies to advertise. Many of the big media houses have full-fledged

advertising departments that have attracted a great deal of revenue.

There are also big advertising firms that handle advertising business and have worked hand in hand with all media. In small cities, however, this business is still in its infancy, noted the panelists. They also said that in South Sudan, advertising remains low, but signs point to a growing appreciation.

In the North, the government does not officially subsidize independent media houses, but friendly outlets—those owned by politicians belonging to the ruling party—get significant funding through government advertising. The panel noted that the situation is different in the South, as no independent media house gets government money in any form.

The panelists noted that few media houses in the South carry out market research; many of them do not want to devote money to it, and there are no professional bodies or companies available to handle such work. However, the panel reported that in the North, marketing agencies are controlled by the state, and they do research that the media houses use to improve services.

There are few sources for broadcast ratings and circulation figures. At least one independent company conducts surveys and publishes results, but in most cases they are not recognized by media houses. Some media houses have engaged their own surveys to determine their position in the market in order to, truthfully or not, declare themselves leaders in the market.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Sudan Objective Score: 1.61

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 associations representing both broadcast and print owners exist both in the North and South but have not been of much help to members. Private independent media owners have had many problems, similarly with little help from lobbying by their associations.

The panelists noted that a number of professional associations have claimed to advocate for journalists' rights. Some have helped a great deal in training, advocating for journalists' rights, and lobbying for strong media laws. These associations include the Media Development Agency, Independent Media for Women, AMIDDIS, and others.

While several NGOs support the media, they mainly engage in training and press-freedom advocacy work. Panelists emphasized the need for more organizations that can extend support to the media, mostly in the South, where many

journalists lack training and work in poor conditions and facilities. “We also need NGOs that can help us develop good media laws, now that the government of South Sudan is busy working on new laws,” appealed one of the panelists.

Quality degree programs exist in many of the universities in the North, with proper practical training, but they are in Arabic. There are also media training institutions offering diploma courses in journalism.

In the South, the situation is not as positive; only Juba University offers a degree in mass communication, but again in Arabic—even though the southerners prefer English to Arabic. Efforts to set up a private media training institution failed after funding agents pulled out, accusing some of the directors of corruption, reported the panelists.

The panelists expressed their hope that investors from Uganda and Kenya are growing interested in media training institutions in South Sudan. This, they feel, will improve journalistic standards in the South. The panelists also reported that training opportunities are available, but few of those who get such training return to Sudan to train others.

Short-term trainings are available at all levels. There are also in-house training opportunities at big media houses. Most of these target practicing journalists without formal training. The panelists recommended that there is a need for more training courses, especially in the South. The courses most needed include basic training, writing and reporting skills, investigative skills, photography, and ethics.

Some printing facilities are state-owned, while others are in private hands. Government, however, maintains indirect control of all these facilities, and no single newspaper,

magazine, or document can be printed or released without security scrutiny in the North.

Private printing and distribution facilities are managed as profit-making ventures and help to support media in the North. In the South, however, there are no printing facilities, and many newspapers are printed in neighboring countries, including Uganda and Kenya.

The panelists noted that the promised South Sudan government printer has never been installed, and printing costs of newspapers remain high, making it difficult for the private media to compete with the state.

Media distribution channels remain in private hands, and a number of media houses employ vendors on a commission basis and have outlets and agents in small towns who sell their products.

As in the previous survey, the panel noted that broadcast transmitters are owned by both government and private individuals, but the state monitors their operation—for both security reasons and area of reach or coverage of a particular transmitter.

List of Panel Participants

Finella Agnes, journalist, Juba

Paul Jimbo, editor, *The Journal*, Juba

Marvis Byeza, reporter, Bakhita Radio, Kaya

Melania Celestino Suleiman Itto, radio presenter, Bakhita FM Radio, New Site

Simon Boboya, journalist, *Juba Post*, Juba

Jeremiah Otieno Siera, journalist and finance office, Agency for Independent Media, Juba City

Julius Uma, journalist, *Sudan Tribune*, Juba

Diing Deng Koch, journalist, *Khartoum Monitor*, Khartoum

Mugume Rwakaringi, journalist, Juba

Moderator and Author

David Aruai de Dau, chairman, Agency for Independent Media, Juba

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda

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.

“We have fought tooth and nail to ensure that these repressive laws are not passed, and we shall continue with our struggle until the government gives up,” noted Godfrey Kambenga, journalist and general secretary of the Tanzania Union of Journalists.



TANZANIA

Tanzania maintains its leadership position in terms of press freedom and freedom of expression in East Africa, and in the past, Tanzania won praise for being the most peaceful country in the region. However, some in the media community fear that the government's reluctance to amend outdated, restrictive laws that contradict and undermine the nation's constitution and international conventions threatens this freedom. Most of these laws were enacted before Tanzania won its independence and remain in place despite calls to abolish them.

The current government, headed by Jakaya Mrisho Kikwete, uses these laws to harass and intimidate the media, which has played a major role in exposing the country's endemic corruption. The government has also made several attempts to enact new media laws, which journalists and other media stakeholders say are intended to muzzle press freedom. "We have fought tooth and nail to ensure that these repressive laws are not passed, and we shall continue with our struggle until the government gives up," noted Godfrey Kambenga, journalist and general secretary of the Tanzania Union of Journalists.

The opposition has also gained more strength in Tanzania since the introduction of a multiparty political system in 1999—on the one hand, pushing the government to a more forceful approach, while engaging the opposition on certain points. The situation is in flux, though, as opposition to the current ruling political party, Chama Cha Mapinduzi (CCM), is growing amid accusations that the government is one of the most corrupt regimes in the region. Analysts say that despite CCM's lead, its popularity is faltering for two major reasons: the country's economy, declining in comparison with other East African countries, and high levels of corruption in the government. This corruption includes accusations that some of Tanzania's past leaders have drained Tanzania's economy and invested the money in foreign countries—information the opposition uses in its campaign against the CCM government.

With Kikwete at the helm, CCM has won all four general elections organized since the introduction of the multiparty political system. Kikwete has been on the forefront of fighting corruption—and has received international recognition for his efforts—but his opponents say his efforts are insincere, taken only to appease donors without taking serious measures or actions against his ministers. Thus, after Kikwete won the 2010 presidential election, the opposition contested the results for the first time. This resulted in nationwide violence that lasted about a week before the army and the police jointly contained the situation.

Despite all this, democracy continues to grow with the emergence of new political parties and organizations. Many of these political parties participated in the recently concluded 2010 general elections.

TANZANIA AT A GLANCE

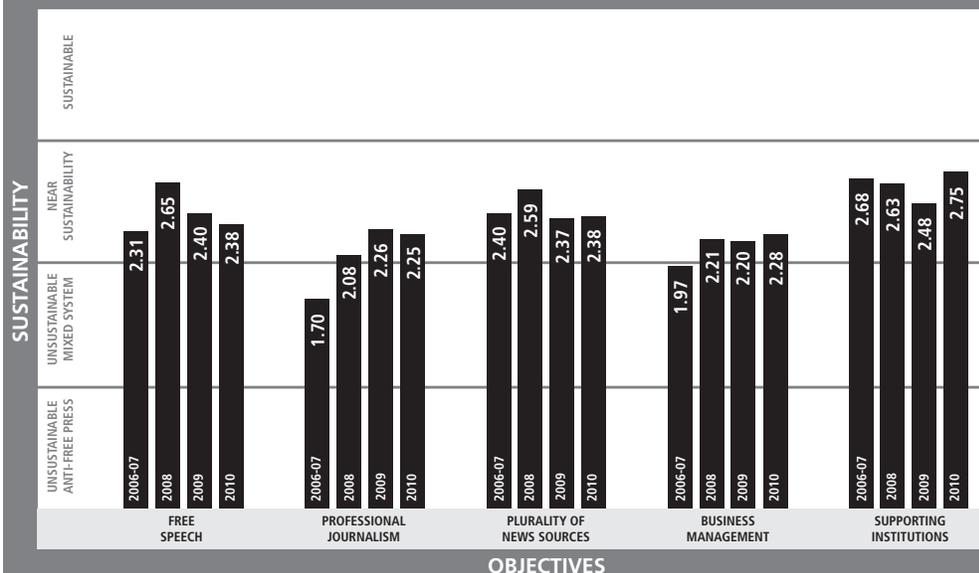
GENERAL

- > **Population:** 42,746,620 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Dar-es-Salaam
- > **Ethnic groups (% of population):** Mainland: African 99% (of which 95% are Bantu consisting of more than 130 tribes), other 1% (consisting of Asian, European, and Arab); Zanzibar: Arab, African, mixed Arab and African (*CIA World Factbook*)
- > **Religions (% of population):** Mainland: Christian 30%, Muslim 35%, indigenous beliefs 35%; Zanzibar: more than 99% Muslim (*CIA World Factbook*)
- > **Languages:** Kiswahili or Swahili (official), Kiunguja (name for Swahili in Zanzibar), English (official, primary language of commerce, administration, and higher education), Arabic (widely spoken in Zanzibar), many local languages (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$21.34 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,420 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 69.4% (male 77.5%, female 62.2%) (2002 est., *CIA World Factbook*)
- > **President or top authority:** President Jakaya Kikwete (since 21 December 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 150+ (18 daily newspapers); Radio Stations: 50+; Television Stations: 10
- > **Newspaper circulation statistics:** Top three by circulation: *Mwananchi* (private, circulation 45,000); *Tanzania Daima* (private, circulation 31,000); *Nipashe* (private, circulation 29,000)
- > **Broadcast ratings:** Top three radio stations: Radio Free Africa, Tanzania Broadcasting Corporation Radio, Radio One
- > **News agencies:** Tanzania News Agency (state-owned), Press Services of Tanzania (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 678,000 (2009 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: 2.38

Tanzania's constitution provides for freedom of speech and the press, but the MSI panelists said that the Defense Act, the Official Secrets Act, and many other regulatory laws contradict the sound constitutional provisions intended to guarantee the freedom of speech and that of the media.

Even laws cited in the 2009 MSI and recommended for abolition, such as one dealing with libel and defamation, the Newspapers Act of 1976, the Prison Act of 1963, the Security Act of 1970, the Broadcasting Act of 1993, and the Anti-Terrorism Act of 2003, have remained in place as roadblocks to freedom. The panel did note, however, that the judiciary has maintained its independence.

The licensing process for broadcast media, under the control of the Tanzania Communication Regulatory Authority, is free and transparent, according to the panelists. Although the regulators are appointed by the government—by the minister for information specifically—the panelists agreed that it conducts its work independently. Many new television and FM radio stations have launched in this climate, which panelists consider very healthy for the profession and Tanzanian media consumers.

Entry into the media market is relatively free as well, although high taxes pose some obstacles. Private media

“State media have to report in boundaries friendly to the government, and editors have to ensure that they avoid being critical of their employer, the state, to save their jobs,” said a panelist.

owners are not happy with the tax structure, which pushes them to pay high taxes; meanwhile, their public media competitors are subsidized by the state. “Print media taxes have been increased every year, making it difficult for owners of private media to survive,” noted one panelist.

The panelists believe that crimes against journalists decreased in the past year; however, some journalists have been taken to court on charges of soliciting bribes from potential sources. A few cases have come up that provoked a public outcry, but the perpetrators were never punished.

Media laws are essentially the same for both private and public media, yet although these laws guarantee editorial independence for state media, in practice it does not always apply. “State media have to report in boundaries friendly to the government, and editors have to ensure that they avoid being critical of their employer, the state, to save their jobs,” said a panelist. Some editors have been summoned by the authorities to explain some of the media reports they published.

The panelists also agreed that both political and business influence cannot be ruled out in all media, not just public media. Furthermore, public media officials are appointed by the government. The president appoints the editor-in-chief of the public media, and the minister of information appoints the board.

When it comes to access to public information, both state and private media are treated fairly equally, the panelists believe. However, they noted some improvement in the relationship between public officials and the private media: many public officials understand the popularity of the private media and thus prefer using private outlets to reach the people.

Libel remains a civil rather than criminal offense, but the Media Council of Tanzania handles most libel cases through arbitration. In cases handled by the Media Council, the panelists agreed that journalists proven guilty of an offense are generally asked to pay a small fine to the aggrieved party, accompanied by an apology.

The burden of proof rests with the accuser. However, the panelists noted that in some cases that have gone to courts of law, the burden of proof ended up on journalists' shoulders.

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.

Still, many of these cases ended up in out-of-court settlement, while others are not even heard because of lack of follow-up by either party.

Although some government officials are willing to give out information that flatters the state, access to less filtered public information is not as easy. The access-to-information bill is still in draft form, with no clear signals that it might be enacted in the near future. Furthermore, according to the panelists, the professional associations that might help push for this bill are not actively engaged in the process.

The panelists also complained that a presidential directive to government officials to share more information with the media has been ignored. Ministry information officers designated to disseminate information have been of little help, as they generally do not have access to useful information themselves.

There are no restrictions on journalists' access to international news and news sources. Access to the Internet remains free, without any restrictions or registration requirements, and it is becoming more affordable; however, the cost is still prohibitive to some. Freelance journalists—who constitute a majority in the profession—have limited access to Internet facilities, as many of them cannot afford the expense. Also, it is mainly available only in major cities.

In terms of the ease of entry into the profession, the legal requirement that all practicing journalists must be licensed on an annual basis by the Ministry of Information has failed, leaving entry into the profession free. However, the panelists noted that if this requirement is implemented, many journalists may be forced out of the profession, as the law ties education standards to the license that not all journalists would meet.

The free entry that exists now has affected professional standards, the panelists feel, and this has been mainly encouraged by media owners looking for cheap labor. Journalists are working hard to reverse this situation by demanding a law setting standards to define journalists. The panel complained that a bill that would have ensured this, drafted many years ago, has still not been enacted.

As one panelist noted, "There is a need to set standards for the profession, but without chasing away others, especially the newcomers." They also noted that journalists are free to organize as they wish, and that is why there are many media associations—although they are not active enough. Entry into the media training institutions is also free, and the government has no control over entry into these colleges.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Tanzania Objective Score: 2.25

Journalists continue to file biased reports, which the panelists attribute to poor training. Other journalists are well-meaning but lack proper facilities and adequate resources to cross-check all sources for their stories. However, the panelists reported seeing some improvements in the observance of professional standards, with a good number of journalists following all the required procedures, attempting to report objectively, and consulting technical experts as needed to inform their reports.

To improve adherence to professional standards, the panelists recommended proper training for journalists, sound media-house policies to ensure editorial independence, and strict adherence to professional ethics.

A code of ethics exists to guide journalists, but it is neither followed nor respected by many members of the profession. The Media Council of Tanzania, tasked with enforcing the code, has not succeeded—primarily because not all media practitioners or media owners honor or feel bound by the code. Ethics violations occur regularly, as journalists constantly demand bribes, pay, and gifts from their sources for favorable coverage, or to kill negative stories in the pipeline.

While these problems cut across all media, both print and electronic, they are most evident among poorly paid media professionals—and a few high-level, highly paid editors. "Some of our colleagues are on the payrolls of politicians, and they write flattering stories about them, while sitting on any negative stories about their pay masters they come across," remarked one panelist.

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).

Again this year, the panelists reported that self-censorship is common at all levels—from journalists to senior editors. It is attributed to a number of factors, ranging from the fear of losing jobs to holding onto advertising business. Influential and powerful people with close ties to media owners pressure editors to give false information that casts them in a more positive light to the public, leading to corruption within the profession.

Journalists continue to cover most key events and issues, although they concentrate most intently on cities and urban areas where they have easy access. The panelists also commented that some issues—such as national security—are becoming more sensitive, requiring the press to obtain clearance or permission to discuss or cover. For example, journalists who went to cover an eviction, carried out by prison staff on land occupied by citizens, were beaten on the grounds that they were not invited to cover the scene. In a separate incident, *Kulikoni* was banned for 90 days for writing about the army. Additionally, the panelists noted that there are some issues that require a lot of time and resources to investigate; thus, they are left uncovered because of the cost and lack of skilled journalists to handle such stories.

Pay levels remain low, despite the fact that the government set up a minimum-wage system three years ago. The government's failure to implement this system has affected many media professionals. The set minimum wage is TZS 150,000 (about \$100)—but TZS 250,000 (\$165) for public media. Still, journalists fare better than teachers in terms of pay. Tanzanian teachers are abandoning their profession and running to other sectors where they think can earn a better living.

While some panelists feel that poor compensation encourages corruption within the media, some panelists disagreed, noting the involvement of some of the best-paid journalists in corruption scandals.

The panel agreed that there has been some improvement in balancing news and entertainment in many of the media houses—especially in electronic media. However, a few media houses still devote more time to entertainment than news, citing audience preferences. The panelists also reported that the print media, to the contrary, offer more space to news and advertisements than entertainment.

The panelists reported improvements in terms of facilities and equipment, with most news houses using modern technology to gather news. This improvement is reflected in the quality of programs produced, and in the photography used in the print media. Still, much more is needed, especially in the area of digitalization. The panelists noted that the Tanzania Communications Regulatory Authority has set the year 2015

“Some of our colleagues are on the payrolls of politicians, and they write flattering stories about them, while sitting on any negative stories about their pay masters they come across,” remarked one panelist.

as a deadline for all media houses to make the switch to digital broadcasting.

The panelists also underlined the need to help supply freelance journalists with modern digital cameras (both still and video), recorders, laptops, and digital printing facilities. Rural journalists are also at a disadvantage; most of the improvements have focused on urban areas. The panelists suggested that any aid to support these journalists should be channeled through the Media Council of Tanzania, which is best organized to distribute such support at the moment.

The panel noted that not many specialized journalists exist, given the lack of training. Investigative journalism in particular is deemed too expensive and time-consuming. However, the panelists said that for electronic media, some media houses have instituted specialized desks or sections that try to ensure that journalists get training. In such media houses, though, the quality of reporting is still lacking.

The panelists recommended that editors initiate special programs to identify and train journalists in specialized reporting, but added that there is also a need to find sources of funding to help train the many freelance journalists.

OBJECTIVE 3: PLURALITY OF NEWS

Tanzania Objective Score: 2.38

There are many news sources to inform Tanzanian citizens, but the panelists noted that not all of these sources provide accurate information to the public. Furthermore, most of these news sources are centered in cities and towns and benefit mostly from those living in these areas—leaving the rural dwellers with just a few information sources to rely upon.

In terms of expense, print media are a bit costly for much of the public, leading many to rely on radio for news and information instead. Likewise, although it is not restricted, the Internet is not available in many areas—and where available, it is costly. Panelists reported that blogs do exist, and more are coming up, such as Michuzi and Mujengwa, but they are not deemed very reliable. The panelists cited one blog, called

Community radio stations and newspapers exist for the people living in the regions, but according to the panelists, the major problem is their lack of sustainability.

Ze utam, which the government blocked after it insulted the president; it was also pornographic.

Community radio stations and newspapers exist for the people living in the regions, but according to the panelists, the major problem is their lack of sustainability.

The government does not restrict citizens from accessing both foreign and domestic news sources, which the public obtains mainly through radio and television—which are generally more affordable than the foreign print media. Those who can access and afford the Internet also get news online without any restrictions or interference from the government.

The panelists said that the government continues to dominate the public media, which it uses as its voice and mouthpiece to disseminate propaganda. “Both the radio and television dance to the tunes of the government—and the situation has worsened since last year, when airtime was still given to opposition news. We do not know why it has changed so much, but it could be because of the elections,” remarked one panelist. However, the panelists commended the state broadcaster for playing a big role in providing public programs regarding community welfare.

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 reported that the only independent local news agency in Tanzania had closed, and to date there is only one news agency—the Tanzania News Agency—owned and fully controlled by the government. However, the panelists noted that local media continue to depend on foreign news agencies through subscriptions, including Reuters, AFP, AP, IPS, and many others. According to the panelists, they are always credited whenever stories are carried by the local media.

The panelists said that independent media produce their own programs, but they have become more expensive to produce, pushing them to change to imported content. Most of the locally produced programs relate to agriculture, health, education, and drama.

The panelists noted that the dramatic programs produced locally are very popular; they touch upon day-to-day life situations familiar to the public and feature familiar actors, but they are lacking in quality compared with those purchased abroad.

The panelists believe that the news produced by private media is as strong as state radio news. Community radio stations exist, and they produce some of their own programs—but they also obtain programs from state radio that they relay to the communities.

As described in previous years, media owners are known by the public, as most are politicians who started media houses to promote themselves and curry political favor, commented the panelists. Such political owners tend to influence heavily the editorials of their media houses. Another panelist noted that media are concentrated in a few hands in Tanzania but added that information about the owners of any media houses can be obtained easily from the registrar. Some of the strongest owners listed in last year’s chapter, who are still expanding, include GIPP Group of companies, owned by Reginald Mengi; the New Habari Corporation 2006 Ltd., owned by Rostam Aziz; Mwanainchi Communications, owned by Aga Khan; Saharah Communications, owned by Anthony Diallo; and Africa Media Group, owned by Shabil Abdi.

Social issues are covered fairly well in the media, according to the panelists. Gender issues are covered, but not to the extent panelists believe they should be highlighted. As for minority language and media, the panelists said this does not exist in Tanzania, as all Tanzanians speak one language (Swahili).

OBJECTIVE 4: BUSINESS MANAGEMENT

Tanzania Objective Score: 2.28

The panelists agreed that there are some private media houses that are managed as profit-making ventures, while others are not managed well. One challenge is the scarcity of good managers; the few good managers tend to be poached by international organizations that can provide better pay.

Media houses that are well managed have proper structures in place with skilled and qualified staff; however, retaining such good employees remains a challenge. At the other end of the spectrum, some media owners prefer to employ relatives without skills and qualifications, who end up driving their businesses into ruins.

Panelists reported improved management of state media and proper use of funds allocated to them from tax coffers. They added that state media, such as *Daily News*, pay their journalists well, according to their qualifications, and on time.

Private media depend on multiple sources of funding or revenue, including copy sales, sale of shares where applicable, advertisements, donor funds, commercial printing for those with their own printing facilities, and bank loans. Community media depend heavily on well wishers, donors, and the communities themselves for funding.

However, public media are fully funded by the state. While this provides a steady source of revenue, public outlets also get money from the sale of copies and advertisements. Yet with this support comes full control, and the panelists

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.

“We have seen people from marketing and advertising departments at odds with their editorial colleagues over space for advertising,” noted one panelist.

pointed out that influence on editorial policy, especially from advertisers, cannot be ruled out.

The advertising sector is growing, and more advertising agencies—both local and international—are emerging. Yet, many of them are based in the cities and towns where they find the most business. The panelists noted that these companies work actively with some media houses; however, some media houses have developed full-fledged departments of their own to handle advertising business. Such media houses have recruited skilled marketing staff to solicit business, according to the panelists.

Advertising contributes the main portion of revenue for most media houses in Tanzania. As a result, editors value advertisers very highly and in most cases are pressed to use more advertisements in their products—both print and electronic—than news, reported the panel. “We have seen people from marketing and advertising departments at odds with their editorial colleagues over space for advertising,” noted one panelist. Furthermore, some news bulletins are sponsored by major companies that even dictate broadcast times for ads and more airtime devoted to singing the sponsor’s praises than the actual news content.

Although the panelists reported that the government does not offer subsidies to private media, it does direct official advertising business to friendly media houses that it trusts will report government news favorably. The panelists also noted that several government officials, including the prime minister, have come out openly and said that any media house considered to be an enemy will not receive official advertising.

In terms of market research to inform programming, the panelists reported little change from last year. Many of the media houses do not value research. A handful of media houses engage international companies to conduct market research for them, while a few others conduct their own research, but the findings are never accurate, according to the panelists. The media houses that do use market research use the findings to improve on their business, and judging from their marketing promotions, the panelists believe it has made a positive difference.

“The graduates are more theoretical than practical in their approach, and we think this problem can be traced to the lecturers—our editors are better teachers than the university lecturers,” noted one panelist.

In terms of ratings and circulations analysis, all media houses do not accept the findings; the panelists noted cases where the lowest-ranked media houses dispute the results. The many methods used for such research, sometimes conducted by independent firms, include focus groups, call-ins, and questionnaires sent to readers and listeners.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Tanzania Objective Score: 2.75

The panel noted that no new associations for media owners were formed in 2010, leaving in place the two old associations: Media Owners Association of Tanzania and The Editors Forum. Both lobby the government on a number of issues, such as improving media policies and reducing taxes on the media. The panelists believe they have managed to achieve a lot of progress.

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 for professional associations for journalists, the panel noted that new professional associations are emerging, but the older associations are growing weaker and losing membership due to a number of factors, including leadership problems. One panelist noted, “Some of these associations have not brought in new leaders in the last 10 years, and the leaders tend to work more for their own interests than those of their members—that is why some of us have decided to leave for newer organizations.”

Existing associations include the Tanzania Media Women's Association, Tanzania Union of Journalists, the Journalists' Environmental Association of Tanzania, the Association of Journalists against AIDS, the Parliamentary Press Association, the Sports Press Association of Tanzania, and many other niche associations.

In the view of the panelists, all of these associations carry out training for journalists, defend press freedom, fight to improve working conditions for journalists, and conduct lobbying and advocacy work toward better media laws and policies.

These associations have no steady source of funding; they depend mainly on donors because their members do not pay membership fees. The panelists said that there is a need for media professionals to come together and form one strong association, supported by all journalists.

The panel agreed that Tanzanian NGOs that work with media outlets and associations have helped make an important difference in the defense of press freedom and training. They include the Tanzania Gender Networking Programme, Legal and Human Rights Centre, Lawyers for Environment Association of Tanzania (LEAT), the Tanzania Association of NGOs, the Legal and Human Rights Centre, and many others. However, most of these NGOs are based in the two main cities and rarely extend their services to rural areas, where many of the journalists operate and face the greatest challenges.

The panelists agreed that a number of educational institutions continue to offer training in journalism and mass communication courses. These include the University of Dar-es-Salaam, St. Augustine University-Mwanza (founded by the Catholic Church), Tumaini University Iringa- (founded by the Lutheran Church), Mzumbe University-Morogoro (government-run), the Muslim University of Morogoro, and Dodoma University (government-run). The existing media houses absorb many of the journalists graduating from these institutions. However, the panelists expressed serious concern

over the deteriorating standards at these colleges, leading to poor-quality graduates. “The graduates are more theoretical than practical in their approach, and we think this problem can be traced to the lecturers—our editors are better teachers than the university lecturers,” noted one panelist.

Other institutions offering certificates and diplomas exist in the country, with a few training opportunities abroad. Those who study abroad usually return to Tanzania, the panelists said, but tend to take their skills to other fields with higher pay. And, while opportunities to train abroad are available, it can sometimes be difficult to regain one’s position upon returning, unless he or she is a state media employee who is assured a position.

Short-term training opportunities are always available locally and beyond, but very few journalists take them up because they do not learn about them early enough to plan to attend. Most of these courses are paid for by donors, but some editors refuse to release their journalists to attend. Furthermore, very few media houses conduct in-house training.

The Media Council of Tanzania offers some training, through press clubs, where seminars and trainings are held. The panelists agreed that the most popular course is basic news writing, but the most needed courses are news reporting and writing, feature writing, and editorial skills.

The panel noted that some media owners have their own printing facilities and also import newsprint on their own. These larger media houses also print for other small papers but at times have been known to delay printing for competitors. As for state facilities, the private media are afraid to take their papers there, not wanting to invite extra scrutiny for content critical of the government.

The panelists, however, noted that a tax on newsprint is too high, rendering the final products too expensive for readers.

Media distribution channels remain in private hands; the government has no influence in this realm. Distributors use their own or hired vehicles, delivering newspapers to agents with offices or kiosks.

Some media houses use the Tanzania Postal Corporation to send newspapers to rural areas and other places lacking distribution networks. Under the same arrangement, papers are also sold in supermarkets in urban areas, but when it comes to small towns and villages, newspapers can be purchased from small shops or kiosks. For the broadcast media, some television and radio stations have their own transmitters, but the government controls them at times.

List of Panel Participants

Finnigan Simbeye, senior reporter, *Daily News*, Mwanza City

Joel Lawi, sub editor, *Daily News*, Dar-es-Salaam

Shani Kibwasali, information officer, Tanzania Union of Journalists, Dar-es-Salaam

Malick Sururu, journalist, Dar-es-Salaam

Nuhu Alpha, editor, *This Day*, Zanzibar

Lugano Mbwina, online journalist, Dar-es-Salaam

Boniface Luhanga, editor, Radio One, Dar-es-Salaam

Samuel Kamndaya, journalist, *Citizen*, Arusha Town

Joseph Kingu, online journalist, Dodoma

Neema Chalila Mbuja, business editor, Independent Television Limited, 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

It is the Togolese journalists who deserve the credit for this year's progress, as they have defied fear and threats to provide the public with quality news and have been perhaps too outspoken, particularly with respect to politics, human rights, and the breaches of democracy and the rule of law.



TOGO

In 2010, the Togolese press gained a little more freedom, although Togo's overall MSI score of 1.62 increased just slightly over last year's average of 1.54. It is the Togolese journalists who deserve the credit for this year's progress, as they have defied fear and threats to provide the public with quality news and have been perhaps too outspoken, particularly with respect to politics, human rights, and the breaches of democracy and the rule of law. Togolese journalists tackled economic and development issues in investigative reports on government spending, particularly the spending of the president of the republic, and the cost of public works. While sometimes these articles may have lacked the consistency required by professional news providers, they must be praised for breaking taboos, raising public awareness, and causing public authorities to start exercising some restraint in making certain decisions.

Feeling threatened as a result, the government tried to toughen up the law of the Haute Autorité de l'Audiovisuel et de la Communication (HAAC) to allow this institution to muzzle the press. Journalists fought against this law that would have given HAAC the tools to ban shows, shut down radio stations and television channels, and withdraw the operating licenses of newspapers. The amendment of this law finally took place at the Assemblée Nationale in December 2009, but it ultimately happened with input from the media associations.

Over the course of 2010, a number of journalists faced brutality and harassment. In January 2010, a protest march was organized by the association Journalistes for Human Rights (JDHO) to denounce the attack of the security forces against the journalist Gilles Gbagba, who at the time was working for Radio Metropolys and who was brutally stopped by a police squad led by the general director of the National Police Force, Yark Damehane. Shortly after the results of the March 4 presidential elections were announced, many journalists became the targets of physical attacks, death threats, and all kinds of intimidation. Most of them were mistaken for demonstrators demanding to know the truth about the election results.

Many media outlets were also directly summoned to appear before the District Court and ended up being fined for higher damage amounts than the press code provides for, showing that the judges overstepped the law and used the criminal code instead. As a result, the tri-weekly newspaper, *Golfe Info*, was sentenced to pay XOF 83 million (\$167,000), and a number of other papers were also subjected to high fines. Fortunately, some of these judgments were withdrawn at the last minute under public pressure.

Despite obvious intimidation, the Togolese press has ignored all threats and has become all the more determined to spread the news. Overall, the MSI results of the panel discussions of November 12, 2010, clearly show that in Togo, freedom of speech and the freedom of the press are alive and protected by legislation. The difficulty consists in getting the institutions of the republic to properly enforce the laws.

TOGO AT A GLANCE

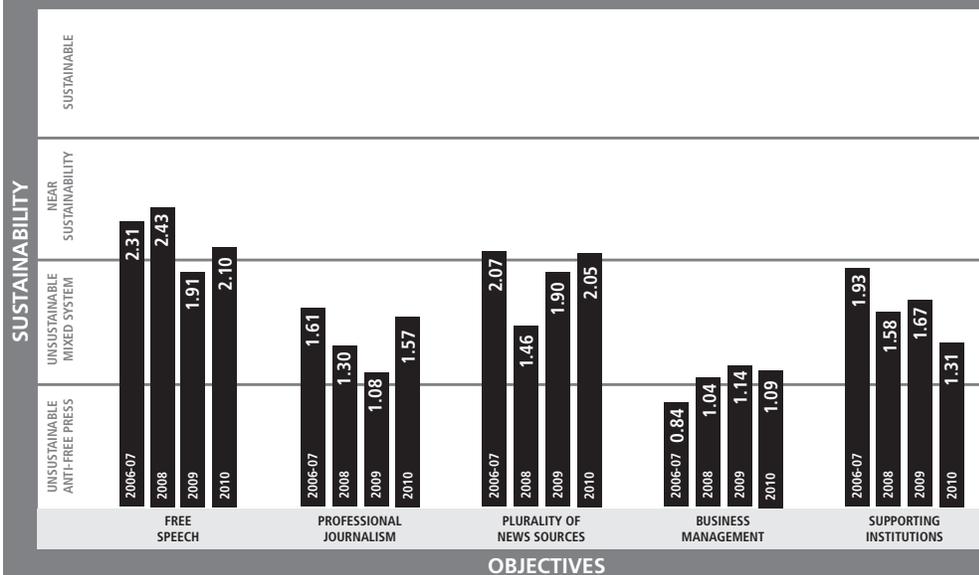
GENERAL

- > **Population:** 6,961,049 (2011 est., *CIA World Factbook*)
- > **Capital city:** Lomé
- > **Ethnic groups (% of population):** African (37 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:** French (official and the language of commerce), Ewe and Mina (the two major African languages in the south), Kabye (sometimes spelled Kabiye) and Dagomba (the two major African languages in the north) (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$2.957 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$790 (World Bank Development Indicators, 2011)
- > **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 Stations: 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) ACP-Inter and Savoir-news (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 356,300 (2009 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: 2.10

The score of Objective 1 clearly shows that a proper legal and institutional framework guaranteeing the freedom of the press does exist in Togo, but in reality there are many obstacles hindering the freedom of the press. Legal and social protection measures for the freedom of the press exist, but they are not properly enforced, which explains the score of 2.10.

The Togolese constitution protects the freedom of speech and the freedom of the press. Article 26 provides that the freedom of the press is recognized and guaranteed by the state and protected by the law. According to the same article, the press cannot be subject to prior authorization or censorship or other hindrances. Any decision to stop the distribution of any publication can and must only be enforced based on a court order.

This constitutional provision is repeated in the press and communications code, which asserts that the written press and audiovisual communications are free, subject to their compliance with legal provisions. In addition to these measures, there is an organic law that regulates the creation and operation of the Haute Autorité de l’Audiovisuel et de la Communication (HAAC), the national media regulation agency. Therefore, Togo has an entire legal arsenal to protect the freedom of speech and the freedom of the press. Tragically, however, the legislation is improperly enforced

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 Togolese law provides no provisions with respect to cyber-crimes, which is why for the time being no Internet provider or website hosting service has been brought before a court.

and sometimes neglected by the judicial power and the institutions of the Republic.

The panelists said that the process of granting broadcast media licenses is not fair, often politically biased, and definitely not based on free competition. Under the law, HAAC is supposed to be the license granting agency, while the Autorité de Réglementation des Télécommunications et Postes (ARTP) assigns the audiovisual frequencies. In reality, the ARTP is the political agency within the Ministry of Telecommunications that grants frequencies in exchange for royalties. If a media outlet is not in the orbit of the political regime, it is very difficult for it to receive frequencies. For example, while they have been saying for more than two years that no more frequencies were available in the capital of Lomé, Radio City FM (owned by the Minister of Land Administration and Local Collectivities) easily obtained a frequency. Meanwhile, other applicants were instructed to go through a useless application process.

Access to the market and the tax situation of the media are subject to the same rules as any other business; however, the media in Togo are not harassed by the tax authorities. The Togolese audiovisual media effectively pay annual taxes in the form of royalties ranging from XOF 400,000 to XOF 700,000 (\$800–\$1,400), depending on the location of the radio station—in the provinces or the capital. Television stations pay between XOF 700,000 and XOF 1,200,000 (\$1,400–\$2,420). In addition to the royalties, the audiovisual media are subject to income tax; on the other hand, very few newspapers can be considered real businesses that are registered with the Ministry of Commerce and the Chamber of Commerce. It might be said, then, that the written press is advantaged by the fact that it is a developing business.

Criminal acts against journalists or media outlets are insidious, taking the form of either threats or direct summons before courts, although the crime rate has lowered. But in Togo, what the government gives with the right hand, the government takes with the left hand, said one panelist. The freedom of journalists, although recognized by the legislation, is constantly threatened as the people at the top of the government and those acting on its behalf enjoy a long tradition of impunity. In 2010, many journalists were

victims of various attacks. The most striking examples are Gilles Gbagba, beaten by the security forces while doing his job in front of the Centre Culturel Français (CCF) in Lomé; Tony Sodji, reporter, photographer, and cameraman, who was shot with a rubber bullet and had his hand cut with a knife by the security forces; and Didier Ledoux, who was verbally abused and had his camera confiscated by a French officer named Romuald Letondot.

In addition, in the provinces some prefects have put a lot of pressure on radio stations and canceled shows for criticizing the political regime. For example, Radio Dawul was not allowed to air the message of a presidential hopeful whose candidacy was rejected by the Constitutional Court. Legal action taken by the president and his half-brother against the newspapers *Indépendant Express*, *Liberté Quotidien*, *Tribune d'Afrique*, *Le Magnan Libéré*, and *Golfe Info* is another form of threats and aggression against the media.

The public or state-run media enjoy preferential treatment, which makes them ready to fulfill any desire of the political regime. The panelists share with the public the view that the public media are mere mouthpieces for the government and the political regime, in large part due to the fact that the managers of the public media and information agencies are appointed directly by the president. The media subsidized by the government are not independent. Moreover, the journalists and technicians working for such media have civil-servant status, and the public media are also privileged when it comes to the access to public information.

In Togo, libel is a matter of civil law, but judges deploy the criminal code rather than the press code to punish libel. This practice is a contortion of the law, panelists said. As a press offense, libel is subject to the press code of 1998, amended on August 24, 2004, which eliminated prison sentences and introduced fines as a form of punishment. Therefore, the punishment for libel against the president is a fine of XOF 2,500,000 to XOF 5,000,000 (\$5,000–\$10,000)—the highest fine in the press code. A media outlet accused of a press offense is responsible for providing evidence to the contrary; it is not the victim's duty to prove his or her accusations. In turn, civil servants who refuse to provide information to journalists—particularly those working in the private press—hide behind what it is known as “state secrets,” or are simply overzealous for fear of losing their jobs. The Togolese law provides no provisions with respect to cyber-crimes, which is why for the time being no Internet provider or website hosting service has been brought before a court.

In the panelists' opinion, although the access to public information is difficult, it should be pointed out that journalists are not trying very hard to obtain it, and journalists are often ill-organized in their approach, mainly

due to the quality of their training. Often these journalists work without an address book, and when they finally receive certain information they end up revealing their sources.

The Togolese media have multiple foreign news sources at their disposal. The most important known international news agencies are AFP (Agence France-Presse), Panapress (Agence Panafricaine de Presse), Reuters, AP (Associated Press), and Xinhua (New China Agency). In addition to these agencies, RFI, BBC, Africa N°1, Deutsche Welle, and VOA, with worldwide reception, are the main providers of radio news for the Togolese media. As far as television is concerned, the national territory is flooded with cable channels such as CNN, France 24, Africa 24, TV5Monde, Africable, and other continental channels such as TV3Monde, Telesud, or Al-Jazeera. In terms of Internet usage, many Togolese bloggers use services such as YouTube, Facebook, and Twitter. National news, albeit highly controlled, is provided by the Agence Togolaise de Presse (ATOP).

In terms of entry into the profession, anyone is free to become a journalist in Togo, and the government requires no license to do so and sets no restrictions on journalists' special rights. The only legal requirement for anyone who wishes to claim the title of journalist is a press card issued by HAAC and, when applicable, the professional badge provided by the media outlets themselves. Even so, the panelists pointed out that some media professionals refuse to comply with the requirements for the issuance of the press card, and there are journalists who go on location on reporting assignments without carrying any identification.

Hiring policies in the private media are completely free from the influence of the government or other political interests, and journalists are free to organize themselves and defend their rights.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Togo Objective Score: 1.57

Reporting is often unfair, lacking objectivity, and not very well documented, according to the panelists. Media outlets make mistakes, and programming suffers from repetition. Almost 90 percent of the media outlets do not have qualified editors, the panelists noted. Technical experts are rarely asked for advice on specific issues, and when they are it is the journalists who do not ask the right questions. Bloggers find it even more difficult to ask for specialists' opinions and have to work with the opinions that are already available on the Web. Further impeding the strength of reporting, the authorities systematically maintain a tradition of withholding

information, particularly from journalists working in the private sector.

The panelists feel that the greatest deficiency of the Togolese press is its noncompliance with ethical and professional standards. Togolese journalists have a long way to go in this respect.

The situation is most alarming in the print media, which have been known to spread false news, to put at risk fraternity and the presumption of innocence, and to publish defamatory news and endanger the private lives of citizens. On the radio, such smear campaigns occur in interactive shows in which guests mainly hurl insults. Sometimes the hosts of such shows are incapable of controlling and guiding the discussion, which the panelists take as a sign that Togolese journalists do not seek to improve their skills.

The political context in Togo forces journalists to resort to self-censorship most of the time. On the other hand, after the opposition accused the ruling party of having hijacked the results of the presidential elections of March 4, 2010, exasperated by such unorthodox practices, some Togolese journalists have started to fight their fears and shed some light on the darkest secrets of the regime.

The other form of self-censorship that Togolese journalists practice is the exchange of information for cash. Due to threats made against them, the press journalists rarely tackle issues related to national security, the armed forces, and ethnic groups. Many media outlet managers pressure journalists to write in a certain way because, most of the time, managers are either members of a political party or paid to withhold those pieces of news that may harm their sponsors.

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).

On the other hand, after the opposition accused the ruling party of having hijacked the results of the presidential elections of March 4, 2010, exasperated by such unorthodox practices, some Togolese journalists have started to fight their fears and shed some light on the darkest secrets of the regime.

Sometimes journalists are unable to cover key newsworthy events for fear of reprisals, or due to a lack of resources or professional talent. Journalists find it very hard to cover issues related to national security, the army, drug dealing—which has reached the top echelons of the political power and army—and high-level corruption, for reasons of safety. For having dared to tackle these topics, the newspapers *Tribune d’Afrique*, *Indépendant Express*, *La Lanterne*, *The Daily Liberté*, and *Le Magan Libéré* were brought before the court and asked to pay damages from XOF 63 to XOF 250 million (\$125,000–\$500,000).

Togolese journalists have ridiculously low salaries—and many receive no salaries at all. In the state-run media, paychecks are highly unpredictable. In the private media, many managers take all the company’s funds and use them for personal purposes. Very few pay salaries of XOF 40,000 to XOF 80,000 (\$80–\$160). The rest earn somewhere between XOF 20,000 and XOF 30,000 (\$40–\$60), which is why journalists are constantly in search of per diems and seek to cover events that promise to reimburse their transportation expenses, a practice commonly known as “the final statement.” The panelists feel that the low salaries in the Togolese media explain the high corruption level. In Togo, cash dictates what articles are written and the editorial line of the media. Regretfully, according to the panelists, those radio stations that criticize the government have considerably toned down their critique.

On most Togolese radio stations and television channels, entertainment programs cover most of the airtime. Music, radio games, and films take at least 70 percent of the media programming, the panelists estimate, and they suggested including the religious shows in this category. Real news occupies only 20–25 percent of the programs. Documentaries and large stories appear only sporadically. Fortunately, the news-starved public can turn to the cable channels to satisfy such needs.

The panelists lamented the poor state of equipment for the media. Most of the audiovisual outlets on the Togolese territory are still analog. Even worse, the equipment is run-down and obsolete and altogether inadequate for modern journalistic work. The national station, Radio Lomé, continues to work with equipment from the 1900s. Created in 1973, the national television channel still depends on old, outdated equipment. These two national media cannot even cover the entire national territory, which is only 56,000 square kilometers. Things are no shinier in the private broadcast media, but some stations have started to modernize their equipment, such as La Chaîne du Futur (LCF) and Radio Télévision Delta Santé (RTDS). Few newspapers have prepress equipment, since very few even have offices and, therefore, any equipment to speak of, not even microphones or recorders. Newspapers are still offset printed and not adapted to modern printing techniques. The only rotary press operator belongs to the state-run company Togo Presse and has been unusable for over 15 years.

The panelists pointed out more specialized reporting and efforts to tackle certain themes in 2010, as demonstrated by television shows such as “Economic News” and “Health for All” airing on primetime on the national television channel TVT. According to the panelists, the four-page weekly thematic section published by the newspaper *Crocodile News* is often well documented and presents expert opinions in various areas such as the environment, health, culture, education, grassroots development, fishing, and even politics. The panelists conceded that there are an increasing number of specialty shows from the Togolese broadcast media as well, but the panelists criticized their quality in general and the professional skills of the journalists who host them in particular.

OBJECTIVE 3: PLURALITY OF NEWS

Togo Objective Score: 2.05

The media landscape in Togo has been booming since the 1990s. There are now 98 radio stations, 12 television channels, and some 40 publications, including three daily newspapers (one is government-run; the other two are privately owned) throughout the country. Despite their number, these Togolese media continue to be largely unprofessional.

Also, while a large number of private and public news sources exist, access is sometimes difficult, which held back scores for this objective. Furthermore, few media present a diversity of viewpoints. In the public media, according to the panelists, the perspective of the political regime is relayed unilaterally. Real debates are too few and far between. The private

media are polarized and act as mouthpieces for either the government or the opposition.

The private print and broadcast media outlets are generally local media that do not cover the entire national territory. There are many more community radio stations providing news and information targeted at the specific problems of their communities. Many often turn to the Internet to find news but have to deal with excessive Internet connection costs and power cuts. There is no real distribution company; instead the Togolese depend on cellular operators (such as Togotelecom and Moov) to spread news and factual events via text messages and other methods. The population also relies on social networking services such as Twitter, YouTube, and Facebook to receive news. For example, the attack on the journalist Didier Ledoux by the French officer went viral on the social networks.

As a general rule, the government does not restrict the access to national or international media, but its hostility toward some of them is interpreted as an indirect restriction. And, while listening to foreign shows or reading foreign news is possible and legal, listeners and readers often have to deal with reception failures and channel encryptions.

Additionally, the residents of the capital city are privileged with respect to the other cities. Foreign written press is available only in the capital of Lomé, and many areas in the rest of the country have trouble getting private newspapers, as they come in short supply.

Cost is perhaps the most significant obstacle. The prices of international newspapers, magazines, and cable television

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.

are quite high. People working in public institutions or associations and a very few educated persons in the capital can afford to buy newspapers in general, let alone the international publications. The workers' low salaries significantly influence their access to the Internet, satellite, or other services as well; the cost makes such access a luxury that is out of reach for even the middle class. The panelists confirmed, though, that the government sets no limits on Internet accessories such as the VoIP (Voice over Internet Protocol) module or social networks such as Facebook, Twitter, and YouTube.

The independence of the state-run media is relative, panelists said, noting that these journalists are on the regime's payroll. The state-run or public media do not reflect the entire spectrum of political opinions; they are biased and cover the government's activities more extensively than those of the opposition. The state-run media partially fill the void left by the commercial television channels, sometimes offering longer programs on public affairs and encouraging cultural and educational programs. However, the panelists emphasized that most of the journalists are driven by their own interests—not just in the public media, but also in the private media. They do not believe that their function is to serve the public interest apolitically, and therefore they work to satisfy their ambitions.

Independent news agencies gather and distribute news for the written and audiovisual press. Other than the international news agencies, there are three national agencies: the official one, Agence Togolaise de Presse (ATOP), and two new private news agencies, Agence de Communication et de Presse (ACP-Inter) and Agence Savoir News. These news agencies select the news to distribute and provide the media with enough news, but journalists do not use them. It should be pointed out, at the same time, that Agence Savoir News produces dispatches that are used by the national media, while ACP-Inter had to stop such activities due to a lack of resources. On the other hand, the panelists are glad to point out that news agencies such as Reuters, AP, AFP, and Panapress are present in Togo as well.

The independent broadcast outlets do produce their own newscasts, but some of them prefer to run programs taken from the big international networks for hours on end, lowering the score for the related indicator. Content produced by the private media is visibly different from that produced by the state-run or public media in terms of editorial orientation, and it often does not meet the needs of the local populations. Most radio stations produce original programs, often presented in local languages, which the populations appreciate. In terms of quality, however, there is still a lot of work to do. As far as bloggers are concerned,

Content produced by the private media is visibly different from that produced by the state-run or public media in terms of editorial orientation, and it often does not meet the needs of the local populations.

they generally gather news from other sources, and the content of their blogs is often not original.

Transparency of ownership is mixed. The identity of certain media owners is known, but other media prefer to keep the public in the dark in this respect, and information on the owners of the media is not available to the public unless there are conflicts or disputes related to such ownership. There are laws limiting the disclosure of media ownership, but the sponsors of these media get around them by using front people. For example, the managers of radio stations and television channels such as Chaîne du Futur (LCF), TV2, or Radio Zephyr, which are believed to be on the regime's payroll, are little more than puppets. And, the public has absolutely no knowledge of the actual people behind blogs and other online media.

Officially, there is no governmental or oligarchic monopoly on media ownership, but people close to the regime more and more frequently tend to monopolize certain media and use them to support the party's aspirations, particularly outside of the capital. Media owners do not disclose their financial sources, their management rules, or the operating facilities they mastermind.

For the time being in Togo, there are no business consortiums that own media outlets, because the media are not considered economically or financially viable businesses, except for politicians. Foreign investments in the media are insignificant or downright nonexistent, but they are quite beneficial in the rare situations in which they do exist.

Social interests are represented in the more popular media. For example, local radio stations produce shows that reflect the characteristics of minority groups—for example, issues related to gender, ethnicities, and children. However, in Togo, no media are printed or broadcast in the minority languages, and there is still resistance to including issues related to ethnicity in the media, as the authorities and many others believe that mentioning them only incites ethnic and racial hatred. The problems of the minorities are almost nonexistent in the Togolese media, either because they are not considered important or because they are politicized. There are some rare shows or stories intended for the minorities in the

In terms of airtime and space covered by advertisements and news, the government-run daily newspaper and the national television channel seem to achieve the soundest balance. In other media, the amount of advertising is quite meager.

state-run media and nowhere to be found in the written press. As a result, journalists who write about the problems of minorities, particularly ethnic discrimination, are often harassed. Other reasons why not even the private channels air such television reports are numerous, among them the lack of interest, inadequate training of journalists, and especially inadequate professional qualifications. For the time being, bloggers won't touch minority issues and limit themselves to field reports.

OBJECTIVE 4: BUSINESS MANAGEMENT

Togo Objective Score: 1.09

Media outlets and the accessory institutions (distribution companies, printing houses) are neither viable nor professional and lucrative businesses, leading to low scores for the related indicator.

Independent media painfully lack business management policies; management is highly informal. Some newspapers do

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.

not even have offices or newsrooms and limit themselves to having a mobile publication manager, since there is no office. Accounting and financial practices are not in compliance with international standards.

The panelists believe this is partly because media outlets do not have sufficient financial resources to hire hardworking professionals to perform duties related to accounting, marketing, and human resources.

The problems are not limited to the private media. Community media are also not viable and sustainable business organizations, and the state-run or public media do not make viable use of the taxpayers' money. Confusion and a total lack of transparency characterize their management.

The Togolese media manage to live off a bit of everything: a bit of advertising, a lot more sales, and a few fleeting and hidden subsidies. The media are subsidized by multiple, although non-legal and non-transparent, sources. Unfortunately, the editorial line of several media is largely influenced by people who can afford to buy articles—so much so that newspaper sales, sponsors, advertisers, and the citizens ultimately influence the content of certain media.

The sources of income continue to influence the editorial policies, management, and content of the media outlets. In fact, this explains why certain media categories—among the state-run media and some private media—are so influential. State-run media do not have an adequate and guaranteed source of income that can shield them from political interference. Community media, meanwhile, do not have adequate and coherent financing sources and are often left to rely on their own resourcefulness.

The advertising sector is not yet developed in Togo. There are several advertisers that are government-affiliated to some degree and deal with the media of their choice. The panelists feel, however, that professionals working in the private media are not qualified to use advertising to generate profit. In fact, as meager as it may be, the profit generated by advertising is considered as a bonus granted to the media managers. Outside the capital, in cities in the provinces, where the sector is in an embryonic state, advertising is non-existent.

The advertising sector is dominated by the competition, represented by international and local agencies; the panelists said that the quality of advertisements prepared abroad is sometimes higher quality. Media outlets sporadically use the services of advertising agents and very rarely sell advertising space directly to advertisers.

The balance of revenue derived from advertising does not comply with the standards accepted by business-oriented media outlets. Advertisements do not generate enough

revenue, which is why it is currently necessary to increase the number of advertisements to reach income goals; otherwise media outlets will go bankrupt. In terms of airtime and space covered by advertisements and news, the government-run daily newspaper and the national television channel seem to achieve the soundest balance. In other media, the amount of advertising is quite meager.

The private media receive government subsidies, but so far they are not institutionalized. The amount and frequency of the state subsidy in 2010 is determined based on the interests and motivations of the regime. In 2009, the government granted a subsidy of XOF 375 million (\$750,000), which was withdrawn in 2010. But recently, the budget for the financial year 2010 includes an XOF 75 million subsidy intended for the private press, although it has not yet been released. In media circles, the decrease of the amount and non-release of this subsidy until November 2010 have been blamed on the critical attitude of the independent press, which refuses to be obedient.

The panelists believe that subsidies serve to either subdue or alienate the private media. Many see this subsidy as a means for the government to interfere in the newsrooms. Through state-run companies, the government is also an important advertising source for the media, but advertisements are not distributed equally. Sometimes advertising from these sources is denied to certain media that are seen as too critical of the regime.

No market research is available that may allow the media to set forth strategic plans, improve advertising revenue, and personalize the product, based on the needs and interests of the public. No credible market research has ever been conducted in Togo; the same is true for surveys and polls. There are no ratings measurements, no circulation figures, and no Internet use statistics.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Togo Objective Score: 1.31

The existing press owners' associations in Togo are mere interest groups, with a hidden agenda to serve the regime from which they squeeze bribes and other monetary benefits. There are no true business associations acting as trade associations, such as those representing publishers or broadcasting stations' owners, that truly uphold the interests of their members or at least lobby the government on behalf of their members.

Some 10 associations share the same media and journalists. Their missions are generous, but very few actually work in

There is no real school of journalism, only some centers offering training in communications that anyone with the financial means can attend. Degrees in high-quality journalism are extremely limited and do not offer any significant practical experience.

the interests of the profession. Unfortunately, the year 2010 showed that the media professionals' associations have somewhat strayed away from their missions, which led to internal disagreements. In theory, these associations are independent with respect to the government; in reality, on certain points, independence is merely an illusion.

In Togo there is no association that provides legal advice. The existing associations provide professional advice only through seminars, congresses, discussions, or workshops. Membership is limited to journalists affiliated with a media outlet or a publication manager. Membership is sometimes stagnant due to various disagreements, leadership concerns, dysfunctions, or ineffectiveness issues.

Not many NGOs in the media sector actively support the independence of the press. In regular times, NGO activity is limited, but in times of crisis, when journalists are arrested or the freedom of speech is violated, their interventions are massive and often effective. Such groups exist only in the capital, however, and they do not get involved in the assessment of the proposed amendments to the media laws. They offer no legal support to journalists and do not work with the international organizations that deal with freedom

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.

of speech. However, as noted, a new NGO was formed in September 2010, SOS Journaliste en Danger, to help defend press freedom.

There is no real school of journalism, only some centers offering training in communications that anyone with the financial means can attend. Degrees in high-quality journalism are extremely limited and do not offer any significant practical experience. Those who have been practicing this profession for years without any qualifications either see no motivation in obtaining some training, or they lack the means to pay for specialized studies abroad. The Togolese state does send active journalists abroad to attend internships in retraining, advanced studies, or capacity building in places such as Senegal, Cameroon, Cote d'Ivoire, or France. Once the training is finished, they generally return to Togo.

The existing job training and retraining opportunities are insufficient to allow journalists to strengthen their skills. There are very few opportunities for media professionals, including programs initiated by international organizations, because no local organization offers such opportunities. The most needed programs concern, first of all, writing, reporting, investigation techniques, and information and communication technologies.

Most of the sources of the newspapers and printing houses belong to the informal private sector, and their owners do not have enough economic power, which explains why newspapers accumulate many unpaid bills toward the printing houses. The printing houses are rare and often do not do high-quality work. If a printing house belongs to the private sector, the government burdens it with taxes under the form of VAT (value-added tax) and income taxes. State-run printing houses are treated by the state as their own private property.

Most media distribution networks belong to the private sector, but not even their business and financial management complies with the regular standards. Distribution networks are not managed well enough to ensure their self-sustainability. Sometimes distribution is slow, and other times it is subject to political and administrative pressure to the point that it becomes a hindrance to the activity of the media. Other times, the distribution networks delay payments to the media for the sold copies. Only the capital of Lomé has a small number of rudimentary distribution networks, and they supply only a few other cities.

Officially, there are no governmental or business consortiums that control Internet access. In reality, through its public telecommunications services, the government manages and controls Internet access throughout the country. Many subscribers complain about slow connections, high prices, and cyber-criminality.

List of Panel Participants

Lawson Latévi Ebénézer, director, Center for Practical Training in Communications, Lomé

Francisco Kossi Gbandi Napo Koura, board member, Radio Dawul, Bassar

Kangni Andre Afanou, lawyer and journalist, Collectif des Associations Contre l'Impunité au Togo, Lomé

Norbert Lokossou, journalist, Radio Speranza, Tabligbo

Sylvain Attoh-Messan, barrister, member of the National Human Rights Committee, Lomé

Joseph K. K. Donu, member, Syndicat des Magistrats du Togo

Togoata Apedo-Amah, professor, University of Lomé; member, Ligue Togolaise des Droits de l'Homme, Lomé

F. Akpédjé Kouassi, programming manager, Radio la Legende, Lomé

Kodjo Ayi Mamavi, journalist and producer, National Television, Lomé

Mathilde R. Sant-Anna, head of communication, Discussion and Action Group for Women, Democracy, and Development, Lomé

Amelete Toyitom, journalism instructor, Ministry of Communication and Culture, Lomé

Valentin Komla Nyatika, journalist and chair of the Togolese League of Voters, Lomé

Moderator and Author

Francis Pedro Amuzun Assiongbon, publication manager, *Crocodile News*; secretary-general of the Togolese League of Electors, Lomé

Rapporteur

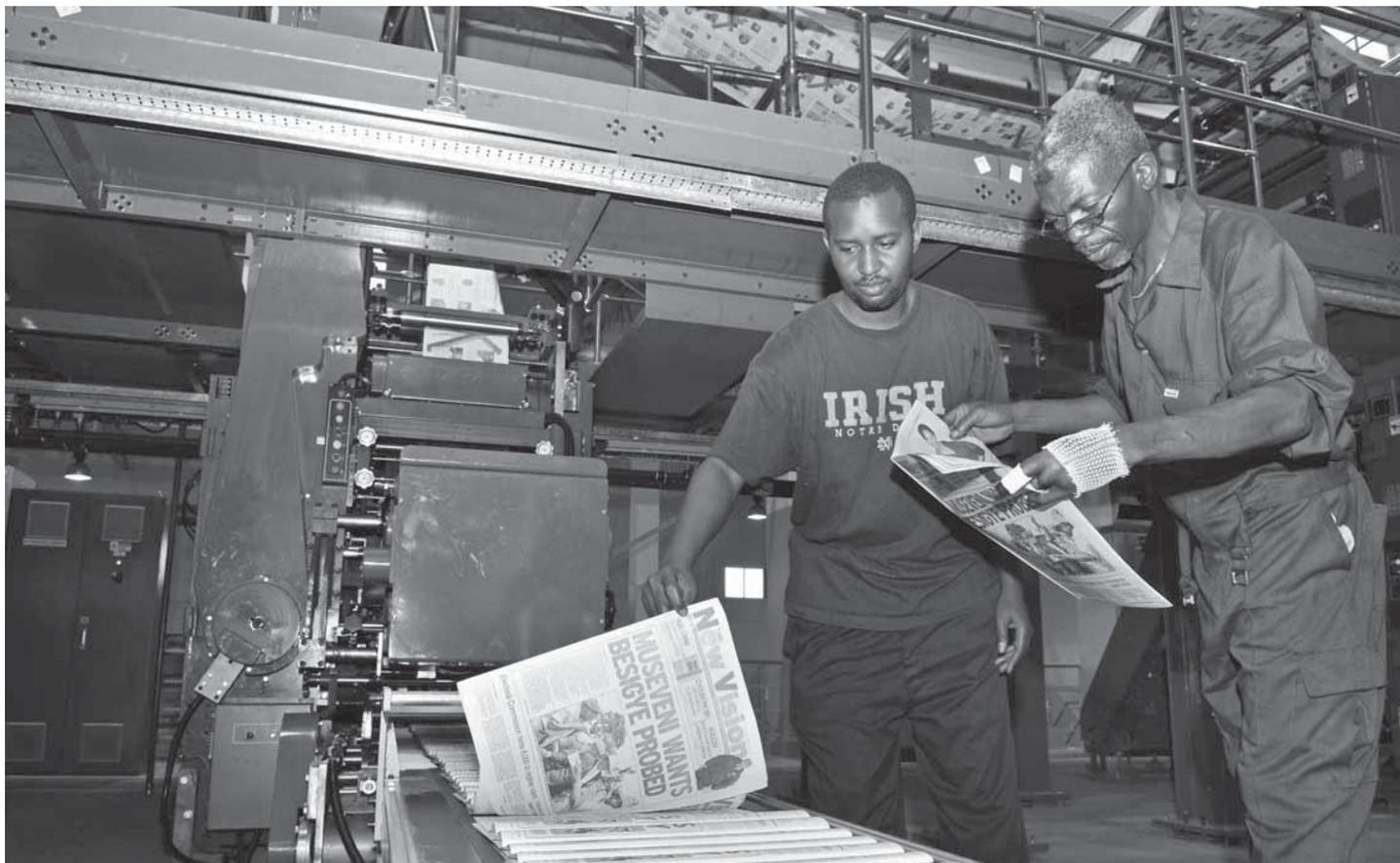
Lola Akomatsri, journalist, *Crocodile News*, Lomé

Observer

Franck Ayaw Assah, correspondent, Panapresse and Media Foundation for West Africa, Lomé

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

On a positive note, the Law on Sedition was abolished through a constitutional ruling. The victory was the result of a petition that media organizations filed in the Uganda Constitutional Court, challenging the legality of the law.



UGANDA

Freedom of the press and of speech in Uganda suffered a setback in 2010, in the lead-up to the 2011 general presidential, parliamentary, and local governmental elections. Most seriously, two journalists died under mysterious circumstances. Paul Kiggundu, a correspondent with TOP radio and television, was killed on September 11, 2010; and Dickson Ssentongo, a correspondent with Prime Radio, was killed on September 13, 2010. Many other media members have been beaten and arrested and some tortured by security personnel, including the police.

Furthermore, the government closed five radio stations, allegedly for inciting violence in which people lost lives and property. These radio stations, namely Akaboozi ku bbiri (Radio II), Radio Sapiencia for the Catholic Church, Suubi FM, and two CBS radio stations restarted eventually, but the last took more than a year to reopen. On government orders, some radio presenters and shows were suspended indefinitely as a condition of re-opening.

Political activists, including some opposition members of parliament, were prevented from organizing public rallies. Activists with constituencies in the capital and urban areas especially were targeted. The government continued using riot police and other security operatives to disperse peaceful opposition political rallies, on grounds that the rallies were illegal and not authorized by the police Inspector General.

The government also continued threats to pass new, tougher media laws and amend the existing laws; however, media trade associations managed to counter the threats by mobilizing all stakeholders to resist moves likely to result in new laws. "Because of the united pressure we have applied, government is shying away from plans for new media laws to restrict press freedom. The process has stalled at the cabinet level," noted Muwanga Kakooza, a parliamentary reporter with New Vision Group, the leading media house in Uganda.

On a positive note, the Law on Sedition was abolished through a constitutional ruling. The victory was the result of a petition that media organizations filed in the Uganda Constitutional Court, challenging the legality of the law. Along with this achievement, a number of government cases filed against journalists and politicians have been thrown out. However, some laws remain that prohibit the freedom of speech and press, and the media community continues its struggle to have them abolished. All the above contradicts the nation's constitution, which clearly has provisions that guarantee both press freedom and freedom of speech.

Despite this environment, Uganda's media show signs of growth and strength, with some media houses expanding into new platforms, while others make new investments in the industry. Insults, accusations, and attacks on the media from politicians and others are the order of the day, but the hostility has not stopped the media from playing their roles as watchdogs exposing wrongdoing.

UGANDA AT A GLANCE

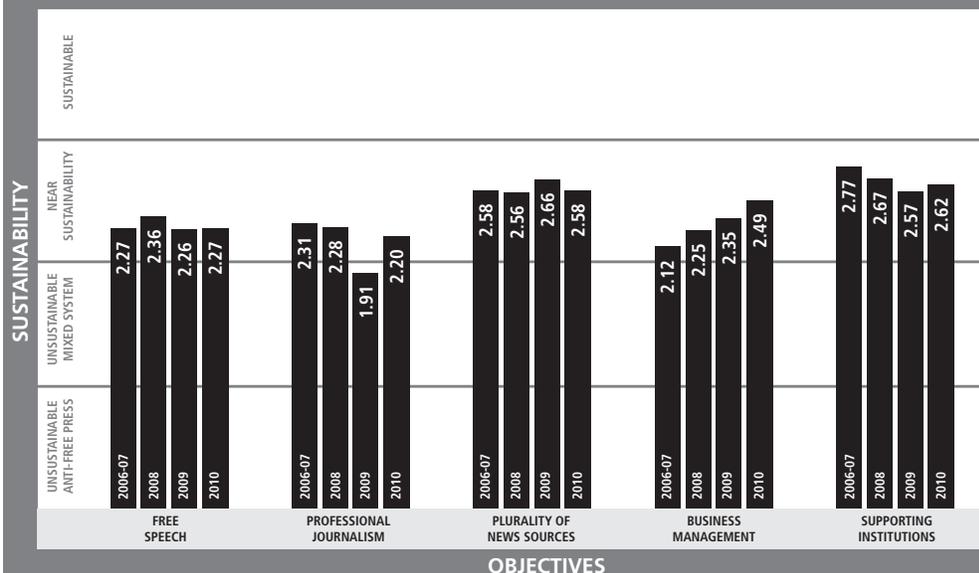
GENERAL

- > **Population:** 35,873,253 (2011 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 (official national language), Ganda or Luganda (most widely used of the Niger-Congo languages), other Niger-Congo languages, Nilo-Saharan languages, Swahili, Arabic (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$16.55 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,230 (World Bank Development Indicators, 2011)
- > **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; 35,000 circulation); *The Monitor* (privately owned, 27,000 circulation); *Bukedde* (60% state-owned, 40% public share holders)
- > **Broadcast ratings:** Top three radio stations: Central Broadcasting Service FM (private), Simba FM (private) and Bukedde FM (60% state-owned, 40% share holders)
- > **News agencies:** Uganda Radio Network (private), Ultimate Media (private)
- > **Annual advertising revenue in media sector:** \$10 million (2007)
- > **Internet usage:** 3.2 million (2009 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: 2.27

Uganda has constitutional provisions that guarantee freedom of speech and of the press, and they are aligned with international standards for human rights and freedom of expression. However, these solid provisions stand in contradiction to other laws that Uganda's security organs rely upon to deny citizens their rights to free speech. The panelists mentioned several such laws, including the Law on Sedition, the Anti-terrorism Act, and the Police Act, which prohibits any Ugandan from holding a rally or public meeting without permission from the Inspector General of police.

However, in August 2010, Uganda's media praised the constitutional court's declaration that the Law on Sedition, part of the penal code, is unconstitutional. Under this law, journalists could be accused of inciting hatred against the country's president, government, or the judiciary.¹

Freedom of speech violations are very common. As Ugandans value that freedom, arrests and police summonses have raised public outcries and attracted the condemnation of local and international human rights groups. Those violated can seek

¹ Clotey, Peter. "Uganda's Media Hail Court Ruling Sedition Law Unconstitutional." Voice of America: August 25, 2010. Available at: <http://www.voanews.com/english/news/africa/Ugandan-Media-Hail-Court-Ruling-Sedition-Law-Unconstitutional-101523789.html> (Accessed October 25, 2010.)

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.

redress in the courts, and most are vindicated, as the judiciary acts independently when handling such cases.

The panelists were split on the impartiality of the broadcast licensing process. Applications are handled by two bodies, the Uganda Broadcasting Council (UBC) and the Uganda Communications Commission (UCC). Some panelists claimed that the licensing process is considered fair and clear, but UBC and UCC members are appointed by the minister for information; thus, their independence is questionable. Some panelists said that they have heard of the two bodies delaying application approval. This stands in contrast to applications from politicians, according to other panelists. Members of the ruling National Resistance Movement (NRM) party especially often are approved quickly. Almost every member of parliament has an FM radio station in his or her constituency.

"All the five radio stations that were closed this year were closed by the broadcasting council on government orders—clear proof that it's not independent," contended Jane Nakyondwa, a senior journalist with Mama FM community radio station in Kisasi Town.

Media entry into the market is easy and there are no restrictions, provided that the applicant pays the required registration taxes. The panelists noted that the government has abolished the tax holiday that it gave to new big investors. Interestingly, however, at the beginning of the 2010-2011 fiscal year, the minister of finance abolished taxes on digital video and still cameras, and removed taxes on new computers—seen as a boost to the media industry.

With the murders of Kiggundu and Ssentongo underscoring the seriousness of the dangers that journalists face, the panelists said that crimes against journalists and media are still quite common—and those that security personnel commit are rarely punished. More than 30 journalists were battered and harassed during the year. Most cases were well publicized in local and international media, the panelists noted. They added that the major worry is the growing portion of public that is elated when journalists are in trouble. However, of late, the government has taken measures to arrest and prosecute those who attack journalists.

The public media are supposed to be editorially independent, but in practice, that is not the case. Although the media laws are consistent, state/public media are favored in various respects, including the right to information. Government influence is omnipresent, ensuring positive coverage and an outlet for propaganda. The panelists noted that this situation always holds true for electronic media but is slightly different in print, where stories critical of the government get published sometimes. All top editors and managers of

the state/public media are appointed by the minister of information—who, in turn, is a political appointee.

Although the constitutional court struck down as unconstitutional the libel laws related to the media's government coverage, criminal libel laws remain on the books. Libel is punishable with both civil and criminal penalties. A journalist found guilty will go to prison, and the aggrieved party can seek civil damages. However, as noted in past MSI studies, journalists rarely are imprisoned for libel, in part because of the relative independence of the judiciary. The panelists said that there have been no cases of corruption by judges or prosecutors in cases of libel. In addition, the courts have seen no cases holding Internet service providers or web hosting companies responsible for the content posted by independent individuals.

Access to public information changed little from 2009. Despite Uganda's access to information law—a rarity in Africa—those charged with the responsibility are reluctant to talk to the media. The panelists noted that the constitution has a full article (Article 41) that guarantees easy access to public information. Parliament also passed a law along the same lines; however, it remains a law on paper, not in practice.

Most journalists have methods to obtain public information, but it is difficult and time-consuming, so they tend to give up. Journalist associations have engaged lawyers to address the problem, panelists noted.

The government imposes no restrictions or registration requirements on access to the Internet, satellite, or other media platforms. Access to international news and news sources is free, and many journalists use the Internet to find information, noted the panelists. Many foreign publications are imported without restriction, for those who can afford them. Some media lift stories directly from foreign publications and the Internet, while some radio stations are linked to foreign outlets. They air their programs live without government interference.

The situation for entry into the profession and schools of journalism has changed little. There remains no official restriction on entering the profession. However, the existing media law (the Press and Journalists Statute of 1995) mandates academic standards for those wishing to join the profession. To qualify, one must have a diploma and be enrolled with the National Institute of Journalists of Uganda (NIJU), a body established by government to control the media via an annual license process. Though on the books, this law is not enforced. The panel noted that expected amendments to the press law have stalled, and the hopes that a professional journalists' association would replace NIJU have not materialized.

Ugandan journalists are free to organize. The country has more than 20 professional associations, but few operate at a national level.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Uganda Objective Score: 2.20

The panelists agreed they have seen some improvement in the way that journalists source and report their stories, and they traced the changes directly to training efforts by professional associations and certain media houses. Despite this improvement, the panelists said, a few journalists still work outside professional standards, writing one-sided stories without proper concern for factual accuracy. The panelists attributed this to factors ranging from financial constraints to poor training and outright laziness.

"Those who do their work in an ethical manner talk to all the parties, consult experts, and also carry out some background research," noted one panelist. "Many others don't."

A code of ethics is still in place, and it is in line with international standards and recognized widely by the Ugandan media. However, the panelists noted that the number of journalists violating this code has risen. As one panelist reported, "Many journalists have been caught red-handed taking bribes from news sources to kill stories. Some journalists blackmail government officials and powerful business personalities and demand exorbitant sums of money, promising to block bad stories in exchange."

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).

While this concern cuts across all media, some media houses and associations have come out strongly against bribery habits, exposing those involved.

Self-censorship is apparent at different levels of the media. The panelists said that some journalists engage in self-censorship to protect their jobs, while others seek financial gain. Others are simply adhering to the policies of their media house, some fear for their lives, and others simply want to get ahead in the profession.

The media cover most of the key events in the country without incident, but there are certain events that the media must have clearance to cover. They include presidential functions, all major conferences at which foreign visitors are expected, matters of the first family, and certain issues related to security. Some of these issues could result in court or jail time for a journalist that does not report carefully.

Journalists remain among the most poorly paid professionals in the country, and the panelists expressed the belief that this promotes corruption within the media sector. The panelists underlined the trend described previously, in which some journalists and their editors accept payment to cover or kill specific stories.

In another negative effect of poor pay, some senior journalists are being driven to join other sectors with better pay and to abandon the journalism profession, to its detriment.

In some big media houses, editors earn as much as \$5,000 per month, while reporters are paid as little as \$200 per month. Freelancers are particularly vulnerable—a problem noted in last year's MSI. At some media houses, especially FM radio stations, freelancers go unpaid for months, noted one of the trade union leaders. The Uganda Journalists Union (UJU) formed specifically to address this problem, but it has yet to sign a single collective bargaining agreement for its members. Last year's MSI panelists suggested conducting a survey on working conditions for journalists, and especially freelancers, to begin searching for a solution to this problem.

The panel noted that entertainment claims the lion's share of programming hours in electronic media, while news and information is more prominent in print. As for radio, the panelists said that the more music a station plays, the more listeners it draws (especially among young people), and the higher listenership means more business for the station. The panelists agreed that at most FM radio stations, entertainment takes about 85 percent of airtime, while information and news take the remaining 15 percent. In print, entertainment and advertisements fill about 40 percent of the space, and the remaining 60 percent is news and information.

The panelists underscored marked improvement this year in the facilities and equipment used for gathering, producing, and distributing news in Uganda, positively impacting the quality of content. Some of the big media houses have invested heavily in equipment. Others have made loans to journalists, including freelancers, to buy modern gear. Panelists noted, however, that there is a great need to help freelance journalists who cannot afford the equipment vital to their jobs. The greatest needs are for news gathering equipment (audio digital recorders and digital video cameras), photography equipment (digital still cameras), and computers. Most assistance is best channeled through the Uganda Journalists Association (UJA), the panelists concurred.

Specialized reporting is growing in Uganda, and some media houses are investing in training reporters. Even some professional associations, such as UJA, UJU, and other small associations, have encouraged members to seek specialized training. "What is lacking are the funds," said one of the leaders of these associations. "If we get funding, we are willing and ready to continue with specialized training of our members."

The panelists said that unlike the electronic media, print media have tried offering training in investigative reporting, and they would welcome any assistance through UJA or other associations to further such efforts.

OBJECTIVE 3: PLURALITY OF NEWS

Uganda Objective Score: 2.58

Multiple news sources in Uganda provide citizens with news and information, allowing consumers to compare among the different sources. The sources include traditional platforms such as radio, television, newspapers, and magazines and have expanded into the Internet, blogs, and SMS messaging.

The media are concentrated mainly in cities and urban centers, but politicians have opened a reasonable number of FM stations in their rural constituency areas. Today, Uganda boasts more than 150 registered FM stations in operation and more 30 publications, among them six daily government and private newspapers. The media sector has seen an increase in television stations and television pay channels.

In urban areas, people have access to the Internet and its blogs, SMS alerts, Twitter, and Facebook. In contrast, rural residents still depend heavily on radio and, for those who can afford them, newspapers. A few community radio stations in rural areas provide news and information, but according to some on the panel, their sustainability is a major challenge.

In some villages, people erect loudspeakers to share announcements and information useful to the community.

The panelists agreed that citizens are not restricted from accessing domestic or international media, and Uganda imports many foreign publications. Citizens are free to listen to foreign radio stations as well. However, the panelists pointed out that people living in cities and urban centers have more access to media sources than their counterparts in rural areas and smaller towns. Although sources like the Internet and print media are expensive for people living in villages, costs for foreign publications and Internet access are going down, thanks to government efforts, concluded the panelists.

Although public media are not fully independent of the state or the ruling party, the programming they air reflects a relative independence, according to the panelists. "Of late, we have seen and heard many opposition politicians on public television and radio, discussing their personal opinions on different issues without any interference from government. At times, they are hosted in the studios with officials from the ruling party, and we think this is a positive development," panelists noted.

Despite all the positive developments, state/public electronic media are still dominated by government programs and propaganda. To an extent, they make up the gap with commercial broadcasters through educational and cultural programming. As for state print media, all publications cover every side—opposition and ruling party views—fairly.

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.

Uganda has only one local independent news agency: Uganda Radio Network (URN). However, the panelists said that most information on URN is similar to that offered by media houses. URN sells most of its print, audio, and video stories to small media houses that cannot afford to post their own correspondents in every part of the country. Media houses of all sizes depend on international news agencies such as AP, AFP, and Reuters for news and information. Many also use news websites at no cost, but do credit the sites as sources.

The panelists noted that today, most private broadcast media produce many of their news and information programs locally—and the content is far superior to state/public media productions. State/public media concentrate heavily on government news, while private media target audience interests and include information and news provided by government sources. The same applies to community media and bloggers, despite the fact that many lift stories already carried by big media houses. As for television, most stations are now relying on locally produced programs to a greater extent than before. Their viewers prefer them to the foreign shows, the panelists noted.

Media ownership transparency is not a problem in Uganda; interested citizens are able to learn who owns a given outlet. However, there is no regulation guaranteeing disclosure of ownership. Panelists noted that many FM radio stations are owned by politicians, who openly use them to solicit votes or promote programs of personal interest.

Panelists noted that Vision Media Group has made a major investment in the media. The group is owned partly by government and partly by individual private shareholders, at a ratio of 55 percent to 45 percent, respectively. This company has expanded into television, adding two stations this year, and now has five FM stations based in Kampala and all the regions. These seven outlets are in addition to the group's five newspapers, several magazines, and an SMS platform. Vision Media Group's investment has proven beneficial to the media industry, panelists said, especially in terms of helping many journalists secure employment.

The panelists noted that the media cover social issues to a reasonable extent without restriction from the government, but some issues (such as homosexuality) are still neglected or covered with a negative bias.

The panelists said that during 2010, they saw a lot of expansion of the media into multiple parts of the country. The growth has enabled outlets to cover smaller cross-sections of people, including minority languages.

OBJECTIVE 4: BUSINESS MANAGEMENT

Uganda Objective Score: 2.49

The panelists noted that public and private media alike operate as profit-generating businesses and generally are run in an efficient manner. Business plans are in place and followed. Even the state broadcast media have improved their management, generating revenue to supplement what they receive from government and to respond to the stiff competition from private media.

Smaller media houses, though, are not run professionally, as the owners cannot afford to hire skilled staff in management, accounting, or human resources. These companies end up employing unskilled people or family members, who run the businesses into bankruptcy.

As for community media, the panelists noted that they are run efficiently, but sustainability is a serious issue. Many of them are dependent on donor funding.

Generally, media outlets receive revenue from multiple clients and sources, but often these sources—especially advertisers—have influence over the editorial policy, commented the panelists. The major sources of revenue are copy sales, advertising, sponsored programs, donations, and commercial printing services. However, the global credit crunch has continued to affect income negatively in the media industry, even as expenses are rising.

State/public media, the panelists noted, receive a fair amount of funding from the government, but it is not adequate to

cover all expenses. As a result, they are allowed to make money through other sources common to the private media.

Advertising is well developed in the country, with several local and international firms based in the capital and big towns, noted the panelists. Several companies, especially mobile phone networks and those in the brewing business, use print and electronic media regularly to advertise their products and services. The advertising firms enjoy considerable business in billboards and signposts, too.

The panelists noted that, while some media houses work with advertising firms, others have established fully-fledged departments on their own to solicit and produce advertising. The private media, big and small, employ professionals and skilled salespeople that look for advertisers, design ads, and produce jingles for commercials on electronic media. These have become a major source of revenue.

Regarding the percentage of advertising and content, revenue shortages have forced media house managers to press for more advertisements in their programs and pages, and this can crowd out news and information. Ads take up an estimated 50 percent of broadcast programming time, and 40 percent or more of pages in print media.

Panelists confirmed that the government does not subsidize private media. It does advertise in some private media, but conditionally: only in outlets that give the government positive coverage. There have been cases in which the government withdrew ads from media houses that it considers critical. Discussing the benefits and disadvantages of government subsidies for private media, the panelists concluded that it might be good for private media, because some houses need external help. However, they added that they would not expect the government to be fair about the process.

Market research is available from a few media houses to evaluate sales, listenership, quality of programs, coverage, and audience interest. Two companies (Audit Bureau of Circulation, based in South Africa; and Synovate) produce circulation figures and broadcast ratings. Their findings are accessible easily for a fee. And yet, the panelists agreed that some media houses have started challenging the survey findings of the research companies. Clarity in these ratings is important, as some media houses claim to be the leading newspapers or radio stations in the country, with obvious implications for advertising revenue.

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

Uganda Objective Score: 2.62

Uganda has four media owners' associations, but only one is active: the National Association of Broadcasters (NAB). The Uganda Newspaper Editors and Proprietors Association (UNEPA), the Uganda Publishers' Association, and the Editor's Forum fell dormant over the year, and membership is far from universal among media owners.

The panelists said that the major role of NAB is to lobby government for fair taxes for its members and a good environment for its businesses. Panelists said that NAB is not involved in efforts to improve the working conditions of journalists, nor with the reform of media laws.

The status of professional associations representing individual media practitioners has not changed much from last year, according to the panel members. However, a few new associations have emerged, including UJA, which specializes in professional issues; UJU, a trade union; the Uganda Media Women Association; the Parliamentary Press Association; the Uganda Journalists Safety Committee, which handles press freedom and media-rights issues; and national and other small associations for specific sectors such as sports, oil and mining, environment, education, and health.

The panel noted that many of these organizations have actively defended journalists' rights whenever threatened. Membership is determined by application and payment of membership dues, but these associations have seen a decline in membership, and non-payment of fees has been a major challenge. Some have closed down.

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 panel noted that UJA's effort to unite the small associations into a coalition is showing signs of success. To date, the associations have a loose network, called Article 29, through which they share information and collaborate on media development programs.

Panelists pointed out that several NGOs operate in the country, with some working with the media and some using the media to tap money from donors. NGOs active in Uganda include Foundation for Human Rights Initiative (FHRI), Foundation for African Development, Friedrich Ebert Foundation, Konrad Adenauer Foundation, Humana Rights Network Uganda, and Action for Development. Most of these organizations concentrate on advocating for press freedom, funding legal representation, supporting the media in legal reform efforts, and offering research and training in human rights issues.

The panelists reported that about 25 of the 35 universities in the country offer quality degree programs in journalism and mass communication. However, some universities are more theoretical than practical in their training. The graduates of these programs find it difficult to get employment at the media houses. In addition, media training institutions offer diploma courses in journalism. The quality of their courses depends on the teachers and facilities available.

Opportunities for training abroad are available, but limited. Mainly they benefit journalists working with big media houses, which can afford such training. Many of those who train overseas return to work for the media houses that sent them, but some return and run quickly to other sectors for better pay.

The panelists praised the short-term training programs that some media companies offer in house. Even people working in non-journalism administrative, management, and sales jobs at media companies can obtain supplemental training in their fields, and the companies meet the cost. The most popular courses for journalists are ethics and human rights, but panelists noted the clear need for training in investigative reporting, specialization, and safety.

Most newsprint and printing facilities remain in private hands and operate as profit-making businesses. The panelists agreed, however, that even when printing facilities are in the hands of the government, they offer services to private media without restrictions. The panelists said that high taxes on newsprint and the VAT on advertising are big burdens on the media.

Media distribution channels, too, are in private hands and are managed efficiently, said the panelists. But transmitters are controlled by the government, and authorities can switch the transmitters off any time—and do, if disagreements arise between the government and a given media house.

List of Panel Participants

Saulo Wokulira Ssebaggala, Jr., program coordinator, Human Rights Network for Journalists-Kampala City

Robert Mugagga, journalist, *Observer*, Kampala City

Jane Nakyondwa, senior journalist, Mama FM community radio station, Kisasi Town

Rose Kigongo, freelance journalist, Masaka Municipality

David Malinga Doya, senior writer, *The East African*, Entebbe Municipality

Diana Nalunkuma, lecturer, Kampala University, Kansanga Town

Isaac Ssenabulya, parliamentary correspondent, Top TV, Kampala City

Julian Amutuhairwe, reporter, KFM Radio station, Mbale Municipality

Mercy Nalugo, journalist, *The Daily Monitor*; treasurer, Uganda Journalists Union, Kampala City

Moses Kajangu, parliamentary reporter, Impact FM, Kampala City

The following panelist attended the panel discussion, but did not complete a questionnaire:

Dick Mvule, parliamentary reporter, Radio Simba; organizing secretary, Uganda Journalists Union, Kampala City

Moderator and Author

Muwanga Kakooza, senior political reporter, Vision Media Group, Kampala

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala

Many have the opinion that the so-called fresh amendments amount to a complete repeal of the progressive law passed in 2002, and a reinstatement of the arbitrary and authoritarian powers of the past.



ZAMBIA

In 2010, as presidential, parliamentary, and local government elections scheduled for 2011 drew near in Zambia, the media came under scrutiny. The public and private media alike are commonly accused of fanning political violence, “insulting” the government, purveying propaganda, or favoring particular political parties in the allocation of airtime and column space in the run-up to any election.

Consequently, the specter of statutory media regulation hangs ominously over Zambia’s media. The government, arguing that voluntary self-regulation of the media has failed, threatens legislative action to curb perceived excesses in the media. Media members, on the other hand, argue that government has become intolerant of criticism and has reneged on the media reform process, and merely wants to impose draconian legislation to silence all critical voices ahead of the 2011 elections.

Amid this drama, the media law reform movement, which created palpable excitement among media practitioners and pro-democracy advocates in recent years in Zambia, has suddenly stalled. At the heart of the issue is the Independent Broadcasting Authority (IBA) Act, a law that has been surrounded by controversy ever since its enactment in 2002. The act was designed to create a regulatory body in line with democratic media reforms. However, optimism over what was widely viewed as progress has given way to despair. The authority has not been established to date, and the government seems bent on rewriting the law.

On July 30, 2010, the minister of information and broadcasting services, Lieutenant-General Ronnie Shikapwasha, tabled in parliament the Independent Broadcasting Authority Amendment Act, which would empower the minister to appoint IBA board members without parliamentary approval. The amendment is a repudiation of a key clause in the original legislation that compels the minister of information to ensure that an independent committee (composed of various stakeholders, including media members) appoints IBA board members. After heated debate among legislators, parliament offered a compromise. It scrapped the independent appointing committee, allowing the minister to hand pick board members but requiring the minister to submit names to parliament for ratification.

The ruling Movement for Multi-party Democracy (MMD) has a majority in parliament, which guarantees passage of any bill originating in government and now effectively allows the minister to appoint IBA board members without consultation. Many have the opinion that the so-called fresh amendments amount to a complete repeal of the progressive law passed in 2002, and a reinstatement of the arbitrary and authoritarian powers of the past. Although the MMD manifesto states that “freedom of expression and the right to information are basic human rights,” and journalists are expected to play an important role in promoting democracy and development, that is a scenario yet to be fulfilled, as reflected by key indicators in this report.

ZAMBIA AT A GLANCE

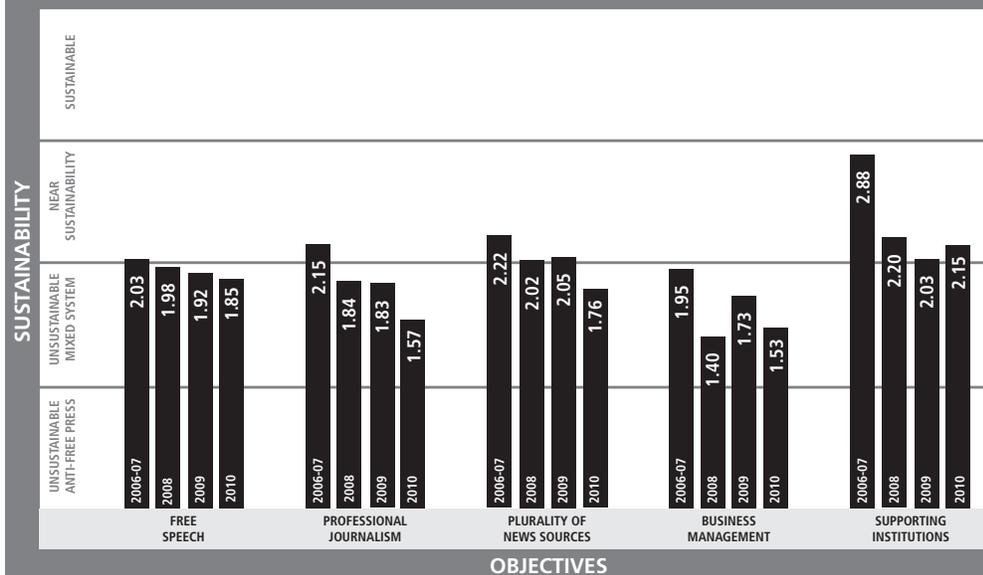
GENERAL

- > **Population:** 14,309,466 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Lusaka
- > **Ethnic groups (% of population):** African 99.5% (includes Bemba, Tonga, Chewa, Lozi, Nsenga, Tumbuka, Ngoni, Lala, Kaonde, Lunda, and other African groups), other 0.5% (includes Europeans, Asians, and Americans) (2000 Census)
- > **Religions (% of population):** Christian 50%-75%, Muslim and Hindu 24%-49%, indigenous beliefs 1% (*CIA World Factbook*)
- > **Languages (% of population):** Bemba 30.1% (official), Nyanja 10.7% (official), Tonga 10.6% (official), Lozi 5.7% (official), Chewa 4.9%, Nsenga 3.4%, Tumbuka 2.5%, Lunda 2.2% (official), Kaonde 2% (official), Lala 2%, Luvale 1.7% (official), English 1.7% (official), other 22.5% (2000 Census)
- > **GNI (2010-Atlas):** \$13.82 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,370 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 80.6% (male 86.8%, female 74.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Michael Chilufya Sata (since September 23, 2011)

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:** 816,200 (2009 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: 1.85

Panelists' scores placed two indicators—indicator 8 (journalists' access to international news and news sources) and indicator 9 (freedom of entry into the journalism profession)—well above all others in this objective. These two scored about three-quarters of a point higher than the objective score. On the other hand, indicator 7 (access to information) scored about three-quarters of a point lower.

Indicator 1's questions regarding protections for free speech sparked an animated debate by the panel. The majority said that they believe that the constitutional provisions protecting freedom of expression are adequate, but they voiced grave concerns about the numerous derogations enshrined in the penal code. In essence, the code limits the very freedoms the constitution purports to protect, panelists said.

Currently, freedom of expression is addressed in article 20(1) of the Constitution of Zambia, and article 20(2) provides for press freedom. But article 20(3) limits these freedoms, curtailing them in the interest of national defense and security, public safety, public order, public morality, and public health, among other derogations. Other subsidiary pieces of legislation under section 53 of the penal code, such as the State Security Act number 36 of 1969, further limit freedom of expression.

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 2010 IBA amendment act dominated the discussion of media legislation this year, with the panelists lamenting backsliding from the original IBA act of 2002 and the equally promising Zambia National Broadcasting Corporation (ZNBC) Amendment Act of 2002. The two laws were designed primarily to enhance the independence of the state-owned media and safeguard the freedom of the private media. The IBA act gave regulatory power of the private media to IBA, and called for IBA to have a more representative board, ratified by parliament. Also under the IBA act, the Ministry of Information and Broadcasting Services was stripped of the authority to issue broadcast licenses, with responsibility transferred to IBA.

Similarly, the ZNBC Amendment Act was designed to pave the way for the dissolution of the sitting ZNBC Board of Directors—hand-picked by the minister—so that political interference would end. However, the ZNBC act has been implemented only partially. The Freedom of Information (FOI) Bill was also expected to be re-tabled after its withdrawal from parliament in 2002, but this has not happened.

The July 28, 2010 edition of *The Post* reported that the minister would appoint the IBA board without parliament's ratification, and that prompted Andrew Sakala, president of the Press Association of Zambia (PAZA), to condemn the move as "retrogressive." Although the Supreme Court ruled that, under the IBA act, the minister of Information and Broadcasting Services could reject names recommended by the independent appointments committee, the court did not rule that the committee statute should be removed from the act, Sakala argued. He noted further, with disappointment, that the ministry is still discharging the functions that IBA was supposed to carry out—defeating the spirit of the original law.

PAZA Vice President Amos Chanda concurred with Sakala, noting that the country is regressing in terms of media law, losing what little reforms had been achieved. He blamed the stagnation on the government's lack of political will. The country's vice president, George Kunda, on the other hand, defended the IBA amendment act and condemned what he termed "unethical practices" by some in the media, and reiterated the government's desire to impose media regulations.

These developments, when viewed against the government's insistence that the media should opt for voluntary self-regulation or risk state regulation, clearly portend serious difficulties for media practitioners. The authorities are growing increasingly exasperated with what they view as intolerable transgressions by the privately owned media, and are looking at ways of "caging" the perceived violators, panelists said.

Similarly, the ZNBC Amendment Act was designed to pave the way for the dissolution of the sitting ZNBC Board of Directors—hand-picked by the minister—so that political interference would end. However, the ZNBC act has been implemented only partially.

The timing of the IBA amendment act speaks volumes about the state's intentions. In 2011, Zambians go to the polls in presidential, parliamentary, and local government elections, and the media law reforms now being reversed could have gone a long way in leveling the political playing field in terms of campaign coverage.

MISA Zambia chair Henry Kabwe, alluding to government threats to impose statutory media controls, observed that efforts to gag the press are eroding gains in media independence. "Laws are being planned to stifle the media, targeted at *The Post*," he said. Many panelists said that they consider *The Post* to be the most outspoken daily newspaper in Zambia; it remains the only privately owned daily. Chandra agreed, explaining his belief that Lieutenant General Shikapwasha and the government intend to impose media regulations "under a false hope that this will help them silence the 'truant'—namely, *The Post*."

The legal minefield notwithstanding, freedom of expression is being stretched to the limit by several media practitioners, including some community radio stations that have sprung up following the liberalization of the airwaves. Currently, Zambia has 34 community radio stations, spread across the country. Masautso Phiri, a freelance journalist and media consultant, referred to "unbridled free speech" by some radio stations during their live phone-in programs. Therein lies the problem; most of the government's complaints stem from the stinging attacks on the establishment by political activists and civil society leaders that appear on live programs, and the listeners that call in. Often, the Ministry of Information and Broadcast Services warns private radio station owners that they risk having their licenses revoked. The state has accused some community radio stations of contravening the terms and conditions of their respective licenses.

Most panelists said that they feel strongly that broadcast media licensing is neither free nor competitive, as it is still the domain of the Ministry of Information and Broadcasting Services. The fact that the minister exercises this power, to the exclusion of other stakeholders, indicates that broadcast license issuance is highly politicized.

Mazabuka community radio station manager, Bellon Chintombwa, lamented that some licenses are so restrictive that news broadcasts are limited to only three minutes, making it almost impossible for the affected stations to broadcast something meaningful.

In terms of the ease of entering the market, the panelists returned to the IBA board controversy. They expressed serious concern that a partisan IBA board, compiled solely by the minister, would be a potent weapon against new entrants into the industry.

Edem Djokotoe, a media consultant, commented on indicator 4, concerning whether crimes against journalists or media outlets are prosecuted vigorously, and whether such crimes are rare. He observed that often newspapers, radio stations, and television stations that are critical of government are targets of thugs and orchestrated intimidation from the ruling party, creating an antagonistic media environment that is most unhealthy for a fledgling democracy. He concluded, "The political prerogative overrides constitutional provisions regarding the promotion of free speech, and this explains why freedom of expression tends to be criminalized in Zambia."

According to the panelists, state/public officials receive preferential legal treatment to an extent, and editorial independence is not guaranteed by law in Zambia, especially given the political appointments of media officials. The panelists said that the national broadcaster's editorial independence envisaged under the ZNBC Amendment Act of 2002 cannot be achieved with the current board. In an article entitled "Who owns, controls ZNBC-TV?" published by *The Post* on August 10, 2010, Pete Henriot of the Jesuit Centre for Theological Reflection (JCTR) observed that ZNBC operates not as a public broadcaster, but for all intents and purposes as "a commandeered support unit for the ruling party and its government."

Commenting on the information minister's insistence on governmental media regulation, Henriot, who is a Catholic priest, said, "If the current operations of ZNBC-TV are to be a guide for what that control might mean, then I fear we are in for the death of free electronic media. And of course, we can see what it might mean to have government-mandated control of the independent print media by simply observing what 'reporting' means for the state-owned and government-controlled press."

The editorial independence of community radio stations will be compromised similarly if an authoritarian IBA board, appointed by the minister, was to oversee the industry, according to the panelists. Several community radio stations have been threatened with closure before for disseminating views perceived as anti-government.

The panelists discussed libel cases and whether public officials are held to a higher standard and an offended party needs to prove falsity and malice. They observed that laws on libel and defamation can impact free speech negatively, depending on how they are implemented. They noted that judgments against journalists take place on Friday almost invariably, so that the “culprits” are locked up in prison—and quite often, their bail applications are delayed until the following week.

The panelists also pointed to instances of the government prosecuting journalists for purported press offenses, exerting undue pressure on the court to pass verdicts against the affected journalists. The panelists cited the case of *The Post* news editor Chansa Kabwela, who was accused of circulating obscene matter when she ran pictures of a woman giving birth in public due to a strike by medical practitioners in 2009. Kabwela was arrested and prosecuted on orders from the president. She was subsequently acquitted. In a related case, as Freedom House wrote in its “Freedom of the Press 2011-Zambia” report, *The Post’s* editor-in-chief and owner, Fred M’membe, was found guilty of contempt of court and sentenced to four months in prison with hard labor. He spent a few nights behind bars before being released on bail, pending an appeal.¹

The panelists highlighted access to public information as one of the biggest challenges that media face. Much public information is still classified as “secret” under the Official Secrets Act, thereby denying journalists access to information and statistics about government operations. Since the FOI bill has not yet been enacted and the secrecy laws remain on the books, often journalists find it impossible to demand access to information from the government. Most civil servants are required to sign a promise that they will not divulge information about government operations to anybody, especially journalists. A breach is punishable by termination of employment.

The panelists said that private and public corporate entities are just as secretive as the government, because they seldom want to avail the media of their businesses, save for snippets of mundane information routinely churned out by public relations staff in an attempt to paint rosy pictures of their firms.

Phiri observed that although leaks do occur from time to time about the goings-on in the corridors of power, the leaks are attributable largely to the political divide. Some civil servants that belong to opposition political parties might be inclined to let out information considered damaging to the government, but often they do so at their own peril.

¹ “Freedom of the Press 2011: Zambia.” Freedom House, 2011. Available from this page: <http://www.freedomhouse.org/template.cfm?page=16>

Indicator 8 (media outlets have unrestricted access to international news and news sources) and indicator 9 (entry into the journalism profession is free and government imposes no licensing, restrictions or special rights for journalists) elicited the most favorable responses of the nine indicators under Objective 1. Panelists confirmed that journalists can freely access international news sources, and that the government does not subject journalists to licensing or other requirements for entry. However, the state has expressed its preference for a statutory media council that would compel every media practitioner to sign up for membership and obtain the requisite practicing certificate. Journalists, on the other hand, prefer the status quo (voluntary, non-statutory regulation), which places no restrictions on entry into the journalism profession. They said that they feel strongly that any such regulations would be vulnerable to abuse by the establishment, which could use legislative controls to de-register and silence critical voices.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Zambia Objective Score: 1.57

All indicators under Objective 2 scored within the “unsustainable, mixed system” range, as the panelists launched a scathing attack on the quality and standards of journalism that state and private newspapers alike exhibit in Zambia. The panelists decried the falling standards among professionals and the prevalence of unethical media practices, which have impacted negatively the entire field of journalism.

Execrable standards have become the norm, they observed, thereby giving currency to the perception in some quarters that

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 media organizations exercise self-censorship for obvious reasons—that is, to protect their jobs,” said Reuben Kajokoto, director of programming at the national broadcaster, ZNBC. “In the case of my institution, editors do sometimes influence what is covered.”

Zambian journalists are incapable of ethical and professional conduct. As a result, media members have unwittingly handed politicians the argument that self-regulation of the media has failed—aiding the government’s campaign to introduce statutory media regulation.

Commenting on indicator 1 (whether reporting is fair, objective, and well sourced) and indicator 2 (whether journalists follow recognized and accepted ethical standards), some panelists pointed out the lamentable failure to separate news from opinion. The latter appears to have supplanted the former in many Zambian “news” reports.

Zachariah Chavula of HOT-FM Radio said that journalism standards are poor because of over-reliance on the same sources of information; rampant breaches of ethics; and, quite often, the failure to verify facts with a number of sources. “Stories are one-sided,” Chavula said. “They lack balance and are not fair sometimes. Since not all parties are consulted, truth is usually compromised.” Djokotoe added, “Reporting and journalism as a whole seem to have become like a soap opera—complete with heroes and villains and episodes of perpetual conflict between opposing forces [pro-government and anti-government]. This has shaped editorial content adversely and restricted news to political polemics.”

With the state-sponsored media council hovering over the media in Zambia, media members have made concerted efforts to entrench a self-regulatory media council to adjudicate complaints from aggrieved members of the public. However, some private media organizations have recused themselves from this process in the past, and since membership would be voluntary, nobody could be forced to become a member. Efforts began with the Media Council of Zambia (MECOZ), which is widely derided as ineffective. MECOZ is being transformed into the watchdog group Zambia Media Council (ZAMEC). ZAMEC is forming despite governmental resistance, and unlike its predecessor, it promises to bind all media institutions—including the only privately owned daily newspaper, *The Post*.

The Post came on board following the adoption of an agreement, known as the Fringilla Consensus,² that Zambian media institutions drafted on February 5, 2010. The most comprehensive self-regulatory mechanism in the country’s history, the Fringilla Consensus is subscribed to by representatives of all media houses (state-owned newspapers and broadcasters, private print and electronic media, community media, training institutions and some civil society groups). However, the minister of information has rejected the non-statutory ZAMEC and made the threat that the government will not recognize the body if it launches.

Shikapwasha further threatened journalists at state-owned media, stating that they would be directed to opt out of ZAMEC if media groups proceed with registering ZAMEC without his consent. Legally, under the Society’s Act, governmental consent is not needed to register the group.

The threats have persisted in spite of the fact that ZAMEC was formed following extensive consultations with stakeholders, so Zambian journalists could broaden their perspectives and borrow from the positive experiences of their colleagues. With that aim in mind, members of the Media Liaison Committee³ visited media practitioners in South Africa, Kenya, and Uganda.

But even more shocking to Zambian journalists was Kunda’s announcement in parliament in July 2010 that the government would present a bill in the next session in October to regulate the media. Kunda promised that the government would “borrow heavily from the Fringilla Consensus.”

However, one fundamental difference between government and the media lobby groups is the state’s preference (outlined earlier under Objective 1, indicator 9) to control entry to the profession. The media fraternity is also averse to the concept of severe sanctions on the perceived offenders in their rank and file, as such measures would be in breach of the fundamental right to free expression, which is the bedrock of every democracy and is enshrined in the constitution. Also, most journalists are of the view that media personnel that seriously breach the law are punishable under the country’s stringent libel and defamation laws, rendering unnecessary any additional sanctions.

² The “Fringilla Consensus” was the outcome of a meeting of media associations and selected media bodies at Fringilla Lodge in Chisamba, on the outskirts of Lusaka, on February 3–5, 2010. Adopted during the meeting, the Fringilla Consensus outlines the processes leading to the formation of an all-inclusive and effective media regulatory body that will be voluntary and non-statutory.

³ The Media Liaison Committee (MLC) is a consortium of media associations, houses, and unions, including MISA Zambia, that has been working to establish a non-statutory, self-regulatory framework and an all-inclusive ZAMEC.

Under MECOZ, if a complaint against a media institution is well founded, any of the following penalties may be imposed: (a) An order reprimanding the media organization; (b) An order to correct the error within a period of not more than two weeks; (c) An order to print or broadcast an apology within a period of not more than two weeks; (d) An order to pay compensation to the complainant. A media institution is obliged to publish the council's findings against it, and the council will supply details of its findings in each case to other media institutions, for publication at their discretion. These measures are consistent with a tolerant, liberal democracy where free speech is not criminalized, the panelists noted.

But the government is dissatisfied with mere censure of erring journalists, and construes this as one of the "inherent weaknesses" under the voluntary, self-regulation framework. It has continued to compare journalists with other professionals such as lawyers and medical personnel who are controlled by parliamentary statutes, and the minister of information has categorically said the government will not back ZAMEC, because it sees it as a "re-incarnation of MECOZ." According to a September 2010 report in the *Zambia Daily Mail*, headlined "State maintains position on media," Shikapwasha is quoted as saying that statutory self-regulation is the only way for Zambia to avoid the weaknesses that led to the failure of MECOZ.⁴

The ZAMEC launch has been postponed until further consultations can be held with government [it was launched officially in spring 2011 –ed.]. If the deadlock between the state and the media is not settled, Zambia risks replicating the situation in Uganda, where "there is a self-regulatory media council side by side with a discredited statutory council, which many professionals continue to dare to ridicule, as the non-statutory council receives wide public support," said Chanda.

Media practitioners view the state's insistence on legal media regulation as a subtle attempt to silence critical voices in the media, particularly those working for the privately owned press. There are fears among journalists that the quest to rid the profession of "quacks" could have a deleterious effect on the journalism profession. Those individuals would almost invariably include the most vocal and critical journalists, who

⁴ In a letter dated April 13, 2010 to MLC, Shikapwasha said the proposed framework in the Fringilla Consensus fell short of a genuine self-regulatory framework and would not achieve effective self-regulation of the media. For this reason, the minister said that the government would not support the formation of ZAMEC, as it would be a toothless body. "In view of the foregoing, coupled with the absolute need to avoid weaknesses that led to the failure of MECOZ in media self-regulation, government's position is that the Kenyan model of self-regulation would be the best option for Zambia," said Shikapwasha.

"Stories are one-sided," Chavula said. "They lack balance and are not fair sometimes. Since not all parties are consulted, truth is usually compromised."

could be de-registered on the flimsy grounds that they do not meet the minimum requirements to practice.

Such "unfriendly" media laws are seen by many as a failure by government to embrace a more liberal legal regime compatible with democracy. Clearly, mutual mistrust between journalists and government officials has worked against attempts to narrow the differences and embrace a common position that could advance and protect the interests of the media and the public at large. When viewed in context with recent events—especially the passing of the IBA amendment act—the mutual suspicion seems likely to continue.

Against this backdrop, the panelists delivered their lowest scores to the third indicator, concerning self-censorship. The panel did not mince words on the issue, condemning the pervasive self-censorship culture, particularly among journalists working for the state media. They observed that most public media news reports are slanted in favor of the establishment, because journalists and editors want to avoid antagonizing the powers-that-be. Many fear losing their positions—their only source of livelihood—and therefore adopt a servile attitude. "Some media organizations exercise self-censorship for obvious reasons—that is, to protect their jobs," said Reuben Kajokoto, director of programming at the national broadcaster, ZNBC. "In the case of my institution, editors do sometimes influence what is covered."

Former Information and Broadcasting Services Minister Mike Mulongoti (now the Minister of Works and Supply) is on record as having said that state media journalists must think twice before attacking him or the government, because that would be tantamount to "biting the hand that feeds you." In short, he expected total compliance from all journalists at state-run media, and left no room for guesses as to the fate of those who would ignore his warning.

Phiri was quick to point out that while government media are guilty of self-censorship, the worst culprits are the broadcast media. The private media, he said, exhibit a political bias in their reportage, but do not practice self-censorship. Lucy Sichela, who is currently acting as station manager for Solwezi Radio, said that private and state media alike are guilty of one form of censorship or another.

Djokotoe added, "Self-censorship is very real, and can be discerned from what the media covers on any given day. It also influences what is considered a 'key' event or 'issue.' News—or what passes for it—is characterized by loads of spin-doctoring."

The panelists were unanimous on the media's tendency to glorify trivialities at the expense of more serious issues: economic and development matters, health issues, agriculture, and other related topics. Djokotoe noted that poverty is a particularly serious issue, afflicting more than 70 percent of the population, but very little coverage is devoted to the subject in the media. These sentiments were echoed by media lawyer Sydney Imasiku, who observed: "The current trend in news coverage and reporting is biased towards political events and incidents surrounding politics. Scant coverage is given to other social issues that really affect society."

The predominant issues accorded prominence in the media are political controversies and the seemingly endless antagonism between the opposition and ruling party. He also referred to what he termed the "corporate invasion of the newsroom" and how this is likely to impact the quality of the final product: news. Some big corporations sponsor news on state radio as well as privately-owned radio and television stations—a situation that could seriously compromise editorial freedom. Panelists were unanimous that the affected news media could not report something unpalatable about a corporate entity that also happened to be a major advertiser.

On the fifth indicator, concerning whether pay levels for journalists and other media practitioners are sufficiently high to discourage corruption, the panelists said that remuneration differs from one organization to another, but journalist pay is universally inadequate. Reporters working for the public media are paid between ZMK 2,000,000 and ZMK 4,000,000 (\$400 and \$800) per month, while salaries for editors range from ZMK 12,000,000 to ZMK 15,000,000 (\$2,400 to \$3,000) per month. Reporters for *The Post* receive just marginally higher pay than their counterparts in public media (*Zambia Daily Mail* and *Times of Zambia*). Most community and commercial radio stations offer paltry salaries, ranging between ZMK 1,000,000 and ZMK 2,000,000 (\$200 and \$400) per month.

Although it is unethical for journalists to accept bribes, the panelists had the opinion that it is not realistic to expect someone who is underpaid to resist the temptation of accepting "brown envelopes" from a news source. "Salaries for journalists are not sufficient, and this creates room for corruption," said Sichela. Chavula, who said salaries are low and corruption is high, agreed. Media trainer Mutemwa Makomani said that with the culture of corruption entrenched deeply in Zambian society, there is a need for media organizations to address the critical issue of remuneration

for media personnel, in order to prevent journalists from compromising in their dealings with news sources.

Panelists said that poor pay is also to blame for the poor retention of media personnel in the industry, with a huge number quitting active journalism at a tender age and opting for better-paying jobs in the public relations and communications fields. The panelists suggested that private and state-owned media need to significantly increase staff remuneration and improve working conditions to stem the exodus.

In discussing indicator 6 (whether entertainment programming eclipses news and information programming) and 7 (whether technical facilities and equipment for gathering, producing and distributing news are modern and efficient), the panelists agreed that radio and television broadcast many programs of an entertainment nature, but allocate adequate time to news and related programs as well. The panelists also agreed that, save for a few institutions still relying on antiquated equipment, most news organizations use up-to-date facilities.

Discussing whether quality niche reporting and programming exist, Kabwe bemoaned the lack of investigative journalism and said media concentrate too much on "he said/she said" journalism, which lacks substance. Media practitioners fail to come up with in-depth analyses on many issues, he said.

Kabwe also commented on Zambian training institutions, saying they fall short of journalism's minimum measures of quality. "Institutions of learning should raise standards to meet these benchmarks. The commercialization of learning institutions is affecting the standards, because institutions need [to enroll] more students to make more money," he said.

OBJECTIVE 3: PLURALITY OF NEWS

Zambia Objective Score: 1.76

Indicators under this objective received drastically different scores. Indicator 2 (citizens' access to domestic or international media) recorded the highest score, about three-quarters of a point higher than the objective score. Indicator 5 (independent broadcast media producing their own news programs) and indicator 6 (transparency of ownership) scored a little more than half a point higher. On the other extreme, indicator 3 (state media are non-partisan) and indicator 4 (independent news agencies) lagged behind by half a point and three-quarters of a point respectively because ZNBC and the Zambia News and Information

Service (ZANIS) are government entities that does not enjoy editorial independence.

Regarding the plurality of public/private news sources (print and electronic), the panelists agreed that Zambians have a variety of news sources from which to choose, although people in the urban areas have more access to news and other forms of information compared to their marginalized counterparts in rural areas.

Whereas newspapers, television, radio, and the Internet are the major sources of information for those who reside in the cities, radio still ranks as the main source of news for rural dwellers. Given the high levels of poverty (estimated at more than 70 percent) among the rural population, most cannot afford newspapers or Internet services. The majority of listeners are glued to the community radio stations scattered across the country.

Zambia has seen phenomenal growth in broadcasting in the last two years, with the number of radio stations rising from 30 to 37. This figure includes the three state-owned stations (ZNBC Radios 1, 2 and 4); 13 community stations; 11 commercial stations; seven religious stations (mostly Catholic-sponsored); and three educational stations: UNZA Radio, from the University of Zambia; Hone FM, from Evelyn Hone College; and Parliament Radio.

However, the panel noted that in spite of the emergence of many community radio stations, most face one major handicap—the lack of trained staff to ensure that programming meets the desired standards. “The programming is political and not diverse,” Kabwe 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.

“The programming is political and not diverse,” Kabwe said. “Community media are meeting some benchmarks, but they need professionals who can broadcast issue-based programs.”

“Community media are meeting some benchmarks, but they need professionals who can broadcast issue-based programs.” Some community radio stations have carved a business niche in their respective locations because the national broadcaster, ZNBC, is currently experiencing weak signal or no signal at all in some remote parts of Zambia. Spare parts to rectify this problem have been procured but have not yet arrived in the country.

During the same two-year period, television stations have also grown, from four to seven. In addition to the national broadcaster, ZNBC, the country also has Copperbelt Television (privately owned), which broadcasts in the copper belt within Ndola; and Central Broadcasting Company (CBC), Mobi Television, and Muvi Television, which all broadcast from the capital, Lusaka. Multichoice Zambia is a South African satellite subscription service broadcasting in Zambia. Trinity Broadcasting Network (TBN) also broadcasts in Zambia.

On indicator 2, whether citizens’ access to domestic and international media is restricted, the panel observed that access to international news has been made even easier, as people are free to tune in to BBC, CNN, SKY, Al Jazeera, and many other channels of their choice. But such news comes with a high price—coverage favors the owners of the multi-national news corporations.

Indicator 3, “state or public media reflect the views of the entire political spectrum, are non-partisan, and serve the public interest,” failed to elicit any complimentary comments from any panelists, with most condemning the excessive partisanship that has become the hallmark of all state media outlets. Chavula summed up the situation as he sees it: “The public media is controlled by the state, and therefore it only serves the interests of the government in power.”

New Vision acting managing editor Mabvuto Chipeta, Sichela, and Chintombwa shared the view that state-owned media content is too partisan and fails to serve the public interest. Makomani said that listening to news on state-owned ZNBC radio, or watching news on ZNBC Television, is akin to enduring “torture.” He was alluding to the fact that invariably, ZNBC news slants to the establishment at any given time, with little or no news about other political players.

Backing this perception, analysis of ZNBC's news coverage during elections in 2006 established that 75 percent of its coverage between August 4 and September 1, 2006 was of the ruling party. A Media Institute of Southern Africa (MISA) publication, "Zambian Media Wars," also highlighted this trend, along with the private media favoritism towards some opposition political parties.

All the state-owned media devote significant space and airtime to reporting favorably on government and leaders of the ruling party, to the exclusion of opposition party leaders. Editors of these media do not view their roles as serving the public's interest, but have learned to protect their jobs by becoming reluctant purveyors of state propaganda. To say that these editors are biased in their coverage of the opposition and other dissenting voices would be an understatement, panelists said. Their bias is too brazen to be ignored, and that accounts for the poor score on this indicator.

As mentioned earlier, Zambia has no independent news agencies. The government-controlled ZANIS was born out of a merger of Zambia News Agency (ZANA) and Zambia Information Service (ZIS), the propaganda arm of the government—a move that some media professionals said compromises ZANIS's professional status and standing, as well as the final news product it churns out. However, ZANIS is not the only news agency source available, as people can access news from international agencies such as Reuters, Associated Press, Agence France-Presse, and many others via the Internet.

The indicator measuring the extent to which independent broadcast media produce their own news programs was one of Objective 3's highest-scoring indicators.

On transparency of media ownership and whether or not laws or regulations govern disclosure of media ownership, the panelists said that Zambia has no such laws. Most media are state-owned, private, or church-owned. There is presently no monopoly or oligarchy. The preponderance of state ownership in the print media industry is attributable to the lack of any significant foreign investment in the Zambian media. Local entrepreneurs seem reluctant to invest in the media, because it is widely viewed as unprofitable.

Indicator 7, on whether or not the media reflects a broad spectrum of interests, drew criticism because panelists said that debate on many topical issues is biased. Most discussion panels tend to have the same people that have been invited countless times, and whose views and political inclinations are well known. According to the panelists, public and private radio and television stations all should vary their panelists so that the views expressed, or public opinion discussed, could truly reflect the diversity of Zambia's political set—up to and including the country's robust and vibrant civil society.

OBJECTIVE 4: BUSINESS MANAGEMENT

Zambia Objective Score: 1.53

Most panelists said that the media industry is fraught with numerous attendant risks that render the industry unprofitable. Zambia has a history of failed newspaper ventures—and these provide a reminder to any would-be investor of the inherent risks associated with this particular industry, and why it has remained underdeveloped nearly 46 years into the country's independence. Reflecting this situation, all indicators scored within the "unsustainable, mixed system" range.

Circulation figures have been on the decline since the early 1980s, when the *Times of Zambia* and *Sunday Times of Zambia* peaked at more than 75,000 copies per day. Today's estimated figures are 15,000 for the daily and nearly 10,000 for the weekly. (No accurate circulation figures are available, since most newspaper firms do not make audited figures available.)

The state-owned and privately-owned newspapers are subject to the vagaries of the market—high costs for newsprint, inks, film, and printing plates chief among them. The prohibitive cost of imported inputs (none of these are produced locally), and the low purchasing power due to high levels of poverty, make the newspaper business untenable. Finances, more than any other reason, explains why *The Post* is still the only privately owned daily newspaper in Zambia. Many newspaper companies have launched in the past, but most have been consigned to the heap of failed enterprises. Commenting on the viability of media ventures, Kabwe said, "Most media are owned by government. The private media are not

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.

viable institutions, making it difficult to get returns. MUVI Television, *The Post*, and Radio Phoenix seem to be getting the business aspect going, but there are no regular rates or subscription services for circulation figures.”

Media consultant Djokotoe summarized the status of media businesses in this way: “The ‘graveyard’ of media is littered with newspapers that were run into the ground through mismanagement. Over-employment and bad investment decisions have affected the viability of independent media.” Most media institutions hire qualified personnel to manage their accounting, marketing, and human resource functions, but their work has done little to mitigate the situation.

The public media have benefited from state efforts in the past, mainly in two forms: the settlement of newsprint debts and procurement of newspaper delivery vans. In December 2005, the government paid United Technical Company and VDG Paper International (South African newsprint suppliers) upwards of \$800,000 in outstanding newsprint debts owed by the *Times of Zambia*, *Zambia Daily Mail*, and Zambia Printing Company. And as presidential and parliamentary elections were approaching in 2006, the two state-owned dailies were allocated several distribution vans procured by the government, with the directive to extend their newspaper deliveries to all provincial capitals. Other beneficiaries of these vehicles were ZNBC and ZANIS. However, the ambitious project of delivering newspapers to all provincial capitals was costly, and further undermined the viability of the affected state media firms.

Extremely low sales in rural areas, ranging between 100 and 500 newspaper copies per day, make such a venture totally unprofitable, as newspapers still cost a paltry ZMK 3,000 (\$0.60). The dearth of advertising in rural areas compounds the situation.

On indicators 2 and 3, regarding whether media organizations receive income from multiple sources, and whether the advertising market is developed sufficiently, the panelists noted that sales and advertising are the two main sources of income for newspapers. The country has several advertising agencies providing services, but the paucity of advertising in the under-developed rural areas means that all media outlets have to compete for advertisements in the capital and other cities along the line of rail.

Commenting on rating Indicator 4, whether advertising revenue as a percentage of total revenue is in line with accepted standards, the panelists observed that gauging such percentages is difficult because of the lack of data from any media outlet.

As for the question of government subsidies, the panelists observed that although *The Post* does not receive

government subsidies, it does benefit greatly from advertising placed by various government ministries and departments, as well as other advertisements from public and private corporate entities.

Indicators 6 and 7 scored poorly, due to the lack of audience surveys and audited circulation figures. Most of the figures that news organizations bandy about are not considered reliable.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Zambia Objective Score: 2.15

Zambian journalists have galvanized into an effective lobbying coalition, and now are in a better position to advance the interests of the media fraternity—particularly in view of the heightened attempts to muzzle the media through the planned legislative controls. All but the first two indicators scored within a half-point of the objective score.

Indicator 1 under this objective received the worst score—about two-thirds of a point lower than the objective score—as panelists observed that Zambia has no trade associations representing interests of media owners or managers. The Master Printers Association went under a long time ago, and there has been no attempt to revive it.

As for professional associations, and whether they are working to protect journalists’ rights, panelists awarded a score about two-thirds of a point higher than the objective score. They noted that Zambia has several professional bodies that have come together under the umbrella of the Media Liaison Committee (MLC). Currently, MLC is engaged in a protracted fight with the government over the planned media regulation. The media bodies active in this lobby are

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.

Kabwe commented, "There is no activism on media issues from supporting institutions, apart from media associations. Zambia is faced with political pressure to ensure the media is gagged during elections. There is need for engagement between media and other NGOs."

PAZA, MISA Zambia, Zambia Media Women's Association, Press Freedom Committee of *The Post*, Zambia Union of Journalists (ZUJ), and Society of Senior Journalists. PAZA is a professional body representing journalists drawn mainly from the print media industry, and it is expected to ensure that journalists adhere to ethical and professional practice. ZUJ is concerned primarily with conditions of service for journalists, and has signed collective agreements with member institutions to negotiate salaries and other perks for unionized employees—mainly in the print media.

The Zambia Union of Broadcasters and Other Information Disseminators is the electronic media's equivalent of ZUJ, and represents unionized employees. However, employers in the private media sector have declined to sign recognition agreements with these unions, thereby denying their workers much-needed representation. As a result, the affected workers are unrepresented and at the mercy of their employers regarding determination of salaries.

In discussing indicator 3, on how well NGOs support free speech and independent media, panelists named several active NGOs: MISA Zambia, Transparency International Zambia, and the Southern African Centre for Constructive Resolution of Disputes (SACCORD). They are engaged actively in a sustained lobby for progressive pieces of legislation, such as the Freedom of Information Bill. Most of these NGOs work in close collaboration with their regional or international parent organizations, and serve as effective watchdogs to support freedom of speech and media independence.

In the summer of 2009, various civil society organizations, including SACCORD, the United Party for National Development, the Patriotic Front (PF), and the Catholic Women's Organization, displayed support and solidarity for Chansa Kabwela, *The Post* news editor that was facing charges of circulating obscene material. JCTR also supports to the press; its staff member Henriot wrote the aforementioned "Who owns, controls ZNBC-TV?" article published by *The Post* on August 10, 2010.

However, a majority of panelists shared the view that supporting institutions could be more dedicated to helping inform the public on the role of the media in democracy and acting as whistle-blowers whenever the media comes under pressure from the authorities. Kabwe commented, "There is no activism on media issues from supporting institutions, apart from media associations. Zambia is faced with political pressure to ensure the media is gagged during elections. There is need for engagement between media and other NGOs. They need to be proactive; they need to engage with media associations regularly to bring out issues of press freedom."

With regard to indicator 4, generally the panelists agreed that most journalism graduates from local universities are of good caliber, but some leave much to be desired, and local institutions need to do more to enhance the quality of their graduates. This situation is compounded by the fact that the media industry is not that well developed and cannot absorb all the graduates from public and private institutions.

The panelists said that opportunities exist for journalists to train abroad, particularly post-graduate study, and quite a number have returned home to continue practicing. However, many are frustrated by poor pay and other unfavorable working conditions, and are driven to quit active journalism for more lucrative opportunities. As a result, most media institutions do not have the requisite number of trained and experienced staff.

Many media outlets offer short-term training opportunities that help to upgrade the skill levels of their staff. The national broadcaster, ZNBC, collaborates with the Southern African Broadcasting Association to sponsor some short courses for its staff. The Commonwealth Press Union has assisted also in the provision of specialized courses for Zambian journalists. Media outlets either co-sponsor the courses or solicit for sponsors to grant full scholarships. The scholarships are limited, though.

Panelists had favorable comments on indicator 6, whether sources of newsprint and printing facilities are free from political control. Newsprint and all printing consumables, such as inks, plates, and films, are all imported; the cheapest source is South Africa. As a result, these facilities are outside the realm of political influence.

Concerning channels of media distribution and whether or not such channels are under political control, panelists observed that the bulk of the distribution outlets are in private hands, and therefore not politicized or manipulated. Internet access is not subject to governmental interference.

List of Panel Participants

Henry Kabwe, chairperson, Media Institute of Southern Africa-Zambia, Lusaka

Edem Djokotoe, managing consultant, Primus Media, Lusaka

Reuben Kajokoto, acting director of programs, Zambia National Broadcasting Corporation, Lusaka

Mutemwa Makomani, journalism lecturer, Evelyn Hone College, Lusaka

Sydney Imasiku, media lawyer, Pat Mat Legal Practitioners, Lusaka

Masautso Phiri, media consultant/freelance journalist, Lusaka

Mabvuto Chipeta, managing editor, *New Vision*, Lusaka

Lucy Sichela, station manager, Solwezi FCC Radio, Solwezi

Bellon Chintombwa, station manager, Radio Mazabuka, Mazabuka

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

Zachariah Chavula, media owner, HOT FM Radio, Lusaka

Mukeya Liwena, manager, Radio Lyambai, Mongu

The following was interviewed but did not attend panel discussion:

Amos Chanda, vice-president, Press Association of Zambia, Lusaka

Moderator and Author

Godfrey Malama, media consultant/researcher, Elite Business Solutions, Lusaka

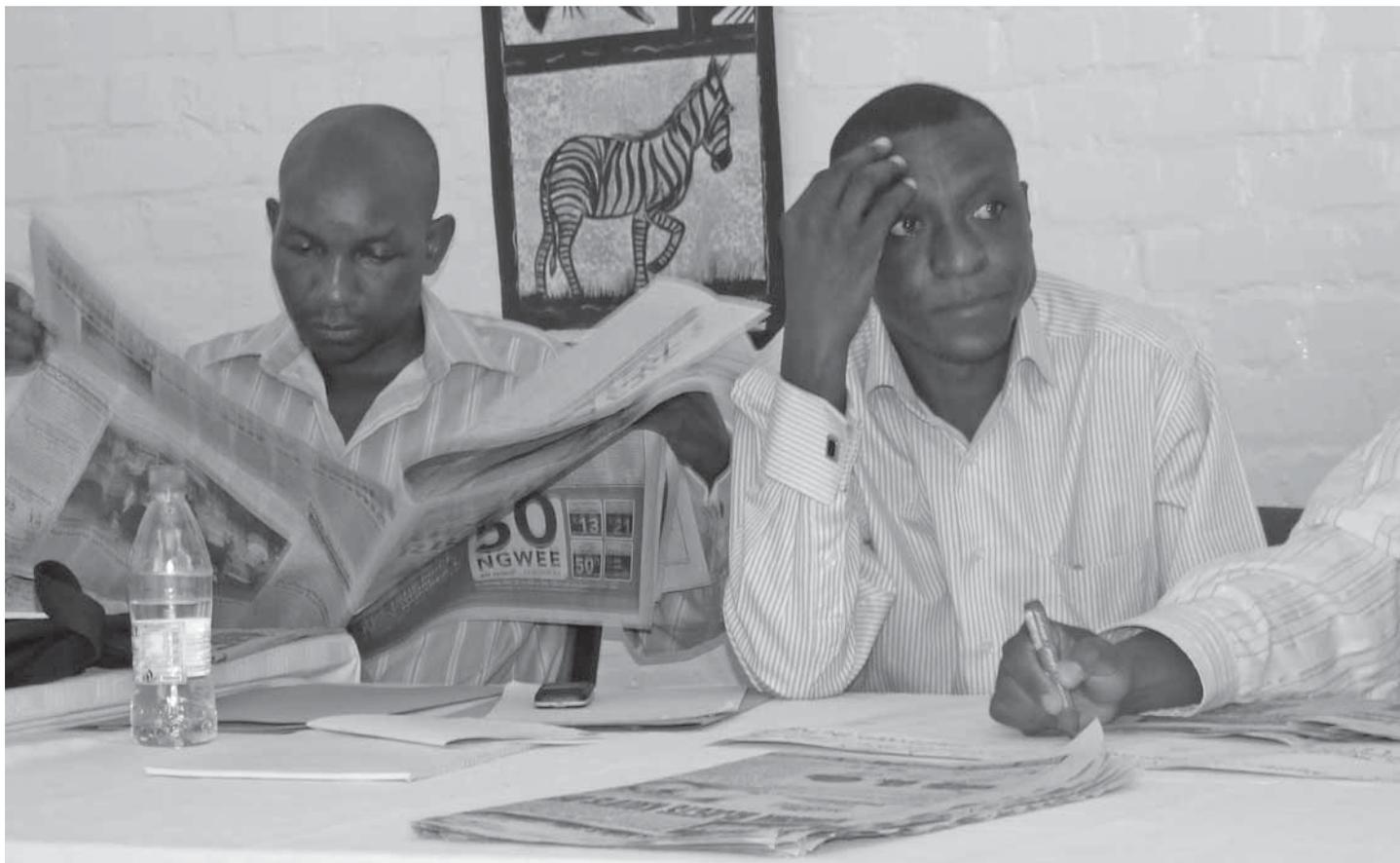
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Johanna Mavhungu, researcher, Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown, South Africa

Simwogerere Kyazze, Ph.D. candidate, Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown, South Africa

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

On a positive note, the Zimbabwe Media Commission (ZMC) at last moved to register 15 new media outlets and independent newspapers, among them four dailies, bringing to an end a seven-year monopoly of the daily print media market by the state-controlled Zimpapers.



ZIMBABWE

The 2010 panel discussion was held in the context of continued bickering and stalemate within an increasingly dysfunctional coalition government, deflating hopes that the coalition, formed in 2009, might bring positive change. While the Global Political Agreement (GPA) mandated that the coalition government implement legislative and institutional reforms, no meaningful or tangible progress had yet been made when the panel met to discuss Zimbabwe's media sustainability. Instead, the government launched a fresh series of steps to increase its control over the media.

Zimbabweans' constitutional rights to free expression still depend upon and are impeded by the whims of a government empowered by a plethora of repressive media laws that hinder free access to information. Such excessive and bureaucratic controls over the media are unwarranted in a democratic society, noted the MSI panelists, and violate the provisions of accepted protocols on freedom of expression. The government-controlled daily newspapers remain partisan in their coverage, spewing constant criticism of civil society and the coalition partners of the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF), though circulation is limited to the main cities, and prices are too high for most Zimbabweans.

On a positive note, the Zimbabwe Media Commission (ZMC) at last moved to register 15 new media outlets and independent newspapers, among them four dailies, bringing to an end a seven-year monopoly of the daily print media market by the state-controlled Zimpapers.

Despite this encouraging measure, the dominant state-controlled public broadcaster continues to provide a distorted and biased news service, particularly against the Movement for Democratic Change (MDC) party, despite the MDC's status as an equal partner in the coalition. The country's primary broadcast media law, the Broadcasting Services Act, is restrictive, and appointment of board members to the Broadcasting Authority of Zimbabwe (BAZ), a body responsible for regulating the airwaves, is unilateral and irregular. There has been no progress in the broadcasting sector over the past year, and no independent domestic radio and television broadcasters have been granted operating licenses. Consequently, the Zimbabwean community, particularly those living in marginalized areas, lack adequate and credible information.

At the time this MSI panel met, the coalition government partners appeared to be readying for a constitutional referendum and election. Meanwhile, reforms laid out under the GPA have not been implemented, and political and media space remains restricted in flagrant breach of African Union and SADC principles for free and fair elections.

ZIMBABWE AT A GLANCE

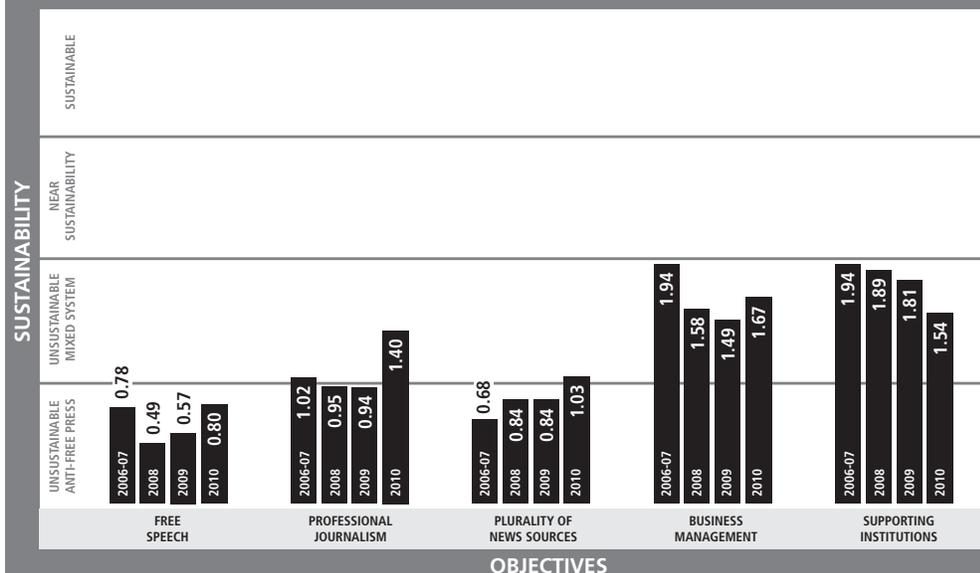
GENERAL

- > **Population:** 12,619,600 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Harare
- > **Ethnic groups (% of population):** African 98% (Shona 82%, Ndebele 14%, other 2%), mixed and Asian 1%, white less than 1% (*CIA World Factbook*)
- > **Religions (% of population):** syncretic (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 (2010-Atlas):** \$5.841 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-Atlas):** \$460 (World Bank Development Indicators, 2011)
- > **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 Stations: 4 main, with several other local ones that broadcast for a few hours a day; Television Stations: 1 (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:** 1,423,000 (2009 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: 0.80

Displaying the panelists' fading optimism that the coalition government would spell significant progress for the media, most of the Objective 1 indicator scores remained below a score of 1.00, therefore in the anti-free press range of the MSI scale. Exceptions include indicators 8 (the media's access to foreign and domestic news sources) and 9 (entry into the profession), which scored slightly better, more than a point and half a point, respectively. The overall average for Objective 1 improved modestly over last year's overall score for the objective (0.57), but still puts it one of the worst in all of Africa.

The low score of Objective 1 demonstrates that Zimbabwe is far from implementing legal and social mechanisms that protect and promote free speech and access to public information. The scores likewise reflect the government's lack of political will to ensuring free access to public information and free expression. Legally, Zimbabwe's constitution states that everyone has the right to enjoy freedom of expression, yet it falls short of expressly providing for media or press freedom.

The panelists noted that laws that undermine free speech, such as the Access to Information and Protection of Privacy Act (AIPPA), Public Order and Security Act (POSA), Interception to Communications Act (ICA), 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.

Services Act (BSA), and Criminal Law (Codification and Reform) Act, among others, remain intact despite the inclusive government. Regrettably, no legislative reforms to repeal or amend repressive laws are forthcoming, despite the attempt by one MDC MP to amend POSA.

Jan Raath, the Zimbabwe-based correspondent for London-based *The Times*, feels that legal protections of free speech are present but extremely limited. He points out that aggrieved parties have the right to pursue legal recourse if their free-speech rights are infringed.

Despite the government's assurances to open the airwaves, Zimbabwe still has only one state-owned public broadcaster and no alternatives. There is no diversity in broadcasting. Raath added that foreign radio stations broadcasting into Zimbabwe are illegal "pirate radio stations" under Article IX of the Global Political Agreement (GPA). John Gambanga, media director for the Voluntary Media Council of Zimbabwe, said that the financial requirements to establish a new broadcast station are prohibitive.

Others agreed that the uniformity in broadcasting stems from the painfully bureaucratic license application process. Kudzai Kwangwari, a program officer for a local community radio advocacy group, described such hurdles, noting that his organization applied initially to the Zimbabwe Media Commission (ZMC), only to be referred to the Broadcasting Authority of Zimbabwe (BAZ). Even if successful, their application would then have to be registered with the Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) to receive a broadcasting frequency.

Rutendo Mawere, a journalist from independent weekly newspaper *The Standard*, concluded that market entry is restricted to licenses granted on the basis of political affiliation. Furthermore, the general consensus of the panelists is that market entry and the tax structure are restrictive in comparison with other industries. The legal requirements are stringent, and taxes to import equipment are high.

The panelists all agreed that crimes against journalists and media outlets are still commonplace in Zimbabwe. The safety of journalists, particularly those from the independent press, is precarious. Gambanga said that journalists who cover politically sensitive issues in Zimbabwe risk harassment and arrest.

Nunurai Jena, a freelance journalist, also underlined concerns about retribution via arrests, intimidation, and harassment. Patricia Magorokosho, a program officer for the Federation of African Media Women-Zimbabwe (FAMWZ), agreed, noting the continued arrest and harassment of Woman of Zimbabwe Arise (WOZA) members by police. Magorokosho

ties these incidents to rising self-censorship among Zimbabwean journalists.

In one case, the Committee to Protect Journalists (CPJ) reported that a telephone death threat from a high-ranking police officer forced a freelance journalist, Stanley Kwenda, a contributor to the private weekly *The Zimbabwean*, to flee the country. According to Kwenda's paper, the caller identified himself as Chief Superintendent Chrispen Makedenge, and he allegedly said that Kwenda would be dead by the weekend in connection with an article in *The Zimbabwean* that quoted relatives of Makedenge's late wife making critical comments about Makedenge.¹

Journalists and media organizations do protest the arrests and harassment of media professionals. Following a spate of arrests, IFEX in December 2010 reported that MISA and more than 100 journalists united to petition the prime minister to stop harassing the media. The arrests included the case of Nqobani Ndlovu, who was arrested for nine days and charged with defamation over an article that "alleged that the police were recruiting war veterans loyal to Mugabe's ZANU-PF party to take over senior posts ahead of next year's elections."²

The MISA Trust Fund Board also spoke up about crimes against journalists, noting, "We have recorded a decrease in the number of attacks on, and arrests of, journalists in Zimbabwe. Notwithstanding this, we call upon the government to ensure the safety of media workers who still face legal and extra-legal threats from perpetrators of media freedom and free-expression violations. We further urge you to drop any legal cases pending against media workers or citizens charged for exercising their right to freedom of expression."³

Regarding the question of preferential treatment for the public media, as noted in last year's MSI, the information ministry interferes with the work of the public media, rendering editorial independence nonexistent.

Libel remains a criminal offense in Zimbabwe, punishable by prison terms in cases involving the president or the publication of information considered prejudicial to the state.

In one especially high-profile case in the past year, first lady Grace Mugabe sued the independent weekly *The Standard* for \$15 million after it quoted a US diplomatic cable leaked by Wikileaks that accused her of profiting from diamond trafficking. Expressing its outrage over the case, Reporters Sans Frontières (RSF) said, "It highlights the dangers of reporting compromising allegations about senior officials or people linked to the government in Zimbabwe. Grace Mugabe did not think twice about abusing her position in an attempt to cripple this newspaper." RSF added that the case illustrates the government's attempt to "strangle critical news media financially." RSF said, "Suing *The Standard* for such an exorbitant sum in damages is tantamount to forcing it to shut down."⁴

The government continues to tighten its grip on official sources of information. In October 2010, the government revealed its intent to further restrict access to information, via a new law, the "General Law Amendment Bill." RSF called for the withdrawal of the bill, which it said would give the authorities broad power to block public access to official documents, including judicial decisions and public records. According to comments by the RSF secretary-general, Jean-François Julliard, "The bill is extremely dangerous, as it would allow the authorities to adopt unjust measures without anyone knowing and without anyone being able to protest. It shows that the government is rejecting transparency in favor of secrecy and abuse of authority."⁵

Although state media control the release of foreign news, information is available on the Internet and reprint or rebroadcast reports. However, the government's efforts to ban foreign radio stations that it has labeled "pirate" radio stations threatens the media's access to foreign news sources.

As noted in the *African Media Barometer: Zimbabwe 2010*, the accreditation of journalists with the Media Commission has not been compulsory since 2007. However, press cards are issued, and journalists must be accredited to visit parliament or other institutions and to attend official events. The *African Media Barometer* also noted, "The commission can impose sanctions on a journalist who 'abuses his or her journalistic privilege' by suspending the accreditation for up to three months."⁶

¹ "Journalist Flees Zimbabwe After Death Threat." Committee to Protect Journalists, January 20, 2010. Available at: <http://www.cpj.org/2010/01/journalist-flees-zimbabwe-after-death-threat.php> as of September 2, 2011.

² "Journalists' arrests raise concerns." IFEX: December 8, 2010. Available online at: <http://www.ifex.org/zimbabwe/2010/12/08/arrests/> as of September 2, 2011. The full text of the letter is also available online: http://www.ifex.org/zimbabwe/2010/11/30/zimbabwe_petition.pdf

³ "MISA Trust Fund Board (TFB) statement on media developments and challenges in Zimbabwe." Media Institute of Southern Africa, 2010. Available on the MISA website: <http://www.misa.org/mediarelease/archieve%202010/AGM2010.html> as of September 2, 2011.

⁴ "First lady sues weekly for quoting WikiLeaks cable." RSF/IFEX: December 23, 2010. Available at the IFEX website: http://www.ifex.org/zimbabwe/2010/12/23/diamond_cables/ as of September 2, 2011.

⁵ "Bill would restrict public access to official information, says RSF." RSF/IFEX: November 22, 2010. Available online at: http://www.ifex.org/zimbabwe/2010/11/22/general_law_amendment_bill/ as of September 2, 2011.

⁶ *African Media Barometer: Zimbabwe 2010*: p. 20. Friedrich-Ebert-Stiftung, 2010. Available at <http://library.fes.de/pdf-files/bueros/simbabwe/07539.pdf> as of September 2, 2011.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Zimbabwe Objective Score: 1.40

Most of the indicators in Objective 2 (adherence to professional standards of journalism) scored between 1.00 and 2.00. The sole exception was indicator 6 (balance of entertainment and news), which scored nearly a point higher than the objective score. The score of 1.40 for this objective indicates that professional standards of journalism remain extremely low.

Valentine Maponga, a Zimbabwe Peace Project (ZPP) program manager and media practitioner, noted that a significant number of Zimbabwean news articles rely on unnamed sources, and verification of facts and authenticity is difficult. Magorogosho added that few women are considered credible sources of information, and in most cases victims are not allowed to respond.

However, Raath feels that independent media in Zimbabwe try to be fair and balanced. In addition, Mawere noted that while private media try to be fair and objective, lack of access to public information and sources makes it difficult to maintain quality. Some blame for poor reporting, the panelists agreed, must be attributed to the lack of proper training of journalists.

According to Magorokosho, media organizations and associations have developed their own ethical standards. For instance, the Media Institute of Southern Africa (MISA) has its own clearly defined code of ethics, while the Voluntary Media Council of Zimbabwe (VMCZ) has another. The panelists seemed to agree that journalists are aware of

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 of journalism but are far from implementing them. For example, bribery is a serious issue, particularly among public-media journalists, which the panelists believe is connected to the low salaries they earn.

Self-censorship is pervasive, and the general view of the panelists is that journalists in Zimbabwe self-censor to avoid hostility from the state. Maponga noted that journalists live in constant fear of intimidation and arrest, so they do not publish politically sensitive stories. Kwangwari pointed out that the media in Zimbabwe take political stances, so self-censorship exists based on the political sympathies of the media house.

The participants believe strongly that salaries for journalists are too low. According to Jena, there is also a lack of consistency in pay according to duties or title. The participants seemed to agree that private-media journalists are paid better than their counterparts in the public media. However, Magorokosho acknowledged that pay for the state's print journalists has improved, though compensation on the broadcast side is still extremely low.

According to Magorokosho, there are modern and efficient facilities and equipment in the private media. However, she noted that the state media, especially the broadcast media, have few cameras, and those they have are obsolete and poorly maintained, affecting the quality of broadcast material. Gambanga noted that the government lacks the resources to buy new equipment for the Zimbabwe Broadcasting Corporation (ZBC).

According to the participants, quality niche reporting and programming does not exist in Zimbabwe, particularly in the public media. According to Raath, many reports are long-winded and carelessly written, with no careful analysis or deep understanding of the subject. However, Jena believes there is a bright spot in investigative journalism.

OBJECTIVE 3: PLURALITY OF NEWS

Zimbabwe Objective Score: 1.03

Despite the ZMC's move to register 15 new media outlets and independent newspapers, the panelists all agreed that the Zimbabwean news media are not objective news sources due to political bias and interference. Most of the indicators scored similarly as bad as the objective score and within half a point. Indicator 3 (state media are non-partisan) scored more than three-quarters of a point lower, however, while indicator 5 (private media produce their own news) scored nearly a full point higher.

As for new media, the *African Media Barometer* reports that there are a number of online newspapers run by Zimbabweans in the diaspora; also, “there are more and more Internet cafés springing up everywhere, and wireless hot spots located at coffee shops and hotels have made the Internet far more accessible. According to the latest figures reported by Internet World Stats, Internet penetration (the percentage of people using the Internet) stands at 10.9 percent.” *African Media Barometer* also said that satellite television delivers popular South African and international channels to those who can afford it, while an SMS news service, Freedom Fone, launched in 2009—prompting swift complaints from the BAZ “to the mobile phone provider Econet that it was allowing one of its customers to ‘broadcast’ without a license.” Econet withdrew its services, and it took a month to sort out the disagreement and reconnect the service.⁷

Yet balanced news sources are still lacking, and Magorokosho emphasized that the country’s repressive media laws and political polarization are behind the failure to provide multiple, objective news sources. She also drew attention to the fact that newspapers are fairly expensive for average Zimbabweans, especially women. At about a dollar a copy, other participants agreed that newspapers are too expensive and that license fees for television and radio are too high as well. And, the Internet is a bastion of the middle-class urban population and out of reach for most rural denizens. According to Rutendo, access to international media is

extremely limited or nonexistent in rural areas due to the lack of electricity as well as the cost.

The panel lamented the lack of free access to international media and the banning of so-called pirate radio stations. Raath expressed disappointment over the confiscation of shortwave radios by policemen. RSF also condemned reports of the confiscations of the radios of rural residents caught listening to programs made by Zimbabwean journalists in exile. According to RSF/IFEX, NGOs distributed the radio sets in rural areas, including Bikita West in Masvingo province, to allow residents to listen to alternative radio programs broadcast from abroad, including Studio 7, Radio VOP (Voice of the People), and Shortwave Radio Africa. According to RSF, “Studio 7 contributed to the distribution of radio sets so that people could listen to something other than the pro-government Zimbabwe Broadcasting Corporation.” RSF noted that two opposition supporters, Norbert Chinyike and Charles Mhizha, were arrested after radio sets were found in their possession. They were later released without being charged.⁸

Furthermore, Raath decried the interception of e-mails by the Central Intelligent Officers (CIO) and government control of access to the Internet by an organization called Transnet. According to the *African Media Barometer*, “there is no direct attempt to block or filter Internet content, but there is the constant threat of the Interception and Communications Act 2007, which allows the state to intercept messages deemed to be subversive on e-mail, post, and telephones.” The *African Media Barometer* also reported that “there have been stories of several arrests at Internet cafés when journalists or members of the public are suspected of transmitting information that is supposed to be prejudicial to the state.”⁹

The state or public media continue to dominate Zimbabwe’s media environment and fail to reflect views across the political spectrum. The panelists agreed that state media are woefully partisan and fail the interests of the public at large, remaining a propaganda tool of the ZANU PF party. The MISA Trust Fund Board arrives at a similar conclusion in its 2010 statement on Zimbabwe’s media environment, writing, “We have however witnessed the sanctioned abuse of the national broadcaster by a single political party. The state-owned print media continue their divisive practice of spewing hate speech designed to polarize both the media and the public. Both the national broadcaster and state-owned print media feed from

⁷ *African Media Barometer: Zimbabwe 2010*. Ibid, p. 31-32.

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.

⁸ “Shortwave radio sets seized in rural areas.” RSF/IFEX: December 3, 2010. Available online at: http://www.ifex.org/zimbabwe/2010/12/03/shortwave_radio/ as of September 2, 2011.

⁹ *African Media Barometer: Zimbabwe 2010*. Ibid, p. 20.

taxpapers' money and yet are grossly abused to promote the interests of a select few."¹⁰

The participants confirmed that international news agencies serve Zimbabwe and are sources for local and international reporters. However, according to Kwangwari, the government actively makes sure that citizens have limited news sources, jamming sources like Voice of America and Voice of the People.

Zimbabwe does not have any registered independent broadcast media. However, Raath noted that nonregistered independent broadcasters like SWRA and Studio 7 produce high-quality programs.

The panel noted that media ownership in Zimbabwe is not very transparent. According to Magorokosho, most Zimbabweans are not aware of the identity of media owners, and the information about media ownership is not easily accessible. Raath noted that the ownership of Zimpapers is supposedly private, but the hidden hand is ZANU-PF. In contrast, he said, the privately owned Alpha Media Holdings published a full list of directors for public benefit.

Regarding journalists' efforts to cover social issues, there are journalists in Zimbabwe addressing issues such as health and gender. MISA-Zimbabwe reported that two Zimbabwean journalists picked up regional awards for their reporting on gender issues in October 2010 at the fourth Gender and Media Summit Awards, convened by Gender Links, Gender and Media Southern Africa (GEMSA), and the Media Institute of Southern Africa (MISA) in Johannesburg.

Joyce Jenje Makwenda, a columnist for *The Herald*, won the inaugural award for a new category, Triple T (Tackling Taboo Topics), for addressing taboo issues such as menstruation and women in the shebeen—illegal bar—business. Emmanuel Nkomo, a journalist with the new shortwave radio station Zimbabwe Community Radio (ZICORA), took the prize in the community radio category for his radio talk-show program, *Zvevanhukadzi*, which explores issues surrounding HIV/AIDS.¹¹

As for news in minority languages, panelists agreed that such coverage is rare in the mainstream media. Maponga said both the state and private media mainly cover political issues. He noted that National FM, a state radio station, uses local and minority languages, but the content is simply regurgitated ZANU PF propaganda on all radio stations.

¹⁰ "MISA Trust Fund Board (TFB) statement on media developments and challenges in Zimbabwe." Media Institute of Southern Africa, 2010. Available on the MISA website: <http://www.misa.org/mediarelease/archieve%202010/AGM2010.html> as of September 2, 2011.

¹¹ Malumo, Reagan. "Two Zimbabwean journalists scoop Regional Gender and the media awards." Media Institute of Southern Africa (MISA). Available at: <http://www.misa.org/mediarelease/archieve%202010/GEMSAawards.html> as of September 2, 2011.

OBJECTIVE 4: BUSINESS MANAGEMENT

Zimbabwe Objective Score: 1.67

With the highest scores for any objective in this year's Zimbabwe MSI study, Objective 4 (business management) surpassed last year's score of 1.49 but still fell short of moving into the near sustainability category. Most indicators scored fairly close to the objective score, although indicator 7 (audience measurement and circulation figures) lagged behind by two-thirds of a point.

The consensus is that independent media are well-managed businesses and allow a degree of editorial independence. Yet, according to Magorokosho, they are not immune to political polarization, which in a way affects their editorial independence. Last year's MSI panelists also said that the media lack transparency and accountability regarding the use of resources and adherence to business plans.

There are multiple streams of revenue for the private media, including large shares from advertising and donor funding. The Reserve Bank of Zimbabwe (RBZ) funds the public media, along with advertising revenue, but public outlets often suffer losses when government departments fail to pay. Otherwise, the panelists generally agreed that funding for the public media is not very transparent.

Mawere noted that, unlike the public media, the private media do not benefit from government subsidies and often struggle to survive. She pointed to the *Daily News*, one of the papers that was relicensed early in 2010 but cannot publish due to a lack of capital. Community newspapers, Magorokosho said, are in especially bad shape. Inadequate

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.

and inconsistent funding sources limit their ability to publish quality material, she said. As a result, some papers are poorly printed, with pictures that appear to have been photocopied.

Previous MSI studies judged that about 67 percent of revenue comes from advertising, but the quality and diversity of advertising quality is poor. The ads are largely unimaginative and restricted to a handful of companies and inserts sponsored by international aid agencies. Internet advertising has some potential but is generally low-quality. Advertising is scarce outside of the major cities and towns.

The government does not subsidize independent media, but MSI panelists are typically split on whether the lack of subsidies is positive or negative, given the difficult economic conditions.

There is little evidence of efforts to improve market research. The media community had little confidence in the impartiality of the few market research surveys that had been conducted. In terms of circulation metrics, the Zimbabwe All Media Products Survey (ZAMPS) periodically produces figures and statistics, but Raath added that ZAMPS statistics are not professionally audited and rely mainly on self-disclosure by companies.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Zimbabwe Objective Score: 1.54

Scores for Objective 5 fell about a quarter of a point from last year's study. Indicator scores varied significantly. Indicators 2 (professional associations) and 3 (supporting NGOs) scored nearly a point higher and a point-and-a-half higher, respectively. Indicators 1 (trade associations) and 7 (political

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.

control of media distribution means) scored about a point and three-quarters of a point lower respectively.

The panelists feel that state-media supporting institutions do little to represent the interests of media owners and managers and do not provide members with professional services. However, last year's panelists noted that trade associations that represent community broadcasters are fairly active.

In contrast with the trade associations, there are vibrant professional associations that protect the media, reacting to crimes against journalists and working to advance legal reform to benefit the media, including the Zimbabwe Union of Journalists and the Zimbabwe National Editors Forum. Last year's MSI noted that membership in these associations appears to be fairly stable.

Indicator 3's relatively strong score reflects the panelists' confidence that NGOs support free speech and media independence, despite the external challenges to their efforts. The panelists noted that NGOs including MISA, Media Monitoring Project Zimbabwe (MMPZ), FAWMZ, and Zimbabwe Lawyers for Human Rights are all active in Zimbabwe.

In one example of the type of advocacy support NGOs lend to the media, the MISA Trust Fund Board (TFB) issued a statement on media developments and challenges in Zimbabwe, following its 2010 annual meeting in July. Calling upon the government to reform the nation's laws to open up the media and information sector, MISA urged the government to make the reform process as transparent and inclusive as possible and to adhere to international standards set forth in documents including Article 19 of the Universal Declaration of Human Rights, the African Charter on Human and People's Rights, and the Windhoek Declaration. Specifically, MISA asked the government to include the media community in reviewing the Access to Information and Protection of Privacy Act, Broadcasting Services Act, Interception of Communications Act (ICA), Public Order and Security Act, and the Criminal Law (Codification and Reform) Act. MISA also articulated objections to hate speech from the state-owned print media and the domination of the national broadcaster by a single political party.¹² However, Mawere underlined the government's failure to respond to calls from these NGOs for greater free speech.

As for media training, there are a number of institutions that offer journalism courses, but quality is poor. Also, most of

¹² "MISA Trust Fund Board (TFB) statement on media developments and challenges in Zimbabwe." Media Institute of Southern Africa, 2010. Available on the MISA website: <http://www.misa.org/mediarelease/archieve%202010/AGM2010.html> as of September 2, 2011.

these institutions concentrate on theoretical rather than the practical aspects of journalism. Magorokosho said that private colleges offering journalism courses are sprouting up around cities, though lecturers are inexperienced and lack real-world experience. She also noted that the Zimbabwean media space is shrinking; hence, journalism graduates enter a field with few job prospects. According to Mawere, some media NGOs, including MISA, have stepped in to offer short courses. The African Media Barometer: Zimbabwe 2010 reported that MISA is also working to build up a pool of trainers and noted that while many Zimbabwean journalists are not enthusiastic about in-country trainings, ZBC employees must secure permission from the Cabinet of Ministers to attend trainings outside of the country.¹³

As for print, the panelists agreed generally that newsprint and printing facilities are the bastion of government. For instance, newsprint is controlled by Mutare Board and Paper Mills, which the government partially owns.

Media distribution channels, such as transmitters and the Internet, are not privately controlled but regulated by the state through the Post and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ). According to Magorokosho, the Interception of Communications Act and the 2010 mandatory registration of all mobile phone numbers are indicative of the government's obsessive control of public communication. Broadcasting transmitters, for instance, are all controlled by government and are used heavily for political purposes.

List of Panel Participants

Valentine Maponga, program manager, Zimbabwe Peace Project, Harare

Patricia Magorokosho, program officer, Federation of African Media Women-Zimbabwe, Harare

Rutendo Maware, journalist, *The Standard*, Gweru

Jan Raath, correspondent, *The UK Times*, Harare

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John Gambanga, director, Voluntary Media Council of Zimbabwe, Harare

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¹³ *African Media Barometer: Zimbabwe 2010*. Ibid, p. 67.

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