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THE GAMBIA

The constitution of the Gambia guarantees all citizens freedom of expression, freedom of the press, and many other internationally recognized human rights. However, the governing Alliance for Patriotic Reorientation and Construction, which is an offshoot of the military council that seized power through a military coup in 1994, has systematically undermined and flouted these rights. Since its inception, the government wasted no time in introducing legislation aimed at silencing the media, including steep obligatory bonds subject to forfeiture should a court rule against a media outlet. The bond is now about \$16,000, a severe impediment to market entry. Repressive laws such as these have hampered the independent press now for many years.

Other examples include giving false information to a public servant. Those who petition the president, which is a guaranteed right in the constitution, seeking redress when their rights are violated, must prove their allegations in court; if they fail to do so, they may be fined or jailed.

Laws on sedition and false publication provide for minimum jail terms of one year in prison and/or heavy fines. Although no one faced charges of libel, sedition, or false publication in 2012, the impact of threatening remarks from the president's office has driven many journalists and editors to self-censorship and continues to dampen free speech among citizens.

However, the government did take action against the media in 2012 through other means. On August 14, 2012, Taranga FM Radio (in Kombo North) was closed down by the National Intelligence Agency (NIA). A top NIA officer told Ismaila Ceesay, the owner of the radio station, that the NIA received orders to shut down the station immediately. According to Ceesay, the closure of Taranga FM could be related to an interview he aired with the leader of the opposition People's Progressive Party, Omar Jallow, in which he highlighted the country's human-rights violations and poor governance. This was the third time security officials closed down the radio station.

The majority of Gambians live on less than \$1 a day. Tourism is the country's major source of income, which, along with groundnuts and other exports, has declined over the years because of the world financial crisis and poor rainfall. The national currency, the dalasi (GMD), has seriously depreciated against major international foreign currencies over the years, exacerbating economic problems. Nonetheless, there has been tremendous growth in the business sector, with many investments coming into the country. However, the media have not benefited from this boom: most companies in the Gambia prefer not to advertise with private media for fear of government reprisals.

The overall 2012 MSI score showed little change compared with 2010: 1.60 this year and 1.66 in 2010. However, Objective 1, Freedom of Speech, dropped a quarter of a point and Objective 4, Business Management, lost 0.18. Objective 3, Plurality of News, gained 0.15 to offset, slightly, those losses.

THE GAMBIA AT A GLANCE

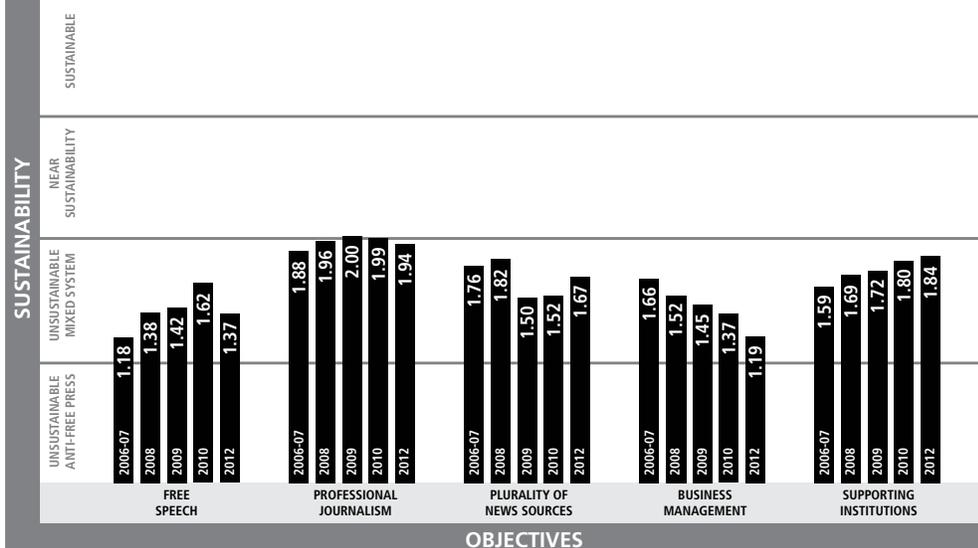
GENERAL

- > **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:** English (official), Mandinka, Wolof, Fula; Jola; Sarahule and Krio (*CIA World Factbook*)
- > **GNI (2011-Atlas):** \$1.077 billion (World Bank Development Indicators, 2012)
- > **GNI per capita (2011-PPP):** \$2,060 (World Bank Development Indicators, 2012)
- > **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: 19 plus 3 community; Television Stations: 1
- > **Newspaper circulation statistics:** Top three by circulation: *The Point* (2,000), *Daily Observer* (2,000), and *Foroyaa* (1,500)
- > **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 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: 1.37

Section 25 of the constitution provides for freedom of expression; Section 207 guarantees the freedom of the media and gives the media the responsibility to hold the government accountable to the people. The Criminal Code, however, creates the offenses of false publication, sedition, libel, giving false information to a public servant, etc., which are given primacy over the constitutional provisions. The criminalization of libel and the sedition and false-information laws are pieces of legislation specifically meant to stifle and inhibit freedom of speech. The panelists indicated that these laws lead to self-censorship in the media, and the judiciary is helping to enforce the anti-free-speech laws.

The offense of giving false information to a public servant lands many people in jail or with court fines just for writing petitions to the executive. The application of this law is, in fact, in contravention with the constitution, which provides for citizens to petition the president when they feel aggrieved by state transgressions. The offense of giving false information to a public servant is worth noting, as it is the weapon that the executive now most often uses to silence its critics. For example, a petition written to the president by a senior university lecturer against the vice chancellor of the University of The Gambia has resulted in the trial of that lecturer for giving false information to a public servant.

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.

A recent trend that has emerged is for judges to remand journalists for contempt of court (for a period of up to eight days) before cautioning them whenever they publish an inaccurate report of a court proceeding. Sam Sarr, editor of *Foroyaa*, said, "A cloud of fear to freely express oneself now hovers over the country. Citizens tend to openly express their true opinions only in safe corners." Amie Sillah, executive director for Women for Democracy and Development, described the situation in the Gambia as "a trinity: the president, his party, and his government."

The law on criminal contempt and recent court actions serve as threats and, consequently, compel media practitioners to practice self-censorship on court matters for fear of being sent to jail. Upon conviction, the offender is liable, under Section 106 (2), to imprisonment for a term of three months. As far as the law is concerned, the reporter must answer to the charges if it is "necessary in the interest of justice."

The Public Security Act can be invoked to compel journalists to reveal their sources or face a heavy penalty. If they refuse to name a source of information when asked to do so by a court, they will be in contempt of court and can expect to be sent to jail. Amie Sillah held the view that, since confidentiality of sources is not respected, people feel endangered and refrain from giving information. She observed: "Some brave people would want to come out and give information when they are tortured [in prison], but timid family members and close friends will prevent them from doing so. Some convicted treason prisoners were appealing against their death sentences; an independent journalist tried to photograph how they were gagged, in handcuffs, and shackles on their legs to expose the cruel practice done to scare the public of dissent, but a particular prisoner who was a 'bigwig' in society protested and started to insult the independent journalist. This is the extent to which the state has transformed our citizenry."

Many Gambians have lost faith in the judiciary because the judiciary has over the years lost its integrity and its ability to administer justice. The president appoints judges who are willing to imprison anyone whom the regime considers a threat. Most Gambians refer to the judges as "mercenary judges" who are there to make money and not to render justice. The imprisonment in 2009 of six journalists who were later pardoned, as well as the most recent conviction and fine of a newspaper editor and the remand in custody of two other journalists this year on contempt of court charges, are examples of how the Gambian judiciary's actions are helping to silence the press.

It is important to point out, however, that even though violation of the constitution is resented, it does not cause significant outrage in the society, mainly because the public

Sam Sarr, editor of Foroyaa, said, "A cloud of fear to freely express oneself now hovers over the country. Citizens tend to openly express their true opinions only in safe corners."

is not adequately sensitized about legal issues and the state of fear that reigns in the country. Given the prevailing culture of silence and the general state of fear in the country—both of which have developed over years of repression—people are generally afraid to speak out against the widespread violations of rights, including freedom of the media and speech.

Licensing of broadcast media does exist, but it is neither free nor fair. Licensing is dictated by the Information and Communications Act of 2009, which gives the Minister of Information the final say in granting licenses to operate media houses. Even though the 2012 budget provides funding for the Minister of Information position, the president has yet to appoint anyone to be Minister of Communication, Information, and Information Technology; the president oversees the ministry directly.

The agency that issues licenses to the electronic media is different from the one that registers the print media, but approval for both, especially for the broadcast media, is done by the president and executive branch. The process to acquire a license is slow and not transparent. There is no independent body that serves to review appeals from applicants who are denied operation licenses by government; their only avenue is the judiciary.

The Newspaper Act makes it an offense for a media outlet (print or broadcast) to operate without a license, carrying a penalty of between GMD 50,000 (\$1,560) and GMD 250,000 (\$7,800). A bond of GMD 500,000 (\$15,600), approved by the attorney general and Minister of Justice, must be executed by the media outlet before it begins operations. That approval, or lack of it, can serve as a bureaucratic bottleneck to registration and, thus, the licensing process. Apart from registration, a broadcast outlet also needs a license, which is subject to its application approval by the Minister of Information, a position held concurrently by the president.

Licenses last for three years and require renewal. The law, however, requires the granting of licenses to be a transparent process, and the Information and Communication Act requires the minister to publish his approval or disapproval, giving reasons in the official government gazette within three months. The processes of registration and granting licenses

are so politicized that only those who support the ruling party are likely to be granted a license to broadcast; even then, the law gives the minister power and latitude to close down recalcitrant media houses.

Registration is required for use of SMS through mobile telephone numbers, ostensibly to trace malicious callers, but the panel asserted that the real purpose is to enhance surveillance. However, no registration is required for websites.

Market entry for the media is notably stricter than for other types of private business. It is neither free nor transparent for either the print or broadcast media. As mentioned above, the Newspaper Act, which had been amended to include the broadcast media, requires all private media to post a bond for registration. All media firms face income and sales taxes, as well as license fees for editors, broadcasters, and Internet service providers. Media outlets are not exempt from any form of taxation, including value-added tax. Only newsprint, printing machines, and accessories are exempt from the value-added tax; however, newsprint is expensive due to heavy tariffs on the material, which is imported.

None of the perpetrators have been brought to justice for any of the crimes that have been committed against media personnel since 2003, including murder, assault, arson, threats, and unlawful detention. Also, the government has made no serious effort to investigate any of these crimes. Impunity prevails, as those responsible for the killing of Deyda Hydara (co-founder and editor-in-chief of *Point* newspaper) or the arsons at the *Independent* newspaper, Radio 1 FM, and the home of journalist Ebrima Sillah. Gambian authorities have made few visible efforts to investigate the disappearance of journalist Ebrima "Chief" Manneh or the torture of Musa Saidu Khan in 2006. In the case of the latter the Economic Community of West African States' Court of Justice ordered the Gambian government to compensate Saidu Khan \$200,000 for the injuries he received while in custody; to date the government has not complied.

While crimes against journalists cause some public outcry, it is just for a short period, and then everyone tends to forget about them, apparently knowing that nothing is ever likely to come out of it. As noted above, fear of reprisals also contributes to lack of more vocal support. There is widespread and constant publicity by the independent media of crimes committed against journalists working for both the government and private media outlets, along with freelancers, who are the main targets of state persecution.

A 2004 act of parliament established the Gambia Radio Television Services (GRTS), the state media company, which receives most of its funding from the government. The constitution guarantees the freedom and independence of

the media in Section 207. It also states in Section 208 that all state or public media shall accommodate the publication/ broadcasting of divergent views and dissenting opinion. However, existing structures to ensure that independence is safeguarded are ineffectual.

Political considerations affect the choice of GRTS's board and management, as well as the decisions they make, because they are appointed by the president. Members of the board and top managers and reporters, particularly on the television side, are mostly open supporters of the ruling party, and this partisanship affects the independence of the public broadcaster. Although the law calls for equal access and coverage, the state-run electronic media unfortunately do not entertain divergent views, and they are heavily biased in favor of the government. For example, Dodou Sanneh, a former senior reporter with GRTS, was dismissed in the run-up to the 2006 presidential election after reporting that an opposition rally during an election campaign was well-attended. When he took his case to the ombudsman, it was essentially ignored. The director general of GRTS was summoned to appear before the ombudsman, but he refused to go. When Sanneh wrote a petition to the president demanding justice, he was charged, tried, convicted, and fined GMD 50,000 (\$1,560) by a magistrates' court for giving false information to a public servant.

It is not uncommon to see programs on GTRs designed to vilify and criticize opposition figures and their parties. The president is often featured issuing threats and using abusive language against his opponents and the general public without any right of reply. Political opponents of the regime are denied access to the public media, both radio and television.

The state and pro-government media and their journalists are favored in terms of better access to state officials and information. It is only the state media and the pro-government newspaper (*Daily Observer*) that have easy access to interview the president and other senior government officials, though there are no restrictions for the independent media to cover parliamentary sessions.

Amendments to the Criminal Code in 2004 and 2005 provided for harsh penalties for sedition and libel, including fines ranging from about \$1,600 to \$8,000 and/or imprisonment for a minimum term of one year. The same amendments also created the offense of "false publication," levying the same penalties for publishing information that cannot be verified in court, with the burden of proof on the accused. Civil charges may also be filed by parties claiming offense. On the bright side, to date there is no registered case against Internet service providers or website owners for content that others posted.

The constitution stipulates in its preamble that the government shall be transparent and accountable. It also gives the media the responsibility to hold the government accountable to the people in Section 207, but there is no freedom-of-information law to enforce this.

A host of journalists have been convicted since these laws were introduced, and three political leaders have been charged for this offense, although the charges were later dropped. There is little scrutiny of public officials because of the laws of criminal libel, sedition, and false information for damaging the reputation of public officials.

The constitution stipulates in its preamble that the government shall be transparent and accountable. It also gives the media the responsibility to hold the government accountable to the people in Section 207, but there is no freedom-of-information law to enforce this. Instead, there is an Official Secrets Act that imposes high fines and imprisonment for publishing confidential information and forces the journalist to divulge his/her source even if publication is for the public good.

The panelists concurred that it is extremely difficult to acquire information from public officers. The Official Secrets Act and Oath of Secrecy bar public officials from divulging information to the media, particularly the independent media, without authorization from superiors, such as heads of department, permanent secretaries, or the head of the civil service. The Official Secrets Amendment Act of 2008 imposes life imprisonment or a fine of GMD 1,000,000 (\$31,200) or both for anyone found guilty under this law. It is, therefore, always difficult for the independent media to access state officials and to obtain and use government documents in their reporting.

As noted above, state media and pro-government private media journalists are more favored in terms of access to public officials and information. There was even a time when private media journalists were banned from covering official functions at the state house. There have been occasions when journalists of certain independent media outlets were singled out and prevented from covering certain events, simply because they represent those media houses. For instance, GTRs and the pro-government *Daily Observer* are accredited to operate in the state house and cover state functions. From the independent media, only *The Point* newspaper may do so.

There is no law restricting access and use of news from international sources. Media outlets make use of such sources daily, though they do not always attribute the news to their source. Editors and journalists can use the Internet to access information. However, websites based abroad that are critical of the government, such as *Freedom* newspaper, are sometimes difficult to access in the Gambia.

No license or qualification is required to become a journalist. Regardless of qualification or education level, anybody who wants to become a journalist can do so by working for any of the media houses or as a freelancer.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

The Gambia Objective Score: 1.94

Despite the inadequacy of professional training, journalists in the Gambia have been performing relatively well. Quite often they do make efforts to verify and check information; however, they must improve their use of a variety of sources and background research for a story. Sometimes the opinions of technical experts are sought. The panelists stressed that the journalists are doing their best in the face of poor security, an unfavorable economy, and other challenges.

Some panelists highlighted shortcomings in terms of objectivity and the observation of ethical standards in coverage and reporting of the news. Some journalists do not verify their sources, as in the case of two journalists, Lamin Njie of the *Daily News* and Sidiq Asemota of the *Daily Observer*, who were charged with contempt for misquotations in 2012. The panelists also noted that some

journalists are unprofessional and subjective in the way they conduct interviews. The lack of professionalism among some of them explains the weaknesses that expose the independent media to criticism. However, the panelists were quick to warn that this should not be a justification to use repressive means to weaken the media and prevent them from effectively performing their watchdog role.

The GPU has developed a draft set of ethical standards that have yet to be finalized for use by its members. The Union has a code of conduct for reporting children's issues, which the GPU developed in collaboration with media organizations and editors. It also intends to put in place a regulatory body to handle cases when the code is violated.

Ousman Sillah stated that the public-broadcast journalists are the biggest violators of ethical standards, noting, "The journalists in the state-run media (e.g., the national television) and the pro-government private media are notorious for their lack of objectivity and ethical standards in news coverage and presentation but are never sanctioned or punished for being [biased]. They are not being punished simply because they are vilifying others in the name of and on behalf of the party in government whose [interests] they are promoting."

There are some credible media houses and journalists who consistently strive to apply professionalism, objectivity, and ethical considerations in their investigation, coverage, and presentation of the news. Some media outlets, such as *Foroyaa*, have developed and enforce codes of ethics that are in line with generally accepted international standards. *Foroyaa* regularly organizes in-house training for its reporters on issues of ethics, standards, and reporting techniques to build their capacities. Sometimes journalists do make some serious mistakes that compromise professional integrity. However, on some occasions, these lapses may require only an apology to the aggrieved person, a right to reply, a correction, or a retraction for the purpose of redress.

The panelists also pointed out that some online journalists are not always careful in their handling of issues, apparently because most of them are not well-trained and also because most of them are outside the country and therefore they do not risk being arrested or harassed by the authorities.

Given the prevailing repressive climate engendered by the anti-media laws, some journalists and editors are forced into self-censorship for fear of losing their jobs or risking their liberty and safety. Certain media houses also exercise self-censorship in conformity with their business interests so that they do not lose advertisers (government and private business), as advertising is the main source of income for media establishments. For example, *Foroyaa* newspaper lost

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).

advertising from Africell, a cellular company, for reporting a story on a car accident involving its manager; Africell tried to force the paper to retract the story. Once it was verified that the information was correct and objective, the paper insisted on the veracity of the story and refused to capitulate. As a result, the paper lost advertising from Africell, which offers the highest advertising rates in the Gambia. The panelists also noted that most media houses engage in self-censorship out of the real fear of a state clampdown.

Some independent journalists and newspapers cover all key events and issues in the Gambia. The coverage is done on different premises, such as objectivity, propaganda, protection of self-interest, or simply apologizing for the party in government. Some editors and reporters avoid certain controversial issues relating to state security. For example, the editor of a newspaper, *The Point*, was called by security agents and warned not to continue with its column titled “Good Morning, Mr. President” because of the column’s critical nature; the column ceased to be produced. *Foroyaa* is the only newspaper that engages in the regular investigation, documentation, and publication of human-rights issues involving people who have disappeared or who are in unlawful detention, including civilians and security personnel.

In short, even though journalists publish on all sorts of events, self-censorship leads to the exclusion of many important events, such as politics, human rights, state security, etc. Sometimes it is the reporters themselves who play it safe by restricting themselves on what they write, but editors do slice out sensitive but important sections when the coverage is risky. A handful of them, however, simply verify the facts and proceed to publish once they are satisfied. Activities of opposition parties are not covered for fear of repression. Issues concerning state security are hardly covered by any media, except *Foroyaa*. Because they are outside the country, bloggers and online journalists tend to cover more events.

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. Journalists in the broadcast media are better off than their counterparts in the print media. As most media houses in the Gambia are owned by the journalists themselves, and are therefore quite poor and small, the levels of pay are very low because of the lack of capital investment. While the government can afford to guarantee regular pay to journalists of the public media—unlike the private media, who sometimes go for several months without paying—payment levels are very low for both.

Journalists’ salaries compare to those of teachers, but they earn far less than workers in other professions. The income of

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the more established journalists, however, is relatively better than the new entrants and freelancers. Freelance journalists earn income based on the number of reports presented for publication. For example, for a front-page story a freelancer will be paid GMD 150 (\$5), GMD 75 (\$2.50) for the inside page, and GMD 100 (\$3) for the back page. The low salary scale can leave journalists vulnerable to influences that may affect their reporting and compromise ethics. Some reporters, both established and freelance, do engage in covert or overt reporting for online newspapers to supplement their income. Biased reporting of issues involving different parties is seen in some instances as an indication of favoritism for one party over another, and “taking sides” is indicative of a reporter who might be subject to bribery or inducement, fear of losing his or her job, or other considerations.

Salary levels are higher in the state and pro-government media and are comparable to relatively better-paid jobs elsewhere, other than in the independent media. This is because these media benefit from state subsidies and support and more lucrative advertisements. 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.

Bloggers do not rely on blogging for their upkeep, and they are usually reporters who use their spare time to blog out of interest.

The panelists pointed out that because of this unattractive pay, some of the reporters are in journalism not as a lifetime career but a stepping stone to other more lucrative professions, such as public-relations and communications positions in state-affiliated institutions and private companies. A number have also left the profession—not because of low remuneration but from fear for personal safety. Sometimes, they are pressured by their families to abandon the profession. Fear can make them work for the government,

as has happened in the case of one of the six convicted journalists in 2009 who is now working for a local council.

It is not always clear to all readers whether a particular story is a paid advertisement in the print media because it is not always clearly marked. *Foroyaa*, however, makes a clear distinction between news and advertisements, and its readers know the difference. *Foroyaa* is the only paper in the country that refuses, on the basis of ethical principles, to carry the expensive, full-page color advertisements of the president brought by state institutions and private business concerns.

The panelists lamented that in some of the newspapers, one may find more advertisements than substantive news or information. Among them, however, is the pro-government *Daily Observer*, which has more advertisements from government institutions and government-owned or -controlled entities, whose top management want to secure their positions, and private businesses, who want to curry favor with the government.

The panelists agreed that 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. They attributed this largely to the intimidation and harassment of journalists and the pervasive culture of fear. The panelists believe that this state of affairs has driven many private radio stations to resort to entertainment and sports programs instead of riskier coverage. Some stations simply rebroadcast news from GRTS and others such as Radio France International (RFI) and BBC. The panel concluded that as far as the broadcast media, particularly the private radio stations, are concerned, entertainment programming eclipses news and information.

In the independent print media, there is balance between news and entertainment content, or even more coverage in favor of the news. Invariably, some newspapers do strive to ensure that readers get information. *Foroyaa*, for example, devotes 60 percent of its space to news and reviews. It is known for its objectivity and credibility given its approach, and it devotes more coverage to issues that inform and promote the public interest, such as transparent and accountable government, good governance, human rights, etc.

The facilities and equipment for gathering, producing, and distributing news are somewhat modern and efficient. Some print media houses experience shortages of equipment, such as digital recorders, cameras, computers, and printing equipment; this affects the quality, quantity, and timely production of news and the overall quality of work. Equipment in studios is not modern and is in short supply;

the shortage of equipment hampers work and the quality of output. Transmitters are not powerful enough.

Reporters can access the Internet at their offices, but access to the Internet is expensive; this is a constraint for media houses. Some media organizations have Internet facilities, but only a few staff at a time can access the Internet, due to limited bandwidth. Furthermore, not all of them have access to mobile phones that can access the Internet.

Quality niche reporting and programming exist among a section of the independent print media. Private print media do more investigative reporting, particularly *Foroyaa*, whose journalists specialize in reporting on specific issues, such as human rights, health, economics, women, youth, sports, etc. Specialized reporting requires knowledge and experience, and the media outlets are faced with the challenge of professionally preparing their reporters. Managers and editors are aware that the audience appreciates special issues and credible reports.

OBJECTIVE 3: PLURALITY OF NEWS

The Gambia Objective Score: 1.67

Many news sources exist in the Gambia. In the print media, there are multiple sources of news and competition among newspapers. In the broadcast media, only the state-owned radio and television stations broadcast national news regularly. One privately owned radio station, West Coast, relays BBC news and VOA news. Another private station, Unique, whose owner is employed by the state 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.

station, also broadcasts national news, though the panel believes the channel simply plagiarizes noncontroversial news from other outlets, as it does not appear to have reporting staff. Taranga does not broadcast news but reads the news published by newspapers, which landed its owner in detention last year. It also broadcasts panel discussions of panelists with diverse viewpoints on the current issues of the day.

However, in August 2011, Taranga FM Radio's managing director was summoned to the NIA headquarters, where he was asked to suspend the radio station's daily review of news carried by the country's local newspapers. Taranga FM has won praise from all layers of the society at-large for the impartiality and professionalism of its staff. The radio station is well-known for its live weekly talk show, which features interviews with representatives from both the ruling party and opposition parties.

Some independent print media outlets allow for multiple points of view, including political viewpoints. Unfortunately, this cannot be said for the state-run and pro-government media, which are entirely dominated by political propaganda in favor of the ruling party and their advertisements.

While various newspapers, radio stations, and magazines do exist, none of these media outlets use mobile networks to distribute the news. This might even be a difficult challenge considering the dissemination of critical news under the prevailing anti-media climate. Some young people in the urban areas, where there is relative access to the Internet and electricity, do engage in social networking with friends at home and abroad.

The vast majority of the private and community radio stations do not present local news, and the ones that do would not dare to cover issues critical of the state, its officials, or operations. They specialize in advertisements and entertainment, i.e., sports and music. The owner of West Coast is even on record stating that his station will never entertain "political programs" or, put simply, "opposition views," but the radio station would not hesitate to praise the "development strides" of the government. This is apparently because many radio stations, such as Citizen and Sud, which had their own news bulletins, ran into problems with the authorities and were eventually closed down.

Citizens' access to international and domestic news is not restricted by law but by other factors. Access to newspapers is limited due to the low level of literacy, high costs, and a poor distribution system. Access to television is widespread in the urban areas, where electricity is available, but lacking in the rural areas; television sets are also expensive for the average Gambian. Internet connectivity is insufficient, and even here

the government has blocked or restricted access to certain online newspapers that it considers to be opponents.

People in urban areas have more access to all forms of news outlets than those in rural areas. The panelists agreed that because media houses are based in the Greater Banjul area, they neglect the countryside. There are community radio stations, 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.

The public media in the Gambia, which are supported by the government, do not reflect divergent political views and are highly partisan in favor of the ruling party. Their management, which is politically appointed, is not independent, and the editorial process and reporting are not objective. The editors and journalists see their role as serving the powers that be and are heavily biased against the opposition forces. They do not allow divergent political views or offer balanced coverage of events. All the news and programs virtually center on the country's political leadership.

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. They also constantly highlight issues concerning a particular ethnic group.

The majority of people in the Gambia do not watch the state broadcast media's news or programs, especially television, because of their lack of variety, divergence, and objectivity. They tune in to satellite channels of major news networks—such as BBC, Al Jazeera, CNN, the South African Broadcasting Network, and the stations in the neighboring Republic of Senegal—for programs that are interesting, educational, diverse, and objective, or they simply resort to personal DVDs or videos for entertainment.

News agencies do not presently operate in the Gambia. The Gambia News Agency used to operate in the 1970s and early 1980s but is no longer functional. Newspapers and radio stations normally cull news items or link up with international media outlets or agencies.

Except for international news, private newspapers produce their own news. The news produced by these private outlets differs significantly from that produced by the state in terms of content and angle of presentation. Some online media produce their own content, but others simply amalgamate news and information from other sources. To stay in the good graces of the authorities, private radio stations are obliged

to rebroadcast public radio news updates or to compile news from international sources, such as the BBC or VOA.

Media ownership in the Gambia is not fully transparent. One panelist observed that while people know the ownership structures of some firms, as there is much speculation that “those who pose as proprietors are simply fronts for anonymous real owners, especially in the case of the pro-government *Daily Observer* newspaper.” Despite this, it is a legal requirement that newspapers indicate their publishers in every edition.

Another panelist stressed, “In assessing the objectivity of the news, readers often take into account not only the content and the reputation but the owners as well. It is common knowledge that proprietors, who are often chief editors, have a say on news content. Print media outlets [are] established not by businessmen with a profit motive, but by journalists who make use of printing services, if they have access to them, to supplement their income.”

Big business is not involved in the broadcast and print media. There is no commercial monopoly in these sectors. The only monopoly is the government ownership and operation of the state television station. There is also business ownership of media houses (print and electronic), which may influence editorial work.

The problem of reflection or representation of social interests in the Gambia, such as ethnicity, religion, and gender, has not yet arisen. Some panelists said 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. However, one panelist pointed out that even though social issues are reported, issues surrounding sexual orientation are not covered because of homophobia due to cultural and religious prejudices.

Newspapers publish in the Gambia’s official language, English. There is also very limited use of French and Arabic. However, social, cultural, and religious organizations sometimes use national languages depending on their readers, and there is no restriction on this. Both public and private broadcasters use English and national languages, and to a lesser extent the languages of minorities. Private radio stations do this apparently because of limited staff. There is still room for improvement on this.

The media provide news coverage and information about local, national, and international issues. Newspapers are generally accessed in the urban area and among the literates. FM radio stations are accessed within a much wider sphere, while community radio covers given localities. It is the state television station that has nationwide coverage. The state

radio station had, for some time in the past, covered most parts of the country, but now it can be accessed only in certain areas. It is either because of jamming signals from other local radio frequencies or a total lack of signals.

OBJECTIVE 4: BUSINESS MANAGEMENT

The Gambia Objective Score: 1.19

The MSI panelists said media enterprises in the Gambia do not operate as efficient and self-sustaining ventures. Operations are inefficient because most media managers lack management training. The private media attempt to operate as commercial ventures, but they lack a capital base and managerial skills, which make them unprofitable. Another impediment is the lack of resources to employ trained personnel. Accounting and finance practices are not in line with international standards. There is a lack of business planning that could help to secure financing, guide decisions on expenditure and personnel, etc.

The challenge facing the majority of media houses now is sustainability. The sources of income from the sale of newspaper copies and advertising are constricted, due to the prevailing poverty on the part of readers and the Gambia’s small advertising market. This situation is exacerbated by the taxes and high costs of printing materials and electricity. The other challenge is the lack of business planning, as most media houses do not operate using a strictly business approach.

The print media market is limited due to low levels of literacy, poverty, and population size. Thus, sales revenue is

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

BUSINESS MANAGEMENT INDICATORS:

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

low, and, coupled with a heavy tax burden, media houses tend to live hand-to-mouth. The situation is better in the broadcast sector; the overheads are lower, since much of the airtime is spent on music, and virtually nothing is spent on programming.

Newspapers derive their income from the traditional sources: sales of copies and advertising. However, due to the prevailing poverty in the country, little is derived from sales of copies; there are also multiple readers for one newspaper edition (one newspaper circulates among 10 readers, according to estimates). For the newspapers that are critical of the government, little advertising income is expected from government institutions. The issue of a constricting market, coupled with the high cost of printing materials, makes the operations of some media houses unsustainable because expenditures are higher than income.

Though media outlets receive revenue from a multitude of sources, advertising revenue from cell phone companies is quite substantial, and this factor is sometimes used to undermine the editorial independence of media outlets.

All media outlets derive most of their revenue from advertisements. Some newspapers and radio stations devote most of their pages or programs on advertisement to maximize financial returns at the expense of news and information content. Print media that have a printing press offer printing services to help make ends meet. Multiple clients exist only for the state-run and pro-government media, which are patronized by both government and business establishments that want to curry favor with the state. The nongovernment independent media derive their earnings from sales of copies and mainly from advertising provided by the government, international organizations, and businesses. Hence, the government and businesses can and do influence the editorial policies of some media houses.

The concept of advertising agencies is in its infancy, and there are only two advertising agencies, MediaMatic and AMRA, that distribute advertisements to media outlets; however, they are only infrequently active in the print media sector. One advertises with *Foroyaa*, while the other does not because of the critical nature of the paper. Rates are fixed by the media outlets, but they are subject to negotiation, especially if the advertisement is to run for a long period. Few businesses use advertising to sell their products or services. The government, international organizations, and mobile communications companies are the biggest advertisers.

Demographic considerations also influence advertisements in terms of population concentration, as well as readership or audience. Political influence or businesses sometimes determine how or whom to advertise with, and there is

political influence in placing advertisements. It is the norm for public corporations and private companies to issue full-page advertisements in newspapers and on television congratulating the president on his birthday and on six other occasions during the year, lest they are regarded as political opponents.

Broadcasting stations rely on advertising and sponsored programs for their revenue. A sponsored program may be a program of public concern or merely an advertisement that may last for 30 minutes or an hour. Slots of advertisements of up to one minute are also used at intervals during programs or musical interludes.

Advertising revenue for the print media as a percentage of the total revenue ranges from 10 percent to above 50 percent of the pages, depending on the newspaper. This is due to the fact that revenue from sales and subscriptions falls far short of expenditure outlay due to a constricted market.

The government rewards loyal media with advertising. The critical private media, such as *Foroyaa*, mostly get government advertising when it is a requirement of donor agencies for fair placement in three major newspapers. Officials sometimes fear losing their jobs when they advertise with media that are critical of government. Some officials in both the government and private sector also ask for kickbacks in order to place advertisements with willing newspapers. *Foroyaa* has always been denied advertising for refusing to succumb to the demands of corrupt officials. There are no direct or indirect government subsidies for the independent media.

It is not the norm to use market research to formulate strategic plans and enhance advertising revenue. Though no market research is conducted based on the needs and products of the audience, editors tend to tailor their news to their audience based on their intuitions about reader preference.

Research on broadcast ratings and circulation figures have been conducted by UNESCO in the past, but this was not published. No rating organizations exist in the Gambia. Some newspapers exaggerate and inflate the number of copies they publish to show that they have a wide circulation in order to attract advertisers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

The Gambia Objective Score: 1.84

While the Gambian media have no publishers' association, broadcasters' association, or online association, the GPU, which represents the interests of journalists, tends to look

after the interests of publishers, broadcasters, and online journalists. However, the panelists pointed out that this is not effective and that such associations have come into existence to better protect their interests. A Gambia Editors' Forum has been established, but it is not yet functional.

Professional associations do work to protect journalists' rights and promote quality journalism. The GPU has done a lot to promote the welfare of its members and facilitate the training and development of young journalists, normally free of charge; it will soon start an institute of journalism. The GPU is independent and has relations with national and international organizations. The GPU lobbies the government on behalf of its members and advocates for media independence, freedom, and professionalism. It is sustained by membership dues and donor support. The GPU offers training and lobbying for its members and also pays for legal fees and court fines for journalists (members and non-members alike) who are in trouble with the state.

There are other associations for journalists covering niche topics, such as health, population, sports, and human rights; there are also associations with specialized membership, including women, youth, and bloggers. All of these associations and the GPU are independent of the government, even though they work with it.

Apart from the journalists' associations cited above, there are few NGOs in the Gambia that openly support freedom of speech and media independence. However, there was support for media from organizations like Action Aid–The Gambia, YWCA, West African Network for Peace Building, etc., in calling for the release of the "GPU six" in 2009. By and large, however, NGOs in the country give limited support to the media mainly because of the fear of the implications of doing so. The GPU invites them to attend or speak at

symposiums, but this is even a problem for some NGOs. They, however, do not hesitate to provide training for journalists. Staunch and consistent support for Gambian media comes from international NGOs that support funding for journalists' defense in trials and issue solidarity statements in support of their fight for freedom.

There is currently no degree course in journalism in the Gambia. In fact, the University of The Gambia has come up with a program for a school of journalism, but thus far it has not come to fruition. Media outlets cannot afford to pay degree holders in journalism, who then look for jobs elsewhere. This is not the case with the state or public media, which have degree holders in journalism and can afford to pay them. Some of these degree holders are now media consultants.

Journalism has improved in the Gambia mainly because of training workshops and short courses organized by NGOs, the UN system, UNESCO, diplomatic missions, and international organizations. Training programs for young people and new entrants are just beginning to be offered by GPU with support from its international partners. Other private institutes, such as Stanford College, an affiliate of the parent institution in the United Kingdom, also offer paid courses in communications. *Foroyaa* organizes regular in-house training sessions for its reporters as well. Independent media houses cannot support overseas training for their reporters.

The courses offered are mainly theoretical and are meant to prepare young people to enter the profession or to improve their knowledge and skills. The courses are at the certificate and diploma levels, and trainees are exposed to modern techniques. Other short-term training courses also address the professional needs of editors, reporters, designers, etc. The training covers basic journalism and various issues, such as human rights, health, environment, population, gender, and HIV/AIDS. The GPU, in collaboration with the Danish School of Journalism, has just completed a diploma course for 15 students in journalism. Now it is training its teaching staff and preparing to start an institute of journalism that will train reporters at the diploma level.

The purchase of equipment is apolitical. The purchase of newsprint, though apolitical, is not free from monopoly. One supplier dominates the market and influences the media outlets; it is the sole importer of newsprint. Some print houses are not willing to print for media outlets if the machines of those outlets break down. This is because they fear that by doing so they may become targets of the government. Four out of the seven private newspapers have their own printing press and print for themselves. The GPU recently acquired a printing press and prints for the other newspapers without editing them. In fact, the quality of printing has improved significantly, and competition is now intense.

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 distribution of newspapers, mobile phones, and transmitters is apolitical, not monopolized, and unrestricted. The Gambia does not have distribution companies. Vendors buy what they can sell directly from the office and take them to their kiosks for sale. Transmitters are owned by owners of broadcast stations. Cable networks have limited distribution because of cost, but the cable market is apolitical, not monopolized, and unrestricted. For political reasons, critical websites run by Gambian residents abroad are blocked. The allocation of domain names or IP addresses is a source of pressure that can be used to block the startup of new online media.

The network used by cell phone companies is poor, and some parts of the country do not have a network at all for some companies. The Internet is slow and unstable. Using SMS as a means of distributing news is something quite new and is not yet well-established. Networks are better in urban areas. In the rural areas, the lack of electricity poses a problem, and those that have access to solar panels use them to connect their computers and charge their phones.

The existing information and communications technology (ICT) meet the needs of the media industry in the country. However, low ICT capacity poses barriers that limit the availability of a variety of products that citizens might want. Mobile phones of different types and varying capacities are available in the market but do not serve citizens' news and information needs. They are mainly used for interpersonal communications. Differences exist between the urban and rural areas in terms of ICT capacity; the former enjoys more of the facilities in terms of relative accessibility to the equipment and the availability of electricity.

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*, Serrekunda

Bai Emil Touray, journalist; 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

Momodou Lamin Jaiteh, producer, Radio Alternative Voice for Gambians, Dakar, Senegal

Ousman Sillah, editor, *Foroyaa*, Serrekunda

Moderator

Amie Joof, executive director, Inter Africa Network for Women, Media, Gender, and Development (FAMEDEV); coordinator, Radio Alternative Voice for Gambians, Dakar, Senegal

Assistants

Abdoulie Dibba, producer and reporter, Radio Alternative Voice for Gambians, Dakar, Senegal and Banjul, The Gambia

Buya Jammeh, producer and reporter, Radio Alternative Voice for Gambians, Dakar, Senegal and Banjul, The Gambia

Djibril Sylla, technician, FAMEDEV and 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. The panel discussion was convened on July 17, 2012.

IN MEMORIAM: Fatou Faye



On November 7, 2012, the cause of human rights in The Gambia suffered the loss of Fatou Faye. Faye was a tireless proponent of women's rights and a champion for youth. Her efforts not only benefitted The Gambia, but Africa as a whole: she is remembered for her acting in a play that cast light on the failure of Africa to prevent atrocities, "We Should Unite Now or Perish," where she portrayed a poor woman in the Darfur region of Sudan. Faye served as a *Media Sustainability Index* panelist in 2012 and in previous years.