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## **MEDIA SUSTAINABILITY INDEX 2015**

The Development of Sustainable Independent Media in Africa

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# N NIGERIA



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# NIGERIA



On March 30, 2015, Goodluck Jonathan, Nigeria's third democratically elected leader since the return of civil rule in 1999, lost the presidency in a relatively peaceful election to Muhammad Buhari, a retired Army major general.

In October 2011, former President Jonathan signed Nigeria's Freedom of Information (FOI) bill into law—a high point from the perspective of media groups that fought for the bill's passage. The FOI Act gives Nigerian citizens, including journalists, the legally enforceable right of access to information held by public authorities. Nigerians, including civil society organizations and media establishments, welcomed its enactment, believing that it would be a useful instrument to advance the fight against the corruption that has long held back the country's development.

In practice the FOI Act has not lived up to the hopes of its backers. A number of lawsuits are pending in the courts based on the refusal of some federal institutions and state governments to provide information requested by applicants using the FOI Act guideline. During a review of Nigeria's constitution, a network of media bodies proposed, in a bid to further strengthen the FOI Act, that the National Assembly include the right of access to information among the fundamental rights outlined in the constitution. The proposal, however, was not accepted.

The country's democratic strides have been overshadowed by violent conflicts, spearheaded by Boko Haram's campaign of terror in the country's northeast. Bombings have become commonplace, killing thousands of people. Several journalists have lost their lives in the violence, as well.

Against this backdrop, prominent media groups adopted the Nigerian Media Code of Election Coverage—the first of its kind in the history of the country—in December 2014. The code stipulated professional and ethical reporting guidelines for the 2015 elections, while underlining the imperative of conflict sensitivity by admonishing the media to avoid hate speech or inciting statements that could escalate the conflict.

Nigeria scored an overall country average of 2.17, about the same as in 2012, the last time the MSI assessed Nigeria's media. Diverse scores for each of the five objectives make up the overall score. The panelists rated Objectives 1 and 2 at just inside the "near sustainability" range (2.02 and 2.12, respectively); these scores are not significantly different than 2012. Scoring the highest were Objective 3, gauging the plurality of news sources, which increased by one-third of a point to 2.58 and Objective 5 (supporting institutions), which remained at 2.59. Objective 4, assessing management and financial footing of media, fared the worst of the objectives, dropping to 1.56 from 1.78 in 2012 and putting it squarely in the "unsustainable, mixed system" score category.



# NIGERIA at a glance

## GENERAL

> **Population:** 181,562,056 (*July 2015 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 (2014-Atlas):** \$526.5 billion (*World Bank Development Indicators, 2015*)

> **GNI per capita (2014-PPP):** \$5,710 (*World Bank Development Indicators, 2015*)

> **Literacy rate:** 59.6% (*male 69.2%, female 49.7%*) (*2015 est., CIA World Factbook*)

> **President or top authority:** President Muhammadu Buhari (since May 29, 2015)

## MEDIA-SPECIFIC

> **Number of active media outlets:** 95 newspapers (20 national dailies, 23 national weeklies, 10 regional dailies, 19 regional weeklies, 6 local dailies, 17 local weeklies) (BBC World Service Trust); 132 radio stations (38 federal-government-owned, 41 state-government-owned, 26 private, 27 campus); 149 television stations (98 federal-government-owned, 37 state-government-owned, 14 private) (Nigerian Broadcasting Commission)

> **Newspaper circulation statistics:** The Punch, The Sun, Vanguard, Guardian, ThisDay; 300,000 daily sales figure for all newspapers (Advertisers Association of Nigeria, 2010)

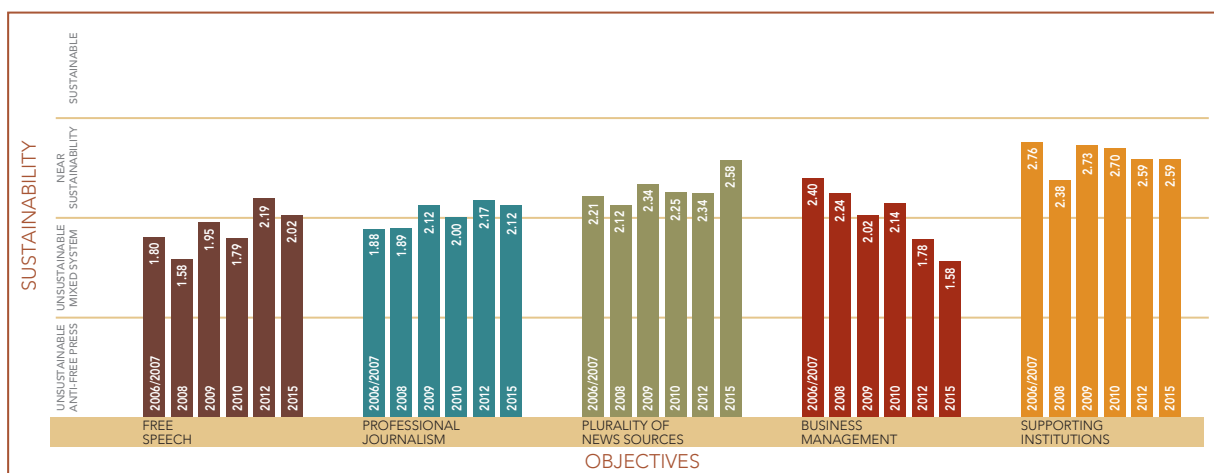
> **Broadcast ratings:** N/A

> **Annual advertising revenue in media sector:** N/A

> **News agencies:** News Agency of Nigeria (state-owned)

> **Internet usage:** 97 million (*2015 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.

Scores for all years may be found online at <https://www.irex.org/msi>



## OBJECTIVE 1: FREEDOM OF SPEECH

Nigeria Objective Score: 2.02

Objective 1 received underwhelming scores in part because the panelists felt that the country's legal and social norms continue to fall short of the expected standards for free speech and access to public information. Public information is still not easily accessible, they feel, and the right of access to information is not equally enforced despite the fact that the FOI Act gives citizens—including journalists—the right to request and receive information from public authorities. Accordingly, they assigned particularly poor scores to indicator 7. The other indicators in the lower rung of the panelists' ratings were indicators 1 (legal and social protections of free speech) and 4 (crimes against journalists). Indicators eight and nine (on access to news sources and free entry into the profession of journalism) ranked highest, each more than one point above the objective score.

Panelists feel that free speech exists in law, but not in practice—withstanding the incorporation of international charters like the African Charter on Peoples and Human Rights into the constitution. Although the constitution guarantees free speech and freedom of the press, in section 39, it is tucked in a section of the constitution that means it cannot be legally enforced, according to panelist Jide Jimoh, a lecturer in the School of Communication of the Lagos State University. The media's obligations to monitor governance and hold the government accountable to the people are located in the same chapter. Only

### 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.

"Getting broadcast license depends on political patronage," said Florence Oluohu, deputy editor of the regional newspaper, *Nigerian Chronicle*, owned by the Cross River state government. Those who obtain broadcast licenses are usually perceived as loyalists of the ruling party and government, even though not all of them fit that label.

the fundamental human rights provisions in section four of the Nigerian constitution can be enforced in court.

Panelists were also concerned that the enactment of the FOI Act in 2011, which should have boosted free speech, has not led to the expected repeal of the Official Secrets Act of 1962, the Obscene Publications Act, and the Defamatory and Offensive Publications Act of 1966, all of which inhibit free speech.

The major crimes against media professionals and common violations of free speech in Nigeria include public assault and harassment—especially by law enforcement agents who often cite the nebulous "order from above" as a reason. In June 2014, armed soldiers stopped the circulation of thousands of copies of *Vanguard*, *The Punch*, *Daily Trust*, *The Nation* and *Leadership* newspapers. In the process, vendors suffered assaults and the soldiers seized delivery vans. The military described the action as a routine security check—but media groups vehemently rejected that as a flimsy excuse. In particular, the Newspapers Proprietors Association of Nigeria (NPAN) and the Nigeria Guild of Editors (NGE) labeled the action as assault on free press, reminiscent of the media's experience under military rule.

A deep chasm separates licensing conditions in the print and broadcast sectors. Newspapers are obliged to register as business entities with the corporate affairs commission. However, many unlicensed media crowd in on registered options at the newsstands.

The licensing regime is stricter and costlier in the broadcast sector. The National Broadcasting Commission Act 38 of 1992 makes the National Broadcasting Commission the regulatory authority for the sector, but vests the power to approve licenses solely in the president. "Getting broadcast license depends on political patronage," said Florence Oluohu, deputy editor of the regional newspaper, *Nigerian Chronicle*, owned by the Cross River state government. Those who obtain broadcast licenses are usually perceived as loyalists of the ruling party and government, even though not all of them fit that label.



The two categories of broadcast licenses are expensive. In the first category, described as any location in the federal capital and the commercial hubs of Lagos and Port Harcourt, federal and state governments are required to pay a minimum broadcast fee of NGN 5 million (about \$25,450), while private owners pay NGN 20 million (about \$101,800) for radio, NGN 15 million (about \$76,360) for free-to-air television, and NGN 10 million (about \$50,900) for cable. In the second category, that is, locations in other states, the fees are: NGN 15 million (about \$76,360) for radio; NGN 11.25 million (about \$57,270) for free-to-air television, and NGN 7.5 million (about \$38,180) for cable channels. Payments are due every five years when the licenses are renewed.

The exorbitant license fees constitute indirect economic restrictions for entry into the media business, while the tax structure is deemed unfair as well compared with other businesses. "The media is seen as a business, and it is not given tax holidays or tax breaks," said Qasim Akinreti, a social media specialist and online editor of Voice of Nigeria, Nigeria's external broadcaster. The government has repeatedly ignored demands to waive the import duty on newsprint and provide an exemption from value added tax, based on the argument that it is educational material.

In terms of serious crimes against journalists, the Committee to Protect Journalists (CPJ) has included Nigeria in its Impunity Index, which highlights countries where journalists are murdered regularly and killers go free. "It is a matter of deep regret that crimes against media professionals are not prosecuted vigorously; unfortunately, such crimes occur often," said Tolu Olanrewaju, head of news and current affairs for the University of Lagos FM Radio. At least five journalists have been targeted and killed since 2009, including Channels TV Reporter Eneche Akogwu, who was shot during a terrorist attack in Kano in 2012. It is also suspected that terrorists killed Zakari Isa of the Nigerian Television Authority, Maiduguri, in 2011. Last year, 14 journalists were abducted and held hostage by armed militia men in Delta state in the south while returning from a community briefing. In Ekiti State in the southwest, the police barred five journalists from covering the governorship elections and forcefully "deported" them from the state.

Political thugs commonly assault journalists as well, and they are then arbitrarily arrested and detained by security agents who sometimes destroy their equipment. In April 2014, journalists trying to cover a protest by policemen on electoral duty in Osun State over unpaid allowances were beaten by some of the protestors. Kamarudeen Ibrahim, a cameraman with MITV, was among those brutalized. Political thugs also attacked journalists during the sitting of the state's election petition tribunal, particularly targeting the crew of state's broadcasting commission over alleged bias. Threatening messages from

unknown sources constitutes another common danger to journalists.

Neither by law nor convention is there any guarantee of editorial independence for state media in Nigeria. "State-owned or public media defeat the purpose for which they are set up, as they do not work for public interest. Instead, they satisfy the narrow interests of those in government," said Kehinde Ayantunji, who works for Osun Defender, owned by Osun State government in southwest Nigeria.

State media are run as governmental departments under the minister or commissioner for information. The Nigerian Television Authority Act of 1977 vests the power to appoint and remove members of the authority, including the director general in the Ministry of Information, with the prior approval of the president. The Act mandates the authority to broadcast speeches and activities of government officials. The Federal Radio Corporation Act of 1978, as amended, gives similar powers to the minister and the president. Thus, the management boards of state media are not appointed impartially.

State media in Nigeria regularly violate the provisions of Section 100 of the Electoral Act, which stipulates that state apparatus, including the media, shall not be used to the advantage of a political party or candidate. It also requires allocation of equal time to parties and candidates contesting elections. State media also disregard Section 5 of the Nigerian Broadcasting Code, which requires equitable access to parties and candidates during elections.

Nigeria's legal system provides for both criminal and civil libel. The plaintiff in a libel case has the burden of proof, and heavy fines are sometimes imposed—as in the case of a high court in Ekiti State, which ordered Compass newspapers to pay NGN 2 billion (about \$10,180,000) in libel damages to the former governor, Kayode Fayemi. Two journalists, Tony Amokeodo and Chibuzor Ukaibe, as well as a secretary named Omofuma Juliane, all of the Leadership newspapers, still face trial before an Abuja high court for alleged forgery and defamatory charges brought against them by the former President Jonathan over the publication of an alleged presidential memo on fuel price increase and plans to sabotage the opposition in April 2014. The journalists have denied the charges and insisted that they stand by their story.

The FOI Act is now three years old, but citizens and journalists still encounter difficulties in accessing public information. Public servants—who the law requires to proactively disclose information—have taken oaths under the Official Secrets Act not to divulge government information. Civil society groups have filed lawsuits over the failure of federal government agencies to comply with their FOI requests. The panelists also observed some inequity in the sense that foreign journalists tend to have better access to government officials.



Access and use of news sources, including foreign media, are not restricted in any way; media are allowed to reprint or rebroadcast foreign and local news and programs. They are also permitted to use news agencies reports, photographs, and audio-visuals on the condition that required fees are paid and sources acknowledged—although the rules are often violated.

Media outlets have discretion over those they employ as journalists provided they possess a diploma or degree in journalism, mass communication, or any other discipline. Journalists are free to report the activities of the government, although those assigned to cover the executive and the legislature require accreditation for security reasons. The business sessions of the legislature are normally held behind closed doors to the exclusion of the public, including journalists.

The government does not prevent bloggers or representatives of certain kinds of media from practicing; while there are no regulations that prevent the practice of journalism by any person on the basis of gender, race, beliefs or any other demographic considerations.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Nigeria Objective Score: 2.12

With their scores for this category, panelists indicate that journalism still faces many challenges in meeting standards of professionalism. There were, however, significant differences in the score for each of the eight indicators under the objective. Indicator 5 (pay levels for journalists) received the lowest score at more than a full point lower than the objective score. Indicator 3 (self-censorship) scored about a half-point lower. Indicators 1 (fair, objective, well-sourced reporting) and 4 (coverage of key events) had the strongest scores for the objective, each about a half-point higher than the objective score.

The panelists believe that journalists are striving harder to ensure that their reports are fair, objective, and well resourced. Editors increasingly demand well-investigated and balanced reports with adequate background. Reporters do consult experts when specialized opinions are needed in such areas as aviation, information technology, health, science, the arts, etc. The panelists dispute the perception that the level of investigative reporting is low, but said there is a need for better quality reporting. “When the level of reporting in Nigeria is put on the spotlight, one can say that the media is trying but it seems to be more quantity than quality; the game needs to be up in the area of quality,” said Gbenga Salau, a reporter for The Guardian.

On the down side, the panelists observed that attempts to beat deadlines, the urge to be the first to report breaking news, and an over-reliance on press releases or statement from press

briefings sometimes lead to one-sided reports and undermines fairness and objectivity. They also expressed concern about the activities of online media, particularly bloggers, who disregard ethics and publish misleading reports. “The technologies available for news gathering and dissemination are expanding, but so are associated problems of falsehood and deliberate mischief,” said Jimoh.

During the Ebola crisis in the country, some social media platforms relayed false information that promoted the drinking or bathing with salt water as ways to prevent or cure the disease. The same message was passed around through SMS messages. Many Nigerians ignorantly followed the advice, and by the time the government warned against following it, some people had died from complications arising from ingesting too much salt.

The code of ethics for Nigerian journalists, ratified by the Nigeria Press Organization, comprising the Nigeria Union of Journalists (NUJ), NGE and NPAN in 1998, provides ethical guidelines for journalists. NUJ has initiated a review of the code to meet demands that it should have stiffer penalties for violation and align with contemporary international standards. NPAN has also established the office of the Ombudsman to deal with ethical complaints, while some individual media outlets have in-house codes of reporting. Copies of the NUJ code are, however, not readily available, hence many practicing journalists are ignorant of the provisions—and the Ombudsman is underutilized.

Panelists agree that the weak enforcement of the code is reflected by the fact that some media professionals indulge in the taking of payments or other incentives for certain types of coverage. Panelists also consider as unethical the growing lack of distinction between advertorials and news. According to Jimoh, “The line between news and advertorial is getting blurred.

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

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



According to Jimoh, “The line between news and advertorial is getting blurred. With newspapers, front pages that used to be sacrosanct for reporting news are now being used for advertorials and wrap-around.”

With newspapers, front pages that used to be sacrosanct for reporting news are now being used for advertorials and wrap-around.” Wrap-around is a new form of advertisement in the country, wherein the entire front and back pages are bought over by corporate bodies or interests advertising products or disseminating specific messages.

Another ethical concern the panelists underscored is the lack of a monitoring mechanism in place to know whether or not online reporters and citizen journalists plagiarize or abide with copyright laws.

Nigerian journalists readily admit to practicing self-censorship to avoid offending political and commercial interests, especially those of their proprietors. Their rule of thumb is to adapt to survive, especially as media employers do not protect their employees, and the public does not express enough outrage when journalists’ rights are violated. The consensus among the panelists is that reporters, editors and bloggers engage in widespread self-censorship due to a real or perceived fear of losing their jobs or risking personal safety. Media establishments are also known to be reluctant to publish stories deemed unfavorable to their major advertisers including governments and private commercial interests.

Journalists in Nigeria cover as many key events and issues as possible, which they normally report in international, national, and local print or broadcast media. The military authorities have, however, been at loggerheads with news managers over what it perceives as excessive reporting of the war against armed terrorist groups, especially Boko Haram in the northeast of the country. They argue that such information, especially where it concerns the movement of troops and casualty figures of military personnel, could compromise national security.

The state media tend to give more coverage to the activities of the government and may downplay, as a result, some key events. However, Nigeria has an estimated 70 million Internet users, the eighth largest in the world. The existence of blogs, citizen reporters, and social networking tools (e.g., Twitter, YouTube, Face book, etc.) provide diverse sources of information

for the media and journalists as well as the public at-large to access these sources of news and information.

A majority of reporters and editors earn low wages, sometimes paid irregularly. They are therefore easily tempted to engage in corrupt practices, even with the knowledge that such acts violate the code of ethics. Some of them are told by their employers that they should consider their identity cards as meal tickets to earn a living. Sanmi Falobi, a program associate of the International Press Centre, said, “Welfare problems, risk at work, and delayed payments of remuneration hamper and erode professional standards and ethical conduct of journalists.”

Journalists working in the broadcast media tend to be better paid than their counterparts in the print world. However, many well-trained and experienced journalists have left both sectors to work in more lucrative enterprises such as the banks, oil and gas companies, and telecommunications firms.

Panelists were of the opinion that news and entertainment is eclipsed by entertainment programming, especially on the FM radio stations. The liberalization of the broadcast sector has, however, encouraged media pluralism, and audiences have a wide range of news channels to choose from. The law allows broadcast stations to specialize in different types of broadcasting including sports, traffic, entertainment, etc., but the major news bulletins are not usually in-depth.

Panelists agreed that neither broadcast equipment nor Internet services, which are central to contemporary media operations, come cheap. Facilities and equipment are therefore not modern, especially in the state-owned media, because the cost of acquiring them is high. The reporters and producers in the private media, which can afford modern equipment, sometimes lack the skills needed to use such equipment properly.

There is a wide range of specialized reporting in all types of media, including business, environment, politics, sports, entertainment, etc. Niche reporting is encouraged by the existence of organizations that reward excellence in reporting specialized areas such as the Nigeria Media Merit Award, the Diamond Media Merit Award and the Wole Soyinka Investigative Journalism Awards. There are also training opportunities for journalists in specialized fields. Panelists feel that private media do more niche and investigative reporting than government-owned outlets, while newspapers, with more space for in-depth investigative reports, tend to do better than radio and television. The few niche reports in the broadcast media are by way of documentaries.



### OBJECTIVE 3: PLURALITY OF NEWS

Nigeria Objective Score: 2.58

Nigeria has multiple news sources, offering citizens a wide range of choices; accordingly, indicator 1, addressing the plurality of affordable public and private news sources, received the highest indicator score, about half a point higher than the objective score. But panelists feel that state or public media are partisan, and fail to reflect broad political and social interests. Therefore, the score for indicator 3 was more than a point lower than the objective score. The panelists also gave a relatively low score to indicator 6, (transparency of media ownership), which ended up lagging behind the objective score by half a point.

With close to 100 periodicals, including daily and weekly newspapers, magazines and tabloids being published and circulated nationwide or regionally, the Nigerian media landscape is blossoming with multiple news sources. The print media are complemented by emerging online newspapers. On the broadcasting side, television and radio stations add up to 250, and there are growing numbers of satellite and cable television service providers. At well over 40 million, Nigeria has one of the largest populations of Internet and mobile telephone users in Africa. Many citizens receive news and other information via emails, social media platforms including Facebook and Twitter and SMS messaging. The diverse news sources, however, allow large segments of the population to cross-check information.

More journalists now make use of online platforms including blogs, social media networks, etc. as alternative mediums of expression, while the population of citizen journalists grows steadily.

#### 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 state media tend to tilt heavily towards the government and the party in power," said Oluohu (who works for a state newspaper in Cross River State, in Nigeria's south).**

According to 2014 research by the U.S.-based Broadcast Board of Governors and Gallup, in Nigeria the predominant source of news is radio, with 77.4 percent of respondents reporting weekly use of radio for news. Word of mouth and television follow closely behind, at 66.1 and 64 percent respectively. 28.2 percent report using the Internet for news at least once per week. Overall, nearly two-thirds of respondents said they check news at least once per day.

The government does not impose direct or indirect restrictions on access to domestic or international media. Indeed, with a population of well over 150 million people, foreign broadcast media such as BBC, VOA, Radio Deutsche Welle, Radio France, Al-Jazeera, CNN, and CCTV have large audience bases in the country. The government does not also block access to foreign websites on the Internet. City dwellers, however, have greater access to media sources compared to those residing in smaller towns and villages. Poor electricity also affects access to electronic media, while those in the lesser income bracket are not able to afford the high costs of pay television and Internet access. Other factors that limit access include income, language, and level of literacy.

Local broadcasting has been allowed on some university campuses, but licenses have not been granted yet for community radio stations. Ayantunji confirmed that due to the lack of community radio, rural dwellers do not have access to a variety of sources—and the combined population of rural communities is higher than those living in urban areas.

There was no disagreement among the panelists over the fact that state media, whether broadcast or print, do not render public services, or reflect non-partisan and divergent political views—despite being funded by taxpayers. "The state media tend to tilt heavily towards the government and the party in power," said Oluohu (who works for a state newspaper in Cross River State, in Nigeria's south). Freedom of expression groups have demanded that the state broadcast media should operate as public broadcasters in the model of the BBC, so as to check the excessive reporting of the activities of government executives and officials. The president, his family and his cabinet members usually dominate major news bulletins on Federal Radio and Television, while in the states they are dominated by the governors, their spouses, and their officials.



During electioneering, such obvious bias works against opposition parties and candidates, who are usually denied access to and coverage on such media (in violation of the provisions of the Electoral Act and the Nigerian Broadcasting Code). But panelists noted that such violations are not often brought to the attention of the regulatory agencies, especially the National Broadcasting Commission. The Commission's mandate includes the monitoring broadcast stations, but it often fails to sanction state-owned stations that violate its codes.

The federal government owns the only local news agency, the News Agency of Nigeria, but it offers its services to all media outlets, whether private or state-owned. The agency charges fees for the services. There are also international news agencies such as Reuters, AP, and AFP, which render services to the Nigerian media.

The private broadcast media not only produce and purchase their programs, they also allow independent producers to air their own programs—provided they can pay the required fees. It is generally agreed that the quality of programming in the private media is superior to that of the state media, because of inadequate resources and bureaucratic bottlenecks that usually delay efforts to replace obsolete equipment.

Nigeria does not have laws or regulations that require the disclosure of ownership and their business or political interests. No law also requires public disclosure of financiers, directors and shareholders. It is therefore difficult to know if there is any significant foreign investment in the country's media. But members of the public sometimes have knowledge of the proprietors and their political and commercial interests. Although there is diversity of ownership, the law permits a corporate group to have parallel interests in the print, broadcast, and online media.

The conventional and online media do reflect and report on a broad range of social issues, including minority issues. Reporters and other media professionals, from both genders and diverse cultural backgrounds, are well represented in the mainstream media. Panelists observed that there has been a phenomenal growth in local language programs in the broadcast media, while there are wholly local languages or vernacular newspapers. But they noted that minority languages tend to be neglected. Despite this, the coverage of news by the Nigerian media cuts across local, national and international issues.

## OBJECTIVE 4: BUSINESS MANAGEMENT

Nigeria Objective Score: 1.56

Nigeria's media are poorly managed enterprises, the panelists generally feel, and the nature and character of the management do not allow for editorial independence. Accordingly, Objective 4 scored the lowest among all five objectives, with six of the seven indicators receiving scores similar to the objective score. Only indicator 3, covering the advertising market, received a score more than half a point higher than the objective score.

Nigeria's media outlets have not fully embraced professional management, although they are gradually moving away from being seen as a "family affair." There is a growing appreciation for the need to employ professionals to manage critical and specialized operational areas including accounting, marketing, legal affairs and human resource development. Media businesses still largely rely on a narrow revenue base confined to sales, supplements, sponsorships, and advertising; they are yet fully diversified and embracing other income generating activities such as consulting services, events management, training, and media relations. Panelists also emphasized that the media outlets need to manage resources more prudently. Ritkatmwa Gwan, a news editor of the privately owned KissFm based in Abuja, suggested that media managers need to be more dynamic and enterprising to become self-sustainable.

Because media outlets receive revenue from so few sources, the state and the private media are susceptible to political and commercial influence as they vie for survival. However, the state media is believed to be more susceptible to political interference, as the government subsidies they receive are usually their only guaranteed source of 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.



**"I once did a story on one of the leading telecommunications companies, but my editors refused to publish the story in order not to lose their advertising business," said Bosede Obasa, a freelance journalist.**

The over-dependence on advertising revenue also leads editors to sometimes withhold critical stories. "I once did a story on one of the leading telecommunications companies, but my editors refused to publish the story in order not to lose their advertising business," said Bosede Obasa, a freelance journalist. Advertisers also withhold advertising from media outlets that publish or report negative stories about them, under what could be termed a carrot-and-stick relationship.

Still, the advertising industry demonstrates a bit more professionalism. Most advertisers operate under the umbrella of the Association of Advertising Practitioners of Nigeria, while the Advertising Practitioner's Council of Nigeria regulates all advertising activities and attempts to ensure that advertisements are produced professionally. But media outlets have resisted a recent directive to refer all of their advertisements to APCON for review at least 48 hours before publishing or airing. Arguing that the directive violates the freedom to publish, media outlets contend that the role of APCON should be to monitor advertisements and sanction those violating its rules and regulations. Among the big advertisers in the country, constituting the industry's backbone, are banks, telecommunication firms, and the beverage, particularly alcoholic, industry. Advertisers tend to target urban-based media, although statistics about their reach are unreliable. Panelists noted that some advertising agencies refuse to remit monies to media outlets that they have collected from clients, thus sometimes creating a debt crisis in the industry.

The urge to earn more revenue, especially as so little is earned from sales, usually drives media managers to accept any advertisements that come their way. There is indeed a sense that advertising is overtaking news and information. In any case, there are no limits to the number of advertisements that can be published in any newspaper or aired on any radio and television station. Although state media receive funds from the government, they are nonetheless allowed to sell advertising space or slots to earn extra revenue.

There is no law regulating the placement of government advertisements, which is a key source of advertising in Nigeria. The government adopts discriminatory measures in the distribution of advertising, usually favoring the state media,

panelists said. Additionally, the government either discriminates against or uses advertising to exert pressure on the critical media. There are neither government subsidies, nor direct payments, nor loan subsidies from the government to the private independent media. Media outlets have been known to tilt editorial opinions in favor of government entities supporting them with huge advertisements.

There was a consensus among the panelists that market research in the country is bedeviled by a lack of reliable statistics. "Market research in Nigeria is influenced by powerful organizations, mainly the advertisers, to push their profit interests," said Akinreti. Given this and other problems, research is not regularly used to inform strategic business planning, while advertising is driven by perceived circulation figures rather than real and tested field instruments. However, the situation is expected to change in the near future due to the increasing number of professional market researchers.

The Audit Bureau of Circulation is supposed to investigate and produce information on the circulation figures for newspapers and magazines. However, the body has not been enjoying the support of publishers, which consider such information closely guarded trade secrets that should be rarely made public. Adequate statistics on the reach and audience of broadcast media are also rare. But a 2014 GeoPoll Research study found the Nigeria Television Authority and the Africa Magic entertainment channels were the most viewed for the month of June in the year. This means that broadcast ratings and circulation figures are generally shrouded in mystery. In this way, panelists also observed that advertising agencies sometimes produce statistics that are not backed by scientific evidence to justify their patronage of particular media outlets. The Adler Social Media report, however, has started rating social media use in the country.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

Nigeria Objective Score: 2.59

With a score of 2.59, this objective drew the highest average score among all five objectives. The panelists were unanimous that supporting institutions boost the professional interests of the independent media in Nigeria. Indicator 7, which evaluates channels of media distribution, received the highest rating, slightly more than half a point higher than the objective score. Indicator 8 scored the poorest, about three-quarters of a point lower than the objective score, indicating that panelists do not believe that information and communication technology infrastructure meet the needs of the media and citizens.

Nigeria has prominent print, broadcast, and online media associations with a mission to promote the interest of members.



Among these are the Newspapers Proprietors Association of Nigeria (NPAN), the Broadcasting Organization of Nigeria, and the Independent Broadcasters Association of Nigeria. Nigerian editors, media executives and proprietors also belong to global organizations like the World Association of Newspapers, the International Press Institute, and the Association for International Broadcasting. There are no legal obstacles to registering organizations and participation in the activities of the associations, which depend mainly on financial contributions of members.

The panelists reported mixed views on the quality of the service that the organizations render to members. A slight majority of the panelists said that the associations sometimes lobby the government on behalf of the members and that they do advocate for media independence. NPAN, for example, condemned the clampdown on newspapers in June last year, when armed soldiers arbitrarily disrupted the circulation of many newspapers. They not only condemned the action, but threatened to institute legal action against the government over the incident. Other panelists, however, described the services rendered by the associations as inadequate, arguing that they are not truly representative or supportive of members' interests.

Just like trade associations, there are prominent professional associations in the media established with the mandate to defend the professional and trade union rights of members. Such associations, whose operations are not restricted by any legislation, include the Nigeria Union of Journalists (NUJ), the Nigeria Guild of Editors (NGE), Radio, Television, and Theatre Arts Workers Union, and the Nigeria Association of Women Journalists. There are also those labeled as "beat associations," such as the Sports Writers Association, the Labour Writers Association, the Judiciary Correspondents Association, etc.

#### 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 associations are generally expected to act in solidarity through protests or legal actions whenever members' rights are violated, and render other services like training and advocacy to enhance welfare and working conditions. Generally, though, the panelists gave a mixed review of the associations. They noted that the groups have a tendency to seek patronage, including financial support, from government and private interests, weakening their ability to fight for the rights of members. The poor wages earned by most journalists and the inability of the NUJ to halt non-payment or irregular payment of wages are often cited as evidence of this ineffectiveness, although the NUJ has organized protests against media outlets that owe salaries. However, NUJ's actions are normally limited to media outlets that allow union activities. The management of some big print media outlets like The Punch and The Guardian have continued to deny their journalists the right to belong and actively participate in the activities of the union. The "beat associations" rarely act in the interest of the profession, as they mostly operate as cartels whose members sometimes collude to publish and or suppress stories based on pecuniary interests.

The panelists were unanimous that media support groups like Media Rights Agenda, International Press Centre, Institute for Media and Society, and the Wole Soyinka Centre for Investigative Journalism have been providing tremendous support and working effectively with other media stakeholders to uphold free speech and media independence in Nigeria. These groups, for example, advocated for the enactment of the Freedom of Information Act in 2011. They also work as media watchdogs by reacting to violations of media and journalists' rights, and collaborating with international free speech and human rights organizations. Some provide pro bono legal services for detained or assaulted journalists. They are equally involved in the advocacy for legislative reforms, including the need to make the obligation imposed on the media by section 22 of the constitution—to monitor governance and hold government accountable to the people—a fundamental, legally enforceable right. They have also been campaigning for the issuance of licenses for community broadcasting. The only reservation the panelists expressed regarding the NGOs working on freedom of expression is their limited influence in rural areas; they are mostly based in the urban centers.

Nigeria has many tertiary educational institutions offering programs and awarding degrees or diplomas in journalism and mass communication. Students are normally required to work in newsrooms for brief periods and engage in news production within their departments as part of required practical experience. "It is compulsory for undergraduates to produce newspapers, magazines, and broadcast programs as practical aspects of the study at the School of Communications of Lagos State University," according to Jimoh, who teaches at the school. The panelists, however, consider the quality of most of the



**"It is compulsory for undergraduates to produce newspapers, magazines, and broadcast programs as practical aspects of the study at the School of Communications of Lagos State University," according to Jimoh, who teaches at the school.**

degree programs to be poor, with some training institutions lacking studios for practical work. Additionally, because of the low ratio of teachers to the large population of students, they are unable to deliver quality lectures and monitor the students. "Lecturers are overworked because the classes are too large," said Akinreti, who also teaches at the Pan Atlantic University in Lagos. Panelists observed that the National Board for Technical Education is not doing enough to ensure that the teaching institutions have facilities that meet any standards. They said that the curriculum of the institutions should be reviewed to align with international standards.

Short-term trainings offered by local and foreign institutions are available in the country but not all are affordable. Such trainings focus on general and specialized areas of reporting including investigative reporting, financial reporting, environment reporting, budget and corruption reporting. There are also short-term programs that address the professional needs of media outlets in such important areas as marketing and advertising. Although some media outlets encourage their employees to avail themselves of these opportunities, they do so without financial support. Journalists therefore have to dig into their pockets to benefit from many trainings.

There are no undue restrictions on the importation and/or purchase of media inputs like newsprint, printing machines, and other production materials. The companies supplying these products work as profit-making businesses and are therefore less concerned about partisan issues.

Distribution channels such as newsstands, transmitters, cable, Internet, and mobile telephony are many and operate as businesses. They are apolitical, and are not restricted, as long as operators abide with relevant federal and state laws.

Broadcasters own their transmission equipment, while local television stations have fair access to cable networks as long as they can afford to buy the equipment and pay the required subscription fees. Equipment failures, network outages, or low Internet bandwidth sometimes hinder media operations, but this is usually a general problem. Media outlets have equal access to services as long as they can afford the subscription rate, which is usually high. To bypass this obstacle, some media outlets

offer free advertising space to the service providers under a barter system. Software, domain names and IP addresses are freely chosen, while relevant services are rendered without discrimination.

Panelists believe that the information and communication technology infrastructure do not sufficiently meet the needs of the media and citizens. Although a growing number of firms including Galaxy Backbone, IPNX, and Glo are providing broadband services, the costs are generally high. The media also face the barrier of low ICT capacity, including slow Internet connectivity and overloaded mobile phone networks. There is significant difference between the cities and rural areas in terms of ICT capacity, with better and quality services provided in the cities. Nigeria is pushing for transformation into digital broadcasting in 2015 after past efforts failed due to inadequate resources.

## List of Panel Participants

**Qasim Akinreti**, online editor, Voice of Nigeria, Lagos

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**Sanmi Falobi**, program associate, International Press Centre, Lagos

**Gwan Ritkatmwa**, news editor, KissFM, Abuja

**Jide Jimoh**, lecturer, School of Communications, Lagos State University, Lagos

**Emmanuel Toluwalope Olanrewaju**, head of news & current affairs, UNILAG FM Radio, Lagos

**Florence Oluohu**, weekend editor, *Nigerian Chronicle*; former state secretary, Nigeria Association of Women Journalists, Calabar

**Bosede Olusola-Obasa**, freelance reporter, Lagos

**Gbenga Salau**, reporter, *The Guardian*, Lagos

**Stella Sawyerr**, news editor, *Tell*, Lagos

**Chioma Ugboma**, correspondent, News Agency of Nigeria, Lagos

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