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BENIN

B

Benin's media sector has experienced consistent strength and growth in some areas, but several stubborn problems persist—including a disconnect between laws on paper and the actual climate for journalists, widespread self-censorship, low professional standards, poor business management practices, and a glaring disparity between urban and rural media offerings.

Over the course of 2009, the political opposition's complaints grew increasingly vocal concerning public service media. In one prominent example, Adrien Houngbedji, the most open opponent of the current regime, filed a complaint against the Benin Radio and Television Agency (ORTB¹), the national public service television channel. The case was filed with the Audio-Visual and Communication High Authority (HAAC²), which did react by punishing ORTB. However, once again, the government denied HAAC the right to grant new frequencies to applicants. In practice, the government still refuses to transfer this authority to the media regulatory agency, maintaining its grip over broadcast licensing.

While the climate of attacks on journalists appeared to improve, the situation with criminal charges worsened. For example, a court sentenced the publication manager of the weekly *Le Griot de la Cité* to six months in prison for slander against a technical communication advisor to the head of state. The manager served a month in jail.

Unfortunately, waging frequency wars and putting journalists behind bars are just two of the tactics that continue to undermine the media in Benin. Compounding the problem is the poor financial state of press enterprises, which are unable to secure long-term revenues in support of their activities. Inevitably, this affects the quality of press services. Journalists, using the excuse of poor pay rates, often doctor up the news.

However, Benin still has some strong, active media outlets providing objective news. The strength of their voices is helping to establish a prosperous democracy that many observers say provides regional role model. Beninese journalists also enjoy broad, unfettered access to domestic and international news sources.

¹ l'Office de Radiodiffusion et Télévision du Bénin

² Haute Autorité de l'Audio Visuel et de la Communication

BENIN AT A GLANCE

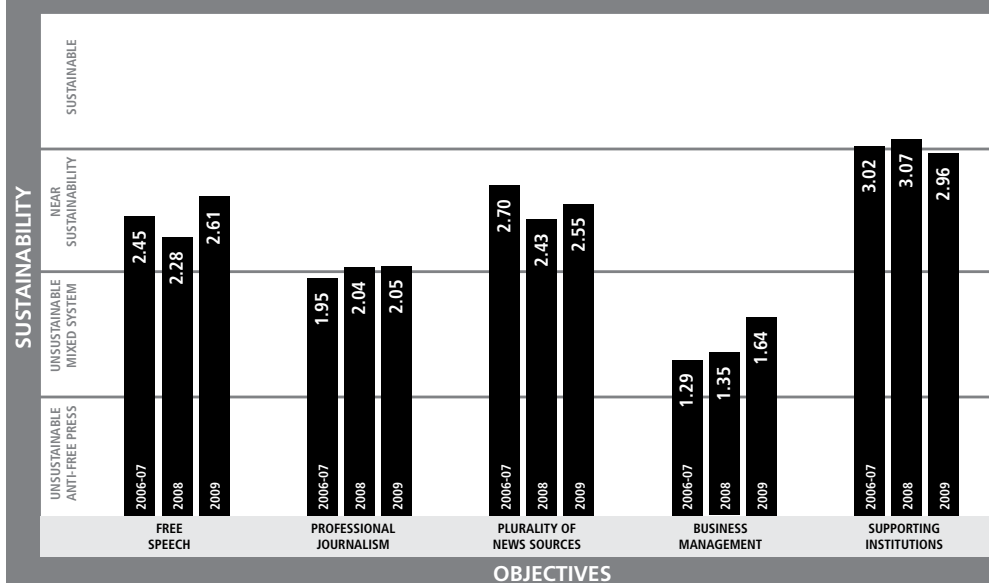
GENERAL

- > **Population:** 8,791,832 (May, 2009 est., *CIA World Factbook*)
- > **Capital city:** Porto-Novo
- > **Ethnic groups (% of population):** Fon and related 39.2%, Adja 15.2%, Yoruba 12.3%, Bariba 9.2%, Peulh 7%, Ottamari 6.1%, Yoa-Lokpa 4%, Dendi 2.5%, other 1.6%, unspecified 2.9% (2002 census, *CIA World Factbook*)
- > **Religions (% of population):** Christian 42.8%, Muslim 24.4%, Vodoun 17.3%, other 15.5% (2002 census, *CIA World Factbook*)
- > **Languages (% of population):** French (official), Fon and Yoruba (most common vernaculars in south), tribal languages (at least six major ones in north) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$6.715 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,510 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 34.7% (male 47.9%, female 23.3%) (2002 census, *CIA World Factbook*)
- > **President or top authority:** President Thomas Yayi Boni (since April 6, 2006.)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 53 total (28 daily newspapers, 25 periodicals); Radio Stations: 73; Television Stations: 5, including 1 public channel
- > **Newspaper circulation statistics:** Top three by circulation: *La Nation* (state-owned), Golfe FM (state-owned), Capp FM
- > **Broadcast ratings:** Top three radio stations: National Radio (state-owned), Golfe FM (state-owned), Capp FM; Top three television stations: (National television (public channel), Canal3 (privately-owned channel), Golfe TV (privately-owned))
- > **News agencies:** Agence Bénin Presse (state-owned), Agence de Presse Médiane Afrique (privately-owned), Agence Proximités (privately owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 160,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BENIN



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Benin Objective Score: 2.61

Benin's laws guarantee and protect the freedom of speech, and among African countries it consistently ranks near the top of freedom of the press indices, such as those produced by Freedom House and Reports Without Borders. Articles 23 and 24 of Benin's constitution, and the provisions of the organic law regulating HAAC, clearly uphold freedom of speech as an acquired and inalienable right. Unanimously, the Benin MSI panel participants said that the legal environment generally favors freedom of speech. However, some of the panelists objected to two laws (law 60-12 of June 30, 1960 and law 97-10 of August 20, 1997) regulating journalism in Benin that apply heavy prison sentences. In fact, quite a few journalists have experienced personally the effects of these laws.

The panel discussion of broadcast licensing generated passionate debate. In its original form, the process of granting licenses to broadcast media helped guarantee fair competition according to a set of rules. However, given the current HAAC term, the panelists found it difficult to state confidently that the license granting process is apolitical. HAAC launched proceedings twice, and the government vetoed it as many times—and according to a Constitutional Court decision, only the government is entitled to assign available frequencies.

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.

Press owners among the panelists registered special concern regarding the market entry indicator. They pointed out the difference between print media outlets and broadcast enterprises, as the latter must pay annual taxes to the treasury and file cumbersome paperwork. Currently, press owners are debating whether to request tax reductions for press enterprises that are struggling to become profitable.

Although previous reports noted harassment of journalists, Benin is one of the few countries in the region with practically no crimes against journalists, according to the panelists. The U.S. Department of State's *2009 Human Rights Report: Benin* backs this interpretation, noting, "Unlike last year, there were no reports that security forces intimidated and brutalized journalists."³ According to the MSI panelists, only occasional random acts occur and they are usually controlled quickly. Isolated incidents of police violence erupt occasionally during official events, inevitably the result of accompanying street demonstrations.

The panelists said that, in theory, public media outlets do not receive preferential legal treatment. However, under the current political regime, the public media have acquired advantages that expose them to editorial influence by the government. For example, this year the public television channel received subsidies amounting to CFA 8 billion (\$16 million), whereas the rest of the press receives only CFA 350 million (\$700,000) per year. Furthermore, opposition politicians have complained that ORTB covers their activities far less than ruling party and government activities.

In Benin, libel is often a difficult and complex legal problem. Libel is a criminal offense that can land journalists in prison or subject them to heavy fines. Furthermore, the burden of proof to provide evidence rests with accused journalists. Defendants are granted seven days to provide evidence—a period that journalists complain is too short. The panelists noted with regret that under the new press code (still in the process of being adopted), treatment of libel is not slated to change.

The U.S. Department of State has cited a 2007 report from Human Rights, Peace, and Development (a Beninese NGO known by the French acronym DHPD-ONG) that claims that often judges are lax in prosecuting libel cases.⁴ However, as mentioned above, Benin has still seen instances of journalists imprisoned for libel, such as the case of the publication manager of the weekly *Le Griot de la Cité*.

³ 2009 Human Rights Report: Benin; March 11, 2010. U.S. Department of State, Bureau of Democracy, Human Rights, and Labor 2009 Country Reports on Human Rights Practices. <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135938.htm> (Accessed July 1, 2010.)

⁴ *Ibid.*

Beninese journalists have trouble accessing public information. Legal provisions on access to official information are not clearly defined. Without a law facilitating such access, authorities only release carefully screened information, panelists said.

Beninese journalists have a wide array of domestic and international news sources from which to draw. The Internet allows Beninese journalists to obtain the news they want, when they want it, from the websites of international press agencies. However, the panelists said that some poorly-equipped media, particularly in rural areas, find Internet access to be cost prohibitive and do not enjoy the same access.

Benin has no laws restricting access to the profession, the panelists agreed. The government does not influence admission to journalism schools, media outlet recruitment of journalists, or professional associations, as noted in last year's MSI. However, HAAC has laid out exhaustive criteria for media professionals to obtain press cards, which essentially does limit who can work as a journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Benin Objective Score: 2.05

According to the panelists, many Beninese journalists need to improve their observance of professional journalism standards. In most cases, media outlets are profit-driven. Wishing to please their backers, journalists get away with broadcasting or publishing truncated news, without bothering to gather all the necessary evidence or search for different news sources. According to Tchanou Michel, a journalist who also chairs the Observatory for Ethics and

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

Responsibility in Media (ODEM), "The political loyalties or economic interests of the media outlet's owners are impediments to journalistic efficiency." The panelists agreed upon the need to improve technical equipment and to offer more assistance to journalists to strengthen their skills.

ODEM is the non-governmental organization tasked with regulating the media's ethical practices. As reported in last year's MSI, the Beninese media adopted a code of ethics in September 1999, following the example of other African countries. However, many journalists deviate from these principles. A U.S. State Department report on the human rights situation in Benin confirmed that ODEM did "...censure some journalists during the year for unethical conduct, such as reporting falsehoods or inaccuracies or releasing information that was under embargo by the government."⁵ Some panelists expressed concern that the poor working conditions and economic strain on media businesses are partly responsible for journalists' ethical and professional lapses.

Self-censorship is common practice among journalists. More often than not, journalists censor themselves to conform to their owners' interests. In particular, journalists avoid publishing articles that might affect managements' relations with certain political or business milieus. Fear of losing business connections or advertising accounts tends to drive self-censorship more so than political risks.

Although clearly self-censorship limits the topics that journalists choose to cover, the law also prohibits journalists from writing about certain topics related to defense, security, or pending legal cases. Journalists who decide to approach such issues must exercise caution. But aside from those topics, the press can report on important events and issues, the panelists said.

According to the panelists, the most pressing problem facing independent media outlets is their insecure financial status and very low salaries, which may invite corruption. To ensure positive media coverage, event organizers pay for reporters' transportation charges and provide per diems—and sometimes, outlets even ask the organizers to cover these costs. In addition, as reported in last year's MSI, some journalists try to make ends meet by accepting payments to write stories proposed by politicians.

Broadcast media outlets have well defined timeslots for news. However, the airtime dedicated to news bulletins is grossly inferior to the volume of entertainment shows in such media. Out of 24 broadcast hours, only one-third feature news and current events—the rest is entertainment programming.

According to the panelists, all media outlets strive to provide quality productions—although they are limited by the

⁵ Ibid.

availability of resources. The print media industry has seen an improvement in the quality of available equipment, but in the broadcast sector, serious equipment deficiencies persist. Television stations rely on obsolete technical equipment—obvious from the low image quality. Similarly, the poor sound quality of radio productions can be traced to the outdated analog recorders upon which radio stations still depend.

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

OBJECTIVE 3: PLURALITY OF NEWS

Benin Objective Score: 2.55

Beninese news sources are concentrated in the large urban centers. For rural residents, radio is the main source of news. Print media still struggle to reach rural populations, due in part to an undeveloped distribution system. This shortcoming is further compounded by local radio stations that frequently relay the news published in newspapers, rendering newspapers obsolete by the time they arrive.

Citizen access to domestic and international broadcast and print media is unlimited and unrestricted. Although Internet access is free, very few use the Internet to look for news—due primarily to a lack of financial and technical means.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

The panelists were unanimous that the executive power influences the public media. The state appoints its managers, and airtime favors the activities and viewpoints of members of the government more so than opposition parties or apolitical organizations. Although some managers labor to please the government by producing biased reports and columns, a few Beninese journalists fight for the public media to fulfill their public service function.

Currently, Benin has three private press agencies: Médiane Afrique, Proximités, and Sud Press. The traditional services they offer are not very profitable, though, so they tend to invest in secondary activities (training, education, and research). The panelists indicated that these agencies could do more to improve the profitability of their primary services. However, generally newspapers cannot afford press agency services, and instead turn to the Internet to help fill information gaps.

Regarding the success of independent broadcast media in producing their own programs, their environment is highly competitive. National radio stations have larger audiences and more resources to produce programs. Private radio stations offer productions designed for the populations living within their coverage areas, but these productions are not comparable in quality to national station programs.

As for the transparency of media ownership, the panelists agreed that identifying the funding sources of media houses is not easy. The true owners are often hidden from the public. In turn, the public has difficulty in assessing the degree of objectivity of news produced. In some cases, politicians or businesspeople use the media to protect their own interests by influencing editorial content.

Except for a few restrictions specific to the localities covered, most social interests are represented in the media. Local radio stations cover cultural and religious topics, and specialized print media outlets focus on subjects including business, education, sports, religion, and culture.

OBJECTIVE 4: BUSINESS MANAGEMENT

Benin Objective Score: 1.64

The panelists agreed that Benin's media outlets are poorly structured and managed and not profitable. Sales figures are insignificant compared to other businesses. Media accounting departments lack business plans, their personnel are qualified insufficiently, and often business management duties are combined with sales and administrative departments.

Revenue streams include newspaper sales, advertising, and communication campaigns. The HAAC grants government

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

BUSINESS MANAGEMENT INDICATORS:

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

funds very selectively to press outlets meeting the criteria set forth by the particular type of support. At the community level, the situation is so tenuous that sometimes mayors provide financial support to community media outlets in exchange for media coverage of their activities.

The advertising market is organized badly and distributed unevenly, so that advertising helps only a few outlets. On the other hand, the overflow of advertising is noticeable in the pages of the handful of newspapers that receive disproportionate shares of advertising funds. The panelists explained that in a chaotic advertising market, each press enterprise negotiates directly with advertisers. The panelists said that they see a need for a regulatory institution that can mobilize and manage advertising opportunities.

Three or four daily newspapers rely on sales and subscriptions to augment their revenues, but most media cite advertising as the most substantial source of income. One exception is *La Nation*, which boasts the best sales (in part because all the government-related departments must buy at least one subscription). *La Nation* also is the unofficial publisher of legal announcements—compensating for the irregularity of the *Journal Officiel*.

Regarding government subsidies for the independent media, the panelists said that the Beninese government grants an annual subsidy to the independent media. However, the panelists' primary concern is not that subsidies affect objectivity; rather, that subsidies are not very helpful because the government does not distribute them fairly—the public media receive far higher sums than independent media. A 2008 report published by DHPD-ONG stated that the government awards communication contracts to private media for propaganda purposes, influencing adversely the exercise of freedom of the press.

The panelists noted that very few media outlets acknowledge the value of audience research designed to better segment the market. Press owners prefer to micromanage on a day-to-day basis, without innovating or coming up with creative distinctions in terms of product presentation, panelists said. Aside from variations in headlines, many newspaper layouts look very similar. Broadcast program schedules hardly differ from one outlet to the next—newscasts are broadcast at the same times, interactive shows are similar, and all talk shows have virtually the same format. Only the tone varies, as well as image quality, depending upon the technical equipment used for production.

Additionally, the media sector has no reliable circulation statistics. Even the print runs and sales figures that press companies provide are tailored seemingly to the needs of whoever requests the information.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Benin Objective Score: 2.96

Although the press sector has shortcomings in business management, it is structured and organized with regard to professional associations. After the 2002 general convention of the Beninese press, the press publishers and media owners' associations merged into one association that organizes training sessions for its members. This association also fights to clean up the press industry's economic situation, namely: reducing taxes, forming an advertising regulation agency, and lobbying for an advertising law. All of these undertakings aim to end economic dependency and make press companies more profitable.

After the convention, journalists and other media professionals also merged into one union, which functions independently

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.

from the state. New membership is based on criteria agreed upon at the convention. The union has specialized departments, each in charge of a specific section: economics, parliament, politics, environment, etc. Regional union representatives are posted throughout the country. All parties agreed on a collective mission, and in recent years, the union has taken action to support journalists in danger, whether they are in prison, in court, or in conflict with other individuals.

Civil society organizations actively support the professional associations that protect media freedom. However, their activities are centered mainly in larger urban areas. The panelists did comment that the credibility and public image of some civil society organizations took a hit when the president appointed several of their leaders to serve as ministers in the cabinet. Nonetheless, some civil society members continue to serve as credible advocates for the media.

A few private schools train journalists for various radio and television specializations. In addition, Beninese journalism students now have the option of obtaining a graduate degree in media management. As these schools are still in the early stages of their development, and the cost is relatively high, enrollment is not yet strong. The panelists noted that the University of Benin will open a department of journalism in October 2010, enrolling a class of 40 future journalists in all media specializations.

Media members have continuing opportunities for professional training supported by various sponsors, including international institutions and the government. The most frequently organized training programs address writing technique and specialized topics coverage. In recent years, HAAC has put in place more structured and organized training courses, based on the results of a study that led to an ongoing program. A new program will begin in October 2010 under different management than HAAC.

Newspapers are printed by independently managed printing houses and are not subject to any governmental restrictions. Recently, about 10 Beninese newspapers have begun operating their own print presses, which has further enhanced their independence.

The existing distribution networks are apolitical and belong to the private sector. However, in the panelists' view, the networks should be reorganized to ensure that newspapers are distributed throughout the country in real time. As with Internet availability, large urban centers have a large supply of newspapers and rural areas do not enjoy the same access.

List of Panel Participants

Apol Emerico Adjovi, director of publications and member, Executive Office of Press Managers of Benin, Cotonou

Maurille Agbokou, journalist and former vice president, Observatory for Deontology and Ethics in the Media, Porto-Novo

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

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

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

Michel Tchanou, journalist and chair, Observatory for Ethics and Responsibility in Media, Cotonou

Alain Adoun, journalist, director of publication, and member, Union of Journalists of Benin, Cotonou

Wilfrid Gbegan, station manager, Radio Sèdohoun Allodalomè, Agbotagon

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

Eugénie Gnonhou, station manager, Ouèssè Community Radio, Ouèssè

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

Kassim Zato, manager, Nonsina Community Radio, Bembèrèkè

Moderator and Author

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

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

In Memoriam: François Laïbi

On September 15, 2009, François Laïbi passed away at the age of 45. Laïbi's work with media in the early 1990s, when private media began operating in Benin, earned him accolades from his peers and the title "pioneer of the private press." Laïbi was a tireless advocate for increased professionalism in the media. He worked for many media outlets and associations in his career, including *24 heures*, Médiante Afrique private news agency, the Network of Economic Journalists, and Benin's Media House. Laïbi also served as moderator and author of the first two Benin *Media Sustainability Index* studies, and contributed to the organization of this year's study despite his illness.