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 mauritania zambia burkina faso
 côte d'ivoire

MEDIA SUSTAINABILITY INDEX 2009

DEVELOPMENT
 OF SUSTAINABLE
 INDEPENDENT MEDIA
 IN AFRICA



MEDIA SUSTAINABILITY INDEX

2009

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



MEDIA SUSTAINABILITY INDEX 2009

The Development of Sustainable Independent Media in Africa
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Implementing Partners

IREX wishes to thank the following organizations that coordinated the fieldwork for and authored a number of the studies herein:

The Inter Africa Network for Women, Media, Gender and Development (Senegal) <http://www.kabissa.org/civiorg/443>

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

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

Media Foundation for West Africa (Ghana) <http://www.mediafound.org/>

Media Monitoring Project Zimbabwe <http://www.mmpz.org/>

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Social Research and Development Institute (Somaliland) <http://soradi.org/>

Sol Plaatje Institute for Media Leadership, Rhodes University School of Journalism and Media Studies (South Africa)
<http://www.spiml.co.za/>



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The results indicate that the worldwide media community has more in common than we may realize or acknowledge. The MSI approach works as well in Africa as it has in Europe and the Middle East. Professional norms, the importance of laws promoting free expression, sound management practices, and the importance of supporting institutions are not bound by geography or unduly constrained by cultural differences.



I am pleased to introduce the 2009 Africa Media Sustainability Index (MSI), the third such study of the region. The MSI provides an analysis of the media environment in 40 countries of Sub-Saharan Africa during 2009 and also shows trends in the media sector since 2006/2007. The MSI was first conceived in 2000 and launched in Europe and Eurasia in 2001, in cooperation with the United States Agency for International Development (USAID). Since that time, it has become a universally recognized reference for benchmarking and assessing changes in media systems across Africa, Europe and Eurasia, and the Middle East.

The MSI allows policymakers and implementers to analyze media systems and determine the areas in which media development assistance can improve citizens' access to news and information. Armed with knowledge, citizens can help improve the quality of governance through participatory and democratic mechanisms, and help government and civil society actors devise solutions to pervasive issues such as poverty, healthcare, conflict, and education.

The MSI also provides important information for the media and media advocates in each country and region. The MSI reflects the expert opinions of media professionals in each country and its results inform the media community, civil society, and governments of the strengths and weaknesses of the sector. IREX continues to encourage professionals in their vital efforts at developing independent and sustainable media in their own countries or, in many cases, preserving alternative voices in the face of repressive governments.

IREX would like to thank all those who contributed to the publication of the Media Sustainability Index 2009. Participants, moderators, authors, and observers for each country, listed after each chapter, provided the primary analysis for this project. At IREX, Leon Morse managed the MSI with editorial assistance from Dayna Kerecman Myers. USAID has been a consistent supporter of the MSI, helping to develop the project and ensure its ongoing implementation.

We hope you will find this report useful, and we welcome any feedback.

Sincerely,



W. Robert Pearson
President, IREX

Interestingly, many governments that censor traditional media do not yet restrict the Internet. Perhaps believing it unnecessary, these governments instead might be relying on poor access and the prohibitive cost of connecting to dampen the Internet's influence.



The 2009 edition of the Africa Media Sustainability Index (MSI) includes 40 individual studies. The MSI began studying sub-Saharan Africa in 2006/2007. As this is the third MSI study of the region, there are now several years of data, enough to draw a meaningful understanding of the development trajectories for the region, and the individual countries studied.

Our analysis is both quantitative and qualitative, but it is not intended to be exhaustive, and neither are any of the recommendations made here. The MSI is designed to serve as a summary of overall developments, and a starting point for further research by local media practitioners, international media development workers, academics, and others. IREX intends for the MSI results to serve as one tool in the diverse conversation about media development, and to support advocacy efforts aimed at improving the media's ability to inform the citizens of the countries under study.

The MSI panelists incorporate findings related to new media development in their discussions, and the MSI is poised to identify emerging trends and chart progress in this area over the coming years. The MSI's methodology is designed to incorporate into its finding the use of new technology in the media as it pertains to each country. The MSI's methodology captures the performance of a country's media sector regardless of the specific nature of its prevailing platforms. The MSI will include the impact of current and yet-to-be invented forms of media in future editions.

New Media Landscape

In Uganda, you need look no further than schoolchildren clad in hot pink uniforms, or to the ubiquitous buildings painted hot pink and plastered with the logo of the telecommunications company Zain, to grasp the important role that telecommunications technology plays in this and many other African countries.

In bustling Internet cafés from Abidjan to Johannesburg, signs of a growing new media presence are increasingly evident. Already, more South Africans access the Internet with the help of their mobile phones than computers. SMS technology played an important role in helping Zanzibar achieve near-elimination status in the battle against malaria by giving community health workers the ability to record invaluable data and to access information across the Tanzanian island. Similarly, in Namibia, MSI panelists underscored the success of a similar SMS public health campaign targeted at halting the spread of tuberculosis. Across the continent, during the fever pitch of the 2010 World Cup soccer tournament, advertisers seized upon the burgeoning opportunities offered by new media tools.

Although new media promise to open new avenues of expression across the continent, some governments view the expansion of such technologies as a threat. At one end of the spectrum, South Africa and Tanzania enjoy a relatively high degree of digital freedom. At the other end of the spectrum, the authorities in Eritrea are thought to have enlisted assistance from the Chinese authorities to implement Internet monitoring technology. Other governments, as in Niger, do not control or restrict access overtly but there are signs they monitor e-mail and the online distribution of data. Furthermore, Nigerien authorities pressured one website developer to withdraw a number of articles they found upsetting. The Ethiopian authorities launch periodic cyber blockades of content they deem threatening.

Interestingly, many governments that censor traditional media do not yet restrict the Internet. Perhaps believing it unnecessary, these governments instead might be relying on poor access and the prohibitive cost of connecting to dampen the Internet's influence. For instance, for most people living in the Central African Republic the Internet is a luxury—even for residents in Bangui, where only a handful of media outlets have websites. While the government does not restrict access to the Internet, it is a matter less of freedom of speech than the simple lack of need (or possibly resources) to control Internet use. Most certainly the government realizes the limited reach of the Internet does not yet justify worry when considering what information is being received by the majority of the population.

Ethiopians in major cities are able to access online news sources with growing ease, but outside urban areas, Internet reliability and speed weaken predictably. In Tanzania, as in Kenya, reliable power sources, Internet access, and computers, are concentrated in urban areas. In Kenya's cities and towns with Internet availability, however, few use it to read the news—it is primarily a personal communication tool.

Cost and logistical barriers remain the most common obstacles to access to new media in many countries. In Côte d'Ivoire, the popularity of the Internet, which has become an essential source of information, is proving to be formidable competition for the print media. Internet users pay XOF 200 (about \$0.40) for an hour of Internet access—less than the price of a daily newspaper. In contrast, many African countries cannot afford the technology, and thus lag behind.

The authorities in Cameroon do not attempt to restrict access, but given high fees and slow connections, only about two percent of all citizens have access. Access is so limited in remote parts of Burundi that many rural residents do not even know what the Internet is. Only some urban centers have Internet connections—although youth are helping to spark interest. Similarly, in Burkina Faso, radio continues to be

the dominant medium—partly because of the cost of other platforms, and partly because of Burkina Faso's low literacy rate. On a positive note, radio stations there are beginning to embrace the use of the Internet. ONATEL, Burkina Faso's telecommunications operator, established Internet access in the late 1990s, but for some time the Internet was essentially a luxury for the urban elite. Now, the growth of Internet cafés is helping to correct that imbalance.¹ Meanwhile, along with spreading enthusiasm of new media tools, public interest in news is rising.

While countries such as Ghana enjoy a rich foundation of ICT infrastructure and services to aid the telecommunications and media industries, poor electrical infrastructure remains a significant barrier to access in many countries, including Liberia. Liberia is an interesting example, however, of a country where the use of the Internet for news is expanding rapidly, despite the high cost and challenging infrastructure. The growing popularity of mobile phones has introduced a powerful new dimension to communication, and the mobile phone companies have introduced digital EDGE technology—unlocking Internet accessibility for some rural residents.

Only a handful of countries mentioned widespread use of blogs and SMS for news. In The Gambia, although the Internet is still something of a novelty, awareness is growing with the emergence of mobile-phone Internet service providers—an important injection for a country with just one, government-controlled, television station and where the authorities often block websites they consider threatening. Echoing the way that Burundi's youth have embraced new media, the recent introduction of SMS news alerts has proved particularly attractive to Gambian youth. In addition, Gambians outside of the country have set up online newspapers, radios, and blogs.

Elsewhere, as in Namibia and Uganda, SMS news alerts, or news blogs, are emerging, but not yet common—though the publication of SMS messages in newspapers remains popular. Blogging is still uncommon in Ethiopia, and SMS news alerts are nonexistent. Blogs are rare in Guinea, despite the relatively low cost of access there, but the local telecom companies have embraced SMS news texts. Niger's government called on newspapers to cease SMS service (where readers, for only \$1, can send comments and opinions that frequently criticize the government and other public institutions). In Sudan, although mobile-phone news alerts exist, few Sudanese can afford to subscribe.

In other countries, however, blogging about news and current events is beginning to take off—demonstrating the power it holds to draw in more public involvement, and interest, in

¹ The Panos Institute West Africa: "Radio and ICT Connectivity and Use in West Africa." October, 2008: p. 44.

news. For example, Madagascar's political crisis stimulated citizens' interest in news, and blogging emerged as a viable debate forum. Furthermore, demonstrating the potential of new media to forge new connections between citizens across the continent, a blogger from Madagascar—Andriankoto Harinajaka Ratozamanana—covered Gabon's elections for Global Voices Lingua and blogged about the experience for the Committee to Protect Journalists. He highlighted the fact that many candidates were making use of websites and social networking sites, including Facebook, Flickr, YouTube, and Twitter, in their campaigns, and one sent out SMS messages.² Ratozamanana also described how the election unlocked the potential of new media for the Gabonese. "At first, many young people I met did not seem very interested in the Internet. In fact, the most educated told me they used the web exclusively to check e-mail and visit chat or dating sites... Nevertheless, with help, a few people took their first steps in using the web as social media, and a handful of new citizen voices slowly emerged." Ratozamanana described how a journalist named Gaston Asséko broadcast his election-day experience on YouTube.³ Thus, the transformational role that blogging played in the island nation of Madagascar was transferred to Gabon, on the other side of the continent, where new media has been slow to take off—bringing greater awareness of the power of new media platforms to include and amplify new voices.

Notable Country Developments

Although many scores did not change dramatically, serious shifts within the objectives nonetheless reveal significant changes. For example, although Niger's overall score did not change dramatically, for the first time Objective 1 (freedom of speech) fell below a 2 (the threshold of near-sustainability), signifying a setback reflected in the Niger government's decision to close the Press House in 2008.

Although no countries studied in the MSI Africa edition have yet moved in the range of sustainability on the MSI scale (signified by a score between a 3 and a 4), at 2.99, South Africa's 2009 MSI overall score climbed to the brink, strengthening its leadership status in the region and on the continent. For South Africa's neighbor, Botswana, the authorities continue to erode past gains in media freedom. Botswana's overall score fell to a small degree, and most objectives did not change dramatically—but, significantly, objective 1 (freedom of speech) dropped a third of a point. This major setback was dealt when the government signed the

² Ratozamanana, Andriankoto Harinajaka. "Gabon's bloggers struggle to take hold." Committee to Protect Journalists Blog, <http://cpj.org/blog/2009/10/gabons-bloggers-struggle-to-take-hold.php> (Accessed October 15, 2010.)

³ Ibid, Ratozamanana.

Media Practitioners Act (MPA) into law, requiring journalists to secure government accreditation and stipulating that media organizations must be licensed by a statutory media council. Madagascar's poor overall score—which dipped into the unsustainable, mixed-system range—reflected the effects of a political crisis that threatened media sustainability, with setbacks in objectives 1, 2, and 3.

A handful of countries, including Eritrea, Equatorial Guinea, and Zimbabwe, continued on a severely destructive course. Eritrea continues to receive the lowest scores—the lowest for not only the Africa MSI, but the Middle East & North Africa and the Europe & Eurasia editions, as well. All semblance of an independent media in Eritrea has been swept away. In Equatorial Guinea, despite an overall score that notched up slightly to 0.87 from last year's score of 0.79, the persecution of journalists remains commonplace, and the government shows zero tolerance for dissenting views. Scores for Zimbabwe, another country that fared poorly, with an overall score of 1.13, barely changed from last year. The restrictive media environment has left citizens unable to express their opinions freely about the course of events unfolding in their country. Even Internet café patrons are subject to surveillance by the ever-watchful authorities. Meanwhile, journalists are kept in check by harassment, arrest, and prosecution under the repressive media laws that remain on the books.

The Committee to Protect Journalists (CPJ) declared 2009 the deadliest year for African journalists since 2002. Twelve African journalists were murdered in cases that were clearly linked to their work. Most of these journalists—nine of them—lived in Somalia, but there were also killings in Nigeria, Kenya, and Madagascar. In addition, two journalists were killed under suspicious circumstances in the Republic of Congo and the Democratic Republic of Congo. Furthermore, CPJ's East Africa consultant, Tom Rhodes, said, "No perpetrator in any of the African cases has been brought to justice. Such a record sends a chilling message to local reporters: you can be killed, at any time, without repercussions."⁴

Indeed, concern over the impunity enjoyed by those that harm journalists was a major reason for regressions in the MSI scores for Objective 1 (legal and social protections for free speech). Reflecting the severe mistreatment of journalists, indicator 4 (crimes against journalists) dropped to the lowest possible score in Somalia, and more than a third of a point in other countries, including Sudan and Ethiopia. Some West African governments are cracking down sharply on media outlets, too. Nigeria's Objective 1 score retained its place as the lowest-scoring of the five objectives for the third year running.

⁴ Rhodes, Tom. "2009 marks decade's deadliest year for African journalists." Worldfocus website, December 17, 2009. <http://worldfocus.org/blog/2009/12/17/2009-marks-decades-deadliest-year-for-african-journalists/8918/>

In Niger, following the government's decision to close down the Press House in June 2008, tension between media outlets and the authorities has grown thick. The persecution of journalists can often be traced to the nominally independent Higher Communications Council—the very agency tasked with protecting the freedom and independence of the media.

While violence against the media is sadly all too common across the African continent, there are many countries that uphold the freedom of speech. The MSI's highest-scoring countries continue to be in Southern Africa and East Africa. Benin continues to be a West African leader, with strong, active media outlets providing relatively objective news. These voices are helping to establish a prosperous democracy and a role model for the region.

Côte d'Ivoire has also demonstrated a commitment to defending freedom of speech and promoting the freedom of the press, despite the lingering effects of civil war. In addition to Côte d'Ivoire's fundamental law upholding the freedom of speech, the laws on print and broadcast media adopted in 2004 are considered fairly strong. Still, only the radio sector has succeeded in making full use of Côte d'Ivoire's press freedom. In the five years since the radio and television media law passed, not one private television channel has gone on the air in Côte d'Ivoire. As further evidence of the power of new media, however, Ivoirians are showing interest in the possibilities of broadcasting television programs on the Internet.

In southern Africa, on a positive note, the huge public outcry (expressed in a flurry of letters and SMS messages in the local media) regarding a government ban on a popular program in Namibia, *Chat Show*, showcased Namibia's strong civil society sector and general high regard for freedom of speech. Similarly, in Botswana, journalists, independent media houses, and civil society sector all vehemently opposed the signing of the Media Practitioners Act (MPA). In an otherwise challenging year in which the freedom of speech objective dipped by a third of a point, objective 5 (supporting institutions) remained static: the passing of the MPA spurred civil society activists into forming an umbrella organization named the Coalition for the Freedom of Expression.

Another development to watch is the growth of investigative reporting. Too risky an endeavor in many countries in Africa, there are a few countries that are making progress. Kenya is seeing a growth in investigative reporting, especially in exploring problems in the health system. In Rwanda, investigative reporting is growing, and some journalists have taken up specialized reporting—but still on a small scale, and not as prevalent in broadcast as in print.

Obstacles to Access: Poverty, the Urban-Rural Divide, and Illiteracy

From Benin, to Zimbabwe, to Kenya, rural residents are being left behind in terms of access to news. Furthermore, the cost deters many would-be users—especially in rural areas, where potential users must pay about four times more than someone in Nairobi. In some rural areas lacking computers, electricity, or other basic infrastructure, Internet access seems an especially distant prospect. However, the Ministry of Information is designing plans to introduce “digital villages” to help bridge the technological divide between urban and rural Kenyans.

Across much of the continent, radio continues to be the dominant medium. This is partly due to affordability: radio batteries, while out of reach for some, are generally much more affordable than television and even newspapers. The lack of electrical infrastructure and poor distribution of print media outside major cities also hamper access.

Still another factor is widespread illiteracy—especially among women. In Burkina Faso, for example, only about 15 percent of women can read and write, while about 30 percent of men are literate. The numbers are similar in many other countries—especially in West Africa. In Niger, about 43 percent of men are literate, but only 15 percent of women. In Chad, about 41 percent of men can read, compared to less than 13 percent of women. Compare that to Botswana (roughly 80 percent of men and 82 percent of women are literate), Kenya (about 91 percent of men are literate, compared to 80 percent of women), South Africa (87 percent of men, 85 percent of women) and Rwanda (76 percent of men, 65 percent of women). It is also interesting to consider that Ghana and Benin, two West African countries where the freedom of speech is respected relatively well—and the proliferation of new media tools is evident—have slightly higher literacy rates. In Ghana, with about 66 percent of men and 50 percent of women able to read—rates which are somewhat low for the continent, but high for the region. In Benin, about 48 percent of men and about 23 percent of women are literate.

Of course, in countries with repressive governments, a high literacy rate cannot save the independent media. Equatorial Guinea and Zimbabwe, with male literacy rates in the low 90s and female literacy rates in the upper 80s provide ample proof of that. Still, an examination of the sustainability of media outlets in Africa cannot overlook the challenge of illiteracy. There is a huge, untapped market for print and online media.

The Greatest Needs for External Assistance

Some of the countries studied by the MSI, such as Burundi, Chad, and Togo, still lack journalism schools or degree programs in journalism. Elsewhere, as in Cameroon, schools

blur the line between communication and journalism. Beninese students interested in becoming journalists can find training institutions, but the cost is prohibitive. On a more positive note, Nigeria's journalism training institutions are increasingly incorporating more practical, hands-on experience into their training programs, and encourage students to seek out newsroom internships. These programs are also helping their students gain practical training in various aspects of running campus radio stations or producing campus newspapers or journals. Burkina Faso's schools offer degree-level programs and professional training in journalism, and panelists have noted improvements in the quality of academic programs. Many Chadian journalists train abroad. Burkinabè students also commonly study journalism in other African countries (Senegal, Togo, Côte d'Ivoire), and in Europe. There is a downside to improved training, however, seen in a number of countries, such as the Central African Republic, Sudan, and Eritrea—and it is a phenomenon not limited to Africa. Many of the best media professionals with formal training in journalism leave their jobs for better-paying opportunities.

There are many countries that lack schools dedicated to journalism, and quality is lacking in some of the institutions in countries where they do exist. Panelists from the Democratic Republic of Congo underlined the need to reform the curriculum of journalism schools, with a particular emphasis on developing speaking capabilities, foreign languages, computer knowledge, history, geography, and even geopolitics.

Despite limited quality degree options, there are other training opportunities for journalists, both locally and internationally, and these help journalists fill in gaps. In Burkina Faso, journalists take short-term training classes to help develop their skills, sometimes in the form of exchanges with European donors. For example, media professionals in one city, Bobo-Dioulasso, set up a partnership with journalists from the Rhône-Alpes region of France to facilitate trainings. Journalists from France came to Bobo-Dioulasso for a 10-day training in journalistic techniques. More exchanges are planned for 2010 and 2011, as well.

In The Gambia, journalists depend heavily on short-term training courses, both local and international, covering basic skills as well as niche topics. In 2009, the training courses were all free, and the journalists have taken advantage of the offerings and benefited—a model that has worked well. In contrast, in Nigeria, while there are some short-term, in-service training opportunities, for the most part media managers have not been very supportive, and journalists must pay for their own training. As a result they are not as popular. Other training constraints cited in various country reports include the

lack of training institutions, and the lack of skilled journalists to facilitate training.

In Burundi, media classes are often developed by local organizations, but funded by NGOs and international organizations (such as UN agencies). Eventually, most journalists take advantage of short-term, on-the-job training as well. These trainings emphasize news gathering skills as well as cover special topics such as security, the environment, and human rights. However, one panelist said that these training sessions are insufficient, and sometimes the per diem is not attractive enough to lure participants.

Quality niche reporting continues to be a rarity, from Burundi to Zambia. Burundian panelists said they receive little training in specialized topics such as diplomacy, trade, or economics. Sudanese panelists called for more training in basic journalism skills, and covering events in a sensitive war zone. In Rwanda, panelists attributed the relative strength of some organizations in niche reporting to extra investments in training. Panelists from Gabon and Rwanda emphasized the need to train advertising professionals in the media; Rwanda's panelists expressed concern that training programs disproportionately target editorial departments to the detriment of business management. Back-end web support and telecommunications training is needed as well, to encourage more widespread use of new media.

Facilities and Equipment

In addition to the clear calls for more targeted training, many panelists expressed a dire need for upgraded equipment—and for training on using it properly. Journalists grapple with obsolete technical equipment in a number of countries. In an extreme example, some media outlets in the Democratic Republic of Congo are so poor that they not only struggle to buy computers and digital photo and video cameras—some cannot even afford a radio or television set. Other countries still rely on Dictaphones. Even in countries such as Rwanda, which have managed to upgrade their facilities and equipment, there is room for improvement. Computers and digital cameras are in particularly short supply. There is also a need for modern training facilities. Although some media outlets have upgraded equipment and facilities used to gather and distribute the news, there is still much need for improvement—and the shortage of modern equipment clearly inhibits the quality and reach of news coverage.

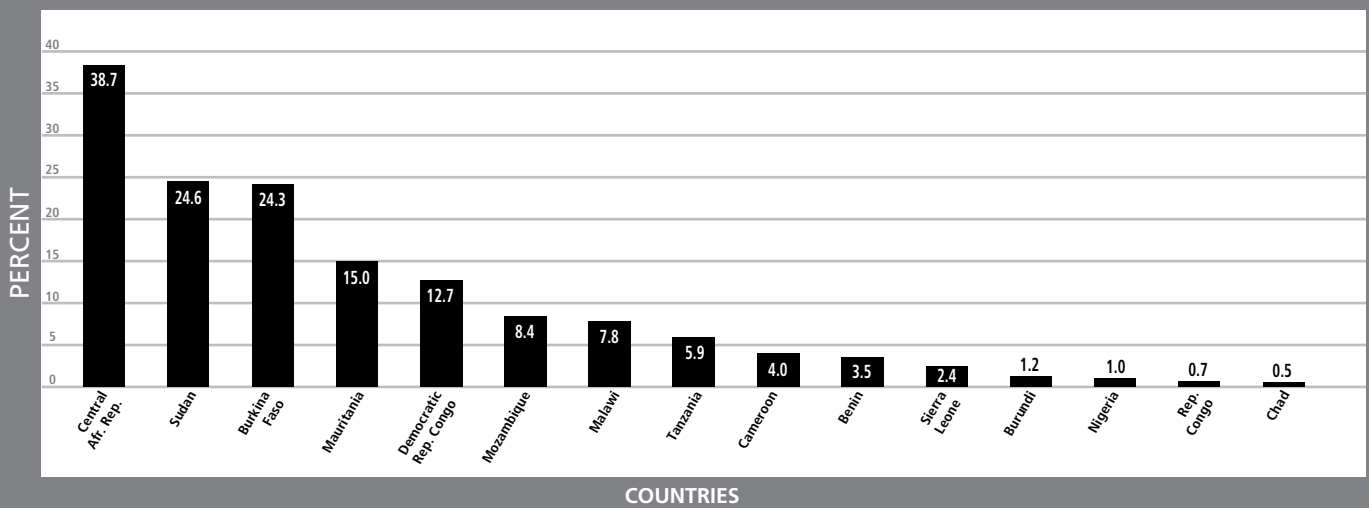
Changing Civil Society Structure

Countries emerging from war or humanitarian crises, such as Liberia and Burundi, have received a lot of international attention, including some support for the media. There is a concern, though, that the media might be becoming too

dependent upon aid for operations, while neglecting to pursue more sustainable approaches. For example, in Burundi a panelist noted that media outlets do not invest in training their personnel, expecting international organizations to help. Another concern is that some training programs sponsored by international organizations fail to address sustainability. This has created an expectation that the media needs outside support, preventing the media sector from improving internal training or business management practices. Shifting the focus away from outright operational support and toward training

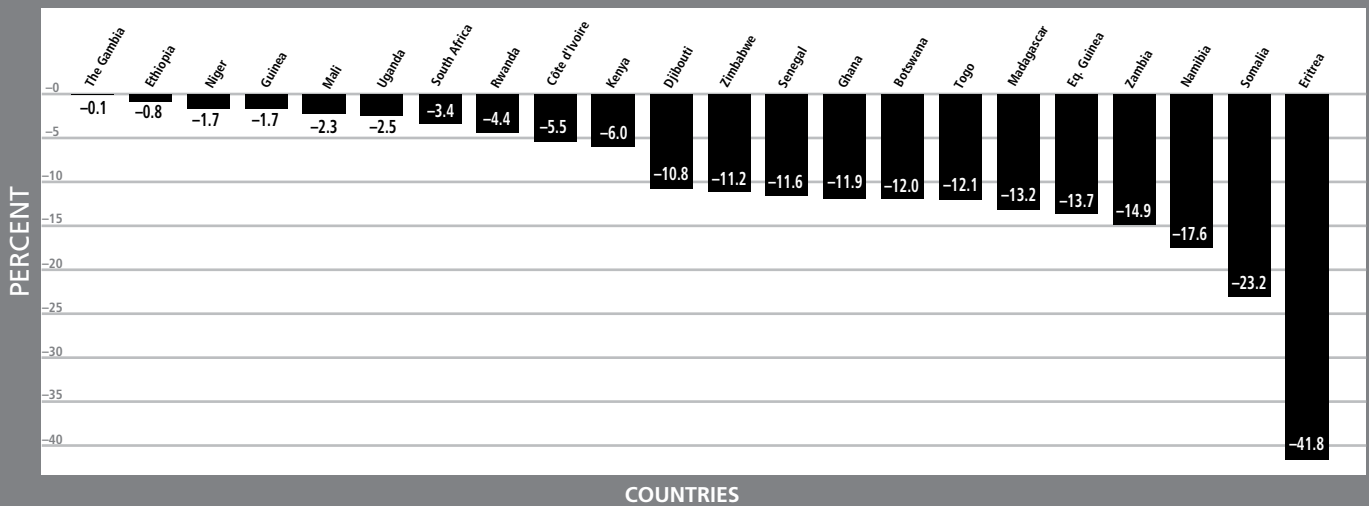
geared toward improving sustainability—such as income generation models for media outlets, effective management models, and methods to boost management and sales—could help address this challenge. The development of local media rights NGOs is another pillar of sustainability that needs support—perhaps through more training for professional associations. Part of the equation, though, is working to create more demand and purchasing power from the citizens, improving education and literacy, and lobbying for a more just playing field for the independent media.

PERCENT CHANGE GAINS IN MSI 2006–2009: AFRICA



Data for Gabon, Liberia, and Somaliland will be included in this chart in future editions once three years of data are available.
 Post-publication correction, May 17, 2011: The percent change in score for South Africa, Sudan, Tanzania, Togo, Uganda, Zambia, and Zimbabwe was incorrect in the print version. This page reflects the correct changes in score.

PERCENT CHANGE LOSSES IN MSI 2006–2009: AFRICA



Data for Gabon, Liberia, and Somaliland will be included in this chart in future editions once three years of data are available.
 Post-publication correction, May 17, 2011: The percent change in score for South Africa, Sudan, Tanzania, Togo, Uganda, Zambia, and Zimbabwe was incorrect in the print version. This page reflects the correct changes in score.

MEDIA SUSTAINABILITY INDEX 2009: PROFESSIONAL JOURNALISM

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| <p>▼ Eritrea (0.19)</p> <p>▲ Eq. Guinea (0.99)</p> <p>□ Zimbabwe (0.94)</p> | <p>□ D. R. Congo (1.43)</p> <p>▼ Rep. Congo (1.31)</p> <p>□ Djibouti (1.43)</p> <p>▼ Ethiopia (1.32)</p> <p>▼ Somalia (1.38)</p> <p>▼ Togo (1.08)</p> | <p>▲ Cameroon (1.85)</p> <p>▲ Cent. Afr. Rep. (1.80)</p> <p>▲ Côte d'Ivoire (1.60)</p> <p>▲ Gabon (2.00)</p> <p>□ The Gambia (2.00)</p> <p>▼ Ghana (1.99)</p> <p>▼ Kenya (1.88)</p> <p>▼ Liberia (1.73)</p> <p>▼ Madagascar (1.75)</p> <p>▲ Mali (1.98)</p> <p>▼ Mauritania (1.51)</p> <p>▼ Niger (1.87)</p> <p>▼ Senegal (1.91)</p> <p>▼ Sierra Leone (1.92)</p> <p>□ Somaliland (1.74)</p> <p>▲ Sudan (1.60)</p> <p>▼ Uganda (1.91)</p> <p>□ Zambia (1.83)</p> | <p>□ Benin (2.05)</p> <p>□ Botswana (2.24)</p> <p>▲ Burkina Faso (2.13)</p> <p>▲ Burundi (2.44)</p> <p>▲ Chad (2.22)</p> <p>□ Guinea (2.14)</p> <p>▲ Malawi (2.50)</p> <p>▲ Mozambique (2.17)</p> <p>□ Namibia (2.23)</p> <p>▲ Nigeria (2.12)</p> <p>▼ Rwanda (2.12)</p> <p>▲ Tanzania (2.26)</p> <p>▲ South Africa (2.81)</p> | | | | |
| 0 – 0.50 | 0.51 – 1.00 | 1.01 – 1.50 | 1.51 – 2.00 | 2.01 – 2.50 | 2.51 – 3.00 | 3.01 – 3.50 | 3.51 – 4.00 |
| UNSUSTAINABLE ANTI-FREE PRESS | UNSUSTAINABLE MIXED SYSTEM | NEAR SUSTAINABILITY | | SUSTAINABLE | | | |

MEDIA SUSTAINABILITY INDEX 2009: PLURALITY OF NEWS SOURCES

| | | | | | | | |
|---|--|--|--|--|-------------|-------------|-------------|
| <p>□ Eritrea (0.17)</p> <p>□ Eq. Guinea (0.89)</p> <p>□ Zimbabwe (0.84)</p> | <p>▼ Djibouti (1.19)</p> <p>▼ Ethiopia (1.15)</p> <p>▼ The Gambia (1.50)</p> | <p>□ Cameroon (1.94)</p> <p>▲ Cent. Afr. Rep. (1.83)</p> <p>▲ Chad (1.78)</p> <p>▼ Rep. Congo (1.67)</p> <p>▼ Madagascar (1.83)</p> <p>▼ Mauritania (1.53)</p> <p>▼ Niger (2.00)</p> <p>▼ Somalia (1.46)</p> <p>□ Somaliland (1.89)</p> <p>▲ Sudan (1.78)</p> <p>▲ Togo (1.90)</p> | <p>□ Botswana (2.14)</p> <p>□ Burkina Faso (2.23)</p> <p>□ Burundi (2.31)</p> <p>▲ D. R. Congo (2.31)</p> <p>□ Côte d'Ivoire (2.28)</p> <p>□ Gabon (2.30)</p> <p>▼ Ghana (2.33)</p> <p>▼ Guinea (2.29)</p> <p>▲ Kenya (2.15)</p> <p>□ Liberia (2.08)</p> <p>▼ Malawi (2.39)</p> <p>▼ Namibia (2.21)</p> <p>▲ Nigeria (2.34)</p> <p>□ Senegal (2.32)</p> <p>□ Sierra Leone (2.17)</p> <p>▼ Tanzania (2.37)</p> <p>□ Zambia (2.05)</p> | <p>▲ Benin (2.55)</p> <p>▲ Mali (2.52)</p> <p>▲ Mozambique (2.53)</p> <p>▼ Rwanda (2.55)</p> <p>▲ South Africa (2.79)</p> <p>□ Uganda (2.66)</p> | | | |
| 0 – 0.50 | 0.51 – 1.00 | 1.01 – 1.50 | 1.51 – 2.00 | 2.01 – 2.50 | 2.51 – 3.00 | 3.01 – 3.50 | 3.51 – 4.00 |
| UNSUSTAINABLE ANTI-FREE PRESS | UNSUSTAINABLE MIXED SYSTEM | NEAR SUSTAINABILITY | | SUSTAINABLE | | | |

CHANGE SINCE 2008

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

Annual scores for 2006 through 2009 are available online at http://www.irex.org/system/files/Africa_msiscores.xls

MEDIA SUSTAINABILITY INDEX 2009: BUSINESS MANAGEMENT

| | | | | | | | |
|----------------------------------|-------------|---|-------------|------------------------|------------------|-----------------------|-------------|
| | | <ul style="list-style-type: none"> ▲ Benin (1.64) ▲ Burkina Faso (2.00) ▲ Burundi (1.62) □ Ethiopia (1.52) □ Cameroon (1.24) ▲ Gabon (1.65) ▲ Cent. Afr. Rep. (1.04) □ Madagascar (1.94) □ Chad (1.44) □ Mali (1.53) ▼ D. R. Congo (1.03) ▼ Mauritania (1.58) □ Djibouti (1.11) ▲ Niger (1.86) □ The Gambia (1.45) ▼ Rwanda (1.75) □ Liberia (1.45) ▲ Senegal (1.80) □ Somaliland (1.48) □ Sierra Leone (1.55) □ Togo (1.14) ▲ Sudan (1.78) □ Zimbabwe (1.49) ▲ Zambia (1.73) | | | | | |
| ▼ Rep. Congo (0.93) | | | | ▼ Botswana (2.08) | | | |
| ▲ Eq. Guinea (0.59) | | | | ▲ Côte d'Ivoire (2.15) | | | |
| ▼ Somalia (0.89) | | | | ▼ Ghana (2.02) | | | |
| □ Eritrea (0.14) | | | | □ Guinea (2.01) | | | |
| | | | | ▼ Malawi (2.09) | | | |
| | | | | ▲ Mozambique (2.22) | | | |
| | | | | ▼ Nigeria (2.02) | | | |
| | | | | □ Tanzania (2.20) | ▲ Kenya (2.62) | | |
| | | | | □ Uganda (2.35) | ▼ Namibia (2.51) | | |
| | | | | | | ▲ South Africa (3.02) | |
| 0 – 0.50 | 0.51 – 1.00 | 1.01 – 1.50 | 1.51 – 2.00 | 2.01 – 2.50 | 2.51 – 3.00 | 3.01 – 3.50 | 3.51 – 4.00 |
| UNSUSTAINABLE ANTI-FREE PRESS | | UNSUSTAINABLE MIXED SYSTEM | | NEAR SUSTAINABILITY | | SUSTAINABLE | |

MEDIA SUSTAINABILITY INDEX 2009: SUPPORTING INSTITUTIONS

| | | | | | | | |
|----------------------------------|-------------|-------------------------------|-------------|--|-------------|-------------|-------------|
| | | | | <ul style="list-style-type: none"> □ Botswana (2.28) ▲ Burundi (2.19) ▲ Chad (2.10) ▼ Côte d'Ivoire (2.21) ▲ Cameroon (1.98) ▲ Cent. Afr. Rep. (1.83) □ D. R. Congo (1.97) ▼ Gabon (1.91) □ The Gambia (1.72) ▼ Madagascar (1.96) ▼ Rep. Congo (1.28) ▼ Mauritania (1.63) ▼ Djibouti (1.17) ▼ Somalia (1.39) □ Sudan (1.31) □ Eq. Guinea (0.80) ▼ Ethiopia (0.81) □ Togo (1.67) □ Zimbabwe (1.81) | | | |
| | | | | <ul style="list-style-type: none"> ▼ Benin (2.96) ▲ Burkina Faso (2.94) ▼ Ghana (2.56) ▲ Kenya (2.57) □ Malawi (2.51) □ Namibia (2.65) ▲ Nigeria (2.73) □ Uganda (2.57) | | | |
| □ Eritrea (0.19) | | | | ▲ South Africa (3.26) | | | |
| 0 – 0.50 | 0.51 – 1.00 | 1.01 – 1.50 | 1.51 – 2.00 | 2.01 – 2.50 | 2.51 – 3.00 | 3.01 – 3.50 | 3.51 – 4.00 |
| UNSUSTAINABLE ANTI-FREE PRESS | | UNSUSTAINABLE MIXED SYSTEM | | NEAR SUSTAINABILITY | | SUSTAINABLE | |

CHANGE SINCE 2008

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

Annual scores for 2006 through 2009 are available online at http://www.irex.org/system/files/Africa_msiscores.xls

The MSI has been used to study repressive media systems in Europe and Eurasia, including Uzbekistan; and in the Middle East in such countries as Libya and Iran. However, Eritrea presented the first case where absolutely no private media exists.



IREX prepared the Media Sustainability Index (MSI) in cooperation with the United States Agency for International Development (USAID) as a tool to assess the development of media systems over time and across countries. IREX staff, USAID, and other media-development professionals contributed to the development of this assessment tool.

The MSI assesses five “objectives” in shaping a successful media system:

1. Legal and social norms protect and promote free speech and access to public information.
2. Journalism meets professional standards of quality.
3. Multiple news sources provide citizens with reliable, objective news.
4. Independent media are well-managed businesses, allowing editorial independence.
5. Supporting institutions function in the professional interests of independent media.

These objectives were judged to be the most important aspects of a sustainable and professional independent media system, and served as the criteria against which countries were rated. A score was attained for each objective by rating between seven and nine indicators, which determine how well a country meets that objective. The objectives, indicators, and scoring system are presented below.

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

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

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

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

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

I. Objectives and Indicators

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

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

BUSINESS MANAGEMENT INDICATORS:

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

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

II. Scoring System

A. Indicator Scoring

Each indicator is scored using the following system:

0 = Country does not meet the indicator; government or social forces may actively oppose its implementation.

1 = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change.

2 = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces.

3 = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability.

4 = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions.

B. Objective and Overall Scoring

The averages of all the indicators are then averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

Unsustainable, Anti-Free Press (0–1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1–2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

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

Sustainable (3–4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



AFRICA

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.



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

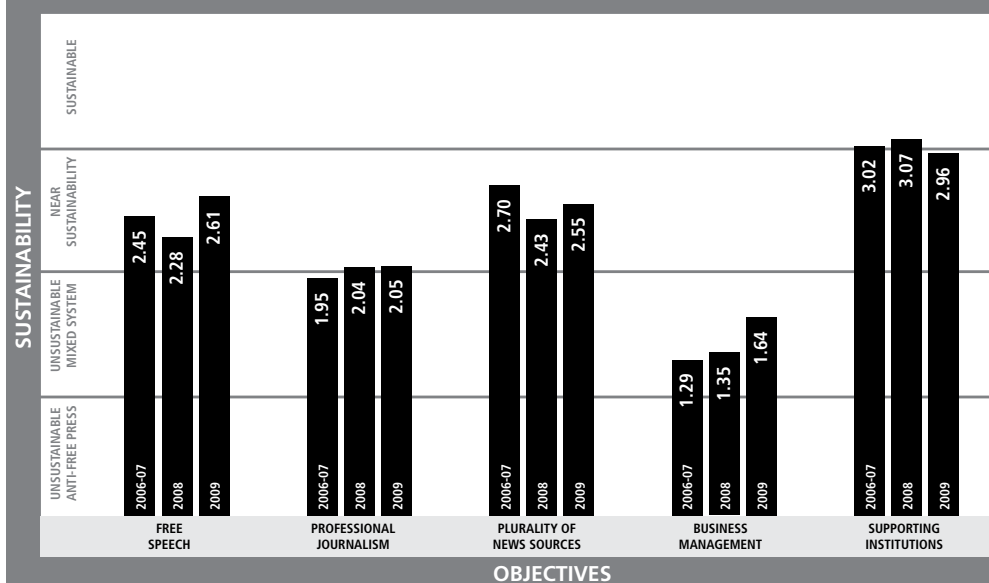
GENERAL

- > **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.

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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.

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- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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

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- > 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

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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.

Instead, the government taxes private media enterprises heavily. In addition, the state media continue to compete directly with private print and broadcasting media for advertising, offering rates that undercut those offered by private media.



BOTSWANA

The 2008 Botswana MSI suggested a growing sense in the media community that past gains are slowly eroding. The government of Botswana validated those concerns by signing the Media Practitioners Act (MPA) into law on the last day of December, 2008 despite vehement opposition by journalists, independent media outlets, and civil society bodies both in Botswana and internationally. The act requires journalists to have government accreditation and stipulates that media organizations must be licensed by a statutory media council. Critics argue that the creation of this government statutory body goes directly against the self-regulatory system promoted by the Press Council of Botswana and argue that it poses a threat to Botswana's independent media and freedom of the press generally.

The government shows no signs of loosening its grip, as the ruling Botswana Democratic Party (BDP) under President Seretse Khama Ian Khama won the majority of seats, as expected, in the October 2009 parliamentary elections. The BDP is beset by deep factional rivalries and poor relations with the private media. Despite the tensions between the government and the media, Botswana's economy remains among the strongest in Africa, and the country enjoys one of the world's highest growth rates—largely attributed to diamond resources and a thriving tourism industry, coupled with sound macroeconomic policies. However, given the global financial setbacks, the economy has experienced several negative shocks, including a temporary decline in global diamond demand.

The government continues to discourage a diverse, sustainable, and independent media environment by offering no incentives to private media enterprises. Instead, the government taxes private media enterprises heavily. In addition, the state media continue to compete directly with private print and broadcasting media for advertising, offering rates that undercut those offered by private media. Notwithstanding, a concentration of ownership is emerging within the private media sector. Currently, Botswana has no legislation regulating competition in the economy as a whole or for the media sector specifically, except for a slight reference in the MPA. In 2007, the Ministry of Trade and Industry shelved anti-competition legislation for private companies.

These developments hurt Botswana's MSI score. Objective 1 (freedom of speech) slipped nearly a third of a point from last year's study. All of the other objectives dipped at least a little in 2009, although not nearly as drastically as Objective 1, indicative of the panelists' concerns with the government stance toward the media and the signs of private media monopolization in Botswana. Bright spots remain, including in Objective 5 (supporting institutions). There is recognition of the NGOs working actively with Media Institute of Southern Africa (MISA) Botswana and challenging anti-media laws and practices. The passing of the MPA in particular spurred civil society activists into forming an umbrella organization—aptly named the Coalition for the Freedom of Expression—in 2009.

BOTSWANA AT A GLANCE

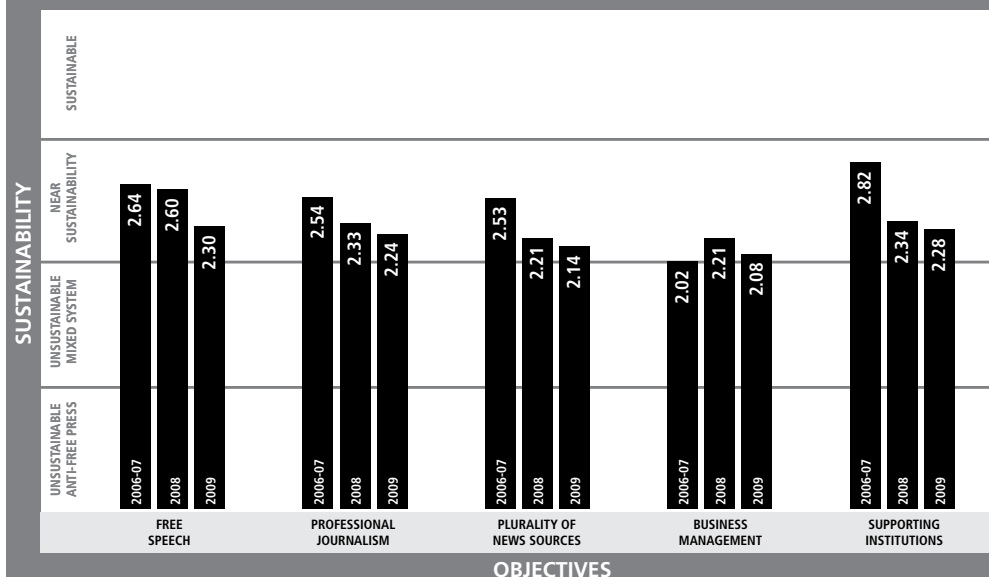
GENERAL

- > **Population:** 1,990,876 (July 2009 est., *CIA World Factbook*).
- > **Capital city:** Gaborone
- > **Ethnic groups (percent of population):** Tswana (or Setswana) 79%, Kalanga 11%, Basarwa 3%, other, including Kgalagadi and white 7% (*CIA World Factbook*).
- > **Religions (percent of population):** Christian 71.6%, Badimo 6%, other 1.4%, unspecified 0.4%, none 20.6% (2001 census, *CIA World Factbook*)
- > **Languages (percent of population):** Setswana 78.2%, Kalanga 7.9%, Sekgalagadi 2.8%, English 2.1% (official), other 8.6%, unspecified 0.4% (2001 census, *CIA World Factbook*)
- > **GNI (2009-Atlas):** \$12.17 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$12,860 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 81.2 % (male 80.4 %, female 81.8 %) (2001 census, *CIA World Factbook*)
- > **President or top authority:** President Seretse Khama Ian Khama (since April 1, 2008)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 1 state-owned newspaper and 13 privately owned commercial newspapers; Radio stations: 2 national state-owned, 3 national privately owned, and 8 foreign stations. Television Stations: 1 state-owned, 3 privately owned. Newspaper ownership is mostly concentrated in Gaborone.
- > **Newspaper circulation statistics:** Top two by circulation: *Daily News* (circulation 65,000, state-owned), *The Voice* (circulation 35,000, private)
- > **Broadcast ratings:** 85% of population has access to national (state-owned) radio. Broadcast dominated by state-owned BTV.
- > **News agencies:** Botswana Press Agency (State-owned)
- > **Annual advertising revenue in media sector:** Total advertising expenses estimated at BWP 300 million (2008 MSI panelist commentary). There are 16 registered advertising agencies. Major players include Alliance Media, Mudhut Sound Studios, Horizon Ogilvy and Mather, Optimum McCann Erickson, Primedia Outdoor, RMC Marketing, Central Advertisers, and CBS Advertising.
- > **Internet usage:** 120,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BOTSWANA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Botswana Objective Score: 2.30

The Objective 1 score suffered a moderate decline compared to last year due mostly to much lower scores in indicators 1 (legal and social protections of free speech) and 9 (licensing of journalists); indicator 3 (free market entry) also received a somewhat lower score. These drops were mitigated somewhat by a higher score in indicator 4 (attacks on journalists). Despite the fluctuation of indicator scores, most remained within a half point of the overall objective average. Indicators 5 (legal preferences for state media) and 9 scored just slightly more than half a point behind, while indicator 4 scored slightly more than half a point ahead. Indicator 8 (media access to and use of foreign news sources) was the leading indicator at about three-quarters of a point higher than the objective score.

Most of the panelists expressed their sense that journalists' rights and editorial independence have become increasingly restricted over the last two years, in all sectors of the media. They view the MPA as a significant threat to media freedom by undermining the media code of self-regulation. Opposing this view, Jeff Ramsay, coordinator of the Botswana Government Communication and Information System, said, "...freedom of speech is provided for in the constitution. The laws of the republic are both consistent with the constitution and subject to judicial oversight as to their constitutionality."

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.

Botswana's constitution guarantees freedom of expression, but according to media lawyer and University of Botswana lecturer Tachilisa Balule, the cause of concern is that "such guarantees fall short of international standards on freedom of expression." He observed that a number of restrictive laws are in force. They include the National Security Act (1986); provisions of the penal code on insult and sedition; the National Security Act, which regulates against anything that might threaten the security of the country; the Directorate of Corruption and Economic Crime Act, which prevents journalists from reporting on subjects under investigation until a case reaches the courts or investigations are concluded, and; the Police Act, which allows officers to monitor communication on land lines and cellular telephones in instances involving defense and public safety. Panelists were also troubled by a recent mandate by the Telecommunications Authority of Botswana that required all cell phone users to register their SIM cards with the authority by the end of 2009. Panelists said that the authority might use this requirement to interfere with civil liberties.

While last year's MSI reported the promising news that the National Broadcasting Board allocated licenses to three private radio stations, the 2009 panelists agreed that the government controls the board. Panelists expressed particular concern about the board's failure to date to issue any community radio licenses. MISA broadcasting specialist Gladys Ramadi said, "The board has grown accustomed to delaying the licensing of community broadcasters, as it does not suit the government's agenda right now of monopolizing information for the masses. I feel the non-licensing of community media is politically motivated."

Sharing his views on the fairness of market entry and media tax structure, media management consultant Gerald Mulowa said, "The tax structure does not put the media industry at too great a disadvantage; it is within the norm. Still, the government could promote the industry by either reducing or revoking completely the value-added tax applicable to materials such as newsprint." The panelists expressed a reluctance to describe market entry as unrestricted any longer, citing the MPA's potential to limit entry.

As for crimes against journalists, panelists described the attack on a reporter while covering a story at the Lobatse High Court in May 2009, and several instances of threats to photographers. Panelists said that the police intervene only when attacks on journalists threaten to disturb the peace more widely. Panelists did not cite other examples of direct attacks on the media, but they expressed concern about rumors surrounding the newly established Directorate of Intelligence and Security Services' (DISS) involvement in abductions, unlawful arrests, harassment, and assault. They

According to the panelists, the introduction of the MPA could also mean that, for the first time in the country's history as an independent nation, the government could restrict entry into the journalism profession.

described the society's pervasive culture of impunity, and said that journalists are afraid to execute their duties.

Panelists offered mostly negative opinions on the preferences received by, and the legal independence of, state media outlets, which include Radio Botswana One and Two, Botswana Television (BTV), and the *Daily News* newspaper. MISA Botswana Director Thapelo Ndlovu said, "The preferential treatment for state media continues. The fact is that state media can write or air whatever stories they want without consequence [i.e., harassment or legal trouble]." Most panelists said that journalists working for the state media remain strictly under government supervision. "There is no editorial independence in law or practice...the minister and the ruling party exert editorial control," Ramadi said. Tautona Chaba, of the local NGO Botswana Network for People Living with HIV/AIDS, agreed. "The government of Botswana has exhibited paranoia for a long time, by controlling both Radio Botswana 1 and Botswana Television—which enjoy high coverage within the country. Thus, people learn only what the government wants them to know," he said.

As for libel, panelists said the Botswana penal code contains provisions for criminal libel, sedition, and the publishing of "false news" or news that might "alarm the public." However, Balule said that most lawsuits are either withdrawn or settled outside of the courts. As reported in the 2008 MSI, MISA and the Botswana Press Council work hard to deter lawsuits against the media. The panelists brought up the May 2009 case in which President Khama sued the private *Sunday Standard* for alleging that he may have been involved in the Kalafatis murder. Subsequently, reports in the media (*Mmegi*, May 27, 2009) stated that the government was planning an advertising ban on the *Sunday Standard* and *Mmegi* for breaching the code of ethics and defaming the president. At the time that the 2009 MSI panel convened, investigations were continuing, and whether Khama would withdraw or continue with the case after the investigations concluded was not clear. The president can sue only if it is proven that the story was written with knowledge of its falsity and with malicious intent.

Panelists said that journalists cannot draw on access to information legislation to get what they need, and independent journalists are frequently blocked from attending government events. In one instance, the government barred private media from attending a press conference addressing allegations about the involvement of security forces in extra-judicial killings, related to the death of an alleged thief, John Kalafatis, on May 13, 2009 in Gaborone.¹ Between April 2008 and May 2009, security agents were allegedly responsible for 12 extra-judicial shootings and nine deaths, arousing suspicion that the president condoned or even ordered this approach.² Fear of the DISS has effectively stymied attempts to access public information. "This fear restricts reporting, as journalists are afraid to pursue investigative stories and are censoring themselves," Ndlovu said. "Furthermore, there is no protection of whistle-blowers." MISA Botswana continues to push for an access to information law, although the Minister of Communications, Science, and Technology told parliament that such legislation is not a priority.

Regarding the media's access to international news sources, traditionally a high-scoring indicator for Botswana, the panelists noted their appreciation that the government does not restrict Internet access. However, they expressed concern that the MPA might affect access in the future—and in particular wondered what it would mean for citizens who publish online, given that the MPA requires all websites and blogs to register with the media council. The panel also raised concerns over the registration of cell phone SIM cards.

According to the panelists, the introduction of the MPA could also mean that, for the first time in the country's history as an independent nation, the government could restrict entry into the journalism profession. This development explains that indicator's dramatic fall in score of more than a full point from last year's score, which had approached the border of sustainability. The act stipulates that all journalists living in Botswana must be accredited by the government through a statutory media council, which is also responsible for issuing operating licenses to media companies. Chaba criticized the law, saying, "Nowhere has it been found that self-regulation of media has failed, yet the government introduced this act."

Media houses are lobbying to have the law withdrawn, arguing that it is unconstitutional and contrary to the country's international obligations. They strongly object to the broad definition of a "media practitioner," the

¹ Media Institute of Southern Africa (MISA), Botswana alert: "Private media barred from government press conference on controversial death of Botswana man," May 22, 2009.

² "Kgosi Kgafela mobilizes civil society against extra-judicial killings" *Sunday Standard*, July 6, 2009. <http://www.sundaystandard.info/article.php?NewsID=5132&GroupID=1> Accessed May 27, 2010.

requirement of journalists and publications to register with and receive accreditation from the government, and the compulsory membership in the statutory media council. Chaba said that he believes that this law directly impinges upon the public's right to disseminate and receive information.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Botswana Objective Score: 2.24

Most of this objective's indicators scored within the boundaries of near-sustainability, with two exceptions: indicator 3 (self-censorship) and indicator 5 (pay levels for journalists discourage corruption); indicator 5 was also the only indicator to deviate from the overall objective score by more than half a point, although it lagged by only a little more than half a point. Most indicators showed little change from last year. Small losses in indicator 3 and indicator 8 (niche and investigative reporting) and a small increase in indicator 6 (balance of entertainment and news) were the only exceptions. Overall, however, the objective score changed only marginally from last year's 2.33.

In the panel's view, journalists in Botswana do meet professional standards of quality, although the majority of the panelists see paths to improvement. Although in theory the Press Council of Botswana compels journalists to meet internationally accepted norms and standards, panelists raised concerns over the quality of reporting and the lack of balance in particular. Panelists offered multi-faceted reasons for the shortcomings: a lack of training in specialized reporting, the prevailing political environment, restrictive media laws, self-censorship, and inadequate resources to cover events.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

"The prevailing political and legislative environment makes it a challenge for journalists to be fair and effective," Chaba said.

"The prevailing political and legislative environment makes it a challenge for journalists to be fair and effective," Chaba said. "The private media, while displaying a high degree of professionalism, are obscured by the lack of access to information, which leads to unbalanced stories." Ramsay took an even more negative view, saying, "In general, the standards of journalism in the country are poor."

Ndlovu said that the media operates within a code of ethics, but the sector's operations are compromised by a lack of capacity. Balule commented, "Over the years, [the media] has established its own voluntary self-regulatory press council, which adopted a code of conduct that compares to international professional standards." He suggested that adherence to this code could be considered strong based upon "the number of complaints regarding violations of the code registered with [the] press council."³

Regarding the prevalence of self-censorship, Ramadi summarized most panelists' perceptions: "Self-censorship exists to a large extent in public media, because the journalists are not regarded as journalists, but civil servants." While she concluded that "self-censorship in private media is largely due to commercial interests," Balule said, "The issue of self-censorship is difficult to ascertain, but one cannot ignore economic and ownership interests that may induce some measure of self-censorship." Sello Motseta, owner and editor of *Tswana Times*, argued that the lack of resources prevents private media journalists from covering stories adequately, and journalists self-censor out of fear of antagonizing the government and losing advertising. He gave an example: "...during campaigns toward the October general elections, many journalists concentrated on the ruling party as newsmakers, and gave no right [of] reply to opposition parties on particular stories." Most panelists agreed that political reporting needs improvement.

Balule pointed to the private media's fair coverage of all key events, and said the media attempt to cover key events and issues such as HIV/AIDS and poverty.

On the issue of low pay, Balule pointed to the trend of experienced journalists leaving the profession in search of

³ At time of this research, the numbers of complaints could not be obtained, as the press council secretariat was operating at below capacity due to insufficient funds.

greener pastures in the corporate sector, where their skills are in high demand. This leaves newsrooms to carry on with younger, less experienced staff. This echoes last year's report, which warned that poor pay levels are linked directly to declining professional standards.

The score for the indicator assessing the entertainment-to-news ratio was the only one to increase appreciably in the period studied. This area has typically been considered a strength of Botswana's radio stations in particular, as they offer news every hour in both Setswana and English, as well as current affairs, entertainment, local music, call-in interactive programs, and sports.

This year's panelists consider technical media facilities and equipment adequately modern and efficient, and previous panels agreed that growth in the country's communication and technology sector have positively impacted the media's technical capacity.

As reported in last year's MSI, a number of factors hamper the development of niche reporting, and scores in this indicator declined further this year. Previously, panelists called for organizations such as MISA Botswana and the Southern Africa Institute for Media Entrepreneurship Development to provide training to help journalists develop specialized knowledge in business, health, and other news beats, and it appears that this need persists. Botswana has a number of local magazines that center on specific topics, such as *Hotel and Tourism*; the environmentally focused *Wena*; the youth publication *Lapologa*; a farmers' magazine; and the contemporary magazine, *Kutlwano*, which is published by the Ministry of Communications, Science, and Technology. These are published infrequently, for the most part.

OBJECTIVE 3: PLURALITY OF NEWS

Botswana Objective Score: 2.14

Overall the score for this objective did not show much change compared to 2008 and none of the indicators showed significant change. Further, all the indicators fell within half a point of the overall objective score, with the exception of indicator 2, citizen access to media, which scored a full point higher.

In a country where a newspaper costs BWP 4 (\$0.45), a diverse array of news and information sources are available for the people, provided they can afford to pay for satellite broadcast services and the Internet, Balule said. In Botswana, an estimated less than 10 percent of the population can access the Internet; they mainly log on at work or in Internet

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.

cafés.⁴ They use the Internet primarily for communication, not as a news source.

Print media are all in English; no local languages are used. A Setswana-language newspaper, *Mokgosi*, folded in 2005 after three years. Botswana has nearly a dozen weekly papers, mostly national; others, such as Francistown's *Blue Jacket News*, are limited to specific locations, with circulations ranging between 8,000 (*Sunday Tribune*) and 30,000 (*The Voice*).⁵ An additional concern is that one associated group, Dikgang Publishers, owns most private papers.

Broadcast media, especially radio, are the most accessible. Frequencies are national, but located in Gaborone. Six radio stations broadcast in Botswana: the government-owned Radio Botswana 1 and 2 (the latter with more of a commercial focus), and the private and commercial stations Duma FM, Gabz FM, Ya Rona FM, and Voice of America. Duma FM began broadcasting within the last two years. Two local television stations are located in Gaborone: the state-owned Botswana Television (BTV) and the private Gaborone Broadcasting Company (GBC), transmitted within a 25-km radius of Gaborone. Viewers can also subscribe to the South African satellite subscription service, DSTV, through Multi-Choice Botswana, if they can afford the expense.

Ramsay pointed out that while the country has multiple news sources, they are not especially strong, and that community

⁴ So This is Democracy: State of media freedom in southern Africa 2008 and Media Institute of Southern Africa (MISA), Botswana, 2009.

⁵ Circulation figures obtained from: So this is Democracy: State of Media Freedom in Southern Africa 2008, Media Institute of Southern Africa (MISA), Windhoek, 2009 along with input from panelists.

media is a particularly weak area. In fact, panelists said that Botswana still has no print or broadcast community media. Other panelists noted the government's role in preventing community media from gaining strength. Balule said that the state refuses to issue licenses to community media broadcasters and insists on using the state broadcaster to promote its objectives.

The panel assigned the highest score for this objective to the issue of access to domestic or international media, which fell soundly within the range of sustainability. However, rural audiences do not enjoy the same access as urban areas. Aside from the state-owned *Daily News*, print distribution to rural areas is very limited. Similarly, according to Ramadi, private radio stations mainly service urban areas, while the state media has a national footprint. Mulowa agreed: "Largely, the country's population has access to both local and international news sources—however, most rural areas are excluded," he said.

As for the success of the state-run media reflecting the views of the political spectrum, panelists assigned the lowest score of the objective. As reported in last year's MSI, the state media do favor the ruling government, but also try to cover a wide range of issues and events. State radio stations cover a more diverse range of issues than television.

The panelists agreed that independent news agencies do not exist. Noting that the Botswana Press Agency (BOPA) is state-owned, panelists do not view it as independent. The previous MSI panel reported that the government has always made content for BOPA available to the private media as well as public media, but most private media outlets do not use the resource. Ndlovu mentioned the Sila Press Agency as one example of a private news agency, although whether it is well used or even particularly active is not clear. Most panelists agreed that the local media depend mainly on international news agencies, but find them expensive to access regularly. International news agencies mentioned include Reuters, AP, and AFP. BBC and CNN also provide a stream of international news. Participants agreed that while independent media produce their own news and current affairs programs, these do not differ significantly from those provided by public broadcasters.

Discussions on indicator 6, transparency of media ownership, revealed that political affiliations and business interests of media owners have led to the concentration of media into few hands. They agreed that the Dikgang Publishing Company's acquisition of sole ownership of the *Botswana Guardian* and the *Midweek Sun* could have been more transparent. The company already owns *Mmegi* and the *Monitor*, and has minority shares in the private radio station Gabz FM. The Botswana government is the other significant media player and has the widest reach. The free paper, *Daily*

News, is widely distributed to most areas of the country and has the largest circulation of any print publications in Botswana. In rural areas, this is often the only print media available to most people, although it arrives up to a week or so late sometimes.

Currently, Botswana has no legislation regulating competition in the economy as a whole, or for the media sector specifically, although the new MPA recognizes the issue. In 2007, the Ministry of Trade and Industry shelved anti-competition legislation for private companies.

Botswana's media still has work to do to reflect a broad spectrum of social and minority issues. As stated in the 2009 African Media Barometer, a biannual report developed by MISA Africa and its partners, Botswana has few female journalists, which may help explain the lack of attention to women's issues in its press.⁶ Setswana and English (the two official languages) are the only languages used, and the private media outlets all tend to discuss the same issues and draw on the same sources as the public media. There is no content in Kalanga and Sekgalagadi or other minority languages. Motseta observed that the lack of community broadcasters and newspapers has stymied efforts to try to boost linguistic diversity in the media.

OBJECTIVE 4: BUSINESS MANAGEMENT

Botswana Objective Score: 2.08

Most of the business management indicators did not change significantly from last year. However, indicator 7 (reliability of broadcast ratings and circulation figures), dropped dramatically—more than a half of a point. All indicators scored within a half point of the overall objective score.

Generally, the panelists agreed that Botswana's independent media outlets run efficiently as business enterprises, relying on sales and advertising revenue for sustenance. Standards vary across different media outlets, and smaller companies tend to face more challenges in business management. As reported in last year's study, smaller outlets often face the necessity of merging editorial and business staff and functions, which places great pressure on its employees.

In response to the world's economic meltdown, private media managers have worked extremely hard to maintain their operations, despite high printing costs and reduced revenue. As a result, most privately owned publications have reduced their print runs. Only the *Botswana Gazette* can claim to have increased its print run from 16,000 to 20,000 in the past

⁶ African Media Barometer – 2009 – Botswana: 34.

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.

couple of years. (For comparison, the dominant state-owned *Daily News* has a circulation of 65,000.) *The Voice*, on the other hand, reduced its print run from 38,000 copies per week in 2008 to 30,000 copies in 2009.

Botswana has a solid but small advertising market, according to Ramsay and other panelists. The 2009 African Media Barometer noted that the advertising market appears large enough to support the urban, English-based press, but noted, "...the collapse of the Setswana newspaper, *Mokgosi*, in 2005 is a clear indication that the advertising market in Botswana is not large enough to maintain a real diversity of media outlets."⁷ As for advertising space percentages, Mulowo commented, "International standards of 60:40 ratio of advertising to editorial are compromised by the poor demand for advertising space, and dependency on particular sources of advertising revenue."

The government does not provide subsidies in terms of tax breaks. However, the government does offer loans to the private press through citizen empowerment programs of organizations like the Citizen Entrepreneurship Development Agency. In addition, the government remains the main source of advertising revenue in Botswana, and by far most of its advertising goes to its own *Daily News*—which makes the position of private media especially vulnerable to subtle editorial and financial pressure. Last year's MSI noted that *Mokgosi* failed likely because of competition from the government's *Daily News*. The African Media Barometer for Botswana reported that the government usually favors a subtle approach, relying on self-censorship to keep private media dependent upon state advertising and non-critical of the government.⁸

⁷ African Media Barometer—2009—Botswana: 39.

⁸ Africa Media Barometer—Botswana—2009: 38.

During their market research discussion, the panelists agreed that no independent surveys have been produced in the last two years. John Chulu, editor of *Business Directory*, said, "If anyone claims to have conducted research and market surveys, they are largely unscientific, and are not independently produced." Although panelists in previous years have claimed that the media has used such research to improve and tailor its programs, no new research has appeared to back up or invalidate such claims.

In terms of circulation figures, the Audit Bureau of Circulation of South Africa confirmed that it has provided ABC certificates for a number of publications in Botswana, including the *Mmegi Monitor*, the *Mmegi Reporter*, the *Botswana Gazette*, the *Botswana Guardian*, and the *Midweek Sun*.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Botswana Objective Score: 2.28

Overall, Objective 5 scored nearly the same as last year, with all indicators scoring in the near-sustainability range and very close to the overall objective score. However, panelists lamented the inadequate capacity of professional associations to protect journalists and ensure quality journalism training.

Discussing trade associations and the protection of journalists' rights, the panelists noted that MISA Botswana, the Botswana Editors' Forum, and the Press Council of Botswana staunchly support the professional development and legal rights of the media industry. However, the panelists said that they want to see these organizations strengthened and empowered to contest the MPA. According to Motseta, these associations

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.

lack funding and need to spend more time consulting with government officials to promote members' interests. Kabo Mokgoabone, a *Sunday Standard* senior reporter, pointed to other media houses with membership in the Botswana Confederation of Commerce, Industry, and Manpower, which looks into the interests of all local businesses; and the Botswana Media Women's Association. Mokgoabone described the limitations of this organization and lamented, "The in-fighting in most media workers' unions is not helping the profession."

Panelists said that civil society groups, under the umbrella organization the Botswana Council of Non-Governmental Organisations, have been more supportive recently than in previous years. "There are many reasons for this," according to Thapelo, director of MISA Botswana. "But it is partly because of the formation in Botswana in early 2009 of the Coalition for Freedom of Expression, which draws the attention of civil society to the importance of protecting freedom of expression—especially with the threats to civil liberties posed by the MPA." During the 2009 World Press Freedom Day commemoration, organized by MISA in May, civil society organizations issued statements of solidarity against the introduction of the MPA.

Discussing the state of journalism degree programs, short-term training programs, and in-service training programs, the panelists agreed that local journalism training is fairly solid, but it fails to develop practical skills adequately. In-service training institutions, such as the locally based Southern Africa Institute for Media Entrepreneurship Development, are poorly funded, resulting in narrow frameworks of program offerings.

The panelists had little to say about the strength and independence of Botswana's sources of newsprint, printing facilities, and distribution networks. Given the sparsely distributed population in Botswana, media distribution remains a challenge. As a result, most private publications and transmitters remain centered in urban areas with high population concentration. In the last five years, developments in information communications technology have made the media more accessible to more people, especially in urban areas.

Distribution by the private media has varied, with some outlets handling it themselves and others outsourcing distribution services to public transportation and any other means to increase their circulation reach. The government-owned *Daily News* has engaged a private courier for its distribution countrywide. Five years ago, only two media houses had bureaus outside Gaborone: the Botswana Press Agency (*Daily News*) and *The Voice* newspaper, both in Francistown. By 2008, the Dikgang Publishing Company (*Botswana Guardian*, *Midweek Sun*, *Mmegi*, etc.) had also opened a distribution outlet. Panelists

see clear indications that the local private media need to work more cooperatively, as a network, to stabilize the distribution of media in Botswana. The government has little incentive to offer support for distribution or transmission to independent media, as this would be tantamount to enabling the competition, panelists said. Panelists also said that South African print media receive preferential treatment in distribution of their products at South African-owned retail outlets in Botswana.

List of Panel Participants

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

Balule Tachilisa, lawyer and media lecturer, University of Botswana, Gaborone

Gerald Mulowa, media consultant, Meritus, Gaborone

John Churu, editor, *Business Directory*, Maun and Francistown

Gwere Hamufari, editor, *Mining Mirror*, Jowaneng

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

Kabo Mokgoabone, journalist, *Sunday Standard*, Gaborone

Bonolo Ramadi Dinokopila, legal officer, Botswana Network for People Living with HIV/AIDS, Gaborone

Tautona Chaba, legal officer, Botswana Network for People Living with HIV/AIDS, Gaborone

Gladys Ramadi, broadcast media specialist, Media Institute of Southern Africa Windhoek regional Secretariat, Windhoek and Gaborone

The following participant submitted a questionnaire but did not attend the panel discussion:

Jeffress Ramsay, coordinator, Botswana Government and Communication Information Services, Gaborone

Moderator

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

Co-Authors

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

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

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

Radio continues to be the dominant medium, but it is beginning to embrace the use of the Internet in its operations, and growing citizen awareness of new media tools is awakening public interest in the news.



BURKINA FASO

B

Burkina Faso gained independence in 1960. After years of political unrest that started in the middle of that decade, the adoption of the Fourth Republic Constitution on June 2, 1991 brought some stability to the country, and guaranteed the freedom of the press. A more open environment followed for the media, and soon private radio stations proliferated.

The current media landscape in Burkina Faso is shaped heavily by the government's 1993 adoption of an information code—criticized widely by the media for granting the government considerable power over the media sector. Specifically, the Conseil Supérieur de la Communication¹ (CSC), made up largely of government-appointed members, plays a strong role as the main media regulatory agency. Despite that criticism, the code helped in the founding of many private radio stations, newspapers, and television channels.

However, the December 1998 murder of Norbert Zongo, a well-known journalist and the director of the weekly *L'Indépendant*, remains a stain that Burkina Faso's journalists and citizens alike have not forgotten. An independent international committee implicated members of the presidential guard as suspects. But the judiciary—strongly suspected of obeying the orders of the political regime—dismissed the case for lack of evidence. The unresolved case continues to be a source of discontent.

This year's MSI describes several changes in the media. The media community cheered the 2009 signing of the long-awaited journalists' Collective Contract, and journalists received their first press cards. Radio continues to be the dominant medium, but it is beginning to embrace the use of the Internet in its operations, and growing citizen awareness of new media tools is awakening public interest in the news. ONATEL, Burkina Faso's telecommunications operator, established Internet access in the late 1990s, but for some time afterward, the Internet was essentially a luxury for the urban elite. Now, the growth of Internet cafés is helping to change that imbalance.² Although the government does not restrict Internet access, cost is still a prohibitive factor—along with Burkina Faso's high illiteracy rate.

Burkina Faso's overall MSI score for 2009 reflects a steady increase since the study began in 2006–2007. This positive evolution is consistent across the scores of the different objectives, reflecting clear-cut improvement of Burkina Faso's media situation. No objective scored beneath the near-sustainability range. Objective 5, concerning the supporting institutions, returned the highest score—boosted by the strong showing of supporting institutions in helping to draft, negotiate, and pass the Collective Contract.

¹ Higher Communication Council

² The Panos Institute: West Africa Radio and ICT Connectivity and Use in West Africa; October, 2008: p. 44.

BURKINA FASO AT A GLANCE

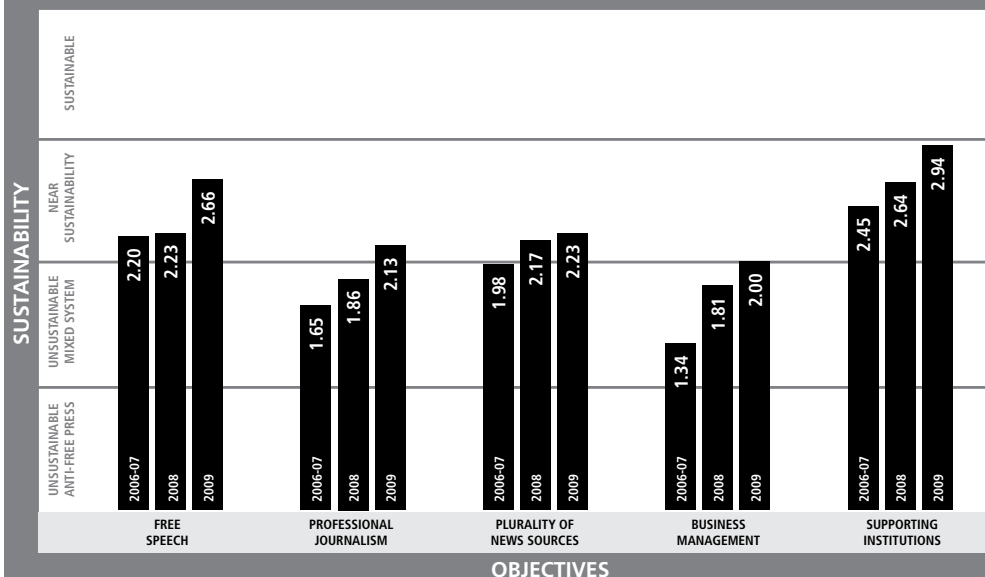
GENERAL

- > **Population:** 15,746,232 (2010 est., *CIA World Factbook*)
- > **Capital city:** Ouagadougou
- > **Ethnic groups (% of population):** Mossi 40%, other approximately 60% (includes Gurunsi, Senufo, Lobi, Bobo, Mande, and Fulani) (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 50%, indigenous beliefs 40%, Christian 10% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), native African languages belonging to Sudanic family spoken by 90% of the population (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$8.036 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,170 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 21.8% (male 29.4%, female 15.2%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Blaise Compaore (since October 15, 1987)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 4 daily newspapers, 8 weekly publications, 17 newspapers in the national languages; Radio Stations: 12 public, 19 commercial, 23 community, 19 religious, 4 international; TV: 1 public, 3 private (CSC report 2006)
- > **Newspaper circulation statistics:** Top daily newspapers: *Sidwaya* (state-run), *L'Observateur Paalga* (private), *Le Pays* (private), *L'Express du Faso* (private)
- > **Broadcast ratings:** N/A
- > **News agencies:** N/A
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 140,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BURKINA FASO



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Burkina Faso Objective Score: 2.66

In general, the panelists assigned Objective 1 scores that reflect positive developments, with all indicators receiving scores within the near-sustainability range or higher, even if some problems linger. Most indicators scored within a half point of the overall objective score, although indicators 5 (legal independence of state broadcasting) and 6 (libel laws) lagged by slightly more than half a point.

Although the Burkinabè Constitution guarantees the freedom of speech, and the information code states that journalists may carry out their work independently, these laws are full of contradictions and loopholes. According to Evariste Zongo, program coordinator of the Association des Éditeurs et Publicateurs des Journaux en Langues Nationales,³ "There is a gap between legal provisions and practice. The application of laws and their legal interpretations are insufficiently protective of journalists." This situation remains the same as in the past, in the opinion of the panelists, since the law in question has not been revised yet.

Kassoum Kambou, a magistrate and member of the Mouvement Burkinabè des Droits de l'Homme et des Peuples⁴ (MBDHP), agreed that the government is not supportive of

³ Association of Publishers of Newspapers in National Languages

⁴ Movement for Human and Peoples' Rights in Burkina Faso

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.

Eric Sibiri Kam, chair of Ligue pour la Défense de la Liberté de la Presse, commented, "As long as it is up to a public authority to grant licenses in the particular context of our country, there will be suspicion."

journalists. "I believe that journalists do not enjoy enough legal protection in our country," he said. "The relative lack of independence of the judicial system reinforces and makes this situation worse."

The CSC is an agency created in 1995 to regulate communication and information in Burkina Faso. CSC grants frequencies for private and public radio stations and television channels. CSC has a board of 12 members, with four appointed by the president, three by the president of the National Assembly, one by the president of the Constitutional Council, and four by communication and broadcast professional associations. The president appoints the chair.

CSC's independence continues to be a controversial subject. Some panelists said that they believe that CSC is structurally and politically dependent upon the authorities. Eric Sibiri Kam, chair of Ligue pour la Défense de la Liberté de la Presse,⁵ commented, "As long as it is up to a public authority to grant licenses in the particular context of our country, there will be suspicion. Further, I am not well placed to say that the process is transparent, since people submit applications and some get the frequencies and others do not. As a citizen, I have no idea about the criteria that led to someone getting a license and someone else not getting it. I have seen people who were granted frequencies, and five years later, they were still not broadcasting. I wonder if the decisions were objective in those cases."

One panelist was emphatic: "Most of the CSC members are appointed by high officials of the regime! Therefore, the choice of the appointees is more or less influenced by their political affinities." Justin Coulibaly, journalist and secretary general of Syndicat Autonome des Travailleurs de l'Information et de la Culture⁶ (SYNATIC), shared this viewpoint: "The CSC is not an independent agency. It is controlled by the government. At first, we did not work together; we denounced them."

Kambou agreed, saying, "In the experience of the MBDHP, the independence of the agency is questionable. In addition,

⁵ Press Freedom Defense League

⁶ Independent Union of Information and Culture Workers

However, Kambou countered, “I believe that journalists are not persecuted in Burkina Faso; there are very few threats, and we do not know who makes them. I do not think such criminals are known but not prosecuted.”

once an application is rejected, there is no possibility of appeal. And then there are so many restrictions... It is true that the MBDHP was finally granted the frequency, but the agreement protocol that was signed presented some rather curious clauses; for example, it is forbidden to comment on court decisions... which I find quite dangerous.”

Others said that they consider CSC to be quite objective. According to Germain Nama, publication manager at *L'Événement*, “The license granting process involves the submission of a dossier. Several board members examine it just like we are doing now. This is an objective process, unless there are proven cases of political obstruction with respect to a particular candidate. One could say that granting licenses to the broadcast media is just, competitive, and apolitical.”

Pierre Dabiré, secretary general of the Association des Journalistes du Burkina⁷ (AJB), said that he believes the agency has evolved positively. “Before the creation of the CSC, the AJB had never been called upon to appoint representatives in such an institution. Now, it happened in 2008, 2009, and today the AJB even has two representatives in the CSC. I believe this is a step forward.”

In the past couple of years, the government unveiled plans to improve the situation of press companies lacking a specific tax status in Burkina Faso. The measures are designed to facilitate the tax-free purchase of equipment. Media companies are still subject to taxes and mandatory social contributions, just like any other business enterprise, noted the panelists.

The panelists reported that a few journalists were threatened on the job in 2009, but said that the number is lower than in previous years and that the cases are isolated. According to Coulibaly, among the few cases reported in 2009, *Le Reporter* received death threats by email⁸ and has filed complaints. In a published communiqué, AJB questioned the authorities about the death threats, but no legal consequences resulted.

Hervé Taoko, editor-in-chief of *Le Reporter*, noted that the case is not resolved. “Nothing happened, although there were details that could have allowed us to trace the

message back to its origin and perhaps find its author,” he said. “Yahoo France responded to our requests, but said the judicial authorities in Burkina Faso were supposed to file an official request for explanations with them. The Burkina Faso police were also alerted but did nothing. So if we take this aspect into account, there really was no strong reaction to the threats made against a journalist.” The panelists pointed out that a single case is enough to intimidate all journalists and compromise each one’s sense of safety.

Hortense Tiéba, with Munyu Radio, described another case in which a camera and telephone were snatched from a journalist with the private television station Canal 3 in the middle of a news report. Others noted that a particular traditional leader from Ouahigouya constantly persecutes journalists, without consequences. Bakary Koné, with Gaoua Radio, said that provincial authorities put pressure on press correspondents, who are frequently not professionally trained, taking advantage of the correspondents’ lack of awareness of their rights.

However, Kambou countered, “I believe that journalists are not persecuted in Burkina Faso; there are very few threats, and we do not know who makes them. I do not think such criminals are known but not prosecuted. In addition, even journalists may commit crimes without being prosecuted. I think journalists are even treated kindly.”

Regarding restraints on the public media, Nama pointed out that in practice, “freedom is restricted if there is sensitive information—that is to say, potentially harmful for the government or other officials. The public media are cautious about political topics, and unfortunately, there are not enough open debates in the broadcast media.”

Under Burkina Faso laws, libel is considered a criminal offense, and the burden of proof rests with the accused. However, the panelists reported that in 2008 and 2009, no legal action for libel was brought against Burkina Faso newspapers, even though CSC questioned media managers in several cases of professional ethics breaches.

The panelists pointed out that access to information continues to be difficult, despite the fact that twice the prime minister has ordered public officials to release information to the press. Dabiré said that “legal provisions are available, but insufficient—articles 48 and 49 of the information code provide access to information, albeit in a very brief fashion.” The Centre National de Presse Norbert Zongo⁹ petitioned for this, he continued, “In 2009, the prime minister issued a memo inviting all the public agencies to release information to journalists. As far as we are concerned, even if our fight

⁷ Association of Journalists of Burkina Faso

⁸ The editor-in-chief of *Le Reporter* received an email threat while investigating a case.

⁹ Norbert Zongo National Press Center

for the public's increased access to information is not yet won, it is a commendable start. Do all journalists have the same kind of access to information? My answer is 'yes.' There is no discrimination to the best of my knowledge. Are there rules blocking the access to information for some media? I am not aware of that." He added that he believes that independent journalists approach the issue of the access to information in an organized and coherent manner.

Kam had a more negative perspective. "I believe that the prime minister felt obligated to reissue that memo because it did not produce any effect the first time," he said. "So, from this point of view, I believe we have a problem with access to information. Also, our plea more or less relied upon the Ministry for the Promotion of Human Rights, with absolutely no results so far. And I think that when working in a ministry or other public agency, it is a tall order to obtain certain documents... and there is no law regulating access. I do not think that all journalists searching for information have equal opportunities, because sometimes the authorities favor the public media when they wish to release a particular piece of information."

Other panelists pointed to the creation of the Service d'Information du Gouvernement¹⁰ (SIG), which provides news in the form of communiqués to all the media without restrictions and aims to facilitate journalists' access to information. The service also organizes meetings to discuss specific issues, and invites all journalists. Often, ministers show up at such press conferences next to the government's spokesperson. According to Franceline Oubda Naré, a journalist and member of CSC, "no case of censorship has ever been reported with respect to the questions asked by the journalists." She added, "For two years, I've noticed that efforts are being made, thanks to SIG, for journalists to have access to information. And I believe we are here to make this service work, and when we feel that there are issues that might be sensitive to the public and can create problems, we are the ones who grab the attention of those in charge and call for a press conference. As we invite the journalists to participate, we have never imposed any restrictions. We contact all the media outlets and try to inform each and every one of them so they can fully cover the event."

In Burkina Faso, most media outlets use the Internet and have unrestricted access to international news. The main difficulty is the cost. For example, many publications use news agency reports without quoting the agencies as sources, for fear they might have to pay for usage, panelists said.

The government places no restrictions on practicing journalism. "Anyone is free to become a journalist. There is

¹⁰ Government Information Service

so much freedom that literally anyone can end up working in a newsroom," according to Kani Mountamou, editor-in-chief of *L'Express du Faso*, the only regional daily newspaper published in Bobo-Dioulasso, the country's second-largest city.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Burkina Faso Objective Score: 2.13

Generally, the panelists believe that the working conditions of Burkina Faso journalists are unfavorable, and must be addressed in order for professionalism to improve significantly. While most indicators scored close to the overall score, indicator 5 (pay levels of media professionals) lagged noticeably by about three-quarters of a point.

Kam argued, however, that reporting has improved. "Journalists are better trained; professional seminars as well as exchange meetings between specialized journalists are being organized," he said. The panelists credited several training initiatives in 2009 that helped to build up professional standards. Most of the training opportunities involve support or exchanges with international sponsors, but the Centre National de Presse Norbert Zongo and the media development department of the Ministry of Communication have worked to improve reporting also.

Panelists noted also that in 2009, Burkinabè journalists once again earned national distinctions in the Ministry of Communication's Galian awards competition, celebrating excellence in journalism. At the international level, Viviane Tiendrébéogo, with the national television station, was awarded the CNN Multichoice African Journalist Award 2008

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).

Nama commented, "Some journalists lack a sense of ethics and professionalism when dealing with politics and money."

in the category "Francophone News Television." These are all signs of journalists' progress in work quality.

Although journalist associations, such as AJB, have drafted ethical standards, journalists do not always observe the guiding principles. As noted in last year's MSI, a frequent ethical lapse is the practice of accepting money or gifts for favorable coverage. Nama commented, "Some journalists lack a sense of ethics and professionalism when dealing with politics and money." She cited a 2008 CSC report that called for increased professional training in ethics, in response to numerous breaches.

Self-censorship continues to be a problem as well.

"Self-censorship is constantly present in the press, simply due to the journalists' contacts with political or economic milieus," according to Mountamou. "This situation is much more widespread in the provinces, where journalists, politicians, and economic operators rub elbows with each other every day... most of these journalists try to uphold the ethical standards as best they can."

The media—particularly print—do tackle sensitive issues, according to Réseau National de Lutte Contre la Corruption (RENLAC).¹¹ According to a RENLAC report covering 2007 and 2008, "Our network, the press, and other 'supervisory and control agencies' have unveiled many cases of corruption and embezzlement in the governmental and para-governmental services." RENLAC has acknowledged with appreciation the media's contributions to the fight against corruption, pointing out that "the press reported on the activities of governmental and non-governmental institutions fighting corruption. The press has also presented facts and practices—either as a witness or victim." RENLAC showed also that the number of journalists and publications registered for the Anti-Corruption Fight Award competition is constantly going up: 32 articles in 2006 versus 55 proposed by seven publications in 2007.

Scores for the indicator concerning salaries did not change significantly from 2008; again this year, it was the lowest-scoring indicator for Objective 2. As noted in the 2008 MSI, many private commercial, religious, and associative radio stations offer meager salaries—or none at all—and that prevents journalists from meeting the required professional quality standards. Salaries have not increased, despite the Collective Contract finally signed between the press owners

¹¹ National Network for the Fight Against Corruption

and journalists in 2009. Media Foundation West Africa's Burkina Faso report for 2009 confirmed the link between poor payment and sliding ethical standards, tempting journalists to accept pay for favorable coverage. "Salaries, which were rather pathetic, were beefed up with allowances from 'billed articles.'"¹²

However, Pierre Kaboré, manager of Edifice McCann Erikson Communication Agency, commented that the private daily newspapers manage to provide regular salaries—small salaries, but in accordance to the domestic average.

All the panelists agreed that broadcasters air more entertainment programs than newscasts. A poll about the media, conducted by Centre National de Presse Norbert Zongo,¹³ confirmed this imbalance. "People watch television mostly for entertainment. So the television screen is not a major news source for citizens. This could be explained by the scarceness of the news offered on television, and the fact that the few newscasts are in French. The population watches television to have fun... Given the increasing difficulties of daily life, the population drowns their sorrows in syrupy soap operas." According to those polled, 30 percent watch television mainly to have fun; general information on current events came in second at 13 percent.

Regarding the state of technical facilities and equipment for gathering, producing, and distributing news, Mountamou said, "We must also recognize that most newsrooms and radio studios are quite ill equipped. Equipment is often obsolete and does not always meet the requirements of quality media production." Nama said that the lack of equipment and material resources leads to third-rate productions. A 2008 CSC report, issued following a country-wide inspection, substantiates these panelists' viewpoints, stating, "...radio stations have obsolete, analog equipment, not adapted for the digital era."

OBJECTIVE 3: PLURALITY OF NEWS

Burkina Faso Objective Score: 2.23

The individual indicator scores for this objective clustered close to the overall objective score, although indicator 2 (citizen access to media) stood out with a score three-quarters of a point higher. Largely, the panelists said that Burkinabè media offer a plurality of sources for news, providing citizens with objective and reliable information.

¹² "Burkina Faso-2009 General Overview." Media Foundation West Africa; July 28, 2010.

¹³ "Results of a poll about the media in the four main cities of Burkina Faso: Ouagadougou, Koudougou, Bobo-Dioulasso, and Ouahigouya," Norbert Zongo National Press Center, April 2009.

Mountamou said, “In Burkina Faso, there are multiple news sources. There are four daily newspapers and some 20 weekly publications, plus about 100 commercial, community, and religious radio stations. The main problem is related to the financial means: Very few people in Burkina Faso can afford to regularly buy the four daily publications to compare news perspectives.”

Access to the Internet is unrestricted, and the foreign press is available to anyone who can afford it. Kaboré noted, “In Burkina Faso, there is free access to international news sources such as RFI, BBC, and VOA. International publications such as *Jeune Afrique* and *Africa International* are also available without restrictions. The Internet is also an important news source.”

Regarding the degree to which state or public media reflect the views of the political spectrum and serve the public interest, some panelists claimed that the public or state-run media are increasingly independent, and include all the country’s social and political sensibilities—although so far, the government enjoys privileged coverage by the public outlets. According to most of the panelists, since the first MSI study in 2006/2007, the public press in Burkina Faso has worked hard to reflect the diversity of opinions—although it faces some resistance here and there. This assessment is validated by the results of a 2009 Centre National de Presse Norbert Zongo study on media influence. The study quoted prominent academics in Burkina Faso praising the state-run daily *Sidwaya* for its efforts to adapt to the new democratic environment, and give space to anti-government opinions. However, Bénéwendé Sankara, a member of parliament and

Kam said emphatically, “The public media are not independent from the government. By this I mean that they are not open to the entire spectrum of opinions and alternative comments. When you speak with journalists from the public media, some of them tell you they cannot do their job because there are things they are not allowed to do.”

official leader of the opposition, participated in the study and said, “For the public media, the influence of the government is so great that they look more like information channels of governmental actions.” He added that “we can say that the press does a good job denouncing scandals in which top-ranking politicians are often involved.”

Taoko provided a slightly different perspective. He said that “state-run press outlets are public service media, so they belong to the Burkina Faso people. That means they live off of our taxes. The legislation governing television, for example, includes the notion of public service and the law of the three thirds. Thus, on really particular and important issues, the executive power, the opposition, and the civil society organizations should all be given the opportunity to express an opinion. In practice, however, we realize that the executive power has more ample airtime available than the other organizations. It is true that theoretically, during electoral campaigns, the CSC assigns airtime to each party in a regulated and balanced fashion, but the executive power takes most of the radio or television news bulletins, while the others are somewhat pushed aside.”

Kam said emphatically, “The public media are not independent from the government. By this I mean that they are not open to the entire spectrum of opinions and alternative comments. When you speak with journalists from the public media, some of them tell you they cannot do their job because there are things they are not allowed to do. Some others simply defend their editorial policy because they believe it is the right thing. So they mistake the public interest for the government’s interest. But these are two different things, and from this point of view, I say they are not apolitical.”

As an example, he added, “In 2008 the Center [National de Presse Norbert Zongo] organized, just like every year, the commemoration of the December 13 assassination of the journalist Norbert Zongo. National Television refused to air

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.

Mountamou said, "Media ownership? The public has no specific idea, by any measure, about who owns the various media outlets. All we know is that every media outlet has a publication manager and meets the requirements for news publication and distribution."

the video clip promoting the event—which included a panel on the Norbert Zongo case followed by film projections. The center wanted to pay for the clip to be aired, but National Television refused—not for the first time. That must have been the fourth or fifth time that Norbert Zongo-related video clips were not broadcast. This can be indicative of the actual political influence on the media.”

Regarding whether politicians appoint public media managers, Kam said that the answer is yes, and the civil servants that ministers appoint owe the government their loyalty. “When you listen to the national radio station or watch the national television channel, you know who runs the country... news is biased,” he said. “There is a problem when the public is interested in a subject, and the television channel will not address it... The managers of the state-run media outlets believe that addressing such issues is tantamount to criticizing the government or the ruling party.”

Bakary Koné described an example of political interference at the regional level as well. “Even Radio Gaoua, which is a regional state-run radio, there was a problem with news about the MBDHP. When we received a press release from MBDHP, the station chief said he contacted his superiors, and apparently he could not run the story. Self-censorship is also a common practice, given that most of our bosses are appointed.”

Burkina Faso has no independent national press agency to collect and distribute news. The only one existing is the state-run agency linked to the *Sidwaya* publishing house, which has correspondents in the country's 45 provinces. However, international agencies such as AFP, the Pan-African News Agency (Panapress), Reuters, and the Francophone News Agency (SYFIA) do have correspondents in Burkina Faso.

Usually, private radio stations produce original shows, although some programs may be the result of cooperation with other partners, such as foreign radio stations or media-supporting organizations (Panos Institute or SYFIA, for example). In its 2008 report, CSC pointed out that “the

amount of domestic media products continues to be much lower than foreign products.”

Burkina Faso has two independent written press groups: Les Éditions Le Pays, which publishes several titles (including the daily *Le Pays*, the weekly *L'Évasion*, and the monthly *Votre Santé*) and owns a radio station broadcasting from a regional capital; and the Observateur Paalga group, which publishes the eponymous daily newspapers and the weekly *L'Observateur Dimanche*. In addition to *Sidwaya*, the state-run daily newspaper, Les Éditions Sidwaya publishes several other titles appearing more or less regularly (*Sidwaya Plus*, *Carrefour Africain*, *Sidwaya Magazine*, *Sidwaya Sports*, and *Sidwaya B.D.*).

As noted in last year's MSI, media ownership is opaque largely. Mountamou said, “Media ownership? The public has no specific idea, by any measure, about who owns the various media outlets. All we know is that every media outlet has a publication manager and meets the requirements for news publication and distribution.” Kam added, “We know who the publication managers are, but sometimes we do not know who the real sponsor [owner] is.”

Scores for the indicator regarding minority coverage dipped a little further this year. As noted in last year's MSI, the perception is that the media neglects coverage of minority groups, and as a result, the populace has very little awareness of them—although the country has around 60 ethnic groups.¹⁴

OBJECTIVE 4: BUSINESS MANAGEMENT

Burkina Faso Objective Score: 2.00

Except for indicator 6 (market research) and indicator 7 (broadcast ratings and circulation monitoring), the Objective 4 indicators scored in the near-sustainability range and overall showed modest improvement compared to last year's score of 1.81.

According to Nama, “The independent media are relatively well managed, but most of them lack a business plan and survive on a day-to-day basis.” However, she said, “There are many weaknesses that hold back Burkina Faso media outlets: the underdeveloped advertising sector; the uneven distribution of advertising; the lack of data on the life, functioning, and impact of the media.”

Panelists in addition to Nama said that media houses could be more comfortable financially with improved management.

¹⁴ “Burkina Faso-2009 General Overview.” Media Foundation West Africa; July 28, 2010.

Mountamou said, “It is hard to say that media outlets are ill managed, since they do manage to survive: that means they are well-managed. However, we must point out that most of them just barely survive... they are far from generating the substantial profits that could result in their economic independence.” Pierre Kaboré noted, “There are well-managed press companies, but they are very rare.” As an example, he cited the handful of private dailies that have managed to provide relatively decent salaries for their journalists. Kam said, “In comparison to other, obviously profitable media, many others just limp along.”

CSC confirmed the panelists’ viewpoint on the frailty of the private press companies in its latest published report. The report states, “The functioning of the private written press is satisfactory. However most of them still face financial problems related to the economic precariousness of the press companies.”

The situation of the state-run media—public institutions with relatively independent management—has not changed. Their revenues go directly into the public treasury, and often, state outlets have trouble paying their operational charges.

Regarding sources of income for the media, Mountamou said, “For most media, advertising is the main revenue source. Unfortunately, it is very unevenly distributed in the capital versus the provinces—which affects us in Bobo-Dioulasso. The publicists, communication agencies, and other advertisers never see far beyond Ouagadougou—so much so that the regional media are often forgotten.” He added that this is true even when the government (still one of the largest advertisers) supplies the advertising.

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

BUSINESS MANAGEMENT INDICATORS:

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

Mountamou said, “It is hard to say that media outlets are ill managed, since they do manage to survive: that means they are well-managed. However, we must point out that most of them just barely survive... they are far from generating the substantial profits that could result in their economic independence.”

Additional panelists pointed out the disparities within the advertising market. Nama commented, “The advertising sector in Burkina Faso is underdeveloped. The advertising allotted to the media is ridiculous—and most of it goes to three publications and two television channels.” Firmin Gouba, a professor in the Department of Journalism at the University of Ouagadougou, explained, “When we talk about advertising, we are dealing with the business world. Advertising only works in consumer societies. This is indeed why, in a city like Abidjan or Dakar, the salaries generated by advertising are higher than what we have here. Since there are no consumers in Gaoua, advertisers will not spend resources to advertise in Gaoua.” The panelists also noted that advertising often influences editorial policy.

As noted in last year’s MSI, many advertising companies are actually branches; they depend much more on international groups. Burkina Faso has more than 40 advertising agencies, but how many are truly engaged in supporting an advertising market is unclear.

The Burkinabè government offers subsidies to private newspapers—without influencing content, according to the panelists. Nama emphasized, “This subsidy does not lead to the loss of journalistic independence. The recipient media are responsible and work together for the distribution of this financial aid.”

The government’s annual aid to the press increased from XOF 150 million (\$338,100) in 2007 granted to 100 media to some XOF 200 million (\$450, 775) in 2009 granted to 59 radio stations and newspapers. The subsidies for individual outlets did not vary greatly between the highest amount (XOF 3,643,105, or \$8,200) and the lowest amount (XOF 1,907,128, or \$4,300).

As reported in last year’s MSI, Burkinabè media outlets conduct very little market research or audience measurement, beyond some call-in shows. While the panelists were not aware of any studies rating different media outlets within a given sector, for its April 2009 report, Centre National de

Presse Norbert Zongo commissioned an impact and rating research study on the Burkina Faso media that compared the popularity of various media sectors. According to the findings, which stemmed from polls in Burkina Faso's four main cities (Ouagadougou, Koudougou, Bobo-Dioulasso, and Ouahigouya), about 90 percent of respondents get their news mainly from the radio. Television comes in second, at 87 percent, while only 39 percent of the respondents claimed that they get their news from the written press.

Burkina Faso does not have independent institutions publishing statistical data on newspaper print runs or circulation. According to Nama, "There is no independent agency that measures the ratings, and despite the legal obligation to publish print runs, the print media never does so."

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Burkina Faso Objective Score: 2.94

Objective 5 received the highest score of the five objectives in this year's MSI, reflecting the panelists' beliefs that the Burkinabè journalists can rely on strong professional organizations and unions, and that the civil society is supportive of the media. All indicators scored within a quarter-point of the overall objective score.

These predominantly positive scores can be explained also by the signing of the journalists' Collective Contract in 2009. The subsequent issuance of the first press cards marks the end of the negotiations in which media professionals were backed by their base organizations—media groups such as AJB,

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.

SYNATIC, and Société des Éditeurs de la Presse¹⁵ (SEP) as well as more general civil society organizations.

Burkina Faso has several general or specialized associations and media groups; the major ones are SEP, Union Nationale de l'Audiovisuel libre du Faso¹⁶ (UNALFA) of Burkina Faso, l'Association des Radios communautaires,¹⁷ Association des Médias Communautaires¹⁸, Réseau des Radios et Revues Rurales¹⁹, Réseau Informel des Journalistes.²⁰

As noted in last year's MSI, many of these associations lobby actively for improved rights to access public information and to decriminalize press offenses, and protest regularly against violations of freedom of the press. Justin Coulibaly noted that some of these associations played prominent roles in the work to pass the Collective Contract. "It took us a year to draft and pass the text of the Collective Contract, with the help of UNALFA and SEP. That was a major effort," he said.

Of course, these organizations have their critics. Nama pointed out, "There is no shortage of actions in support of the media, but how effective are they? Many associations do not go beyond theoretical support or a press statement, which has limited benefits."

Burkina Faso's universities offer degree-level programs and professional training in journalism, and panelists have noted improvements in the quality of academic programs. The University of Ouagadougou's Department of Journalism offers graduate programs and a certificate course. The Vocational Training Center of Information, run by the Ministry of Information, also offers journalism courses. Students study journalism commonly in other African countries (Senegal, Togo, Côte d'Ivoire), and in Europe.

The Centre National de Presse Norbert Zongo organized training sessions in 2009 for radio and newspaper journalists and has developed a three-year journalism training program. Additionally, journalists take short-term training classes to help develop their skills, sometimes in the form of exchanges with European donors. A French city supported trainings in journalistic techniques for media professionals in Bobo-Dioulasso. Mountamou explained: "The Regional Press Union organizes trainings as well. The city of Bobo-Dioulasso set up a partnership with the Rhône-Alpes region of France, which made this training possible. Journalists from France came here in 2009 for a 10-day training with local journalists, and they will return in 2010. This is a three-year partnership

¹⁵ Society of Publishers Press

¹⁶ National Union of Independent Broadcast Media

¹⁷ Community Radio Association

¹⁸ Community Media Association

¹⁹ Rural Radio Stations and Publications Network

²⁰ Informal Journalists' Network

aimed at organizing regular training sessions for journalists of Bobo-Dioulasso.”

The Ministry of Communication, through its media development department, has organized other training sessions for the media in Ouagadougou and Bobo-Dioulasso.

Pierre T. Dabiré had a less positive view of training opportunities for Burkinabè journalists. “We must also point out that no formal in-house training program has been developed. Trainings become available strictly dependent upon situations, financings, and sponsors. A newspaper may wish to train its journalists, but lack the resources, so one must wait until a sponsor decides to offer training in a given field and then rush for it. This is not a good situation. Every press outlet should offer training programs.”

Burkina Faso is still without a national distribution service. Each newspaper outlet distributes through its own sales network and is concentrated in the capital.

List of Panel Participants

Hervé Taoko, editor-in-chief, *Le Reporter*, Ouagadougou

Hortense Zida, journalist, *Editions Sidwaya*, Ouagadougou

Hortense Tieba, journalist, Radio Munyu, Banfora

Bakari Koné, journalist, Gaoua Radio, Poni province

Kani Moutamou, editor-in-chief, *L'Express du Faso*, Bobo Dioulasso

Germain Nama, publication manager, *L'Événement*, Ouagadougou

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

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

Firmin Gouba, chief, Department of Journalism and Communication of the University of Ouagadougou, Ouagadougou

Pierre Dabiré, secretary general, Association of Journalists, Ouagadougou

Justin Coulibaly, journalist; secretary general, Independent Union of Information and Culture Workers, Ouagadougou

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

Evariste Zongo, chair, Association of Publishers of Newspapers in National Languages, Ouagadougou

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

Moderator and Author

Abdoulaye Diallo, coordinator, Norbert Zongo Press Center, Ouagadougou

Assistant Moderator

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

Burundi has a slowly growing community radio presence, welcomed enthusiastically by the population. But no one has conducted research to determine the impact of these community radio stations on local communities.



BURUNDI

B

Burundi's fragile political environment, recovering from civil war between the Hutu and Tutsi ethnic groups, continues to pose many challenges and obstacles to the independent media. Although Burundi's constitution supports freedom of the press, the laws are not enforced. The ruling party, the National Council for the Defense of Democracy-Forces for the Defense of Democracy (known by its French acronym CNDD-FDD), runs the main radio station, and the only regular newspaper, *Le Renouveau*. Journalists working for the few independent voices (such as the private newspaper *La Verité*, published by the minority Tutsi-based National Recovery Party) endure frequent threats and intimidation. Journalists who dare to question the government or stray into sensitive political territory have been subjected to harassment and prison terms, as seen in several cases in 2009.

In addition to the hostile political atmosphere, Burundian journalists face great practical obstacles in their reporting. The advertising industry remains stunted, and most private media outlets are dependent on NGOs and international donors, making slim efforts toward sustainability. Field correspondents suffer from severe equipment shortages, to the extent that many regional broadcast journalists are reduced to producing written reports. In addition, journalists are not trained adequately, as Burundi remains without schools for journalists. The Burundian media need to address these practical constraints in order for journalists to be able to improve the quality of their work.

Burundi has a slowly growing community radio presence, welcomed enthusiastically by the population. But no one has conducted research to determine the impact of these community radio stations on local communities. Awareness of new media is steadily increasing, although few Burundians have access to the Internet—even in the capital, Bujumbura. In some remote areas, few have even heard of the Internet. Although positive signs are emerging that younger generations understand the value of the Internet, the Committee to Protect Journalists commented that the rise of the Internet has fueled a corresponding rise in the number of jailed journalists.

With these serious issues still confronting Burundi's media community, progress in attaining sustainability is slow. Nonetheless there were modest gains in scores compared to last year, as the overall score rose from 1.95 to 2.16. Objective 2 (professional journalism) and Objective 4 (business management) showed improvement of a third of a point each, with the other objective rising slightly, about a tenth of a point each.

BURUNDI AT A GLANCE

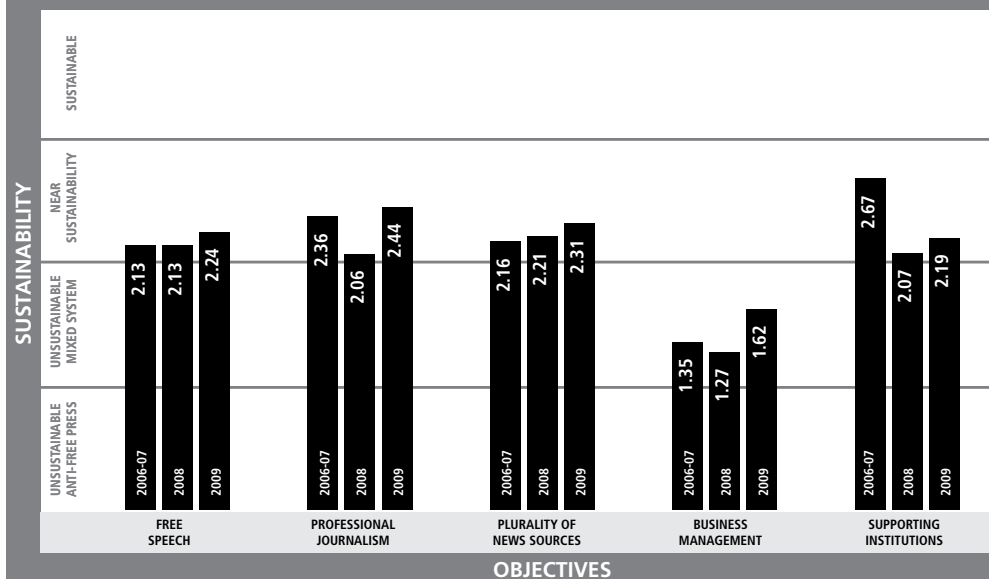
GENERAL

- > **Population:** 9,511,330 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Bujumbura
- > **Ethnic groups (% of population):** Hutu (Bantu) 85%, Tutsi (Hamitic) 14%, Twa (Pygmy) 1%, (*CIA World Factbook*)
- > **Religions (% of population):** Christian 67%, indigenous beliefs 23%, Muslim 10% (*CIA World Factbook*)
- > **Languages (% of population):** Kirundi (official), French (official), Swahili (along Lake Tanganyika and in the Bujumbura area) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$1.232 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$390 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 59.3% (male 67.3%, female 52.2%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Pierre Nkurunziza (since August 26, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: regular newspapers include *Le Renouveau du Burundi* (state-owned), *L'Avenir* (private), *Ubumwe* (state-owned), *Ndongezi y'Uburundi* (Catholic-church owned bi-monthly); Radio Stations: 7 main stations including Radio-Culture, Radio-Umwizero or Radio de l'Espoir, Radio-CCIB FM+, and African Public Radio; Television Stations: 1, National Radio Television of Burundi
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Burundi Press Agency (public), Net Press Agency, Infop Agency, Espresso Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 65,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BURUNDI



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Burundi Objective Score: 2.24

The panelists agreed that from a theoretical standpoint, Burundi has the necessary legal and social instruments to protect and encourage the freedom of speech and access to information. "Even if legal provisions specifically addressing the freedom of speech are not yet developed, the constitution and the press law of Burundi guarantee this freedom," said Jocelyne Ininahazwe of the National Communications Council (known by its French acronym CNC), the public media regulating agency.

Putting legal standards into practice is the real problem, said Ernest Nkurunziza, an activist with the Human Rights League (Iteka). Pointing to the press law as an example, he underlined legal provisions that criminalize certain press actions. Media members have responded with a movement requesting the decriminalization of press offenses. "Journalists often go to prison at the whim of politicians or any other powerful individuals," he said. "Journalists are doing their job, but there are restrictions and...sensitive political topics that the independent media cannot address."

Regarding broadcast licensing, the panelists had mixed perspectives. Désiré Ndanziya, executive secretary of the Association of Women Journalists (known by its French acronym, AFJO) denounced "...the political exploitation of the license-granting Agency for Regulation and Control of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Le Visionnaire Infos journalist Ambri Majabuko said that while no media workers have been murdered in Burundi, journalists suffer multiple other forms of intimidation. Local correspondents in particular are sent to prison and persecuted with phone threats, and their reporting equipment is seized by the national information service.

Telecommunications, whose members are appointed by the president and chosen from within the ruling party." Others opposed these views, however; Ruston Uwimana, a journalist for *Ndongezi*, claimed, "The process of granting operating licenses to the broadcast press is just and apolitical, though it is true that some radio stations do enjoy favors." He mentioned Radio Rema FM, which is obedient to CNDD-FDD, as an exception. But in general, Uwimana concluded, "Any person wishing to start a radio station in Burundi can do so easily and with no political impediments."

Nkurunziza gave examples of government influence on the media. "Some privileged media are regular beneficiaries of tax relief, and crimes against journalists are not even prosecuted, as most of the perpetrators of such crimes belong to the groups in power," he said. Fabrice Niyokuru, an agent at a Bujumbura communications agency, concluded that the current legislation is failing to protect journalists.

Le Visionnaire Infos journalist Ambri Majabuko said that while no media workers have been murdered in Burundi, journalists suffer multiple other forms of intimidation. Local correspondents in particular are sent to prison and persecuted with phone threats, and their reporting equipment is seized by the national information service. Ndanziya brought up two specific cases. A union member, Juvénal Rududura, was imprisoned for 10 months after declaring that the justice system is corrupt, while Radio Isanganiro's Marc Niyonkuru had his life threatened by the chief of the urban planning department over a report accusing the chief of using the taxpayers' government vehicle for his own political business. Uwimana said that even if no one takes violent actions against journalists, they work in a climate of intimidation.

According to the panelists, Burundi's public media cannot be considered independent, given that their managers—from the bottom to the top—are devoted stalwarts of the ruling party. Fiona Irakoze, with Lumière University, remarked on the ruling party's different attitudes toward government-friendly

Ininahazwe said, "Access to public information is difficult, especially for journalists in the private press, as they are disadvantaged to the benefit of the journalists in the public press [the state-run media]."

media versus opposition media. As an example, Irakoze mentioned the "...pro-government newspaper [*Intumwa*], which published subversive allegations and suffered no consequences, whereas any other media would have been drastically punished."

Addressing the treatment of libel in Burundi, Nadège Irambona, with the Media Organization of Central Africa said, "News articles that the authorities do not like are labeled slanderous, and journalists are sent to prison even before their guilt is proven." For example, journalist Jean Claude Kavumbagu was accused of spreading false information and spent several months in prison. He was eventually released without any charges filed against him. A journalist with Radio Publique Africaine (RPA), Félix Nzoroubonanya, said that the legislation (and norms) regulating the Burundi press are problematic because "all of the legislation is developed by the government, without consulting journalists or considering the suggestions made by journalist associations."

Nzoroubonanya shared his view that access to public information is a challenge in Burundi, and that various media receive differential treatment. For example, he said, when Burundian journalists covered the collapse at the CNDD-FDD party headquarters, police blocked their access to the premises. Journalists were also denied access to the hospital where some student scouts were being treated after they were shot by police accompanying the Kayogoro commune administrator. According to the panelists, often public officials obstruct access to public information because either they do not want to communicate with the media or they do not know how. Even the creation of ministry spokesperson positions has not changed the situation. Ininahazwe said, "Access to public information is difficult, especially for journalists in the private press, as they are disadvantaged to the benefit of the journalists in the public press [the state-run media]." Uwimana added, "Sometimes the public officials do not release information very easily, when they feel that they are under scrutiny and particularly when it may compromise them."

Regarding access to international news and news sources, Ininahazwe noted that Internet access is free and the

government does not block or restrict it. Nzoroubonanya said that access to international news is legally unrestricted, although Burundian press organizations face an affordability issue in this respect.

On the topic of entry to the journalistic profession, Kabanyana Spès-Caritas, a journalist with Radio Isanganiro, reflected the majority of panelists' opinions and said that the doors are open to anyone. "The government does not stand in the way of any person wishing to become a journalist," he said. "The media managers alone select the people they wish to hire, just as anyone who wants to attend a school of journalism is free to do so."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Burundi Objective Score: 2.44

The second objective generated much debate. While most of the panelists underlined the low professional quality of the Burundian journalists' work, others agreed tepidly but found justifications for it. Majabuko said that some journalists put all their heart into their work, with objective, balanced, and professional results. Radio professionals appear further along in this regard than the print media. Others, according to the panelists, produce mediocre work for various reasons, including incompetence. Didier Bukuru, a journalist with *Iwacu*, asserted, "Appropriate training is necessary to help journalists meet professional standards of quality." Many journalists attempt to do their job professionally, but they always make mistakes, which the panelists attributed to lack of education, low salaries that invite corruption, the abandonment of the media sector in favor of better paying

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).

jobs, and the lack of proper equipment. Despite these obstacles, many in Burundi's media community are trying to elevate the professional standards, and in that spirit, the panelists mentioned the United Nations Integrated Office in Burundi (known by its French acronym, BINUB) and its efforts to strengthen journalists' capabilities.

Currently, the Burundian Press Observatory (known by its French acronym OPB) acts as a court of peers when cases of breaching professional ethics codes are brought to its attention—with mixed success, according to the panelists. Ininahazwe noted, "Sometimes journalists sidestep [ethical] standards, and the self-regulatory agency [OPB] does not do its job well." Amisi Karihungu, a correspondent for Radio Bonesha in Gitega, noted that "most journalists try their best to write pieces that meet professional ethical standards," but agreed with many other panelists that shortcomings can often be traced to the severe lack of resources and training. While he acknowledged that some quality reporting can be found, Karihugu said that in his view, very few media, including RPA, are capable of meeting high standards consistently.

Ndanziza stressed her belief that journalists try to observe the professional ethics code, but she also conceded that corruption and self-censorship are common. "Politicians pay for full pages in some newspapers, and... self-censorship is alive and well in many media," she said. "Correspondents often receive threats for spreading any piece of news likely to create a political stir, while public media journalists practice self-censorship to avoid spreading news that risks government displeasure." Uwimana argued that some journalists and editors practice self-censorship to uphold the professional ethics code—or to refrain from publishing information that could potentially hurt the country.

Considering whether or not journalists cover key events and issues, the panelists agreed that private media address major issues facing the country. Uwimana explained, "In Burundi, the freedom of speech is significantly more advanced than in neighboring countries. Therefore, journalists are able to cover even sensitive topics, such as the corruption of high government officials. For example, in 2008, the Burundian press addressed the controversial sale of the presidential Falcon 50 aircraft." However, Irambona tempered that view, claiming, "The Burundian media does not address enough major issues. Some media have trouble funding investigations, while others are afraid of reprisals—particularly when the issue involves political actors."

Although last year's panel had an optimistic view of journalists' pay in Burundi, that impression is changing. Uwimana said, and other panelists agreed, that "the salaries of the Burundian journalists are very low, which is why

Amisi Karihungu, a correspondent for Radio Bonesha in Gitega, noted that "most journalists try their best to write pieces that meet professional ethical standards," but agreed with many other panelists that shortcomings can often be traced to the severe lack of resources and training.

some journalists can be corrupted or bribed." Karihungu noted that low salaries drive many to leave the media for better-paying fields, but he noted a positive side effect: Those who decide to stay are guided by passion rather than financial motivation.

Regarding how well the media balances entertainment and news, Irambona said, "In the public as well as private media, entertainment overshadows other programs, while some media—particularly the new ones—are partisan." Nkuruziza disagreed, claiming that most media try to balance entertainment and news.

Equipment shortages persist, seriously constraining the media's ability to produce professional-quality news. "Field correspondents suffer from a painful lack of equipment, including recorders, desks, word processing, and communication tools," Nzoroubonanya said. "For instance, many journalists based in various regions have to produce soundless reports." Private media are also frequently unable to provide transportation for their journalists to cover events.

Quality niche reporting continues to be a rarity in Burundi. With little training in specialized journalism, media workers produce very few reports on diplomacy, trade, or economics, and outlets often resort to using outside experts to cover those areas. Irakoze said, "The new political and security issues take too much space in the newscasts, and without specialized journalists in economics, sports, health, etc., these topics are rarely and only superficially addressed."

OBJECTIVE 3: PLURALITY OF NEWS

Burundi Objective Score: 2.31

News sources in Burundi include radio, television, newspapers, and the Internet, but only radio can claim a wide audience. Ndanziza said that the broadcast media covers 80 percent of the national territory, with seven radio stations (though some private radio stations do not have national coverage).

Spès-Caritas commented, "There are diverse private and public news sources, but they are concentrated in the country's larger cities—which means that they are not available to all citizens."

Newspapers are hard to find; they are available mostly in the capital and a few country towns of some provinces. The shortage is due partly to the high cost of distribution and partly to the lack of demand for newspapers, given Burundi's high illiteracy rate (some estimates put this at 80 percent). According to Ndziza, newspaper print runs remain low; the daily *Le Renouveau* comes in first, with 1,500 copies per day. It is written in French, although the population speaks Kirundi and most of them are illiterate. Nkurunziza commented, "In Burundi, there is a large gap between the urban and rural, and the intellectuals and illiterates. Most documents—including legal ones—are drawn up in French, whereas there is a large illiterate population in this country. We have come to realize that neither the public nor the private media reflect the voice of the underprivileged. The RTNB [National Radio-Television of Burundi] serves a commercial purpose, not social welfare."

Few Burundians have access to the Internet—even in Bujumbura, Nzoroubonanya noted, as online access is quite expensive. Even then only some urban centers have access. The young generation knows how to make the most of the Internet, but the ruling political class and businesspeople do not take advantage of it enough, panelists said.

Community radio is growing slowly, but the extent of its impact on local communities is unknown, given that no one in Burundi has conducted market research on community

media. Nkurunziza said, "The community broadcast media seem to have been created for political purposes. The RPA was not given the freedom to create community media, and we feel that the real issues of society are not a priority for the existing community press. It seems that political issues take precedence over social interests."

The government does not overtly block access to domestic and international media. However, Spès-Caritas said that access to domestic and international media is limited in effect, because resources are concentrated in urban areas—people living in the most remote areas do not even know that the Internet exists, for example. Nkurunziza further qualified the assessment: "Foreign information is unrestricted as long as it does not address sensitive issues," noting the case of a Tanzanian journalist who was denied entry into the country and threatened with imprisonment. Poverty is another limiting factor—in terms of Internet access as well as the inability of most people to buy a radio set to follow broadcast news. People living in urban centers do follow international news, but cable or satellite television is available only to the rich.

According to the panelists, the public media are not apolitical or independent; they labor to serve the government that funds them. In public media, censorship of any criticism of the current government is common—and likely to intensify during elections. The public media report on a broad spectrum of political news, with a particular focus on the activities of the ruling party. Even those public media journalists that are true professionals are under enormous pressure from the government. The public interest is not a top priority for these media outlets; only the news (some panelists referred to "propaganda") in favor of the government is headlined, and the opposition is neglected. Ndziza said that public media workers are aware of their public interest service obligations, but their hands are tied because their managers work for politicians.

Burundi has independent press agencies, such as Net Press and Syfia Grands Lacs, that collect and deliver information to print media and radio stations. There is also a public news agency, Agence Burundaise de Presse. Niyokuru said that foreign independent press agencies such as Reuters operate in Burundi, and the government often threatens journalists working for those agencies.

Several panelists attested to the fact that independent broadcast outlets produce original content and programs, often provided in partnership with foreign media. As noted in last year's report, radio stations such as Isanganiro, RPA, and RSF Bonesha FM produce shows on various current events and broadcast political debates, street interviews, school events,

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.

etc. Their content differs markedly from the content of the state-run public media.

Media ownership in Burundi is not transparent. Most private media outlets are associations, and the public is in the dark regarding management and sources of financial support. Only rarely do media owners declare transparently the sources of the funds that they provide to their outlets. While some media receive funds from abroad, foreign investment in the media sector is considered insignificant. Karihungu also brought up another trend: with the exception of RTNB, most radio stations are associations, and some media have started to align themselves with political parties.

According to the panelists, the media reflect a broad spectrum of social interests, including minority issues. Spès-Caritas noted that the media can broadcast freely in any language they choose, and journalists cannot be prosecuted for writing or reporting on minority issues. Swahili is the main minority language, but Burundi has only one newspaper in Swahili and English, owned by Karenga Ramadan. When CNDD-FDD became the ruling party, the national television station began to broadcast a news program in English and Swahili. Ininahazwe commented, however, that while some social issues are addressed, the media focuses disproportionately on political and economic issues at the expense of agricultural, environmental, or other issues.

OBJECTIVE 4: BUSINESS MANAGEMENT

Burundi Objective Score: 1.62

Again this year, the panelists said that Burundian media outlets do not truly operate as businesses; they are not profit-generating. Uwimana took a slightly different view, saying that while not all media outlets are profitable businesses, radio and television stations enjoy some degree of popularity and, by extension, profitability—perhaps because they fit well with Burundi’s oral culture. By contrast, print media are not at all profitable. Production and supply costs are steep and demand is low, as few Burundians like to read—or are able to read.

Irakoze said that the way in which these media are managed shows how little hope managers have in their prospects for sustainability. Sales services are not solid, and outlets have no marketing agents; if there is any marketing work, it is in the form of billing and payments. Accounting and financial practices are not open to the public, which makes it difficult, if not impossible, to know if they meet international standards. However, some panelists said that Burundian media outlets are managed as well as their incomes allow.

As for community media, which is relatively new to Burundi, the panelists said that it is too soon to see whether they will be sustainable.

Although some media partners and sponsors attempt to improve management standards, the decision-makers at media outlets show little desire to establish any degree of independence, panelists said. Some managers do not view their organizations as a business, even if they rely on their own income. Karihungu noted, “Journalists content themselves with gathering, editing, and releasing news, without paying any attention to the press outlet’s fund management.”

While the government subsidizes public media, Ininahazwe said, private media are better characterized as non-profit associations, funded largely by external donors. Apart from a small stream of advertising revenue, most private media outlets live off sponsorships from NGOs and international organizations, and sometimes by forging partnerships with other media and NGOs. Once the subsidies are cut, Bukuru said, the press outlet disappears. The heavy dependency on sponsorships makes it difficult to discount the possibility of editorial influence—a problem felt most keenly in the government-funded public media.

Burundi has an underdeveloped advertising sector, which the panelists consider the root of the media’s financial troubles. Although advertising does provide media outlets with some income, no outlet survives on advertising alone. This fact is partially explained by the weak competition in the market, as well as the media’s apparent unwillingness to believe that advertising is fully justified. As Irakoze explained, “The media companies do not have faith in advertising as a sound income

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.

source—stemming from limited creativity and old-fashioned operations.” She added, though, that she believes that acceptance of advertising is growing. Niyokuru said that even the country’s few existing advertising companies still do not understand the importance of advertising.

Panelists said that the percentage of advertising revenue as income is quite slim for broadcast outlets. “Advertising is barely present and is only seen in the capital,” Nzoroubonanya said. “Commercials take up only about one percent of the designated airspace, which brings in next to nothing in terms of income.”

Although the government subsidizes the public media, Burundi has no law regulating subsidies. Spès-Caritas confirmed that the private media are completely independent financially; he views this as a positive feature, as a state-subsidized private media outlet risks losing its professional independence. Ambri said that CNC announced recently that it will partner with the government to create a media support fund.

Burundi still does not have any polls, market studies, or ratings available, nor any agencies that specialize in measuring ratings, Internet statistics, or print runs. Niyokuru said that radio and other media ratings are unknown, and Nkurunziza said that programming decisions are made without audience research. As a result, news that journalists consider essential is aired and printed, but sometimes the news that is important to the population is addressed only superficially. Nkurunziza also said that Burundi’s lack of independent market studies stands in the way of improving advertising income as well. Ambri added that no agencies in Burundi are capable of conducting market research for advertisers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Burundi Objective Score: 2.19

Burundi does not have a true, industry-level organization representing publishers or broadcasters. The Radio Broadcasters Association of Burundi (known by its French acronym ABR) is fairly active, but Irakoze said that its effectiveness is questionable. “Considerable efforts have been made to build media-supporting structures—for example, ABR and the Press House, launched in 2004 with support from UNESCO,” he said. “But the media have to rely heavily on external support to make their voices heard from afar. For example, ABR could be viewed as a radio managers’ association and not an association of radio stations themselves.” The panelists said that greater

attention to long-term planning is needed to make these organizations sustainable.

While Burundian media have no commercial associations similar to the associations representing editors, many media professional associations are working to protect the rights of journalists. Some of the more active professional associations include the Association of Burundian Journalists (ABJ); Association of Women Journalists; the Press House; and the journalists’ union, the Burundian National Radio Television Workers’ Union. Spès-Caritas said that these associations do step up to defend journalists; for example, ABJ’s president reacted sharply to death threats against Marc Niyankuru, a journalist working in Makamba, in July 2009. Majabuko noted that ABJ and the Press House also advocate for donors to fund training sessions for journalists.

Karihungu, however, claimed that professional associations have stopped protecting journalists’ interests. He said they do not even get involved in cases of press violations, citing the case of an RPA correspondent who was threatened and roughed up by information service agents.

International NGO involvement in the advancement of Burundian media is undeniable. BINUB, USAID, UNESCO, and the Institut Panos Paris devote significant energy and resources to the media. These NGOs defend and support the freedom of speech and independent media by denouncing abuse against journalists and through legal assistance, such as providing defense lawyers for journalists. Uwimana commented, “There are NGOs that support the media to promote the freedom of the press. They fund the media, help coordinate training programs for journalists, and intercede for journalists in conflicts with the state.” For instance, when

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.

RPA had a conflict with CNC, several organizations lobbied in support of the radio station.

However, Karihungu said that media-protection NGOs have limited power, except for a few contracts with NGO projects. Spès-Caritas shared his view that there are very few media-focused NGOs; he could only point to Kinshasa-based *Journalistes en Danger*, which he said is very active and helps protect the rights of journalists. Majabuko added that the media community itself takes the lead in protecting free speech. But aside from the associations referenced above, panelists highlighted only regional and international NGO involvement, not locally chartered ones.

Burundi still lacks a school for journalists, and many journalists are not qualified—most have received on-the-job training only. Spès-Caritas explained: “In Burundi, the journalism school disappeared many years ago, and those who attended it are no longer working in the media. Most of them migrated to better-paying fields.”

Some private universities have communication departments offering classes that can help graduates obtain jobs as journalists. Nkurunziza commented that the private universities appear more and more interested in offering journalism programs, while the state institutions have shown less interest. However, with funding from the Belgian government, the University of Burundi (a public institution) has started a project to create a master’s degree program in journalism.

Filling professional gaps in the meantime, a limited number of short-term training workshops and seminars are available, panelists said. Often the classes are developed by local organizations and funded by NGOs and international organizations such as BINUB, UNESCO, UNICEF, and the Office of the High Commissioner for Human Rights in Burundi. In addition, ABJ organizes monthly training sessions for journalists, with funds from donations. Spès-Caritas added that eventually most journalists take advantage of short-term, on-the-job training as well. These trainings emphasize skills (such as how to gather and process news) as well as covering special topics such as security, the environment, and human rights. However, one panelist said that these training sessions are insufficient, and sometimes the per diem is not attractive enough to lure participants. Irakoze also pointed out the growing dependence of media houses: “The press companies do not invest in personnel training, expecting the help of international organizations. This is hurting the quality of the news.”

In Burundi, newspapers do not own their own printing houses, except for the newspaper *Ndongozi*, which is owned by the Catholic Church. The only state-run printing house,

INABU, went bankrupt. All newspaper printing houses are run privately and independently. According to Karihungu, the managers of these companies act out of business interests, and are not very concerned about the welfare of the newspapers. Nkurunziza noted that the public authorities can interfere and stop print runs, including those for newspapers and books.

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

List of Panel Participants

Ambri Majabuko, editor-in-chief, *Le Visionnaire*, Bujumbura

Ernest Nkurunziza, member, Ligue Iteka, Bujumbura

Amisi Karihungu, journalist, correspondent, Radio Bonesha, Gitega

Fabrice Niyokuru, publicity agent, Bujumbura Communications Agency, Bujumbura

Désiré Ndanzi, executive secretary, Association of Women Journalists, Bujumbura

Ruston Uwimana, journalist, *Ndongozi*, Bujumbura

Félix Nzoroubonanya, correspondent, Radio Publique Africaine, Bururi

Kabanyana Spès-Caritas, journalist, Radio Isanganiro, Bubanza Province

Fiona Irakoze, communications instructor, Lumière University, Bujumbura

Didier Bukuru, editorial assistant, *Iwacu*, Bujumbura

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

Jocelyne Ininahazwe, monitor, National Communications Council, Bujumbura

Moderator and Author

Alain Gashaka, correspondent, *Journalist en Danger*, Bujumbura

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

However, that freedom can go only so far when the knowledge that press offenses are punishable under the criminal law—subject to the whims of a judicial system not known for independence—looms large above journalists' heads.



CAMEROON

Corruption scandals dominated the headlines in Cameroon in 2009. “Ill-gotten wealth: the Cameroonian lead” was the title of a cover story published in the French daily newspaper *L’Express*. According to that newspaper, Comité Catholique Contre la Faim et pour le Développement (CCFD), the French NGO that triggered a regional investigation, began to show interest in Cameroon along with other West African countries, questioning the wealth and spending of Cameroon’s president since 1982, Paul Biya, and his family.

In response, a newspaper close to the government, the *Cameroon Tribune*, denounced the report as biased and advanced the idea that the report was designed to discredit the government. Against this agitated and distrustful background, the president’s 33rd cabinet shuffle occurred on June 30, 2009, replacing the prime minister and the president’s defense representative. Many observers believe the reorganization was meant to distract from the turmoil caused by the publication of the international NGO reports on President Biya’s wealth. For others, these personalities, most of who come from the same southern area as Biya, paid the price for their 2011 presidential ambitions.

Corruption is a pervasive theme across the country. In 2009, Transparency International ranked Cameroon 146 out of 180 countries, and unfortunately, the media have not been untouched by this poisonous climate. However, Cameroonian media do enjoy relative freedom of speech. In particular, the media’s plurality and freedom of tone testify to such a breathing space. For many Cameroonians, the main accomplishment of President Paul Biya’s 27-year rule is precisely the freedom of speech that Cameroonians enjoy in general. However, that freedom can go only so far when the knowledge that press offenses are punishable under the criminal law—subject to the whims of a judicial system not known for independence—looms large above journalists’ heads. Journalists also continue to lament the lack of legislation to support access to information; without such assurances, private media are at a particular disadvantage.

Overall, the Cameroonian press shows many shortcomings and weaknesses in multiple areas. Furthermore, the private media are affected disproportionately by poor working conditions stemming from the lack of resources, the weak advertising industry, and preferential treatment for state media. Other obstacles to more sustainable private media outlets include poor professional standards, limited training opportunities, disorganization, and poor management practices. Given this state of affairs, many MSI panelists called for greater regulation and self-regulation of the media.

The MSI score improved modestly compared to last year, with Objectives 1 (free speech), 2 (professional journalism), and 5 (supporting institutions) showing improvement that reflects panelists’ sense that they do enjoy a certain amount of leeway in their work and that the media sector as a whole is improving.

CAMEROON AT A GLANCE

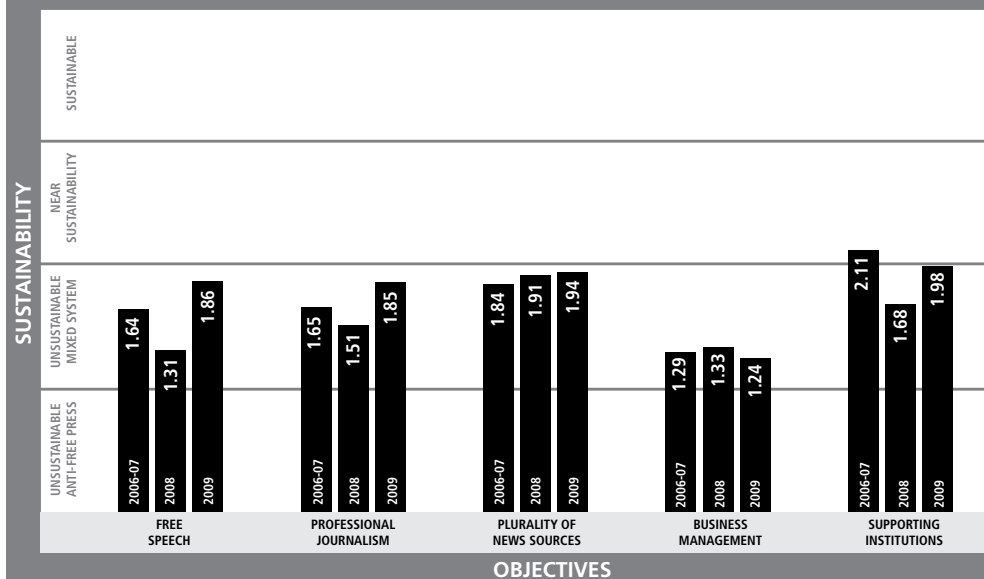
GENERAL

- > **Population:** 18,879,301 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Yaounde
- > **Ethnic groups (% of population):** Cameroon Highlanders 31%, Equatorial Bantu 19%, Kirdi 11%, Fulani 10%, Northwestern Bantu 8%, Eastern Nigritic 7%, other African 13%, non-African less than 1% (*CIA World Factbook*)
- > **Religions (% of population):** indigenous beliefs 40%, Christian 40%, Muslim 20% (*CIA World Factbook*)
- > **Languages:** 24 major African language groups, English (official), French (official) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$22.79 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$2,200 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 67.9% (male 77%, female 59.8%) (2001 est., *CIA World Factbook*)
- > **President or top authority:** President Paul Biya (since 6 November 1982)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 5 daily newspapers; Radio Stations: 3 main stations; Television Stations: 3
- > **Newspaper circulation statistics:** Top three by circulation: *Le Messager* (private), *Cameroon Tribune* (state-owned), *Mutations* (private)
- > **Broadcast ratings:** Cameroon Radio Television (state-owned), Radio Reine (Catholic) station, Radio Siantou (private)
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 725,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CAMEROON



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Cameroon Objective Score: 1.86

While all of the panelists acknowledge the existence of standards and laws regulating the freedom of speech, they were divided on the accountability of those responsible for failing to enforce the laws.

Alliance Nyoba, chief of the cultural desk of the *Cameroon Tribune*, said, "While the freedom of speech exists in strict legal terms, in real life one exercises it at one's own risk. Journalists must use it cautiously or run the risk of becoming targets of lawsuits or other attacks, depending upon the nature of their work." Mangala Jean Pierre, a journalist with *L'Hirondelle*, agreed that the social communication law of 1990 guarantees the freedom of the press—as does the constitution of Cameroon. But in reality this freedom is limited; journalists can be sent to prison on the grounds of an accusation in a country ruled by corruption. The economic precariousness, particularly regarding the private media, also acts as leverage for the authorities, allowing them to keep journalists on a leash while throwing them an occasional bread crumb. According to Nestor Nga Etoga, publication manager of *Gestion et Perspectives*, Cameroonian press in general suffers from legislation that does not encourage the development of journalists and press companies.

Charles Nwe, editor-in-chief of *La Nouvelle*, pointed out the various weaknesses of the press law that do not help

Bertin added, "There are also enormous difficulties with respect to information sources. The private press, rightfully or wrongly, is placed in opposition and must overcome a lot of obstacles to access information sources, particularly official ones."

in advancing the freedom of speech: "There is a law that grants journalists sufficient freedom but offers no provisions for many critical issues, thereby benefiting the government. Among these are the access to information sources, advertising, and the legal protection of journalists."

Nsique Guy Bertin, chief of the African desk with the online news portal Comfoot.com, said that, granted, the press still has a long way to go in Cameroon. "The government is hazy on the issue of media licenses because it would like the media to rely only on what it wants." As noted in last year's MSI, there are serious questions about the licensing of broadcast media. Some of last year's panelists deemed the process "draconian and selective," following no formal criteria, while others said the ministry of communication is overwhelmed by applications. According to Freedom House, "The first private radio and television licenses were granted in 2007, though approximately 70 privately owned radio stations reportedly operate outside the law because of high licensing fees."¹

Also noted in last year's MSI, the media in Cameroon do not receive tax breaks and are subject to common law and multiple taxes. Meanwhile, the state media enjoy subsidies and preferential treatment regarding license fees (which is editorially compromising). The state or public media are not free; they work to look after the image of the government and the ruling party.

Cameroonian journalists endure harassment and intimidation, and as last year's MSI study noted, such incidents usually do not cause a public outcry. Journalists can be sent to prison seemingly on the whim of anyone with a claim to power. The June 3, 2009, five-year prison sentences handed to Jacques Blaise Mvie and Charles Nwe, publication manager and editor-in-chief, respectively, of the weekly *La Nouvelle*, illustrate this. The Committee to Protect Journalists (CPJ) explained that the reporters were punished by a military court for reports criticizing the defense minister. CPJ especially protested reports that the pair were not notified of the charges—and therefore not even present at their

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

¹ Freedom House. *Freedom of the Press: Cameroon, 2009*.

Some of last year's panelists deemed the process "draconian and selective," following no formal criteria, while others said the ministry of communication is overwhelmed by applications.

own trial. According to CPJ, the journalists were convicted "by default of 'complicity of insult' and 'breaching national defense secrecy.'"²

According to Freedom House, "Journalists covering high-profile corruption cases were harassed, arrested, and in some cases jailed during the year. Between September and December, four newspaper editors were jailed in connection with critical coverage of government officials." CPJ rated Cameroon the second-ranked jailer of journalists in Africa.

Libel and defamation are treated as criminal offenses. Laurent Abah, deputy editor-in-chief of the *Cameroon Tribune*, noted, "The fact that press offenses are tried according to the criminal code does not encourage the freedom of the press and does not give the press a sense of responsibility."

Nga Etoga said the problem of information access is urgent. Bertin added, "There are also enormous difficulties with respect to information sources. The private press, rightfully or wrongly, is placed in opposition and must overcome a lot of obstacles to access information sources, particularly official ones. Sometimes even the public media serve as information-source impediments."

Jean Bosco Talla, publication manager of *Germinal*, also underlined access to information sources for journalists as a key problem. He said that in general, there are legal standards regulating the journalism profession in Cameroon. But access to information—even official information—is a challenge. As Nyoba said, "So-called public information tends to be available based on the whims of the information sources."

Abah expressed a more nuanced view: "Speaking of legal standards, we do have the 1990 social communication law, but it is regrettable that there is no law specifically applicable to the press. The access to public sources of information is relatively free, but it could be improved."

² "In Cameroon, Pattern of Press Freedom Abuses." Letter from Joel Simon, Executive Director of Committee to Protect Journalists, to H.E. Paul Biya, President of the Republic of Cameroon. Committee to Protect Journalists, July 13, 2009. <http://cpj.org/2009/07/in-cameroon-pattern-of-press-freedom-abuses.php> (Accessed October 13, 2010)

Regarding the media's access to foreign and international news, the government does not restrict access to news sources, the Internet, or international media. Journalists in Cameroon are using this freedom to gain a wider perspective of world events. Foreign broadcast networks well-established in Cameroon include BBC, CNN, and RFI, while Internet and satellite availability is improving.

Journalists are required to carry identification documents, such as press cards and accreditation; such materials must be issued by a public institution and can be difficult to attain. However, some panelists expressed concern that standards for entry into the profession are too lax and called for better regulation to prevent further damage to the profession's reputation.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Cameroon Objective Score: 1.85

Concerning the professional quality of Cameroon's media, the panelists pointed out that there is a higher school of journalism (Ecole Supérieure des Sciences de l'Information et de la Communication), part of the University of Yaounde, which garners praises for its high educational standards. But the quality of media production is far from a reflection of this school's aura and reputation. Always on the lookout for sensational news, the private press is characterized by a striking lack of professionalism. This weakness is compounded particularly as there seem to be no rules to speak of; sources are not cross-checked, and political topics are omnipresent while social, health, and environmental subjects are neglected.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

The panelists also lamented the fact that the journalism profession has become a dumping ground where all the failures end up. They said these “black sheep,” with no training to speak of and no concern for professional ethics, cannot help but tarnish the profession’s reputation—and are helped along by the media community’s weak self-regulatory climate.

Many factors explain the bleak picture of Cameroonian professionalism. Junior Binyam, an independent journalist, shared his belief that the training deficit, combined with the fact that anyone can become a journalist, leads to poor-quality content and language problems that pollute the airwaves.

Eulalie Njitap, a journalist with Cameroon Radio Television (CRTV), said professional quality is the least of the worries for the Cameroonian independent press: “Journalists are obedient and hunt for sensational subjects, as proven by the recently published list of Cameroonian homosexuals. They don’t even try to check the information against the source anymore, especially if the latter belongs to a different political or ideological camp.”

Talla believes that the quality of reporting is determined at the newsroom level. Some journalists do their reporting according to professional standards and ethics. But most of them tend to trample on these codes and accept gifts and other payments. In general, blackmail, corruption, and harassing celebrities is the norm. This leads to self-censorship and biased or rigged news, which in turn leads to score-settling among celebrities through the media.

To combat corruption and stabilize journalism quality, the media must secure funding. Due to the pervasive lack of funding, reporters are forced to ask their sources to provide them with transportation or reimburse their reporting expenses. Quality reports are growing scarcer as a result.

While last year’s MSI noted that the Conseil Camerounais des Medias, a self-regulatory institution, has been campaigning in cooperation with the Canadian Freedom Network to promote more attention to ethics, respect for ethics is clearly not universal. Still, the panelists recognized that some outlets are getting closer to observing professional and ethical standards by working with underpaid journalists motivated purely by their love of the profession.

Nga Etoga also noted the impact of poor salaries on professional standards, describing the financial compensation of the Cameroonian journalists as unenviable at best. Salaries are low compared with the amount of work and the difficulty of the job.

To combat corruption and stabilize journalism quality, the media must secure funding. Due to the pervasive lack of funding, reporters are forced to ask their sources to provide them with transportation or reimburse their reporting expenses.

According to the panelists, entertainment and news shows are clearly balanced. However, from a technical standpoint, the sets and studios in the broadcast media may be acceptable, but there are still obstacles due to low-powered transmitters and poor working conditions. Some press outlets have the appropriate technical equipment to gather and process news, but most of them have no work space.

Additionally, it is still hard to practice specialized journalism, due to the lack of funding available to support it.

OBJECTIVE 3: PLURALITY OF NEWS

Cameroon Objective Score: 1.94

Since the end of the state monopoly in the media sector, the number of private newspapers and radio-television stations has increased exponentially in Cameroon. Njitap agreed that the Cameroonian public enjoys many information sources and noted that the independent media provide a diverse array of

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.

Similarly, “nobody cuts off access to the foreign media, and the Internet is available to everyone,” Njitap said, but not everyone can afford access.

information from various sources. Furthermore, community media outlets have grown very popular, are readily available, and provide local information—including specific programs covering public-interest topics. Nga Etoga commented that the public always has a choice between the Internet and the public and/or private media.

However, while there are multiple information sources, the news is not always objective and diverse. Its rendering is usually biased, according to the contributors’ interests.

Media consumers are given some freedoms and choices to access both domestic and international media. In principle, access to news is free for all in Cameroon, although it is weighed down by financial, infrastructural, cultural, and sociological hardships. As François Bikoro, editor-in-chief of l’Anecdote/Vision 4 TV, said, “We cannot say that information is restricted, but the way in which it is processed is problematic.”

Geography is one obstacle; broadcast media coverage usually does not extend beyond the large urban centers. Furthermore, the newspaper price at XAF 400 (just under \$1) is not affordable for the average Cameroonian. Similarly, “nobody cuts off access to the foreign media, and the Internet is available to everyone,” Njitap said, but not everyone can afford access. Freedom House confirmed that the government does not restrict Internet access; however, it noted that “slow connections and high fees at Internet cafés helped to limit access to just 2 percent of the population in 2008.”³

Although pleased about the multiplicity of information sources, Talla pointed out regretfully that the state media are accustomed to glorifying the government and ruling party, rather than reflecting the views of the entire political spectrum. Njitap commented, “CRTV—the official radio-television station—focuses on information about the presidential inner circle and leaves the small fish to the opposition.

Bikoro sees it differently, however. For him, unfortunately, the Cameroonian public-service broadcasters are, by their very nature and purpose, the only media that can promote the objective sociological reality.

³ Freedom House. *Freedom of the Press: Cameroon, 2009.*

Although there used to be a state-run press agency (called Camnews), the country is now without a press agency—public or private. Bikoro claimed, however, that the lack of press agencies is made up for by the plurality of news sources—and noted that even if news agencies existed, they would not be free of charge.

Regarding the extent that independent broadcast media produce their own news programs, Nga Etoga and Bertin confirmed that most Cameroonian media outlets produce original content.

The panelists highlighted some concerns in the area of media ownership. Nga Etoga explained, “While it is easy to recognize or identify a media sponsor beforehand, it is harder to identify the financing sources.” Talla noted that although there is often a publicly known media owner, the real financiers prefer to remain in the shadows. A panelist from last year’s MSI went so far as to claim that most media owners are opportunists who are often on the payroll of politicians. Bikoro argued for government regulation of funding sources.

The liberalization of broadcast media, combined with the proliferation of community radio stations, has increased the supply and allowed the population to receive programs in local languages other than French and English. Bikoro said cable television and the Internet have helped to stimulate comparative debates, but it is still dangerous for journalists to approach issues related to tribal minorities for fear that the media might be suspected of working for certain groups or clans.

OBJECTIVE 4: BUSINESS MANAGEMENT

Cameroon Objective Score: 1.24

All the panelists admitted that in general, the independent media in Cameroon do not operate as well-managed companies promoting journalistic independence. Unfortunately, media content reflects the poor shape of the Cameroonian media and journalists, perpetuated by an unorganized and highly politicized media market. The media have become the ideal vehicle that politicians use to drag their opponents through the dirt; financial gain, therefore, is not typically the primary goal of operating a media outlet.

Regarding the economic sustainability of media companies, Binyam said bitterly, “In most cases, we cannot speak of press companies in Cameroon. The private media, for instance, are generally unorganized, painfully lacking in resources.” According to Nyoba, there are very few relatively thriving press companies. With only a few exceptions, journalists are not paid well. Abah concluded, “Due to the economic

sustainability of the press companies, we cannot foresee their real autonomy in the short term. Few press companies are able to pay their bills.”

Nyoba said there are multiple financing sources, including sales and advertising, but also more or less clandestine resources, such as temporary or quasi-permanent shadow sponsors. However, it is currently impossible to rely on sales or subscriptions to keep a press company alive, as there are not enough sponsors to support the media sector. Nga Etoga also commented that the existence of state-controlled and other advertising agencies does not help the press companies struggling to maintain basic operations based on a slew of other problems, including low print runs, lack of statistical data, and a monopoly on distribution organizations.

The panelists argued for advertising regulation. Binyam said the advertising market “is on its knees and unregulated; it is a jungle where we try in vain to understand how advertisements are placed.” In his view, network-controlled advertising must be legislated to the benefit of the press. Njikam Mama Janvier, regional coordinator of the Syndicat des Journalistes Employés du Cameroun–Frontières d’Afrique, added that the advertising market is not organized. The press receives advertising based on affinities, and advertisers set the prices. Janvier advocated for creation of an independent advertising controlling entity and for the media to avoid agencies and state-run companies.

“Editorial independence is hardly conceivable without economic independence. Three quarters of the Cameroonian press organizations are not developed as viable companies. The advertising base is too narrow for the high number of media outlets. It is hard to fathom how journalists can be

Regarding the economic sustainability of media companies, Binyam said bitterly, “In most cases, we cannot speak of press companies in Cameroon. The private media, for instance, are generally unorganized, painfully lacking in resources.”

independent under these circumstances,” Abah concluded. Talla pointed out that media managers sometimes have unhealthy relationships with economic and political circles. That is why, he said, one should talk about relative independence since these media have multiple financing sources but do not receive government subsidies.

On the topic of government subsidies to the independent press, Nga Etoga said, “The Cameroonian government does not fund the media directly. But the government provides public aid based on hazy criteria. Nyoba added that the government does not actually fund the media except for a flat amount called “public aid to private communications,” which is hard to budget for. According to the panelists, public aid is provided to private media based on political or tribal affinities. Furthermore, Janvier pointed out that the annual public aid of XAF 250 million (\$560,000) to the media is insignificant when you consider that there are 700 applicants.

Emmanuel Atangana, a journalist with *L’Express*, warned, however, that public aid is more of a government trap. Not only is it negligible, he said, but the media share it with newspaper kiosks and street sellers, and it is essentially useless. He said that rather than public aid, the Cameroonian press deserves a government subsidy for all the work they take on.

Talla said there is no market research and even fewer accurate ratings or circulation figures. As last year’s panelists noted, Cameroon’s media lack the funding to commission or conduct market research; those that exist were ordered by foreign organizations.

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

BUSINESS MANAGEMENT INDICATORS:

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

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Cameroon Objective Score: 1.98

Talla best summarized the prevailing conditions surrounding the supporting institutions in the media sector: “In Cameroon, there are associations and union activists, but they are disorganized. The lack of structure and the absence of publishing organizations are hurting journalists. In general,

Njitap sees things differently. For him, union action in Cameroon is merely an illusion. The activities of the media unions reflect the situation of the media themselves: they are disorganized. Also, as there are too many, they step on each other's feet. The government thrives on this and has taken control.

journalists do not have professional protection, which is what press owners want and support. The lack of functional regulatory and self-regulatory bodies hurts the profession and puts journalists at risk.”

Janvier said the relatively small number of professional organizations is due to the journalists' lack of coordination and sense of structure. The Union des Journalistes du Cameroun is inactive, with just about 35 members. Only the Syndicat des Journalistes Employés du Cameroun (SJEC) stands out, followed sometimes by the Syndicat National des Journalistes du Cameroun. These two unions determined the signing of the collective work contract of journalists and social communication professionals in Cameroon. The SJEC is working with European Union assistance to make this document widely available. Additionally, some panelists believe that thanks to steps taken by these unions, the government has been alerted about the belief of many in Cameroon's media community of the necessity to provide real subsidies to the press to boost its efficiency.

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.

Njitap sees things differently. For him, union action in Cameroon is merely an illusion. The activities of the media unions reflect the situation of the media themselves: they are disorganized. Also, as there are too many, they step on each other's feet. The government thrives on this and has taken control.

Nyoba noted that the unions react when a journalist is arrested but said that generally the professional associations lack strength and are incapable of lobbying. Bertin explained that in Cameroon, unions for journalist are disorganized because the field lacks a union tradition. Furthermore, press managers prefer to recruit journalists who have little recourse and are not likely to place too many demands on their employers.

According to Nyoba, NGOs do not typically get involved in freedom-of-the-press cases. Last year's MSI study, however, noted that some NGOs might be active and just not openly public—or they lack the resources to amplify their voice in press matters.

Journalism degree programs exist, but the panelists gave lower marks on the practical training side—a critical shortcoming given the environment in which journalists are forced to work in. Nyoba argued that journalism degree programs exist but also noted that a degree is not required to practice journalism. Most Cameroonian journalists—particularly those working in the private press—are not the product of a school of journalism. They have received on-the-job training from much more experienced journalists. Also, as last year's MSI warned, most of Cameroon's schools offer programs in communications, not journalism—an important distinction that would-be journalists must be aware of.

There are other on-the-job or government-managed training programs, often sponsored by international organizations and offered by some media companies to their employees. However, as noted in last year's MSI, very few media professionals have access to such opportunities.

Nyoba said some printing houses are state-owned, while others belong to the private sector. The two major printing houses are Macacos (which is owned by the Catholic church and run independently) and Sopecom (run by the state and in control of the content of private newspapers).

Regarding the print media distribution system, the panelists called for diversification of the distribution organizations. Although media distribution channels are privately owned, they cannot be described as apolitical. Last year's MSI noted that the government has at times interfered, shutting down television and radio transmitters when an outlet has somehow run afoul of the government.

List of Panel Participants

Eulalie Njitap, journalist, Cameroon Radio Télévision, Yaounde

Nsigue Guy Bertin, journalist, Camfoot.com, Yaounde

Charles Nwe, editor-in-chief, *La Nouvelle*, Yaounde

Nyobia Alliance, chief of the cultural desk, *Cameroun Tribune*, Yaounde

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

Junior Binyam, manager, Cameroonian Football Federation, Yaounde

Mangala Jean-Pierre, journalist, *L'Hirondelle*, Douala

Jean-Bosco Talla, publication manager, *Germinal*, Yaounde

Laurent Abah, deputy editor-in-chief, *Cameroun Tribune*, Yaounde

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

Emmanuel Atangana, journalist, *L'Express*, Douala

Njikam Mama Janvier, journalist, *Frontières d'Afrique*, Yaounde

Moderator and Author

Jean-Marc Soboth, national secretary, Journalists Syndicate of Cameroon, Douala

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

The state-run radio station that used to cover the entire country 24 hours a day has deteriorated; now, some areas only get reception for about six hours each day. For most of the population, the Internet is still a luxury—even for residents in Bangui.



CENTRAL AFRICAN REPUBLIC

Plagued by decades of instability and political turmoil, the war-ravaged Central African Republic (CAR) has not yet managed to climb out of poverty and conflict. Ongoing rebellions have created a climate of insecurity. Paradoxically, this former French colony is rich in natural resources, including diamonds—yet its people are among the poorest in the world. The current president, Francois Bozize, seized power in a coup in 2003. He then won the 2005 presidential election and has repeatedly postponed efforts to hold another election.

The media have suffered tremendously through the years of war, instability, and poverty. Despite constitutional guarantees for the freedom of the press, the authorities have failed to uphold these laws. Censorship is common, and journalists endure threats and intimidation. For example, in 2009, Reporters sans Frontières condemned the suspension of two CAR dailies, *L'Hirondelle* (for publishing an article that allegedly called for sedition by the armed forces) and *Le Citoyen* (suspended for one month). In a show of solidarity, however, other CAR newspapers canceled issues in protest.

In addition to this insecurity, journalists face extremely poor working conditions and pay. The state cannot pay its workers, and in both private and public sectors journalists who are paid anything are a lucky minority. There are virtually no sustainable press companies in CAR. Media outlets are managed loosely; they often operate without licenses and do not pay taxes, and many do not even have accounting departments. In the absence of any real advertising market, the media live hand-to-mouth. Against this backdrop, most media professionals with formal training have long since left their jobs for better opportunities.

There are multiple public and private news sources—but only a small portion of the population have access. Print media are available only in the capital, Bangui; this is not only due to poor roads and the lack of a distribution system, but because of political insecurity. Broadcast media outlets fare no better. The state-run radio station that used to cover the entire country 24 hours a day has deteriorated; now, some areas only get reception for about six hours each day. For most of the population, the Internet is still a luxury—even for residents in Bangui. Only a handful of media outlets have websites.

Despite these obstacles, there were several important developments for the media in 2009. One major advance for the media came with the February 2009 court order decriminalizing press offenses. The panelists also praised the 2009 creation of a journalism department at the University of Bangui. Furthermore, journalists have set up agencies and are exploring hosting a convention to help them meet professional standards, which constitutes an important advancement.

These significant changes in the media landscape help explain CAR's improved MSI score, up from the 2009 score of 1.47. However, the score still falls in the unsustainable, mixed-system range, reflecting an ongoing failure of the state to adequately support freedom of the press and the problems the media themselves face with professionalism, management, and developing supporting institutions.

CENTRAL AFRICAN REPUBLIC AT A GLANCE

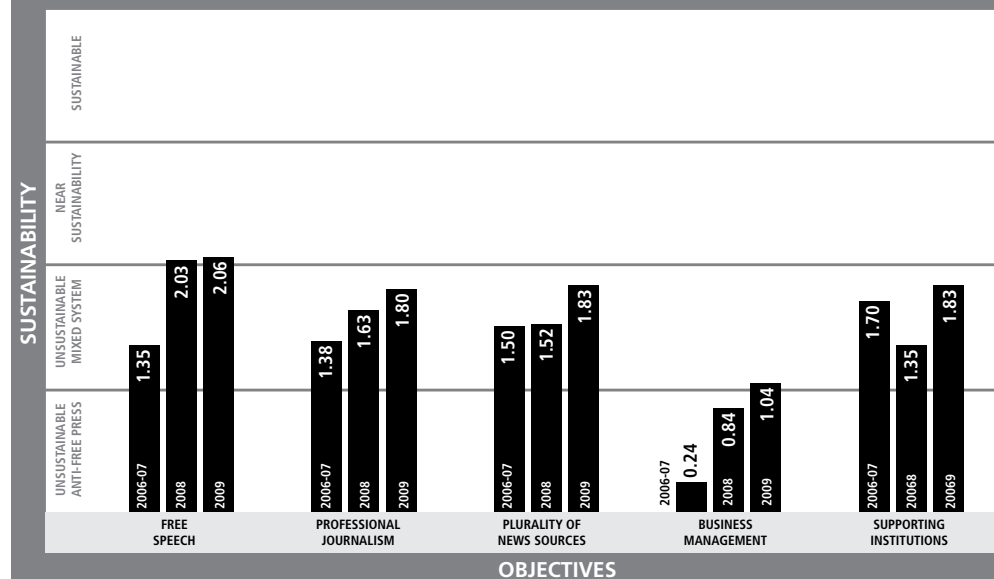
GENERAL

- > **Population:** 4,844,927 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Bangui
- > **Ethnic groups (% of population):** Baya 33%, Banda 27%, Mandjia 13%, Sara 10%, Mboum 7%, M'Baka 4%, Yakoma 4%, other 2% (*CIA World Factbook*)
- > **Religions (% of population):** indigenous beliefs 35%, Protestant 25%, Roman Catholic 25%, Muslim 15% (*CIA World Factbook*)
- > **Languages:** French (official), Sangho (lingua franca and national language), tribal languages (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$1.975 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$750 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 48.6% (male 64.8%, female 33.5%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** Francois Bozize (since March 15, 2003)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 43 newspapers; Radio: 2 main stations: Central African Radio, Ndeke Luka Radio; Television stations: 1, Central African Television (Source: HCC)
- > **Newspaper circulation statistics:** Top three most popular: *Le Citoyen*, *Le Confident*, *L'Hirondelle*
- > **Broadcast ratings:** N/A
- > **News agencies:** Agence Centrafrique Presse (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 22,600 (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CENTRAL AFRICAN REPUBLIC



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

CAR Objective Score: 2.06

The CAR constitution, along with other legislative and social provisions, upholds freedom of speech and free access to public information. Additionally, a February 2, 2009, court order decriminalized press offenses. Furthermore, Maka Gbossokotto, of the Central African Journalists' Union, noted that CAR's laws reflect international legal standards. But when it comes to putting all the standards into practice, there are many obstacles. Sammuel Bogoto, a journalist for ICDI (Integrated Community Development International) Radio, agreed that there has been significant legislative progress. However, he said the challenge lies in enforcing this legislation. Prospert Yaka Maïde, a webmaster for the Central African Press Agency, added that the government lacks the resources to guarantee that the law is enforced properly.

Gbossokotto commented that ordinary citizens are free to speak their mind—about everything except politics. The political opposition behaves similarly and appears to be afraid of the microphone. As a result, major decisions involving the country's future are not discussed publicly, although the media could play a strong role in helping the population to understand some of the key issues facing CAR.

Regarding the independence of the judiciary, Gbossokotto said that the right to defense is guaranteed, but sometimes judges also play the role of advocate for the executive branch. This occurs to such a degree that in lawsuits against the press, CAR's judicial system does not seem to dispense justice but instead renders service for the executive branch.

Other panelists expressed concern over the lack of awareness and understanding of media laws. Pierre Debato II, of the Central African Media Observatory, said, "The existing legislation in support of the freedom of speech is either ignored or undisclosed. Nothing is done to promote or popularize it."

Chérubin-Raphaël Magba Tutama, a freelance journalist and trainer, commented that the license-granting process seems overly long. The panelists do not believe that the process is selective. The High Communications Council is in charge of granting operational licenses, and in principle it should guarantee the freedom of the press. In reality, according to the panelists, this regulatory institution has turned into the opposite and is subservient to the government.

The media pay the same amount of taxes as other industries, but Tutama noted that increasing taxes on the still-vulnerable

Regarding the independence of the judiciary, Gbossokotto said that the right to defense is guaranteed, but sometimes judges also play the role of advocate for the executive branch.

media threaten the media's very sustainability. Debato argued that taxes are used to muzzle the private press.

Although crimes against journalists are rare, journalists' safety is not guaranteed. Journalists in the private sector are vulnerable to all forms of aggression, particularly when they do their jobs well. Journalists endure aggression and intimidation. Gbossokotto said that journalists receive threats from all directions: government officials, the military, rebels, even healthcare providers. Furthermore, Debato noted, the complaints about the offenses committed by the authorities are never followed up; aggressions by the military go unpunished.

According to the panelists, the public does not react consistently when journalists are victims of aggression. Mathurin Momet, manager of *Le Confident*, added that threats against journalists are not appreciated by the human-rights organizations that support the private press and the community radio stations that continue to denounce and criticize the government.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Although Tutama acknowledged the court order decriminalizing libel and slander, he noted that the authorities use tricks with the criminal code to sentence journalists—and he is not convinced that the court order erases that threat.

Some panelists charged that the government favors the state-owned media, and its journalists serve the state authorities and sidestep journalistic principles. The state-owned media are protected under the law guaranteeing the independence of journalists, and Bruno Hyacinthe Gbiegba, president of Christians for the Abolition of Torture and the Death Penalty, argued that the public and the private press are not treated differently under the law. Other panelists disagreed, noting that the government reserves the right to appoint public media managers. Gbossokotto said that the public media continue to reflect the government point of view and fail to give the opposition and civil society a chance to be heard. Julie Ewango-Ndouwa, a producer for Radio Centrafrique, noted that political parties avoid coverage in the public media for fear that the government might bother them, although the legislation authorizing their access to the public media is available and technically in force. NGOs, unions, and civil society enjoy free access to these media.

Although Tutama acknowledged the court order decriminalizing libel and slander, he noted that the authorities use tricks with the criminal code to sentence journalists—and he is not convinced that the court order erases that threat. Furthermore, despite the decriminalization of press offenses, the burden of proof still rests with journalists. However, at the time the MSI panel convened, no journalists were under arrested or imprisoned.

Private media face great challenges accessing public information. Frequently, ministers organize press meetings where they invite only the representatives of the official press. As an example, the panelists pointed to a press conference organized by the minister of land administration that excluded the private press.

While the government does not restrict access to the Internet, Tutama noted that authorities simply do not have the resources to control Internet use. Bogoto said, however, that even though Internet access is free, journalists typically do not conduct their research online. Noting that not even the state-owned media have Internet connections, B. Sylvie Jacqueline Panika, editor-in-chief of Radio Ndeke Luka,

commented that Internet subscriptions are very far from becoming a habit for the CAR's media. Gbossokotto noted that despite having paid the amount requested by the telecommunications company since 1997, the independent daily *Le Citoyen* still does not have a website. Additionally, Ndouwa said that while journalists can freely access the Internet, they do not have the necessary resources to build personal websites. Nonetheless, the media are allowed to distribute or rebroadcast foreign media production or news from press agencies.

Entry into the profession is relatively free; anyone can attend journalism school, become a journalist, and create supporting associations.

OBJECTIVE 2: PROFESSIONAL JOURNALISM
CAR Objective Score: 1.80

Adherence to professional standards is low. Though standards vary from outlet to outlet, in general journalists rarely cross-check their facts or conduct preliminary research, and they often fail to observe CAR journalists' statement of principles adopted by the Central African Journalists Union General Board—compromising the media's reliability. As a result, blunders appear in both the written press and the broadcast media. Precision, balance, and documentation are often replaced by highly subjective commentaries, and one panelist charged that rumors take precedence over news. Maïde said that the press reverts to sensationalism and lacks a sense of rigor since their main preoccupation is to fill the pages instead of checking the quality of reports and investigations.

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).

However, Tutama said that he believes that journalists do what they can with the scant resources they have to cover events. Clearly, CAR journalists work under difficult circumstances. They do not have the proper resources or compensation to carry out their jobs, and they are often exposed to physical and verbal harassment and receive a lot of redaction requests. But Gbossokotto blamed journalists' failure to meet professional quality standards largely on the poor training options available for journalists. Bogoto said, "Meeting professional ethical and quality standards is a huge problem in CAR, for the simple reason that most of those who practice journalism do not have the appropriate degrees."

Despite these shortcomings, some journalists are devoted to their trade and want to elevate standards. Momet noted that a group of journalists have been granted permission to organize a general media convention to propose improvements in the profession. Gbiegba noted also that journalists have set up agencies to help meet professional standards, a significant advance.

Regarding ethics, Bogoto noted that even though professional organizations have established ethical standards, adhering to them is a challenge. Benguere summarized that generally, in the CAR, journalism does not meet professional or ethical standards, and a lack of professionalism leads journalists to disregard professional ethics. Although it may seem paradoxical, some graduates from higher journalism schools do not respect ethical standards and function more as propagandists than journalists.

Journalists fear they will be arrested or lose their jobs if they criticize the government, so self-censorship is common. As an example, Simon-Pierre Ndouba Beret, director of the Central African Press Agency, described a publication manager who, fearing potential aggressions from the authorities, decided to stop printing all of his publications. However, according to Tutama, there is no self-censorship in the independent media, but it is the norm with state-owned media and the newspapers close to the government.

In addition, Gbossokotto said that fear holds back journalists from reporting on major issues such as rebellions and human rights. Beret added that major events can only be covered in Bangui, due to the inaccessibility of the provinces.

As for salaries, Tutama agreed that the journalists working for nongovernmental media receive very low pay—and some media outlets provide no salaries at all. Another panelist described public media salaries as ridiculously low. In fact, very few newspapers (*Le Confident*, *Le Citoyen*) pay their employees on a monthly basis. Others prefer to use vaguely qualified freelancers, who some consider a threat to

professional standards. Overtime is not compensated. Several panelists commented that media professionals, in both the public and private press, are employed without a collective contract that could provide some much-needed protection, for the state-run as well as the independent private press.

Gbossokotto described the living and working conditions of journalists (in both the public and private sectors) as appalling. He cited several examples, including a journalist who died because the publication manager of a private newspaper could not honor a XAF 5,000 (\$10.50) prescription, and a television news editor who lost his life because he was forced to choose a cheaper treatment of self-medication, lacking financial means for better care.

Confronted with such poverty, journalists fall easily under the spell of corruption and throw away their professional standards. For example, Beret mentioned that organizers of major events pay journalists to cover their events. Bogoto also highlighted the link between low ethical standards and low pay, noting that journalists frequently accept gifts for favorable coverage—and this happens at all levels of the profession.

According to Maïde, most media professionals with formal training in journalism have left their jobs for better-paying opportunities. Blanche Elisabeth Olofio, a reporter with Radio Bê, noted that many high officials and dignitaries in the CAR are former journalists who abandoned the profession for better-paying jobs.

In the broadcast media, a high preference for musical shows and entertainment is evident. Tutama noted that a market study has yet to be conducted, but it is safe to say that entertainment sometimes outweighs news by 70 percent on some stations, including the national radio.

Across all sectors, the media make do with obsolete equipment. As there is no printing house, newspapers are processed on computers, then printed on risograph printers. The broadcast media outlets do not fare better. The outdated state of broadcast media equipment is reflected in show quality; it is nearly impossible to produce shows of high cultural or investigative value.

Ndouwa commented that working conditions differ between the public and the private media. She said that the public media face very difficult conditions; for instance, at the national radio station, there are only three computers for content production and distribution, and its equipment is outdated. This station switched from analog to digital a mere five years ago.

OBJECTIVE 3: PLURALITY OF NEWS

CAR Objective Score: 1.83

Theoretically, in CAR there are multiple public and private news sources capable of providing citizens with objective and reliable information. But only a small portion of the population, including journalists, has access to these sources. CAR media as a whole (television, radio, press agency, written press) do not cover the entire national territory. Only the capital has wide access to news, including print media and national television (the only television station). There are community radio stations in some provincial cities, and Debato said that the community media is thriving and puts out shows that meet the locals' needs.

Although panelists said that the Internet is sometimes used as a news source, it is still a luxury for most people—even for residents in the capital of Bangui. Benguere said that except for *Le Confident*, the Agence Centrafrique Presse, and Radio Ndeke Luka, media outlets do not often have websites.

Other panelists felt that despite the presence of multiple news sources, media outlets are singular in their point of view. Momet noted that while some private outlets may try to cover multiple points, reporters working in the private sector are often barred from official events, and political personalities tend to refuse to answer questions coming from the private media. Gbossokotto agreed that the opposition's access to the state-run media is minimal, and the opposition leaders and the public do not force the government to enforce the appropriate legislation that would allow access.

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.

Gbossokotto pointed to the private, Swiss-funded radio station Ndeke Luka, which recently became a private commercial organization, as an example of an outlet that gives everyone the opportunity to speak—individuals within the political majority, the opposition, and the public.

Citizens have free access to domestic and international media; the government does not restrict access to international media. However, not all CAR citizens are able to easily access multiple news sources due to technical and financial difficulties. There is an acute economic slump in the country, which has placed media out of reach for many. Only people with jobs can afford to buy newspapers—and even then their purchasing power is limited. Some foreign newspapers are available, too, but only in a single bookstore. Broadcast media may reach a large part of the population, but print media are available only in Bangui—and this is not only due to poorly maintained roads and the lack of a distribution system, but especially to the general sense of insecurity (e.g., rebellions). Tutama said that provincial officials—avid readers all—stock up on newspapers when they visit the capital.

The state-run radio station that used to cover the entire country 24 hours a day has deteriorated, and its equipment has become obsolete. Tutama said that the national radio station broadcasts in decametric wavelengths to the provinces and does not always cover the entire country. Some areas only get reception between about 8 a.m. and 3 to 4 p.m. The state-run television channel covers only Bangui.

In addition to the national radio station covering the entire country at certain times and Radio ICDI (developed by Integrated Community Development International and airing programs on AIDS prevention, orphan care, well repair programs, and many other community development initiatives), there are local radio stations based in the Central African cities. However, Ndouwa noted that the local radio stations do not cover all 166 prefectures and 77 sub-prefectures. The government is currently working to ensure that the other prefectures have local radio stations. The well-to-do population subscribes to cable or satellite television.

According to the panelists, the public or state-owned media do not reflect the entire political spectrum and do not serve the public interest. A decree providing for access by political parties to the public media is disregarded, and the public media reflect disproportionately the voices of the establishment. Bogoto said that the state-run radio stations and television channels are seen as subservient to the government, and people with views that differ from the government's rarely find opportunities to speak in the public media. Benguere agreed that the government maintains

tight control over the public media but also criticized media professionals for lacking bravery.

There are no independent press agencies in CAR. The only press agency providing news services is the stagnating Agence Centrafrique Presse (ACAP). Beret commented that ACAP does not have a network of correspondents in the provinces. Gbossokotto added that it is completely devoid of resources and unable to fulfill its mission, and the media have never relied on its services.

Furthermore, international press agencies are seriously underrepresented, and Debato said that none are physically present in the country. Maïde noted that very few media outlets (less than 10 percent) use the Internet for news reporting, although the government does not limit access to or block foreign news sources. Olofio added that news taken from the Internet is problematic because it is not always verified.

Religious broadcast outlets and Radio Ndeke Luka produce original programming. Media ownership is fairly transparent.

National, rural, and private radio stations produce shows in the national language, Sango. According to CAR's constitution, French is the official language, and Sango is the national language. The statutes of the community press organizations allow the use of local languages, but panelists said media outlets encounter resistance from the authorities.

OBJECTIVE 4: BUSINESS MANAGEMENT

CAR Objective Score: 1.04

The panelists generally agreed that CAR media enterprises are not sustainable or professional, and the prospect of profitability is far off. Most of the religious radio stations are nonprofit, community radio stations.

According to Gbossokotto, CAR media lack the knowledge and ability to apply even the simplest rules of management, an essential step to building media sustainability. Publication managers or administrators lack the necessary skills and experience to manage their media companies and often confuse the company's funds with their own pockets. Many companies do not even have an accounting office. According to Gbossokotto, media are managed informally, with the exception of four daily newspapers and Radio Ndeke Luka. They are not registered with the Chamber of Commerce, do not have licenses from the High Communications Council, do not pay taxes, do not have articles of incorporation, etc.

Beret agreed that there are virtually no sustainable press companies in CAR and added that most were created without

prior research or a business plan. Furthermore, since they do not receive subsidies from the government and there is no real advertising market to speak of, the media live from hand to mouth.

Maïde said most print media outlets are disorganized and noted that, ideally, a press outlet should not rely exclusively on a publication manager who only works with freelancers. Debato concurred that there is no sense of professionalism or structure. Tutama noted that the lack of advertising, except for a few commercials, makes it impossible for newspapers to be profitable.

Gbiegba agreed that the lack of resources at all levels has kept the media from becoming profitable, and the independent media are in particularly rough shape. He warned, however, against linking poor management and the journalists' independence. Independence is a state of mind that cannot be subject to any technical or financial situation. It is the journalists' task to meet professional ethical standards and fight for independence.

While public media outlets are owned by the government and funded from the state budget, private media outlets, in particular, do not receive financial support from multiple sources. There are no subscriptions or commercials. Bogoto said, "Except for the government-funded national radio station and Radio Ndeke Luka, which has multiple funding sources, the private press—the newspapers, in particular—barely get by based on newspaper sales, which do not bring in much income to the publishers."

Maïde noted that international partners subsidize some community media, but these funds are not significant,

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.

aside from Radio Ndeke Luka, run by the Swiss-based Fondation Hirondelle.

The advertising sector is underdeveloped in CAR, and advertising income is minimal. International organizations only sporadically provide the private media with commercials and advertising. Despite the meager advertising market, businesses prefer to use the public media and agencies to distribute or publish their commercials. International organizations only rarely provide commercials. There are no advertising agencies in the country.

The private press does not receive subsidies from the government. Tutama noted that a legal decree paving the way for government subsidies for the private media was created in 2005. However, according to Maïde, the decree that regulates the conditions to grant the subsidies has not been signed yet, and the government has never given subsidies to the private press. The panelists did not discuss whether such subsidies could give the government undue influence over independent outlets.

News outlets do not have access to or conduct market research. Debato commented that as a result, there are no strategic plans, advertising income cannot be improved, and the product cannot be personalized according to the needs and interests of the public.

According to the panelists, there are still no audience studies, ratings, circulation statistics, or Internet-news user statistics, nor is there any agency to support such efforts.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

CAR Objective Score: 1.83

Both the public and private media have a publisher's association to support media professionals in CAR. Their roles revolve around training, professional ethics, support, and sometimes lobbying. While some find these associations ineffective, Gbossokotto said that the Central African Private Independent Press Publishers Group (known by the French acronym GEPI) fights for the advancement of the trade and lobbies for direct and indirect aid from the government and international organizations. It is also working to acquire modern printing facilities and advocates for the creation of a distribution service, as well as an advertising agency. However, according to Tutama, GEPI is not really operational; moreover, it is suffering from a management crisis. An ad-hoc committee has been created and tasked with preparing elections meant to give a new boost to the organization.

There are professional associations protecting journalists as well, but the panelists said that they suffer from a lack of resources that renders them inefficient. The Central African Journalists Union (known by its French acronym UJCA) is the largest association for the protection of journalists in CAR. According to Gbossokotto, UJCA upholds journalists' interests by working to decriminalize press offenses, providing a press and journalist house that hosts seminars, and organizing training sessions with the assistance of UNESCO, Institut Panos, etc. It is also working to equip journalists in the private press with a collective work contract. However, Tutama said that UJCA is supposed to represent all journalists but has been taken over for other purposes—echoing charges from last year's MSI panelists that it is packed with journalists working in the state media. Its statutes are disregarded—so much so that journalists have started to turn away.

The Media Observatory in Central Africa is a court of peers created by the General Board of UJCA to uphold professional ethical rules. However, Gbiegba said that the UJCA does not provide the resources necessary to ensure it fulfills this role, and the organization is not active enough. In Gbiegba's opinion, this is a significant reason behind the weakness of the independent media—which remain vulnerable to the authorities despite the apparent freedom they should enjoy under the law.

The Central African Association of Professional Women in Communication is another organization that works alongside the human-rights organizations and the Bar Association of Bangui. Finally, there are also around 10 smaller organizations upholding the interests of journalists that specialize in economics, culture, sports, human rights, the fight against corruption, etc. However, Beret emphasized that these professional organizations suffer from a lack of resources—

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.

particularly when it comes to dealing with unqualified labor, the lack of technical equipment, and hardships in media development.

Momet commented that professional organizations used to be very active in advancing freedom of the press. However, since they obtained the decriminalization of press offenses and managed to put together general norms for the media, they have grown apart and weaker, and also less focused on uniting for the good of the entire media community.

Agreeing that professional associations lack adequate resources to help journalists, Debato said that, fortunately, there are international organizations that also help the media. They champion the fight for the freedom of the press, act as lobbyists, and uphold the freedom of the press and independent media.

The panelists said that in CAR, human-rights NGOs, such as the Central African Human Rights League, are the most active in defending the freedom of speech and the independent media. As noted last year, human-rights NGOs provide constant support by helping journalists when they are arrested, and they have earned a reputation for coming through on behalf of the media.

There are international NGOs as well, such as Reporters sans Frontières and Journaliste en Danger. However, without permanent correspondents based in CAR, it is nearly impossible to hear of violations in the country.

Many journalists have learned their profession on the job and have no formal training in journalism. Both in the private and public media, journalists received primarily on-the-job training. Gbossokotto said that in CAR, journalism does not meet professional quality standards because for more than 30 years, the country had stopped training journalists. Therefore, the creation in 2009 of a journalism department at the University of Bangui for the training of journalists was a major advance for CAR. Created with UNESCO support, Momet noted that it fills a great void in upgrading skills and fostering greater adherence to professional standards.

In terms of short-term training opportunities, seminars are organized regularly. In addition to UNESCO training efforts, the Institut Panos Paris provides training to strengthen the capabilities of community radio stations and professional organizations.

The state of printing in CAR continues to be deplorable. While the few existing printing houses are for-profit and not subject to government control, the panelists said they

do not meet acceptable standards, and newspapers are still photocopied. The UJCA is fighting for the creation of a printing press at the Press House, but so far this has not materialized.

Although the need is great, there is still no print media distribution service in CAR. Internet access is under private management.

List of Panel Participants

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

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

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

Blanche Elisabeth Olofio, reporter, Radio Béoka, Bossangoa

Prospert Yaka Maïde, webmaster, Central African Press Agency, Bangui

Bruno Hyacinthe Gbiegba, president, Christians for the Abolition of Torture and the Death Penalty, Bangui

Simon-Pierre Ndouba Beret, director, Central African Press Agency, Bangui

B. Sylvie Jacqueline Panika, editor-in-chief, Radio Ndeke Luka, Bangui

Maka Gbossokotto, president, Union of Central Africa Journalists, Bangui

Pierre Debato II, president, Media Observatory of Central Africa, Bangui

Julie Ewango-Ndouwa, producer, Radio Centrafrique, Bangui

Moderator and Author

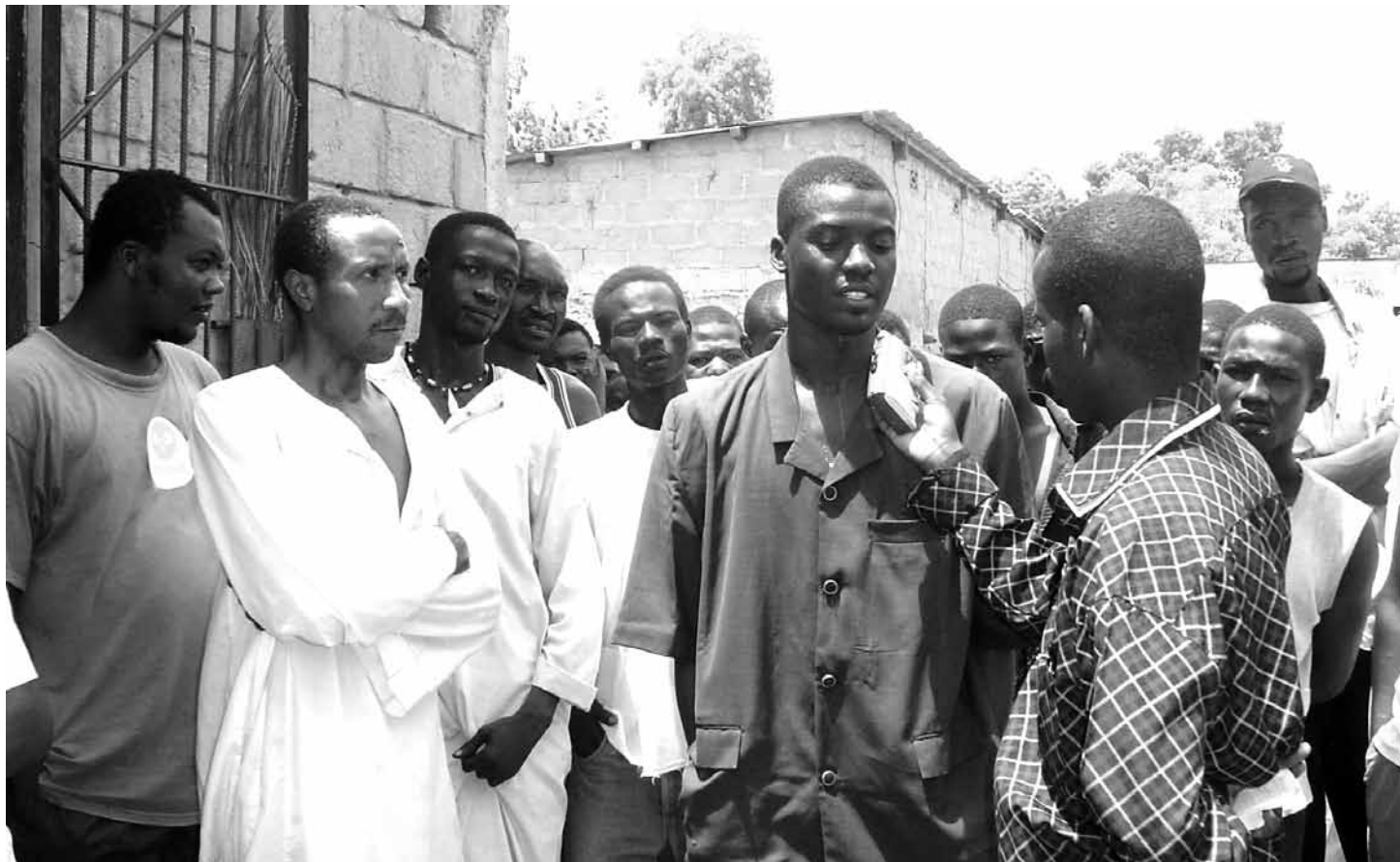
Mathurin Constant Nestor Momet, manager, *Le Confident*, Bangui

Co-Author

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

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

In addition to dealing with harassment and legal pressure, the independent media are feeling the strain of the difficult economic environment. Human rights and religious organizations sponsor many private radio outlets.



CHAD

Chad's political struggles continued through the past year, with several ups and downs. In May 2009, after months of increasing violence, Chad and Sudan signed an accord to normalize relations. Rebels based in Sudan's Darfur region launched another attack soon thereafter, and violence escalated for several months. Both sides met again in October to confirm their commitment to peace, but ongoing differences simmer. Meanwhile, Chad is hosting approximately 180,000 internally displaced people and 320,000 refugees from Darfur and the Central African Republic.

Following an attempted coup in 2008, the government cracked down on the press, passing Decree No. 5, a restrictive new press law that "increased the maximum penalty for false news and defamation to three years in prison, and the maximum penalty for insulting the president to five years. It also requires permission from both the prosecutor's office and the HCC [Higher Communication Council] to establish a newspaper."¹ Although the state of emergency was lifted, Decree No. 5 stands. Pressure from the authorities has driven many journalists into exile or hiding; other journalists cope with the threat of prison through self-censorship.

In addition to dealing with harassment and legal pressure, the independent media are feeling the strain of the difficult economic environment. Human rights and religious organizations sponsor many private radio outlets. Poor management practices, lack of revenue sources, and widespread corruption have placed the notion of sustainability seemingly out of reach for the time being, and many journalists say that they do not have the resources to do their jobs well. Salaries for journalists are low, and across all media sectors, much of the equipment dates back to the 1960s. Options to obtain a degree in journalism are extremely limited, and most journalists in Chad train abroad. Still, Chad has a number of private and community radio stations, and the government allows access to domestic and international sources, including the Internet, although geography and cost limit access to available news.

While Chad did not manage to move into the near-sustainability category of the 2009 MSI, it did creep closer. Scores for Objective 2 (professional standards of journalism) and Objective 5 (supporting institutions) showed some gains, reflecting the small windows opening for the media despite the restrictive legal environment for journalists and the strained financial climate.

¹ Freedom House: *Freedom of the Press 2009—Chad*. (Accessible online from this page: <http://www.freedomhouse.org/template.cfm?page=251&country=7584&year=2009>)

CHAD AT A GLANCE

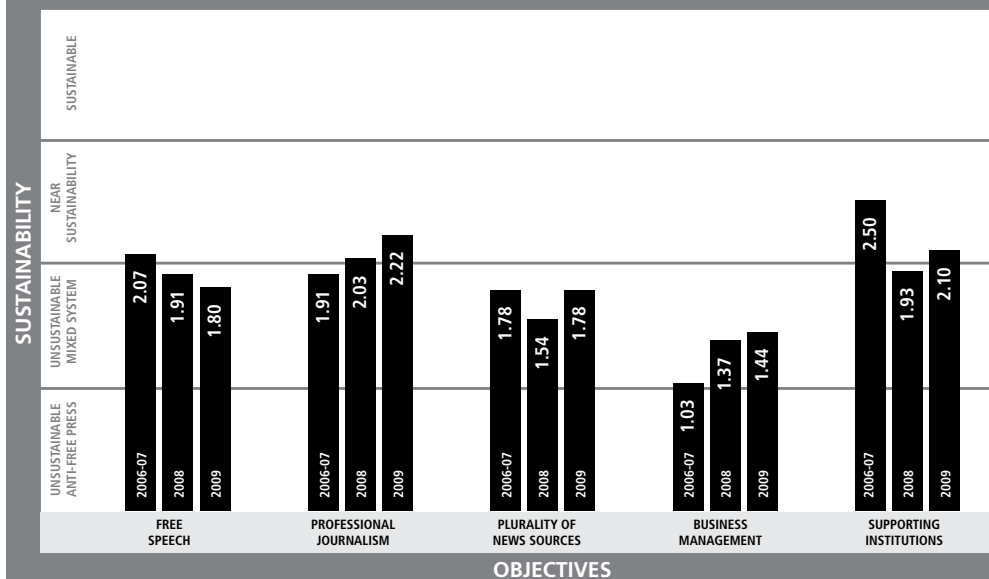
GENERAL

- > **Population:** 10,329,208 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** N'Djamena
- > **Ethnic groups (% of population):** Sara 27.7%, Arab 12.3%, Mayo-Kebbi 11.5%, Kanem-Bornou 9%, Ouaddai 8.7%, Hadjarai 6.7%, Tandjile 6.5%, Gorane 6.3%, Fitri-Batha 4.7%, other 6.4%, unknown 0.3% (1993 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 53.1%, Catholic 20.1%, Protestant 14.2%, other 12.6% (1993 census, *CIA World Factbook*)
- > **Languages:** French (official), Arabic (official), Sara (in south), more than 120 different languages and dialects (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$6.865 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,230 (World Bank Development Indicators, 2010)
- > **Literacy rate:** % (male %, female %) (est., *CIA World Factbook*)
- > **President or top authority:** President Lt. Gen. Idriss Deby Itno (since December 4, 1990)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 1 daily newspapers, 4 other weeklies; Radio Stations: 6; Television Stations: 1
- > **Newspaper circulation statistics:** Top three by circulation: *Le Progres* (daily), *N'Djamena Hebdo* (private weekly), *L'Observateur* (private weekly)
- > **Broadcast ratings:** Top three radio stations: Radiodiffusion Nationale Tchadienne (state-owned), FM Liberte (private), La Voix du Paysan (Catholic station)
- > **News agencies:** Chad Press Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 130,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CHAD



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Chad Objective Score: 1.80

Chad's constitution and supporting laws set forth the legal and social standards for the freedom of speech. Enforcement is where the problem lies, explained the panelists. Assane Lame, a journalist with the National Radio (state-run) stated that Chad has legislation that upholds and encourages freedom of the press and access to public information. But a reality check reveals that journalists have trouble doing their job, he said. Other panelists stated that the laws are subject to the whims of the authorities, and disregard for legal and social standards is a serious problem. Maurienne Lobo, a member of the Union of Female Communication Professionals of Chad (known by its French acronym, UFPCT), said that corruption is eating away at society, making it very difficult for people to seek justice.

As the 2008 MSI reported, broadcast licensing is relatively fair. The HCC, made up of three media representatives and six political appointees, oversees the process. All types of media are subjected to the same procedures, and media creation is not unduly restricted. However, authorities exert control after the licenses are granted, closely overseeing the media's development, editorial content, and orientation.

The panelists cited excessive taxation as an obstacle to market entry. Print media must pay a VAT, while broadcast media outlets pay rent for their frequencies. The government's

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.

Hoinathy Gotngar Noubatan, of Radio Lotiko, said that journalists have been murdered and harassed, and newspaper offices have been vandalized, but the perpetrators—despite acting in broad daylight—are never arrested.

failure to provide tax relief has driven media companies to increase their prices.

Hoinathy Gotngar Noubatan, of Radio Lotiko, said that journalists have been murdered and harassed, and newspaper offices have been vandalized, but the perpetrators—despite acting in broad daylight—are never arrested. Authorities confiscate motorcycles and reporting equipment regularly, and investigations generally lead nowhere. Another serious case in 2009 involved a Cameroonian journalist, Innocent Ebode, who penned an op-ed criticizing the environment minister's suggestion that President Delby deserved the Nobel Peace Prize. Later, the government effectively shut down production at his newspaper, using the excuse that the paper lacked an editor-in-chief. When Ebode returned to fight the order in December 2009, he was abducted from his home. Reports state that he is being held near the Cameroonian border.

Additionally, Amnesty International reported that journalists writing about Chad's long-simmering conflicts and rebellions have been called "enemies of the state." In February, the government revoked the accreditation of Sonia Roley, a Radio France International correspondent, forcing her to leave the country.² Freedom House also reported that according to IFEX, at least 10 journalists were forced to flee the country or go into hiding during 2009.³

Media-related legislation does grant state media privileges, and according to Noubatan, the ruling party gives preferential treatment to public media. Public journalists are controlled heavily by their supervisors—who are ever-fearful of angering the authorities. François Djekombe, a journalist with Radio FM Liberté (a private station owned by a group of human rights organizations), said that the Ministry of Communication keeps the National Radio news department under rigid control, and has taken over the state-run television channel completely. According to Marie Laguerre of National Radio, "Journalists working in the public media

² Amnesty International 2009 Report—Chad. <http://report2009.amnesty.org/en/regions/africa/chad> (Accessed October 5, 2010.)

³ Freedom House: *Freedom of the Press 2009—Chad*. (Accessible online from this page: <http://www.freedomhouse.org/template.cfm?page=251&country=7584&year=2009>)

Moreover, Noubatan noted, authorities are arresting journalists for slander and forcing journalists to reveal their sources. The penalties for libel can be severe, often resulting in fines and prison sentences.

are not independent—they cannot speak their mind, and they practice a type of self-censorship.”

Moreover, Noubatan noted, authorities are arresting journalists for slander and forcing journalists to reveal their sources. The penalties for libel can be severe, often resulting in fines and prison sentences. The burden of proof lies with the defendant, and journalists face a judicial process that is far from independent. Lazare commented, “Journalists are being slapped with lawsuits all the time.”

Again this year, the panelists agreed that access to information remains an enormous obstacle for private and public media journalists alike. Jonathan Radoumadji said that although journalists are free to criticize and denounce, access to public information continues to be a myth in Chad, and the government remains wary of the private media. While the government gives state-run media greater access than private media, access depends on the budget of the media outlet and a journalist’s social connections. However, Chad has no laws restricting media access to international news and news sources.

Takaobi Edouard, an independent journalist, said that anyone can become a journalist with no impediments, but difficulties crop up when journalists try to do their job. Previous MSI studies have reported that in the private media, anyone can become a journalist. Among the public media, however, journalists are required to have a degree.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Chad Objective Score: 2.22

Tchanguiz Vatakha, with the Moïssala-based Radio Brakoss, said that Chadian journalists are quite competent professionally, although he conceded that the sector has much room for improvement. He indicated that news reporting has improved clearly in comparison with the recent past. Radoumadji agreed, and traced the tangible change to the media liberalization that followed Chad’s conversion to democracy in 1980. Laguerre and Jehiel Djasrabe, with UTCF, also argued that many Chadian journalists do meet professional quality standards. Sony Mekondo, an activist with

the Association for the Promotion of Fundamental Rights in Chad, agreed that Chadian journalists abide by professional standards, but said that Chad’s cumbersome socio-political circumstances make it difficult for journalists to do their work properly—giving them a bad reputation. Lobo commented, “People are reluctant to name reliable information sources, so journalists have trouble finding enough news sources in order to provide reliable and objective news to the populace.” Maryse Dlgarlaldjin, of the Association of Women Sociologists of Chad, noted that authorities are especially hard on the journalists that do meet professional quality standards.

In 2002, the Union of Chad Journalists established a framework of ethical standards. Most panelists agreed that media members do not always uphold the standards, but according to Maji Maji Odjitan Djoutoun-Gona of the Union of Journalists for the Defense of Human Rights, some journalists in Chad do their job while also observing professional ethical codes. They may have an occasional breach, but that does not merit stating that Chadian journalism fails to meet professional standards, he asserted.

Radoumadji added that the creation of the Chadian Media Professional Ethics Observatory has been instrumental in upholding professional quality standards, and Noubatan agreed, commenting, “Today, the ethical problems identified at the beginning of the media privatization process are now almost entirely solved. Journalists pay increasing attention to ethics.” Takaobi said that journalists are careful not to infringe on professional ethical rules—which also keeps them out of prison.

Self-censorship is pervasive, given the delicate political situation and the threat of prison looming over journalists

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

that attempt to write critical articles. Djasrabe claimed that journalists “are also free to tell the truth. The fact that they are free to denounce or criticize is proof that the freedom of speech is real since the democratization of our country.” But Noubatan disagreed, stating, “In the media, journalists and editors-in-chief often practice self-censorship to avoid government reprisals.” Lame said that censorship is present everywhere in the state-run or public service media, particularly when the news refers to public authorities.

Although journalists do address key topics, certain issues concerning politics and the rebellion are silenced. At the same time, the media cover some political events too cautiously, panelists said. However, Laguerre disagreed on this point, claiming, “Journalists are free to address all topics.”

According to many of the panelists, low salaries are a serious obstacle to further improving professionalism. Dlgarlaldjin said that journalists’ salaries are unsatisfactory, and as a result, journalists are not given enough respect. Furthermore, Radoumadji noted, low salaries make journalists “vulnerable to enticements—as a result, sometimes they depart from the trade’s standards.” Noubatan and Laguerre added that journalists’ salaries are too low to protect them from the temptation of corruption. Djoutoun-Gona noted that salaries are particularly low in the private media, and this does not encourage their independence. Djekombe surmised, “We have to believe that their conscience often saves them from corruption.”

Entertainment programs continue to take precedence over news, Takaobi confirmed.

Takaobi also gave the opinion that outdated equipment remains an industry-wide problem; journalists in all media sectors still use equipment dating back 40 years. Lazare said, “The reporting and production equipment do not meet professional requirements. As a result, the sound quality of news pieces is inferior.” Noubatan noted that most radio stations are community stations with few resources, and added that the lack of working equipment and qualified personnel “...prevents the Chad Press Agency from fulfilling its mission.” Djasrabe described how the lack of transportation limits journalists as well. “For example, if a press outlet does not have a vehicle, journalists are forced to walk, take a taxi, or team up with someone else going in the same direction. The general impression is that Chadian journalists are impoverished.”

Offering a different viewpoint, Djekombe noted that most radio stations broadcast digitally, and Laguerre, from the public media side, said that news gathering, production, and reporting equipment is modern and efficient.

Regarding niche reporting, Lazare said that journalists are not qualified to address specialized topics such as economics. Most media professionals are generalized journalists with skills gained through on-the-job training.

OBJECTIVE 3: PLURALITY OF NEWS

Chad Objective Score: 1.78

Chad’s media sector includes a variety of news sources, which are concentrated in the capital. Djoutoun-Gona said that citizens have unlimited access to domestic and international media. “The public can choose among multiple news sources. There are several newspapers as well as private radio stations providing news. The access to these news sources is free or affordable.” Lobo confirmed that some community media outlets provide local news to rural area residents. Djekombe said that access to the Internet and other news sources is also free and unrestricted.

Takaobi disagreed, saying that many citizens cannot afford to pay for news. “Access to news sources is limited and unaffordable,” and as a result, “Chadian citizens only receive partial news.” He also said that independent media lack influence, and the public media call the shots.

Last year, the MSI reported that 20 percent of the population has the means to buy or read a newspaper, and in fact, journalists themselves are not really in touch with the world, receiving news with a delay. Widespread illiteracy presents another obstacle. As Lobo noted, “More than half of the Chadian population is illiterate.”

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.

Widespread illiteracy presents another obstacle. As Lobo noted, "More than half of the Chadian population is illiterate."

Regarding how well the public media reflect the views of the political spectrum, Vatakha stated categorically that the National Radio works exclusively for the members of the ruling party and the government. Mekondo agreed, commenting, "It is clear that the public media do not reflect the interests of the population," and added that its journalists are forced to censor themselves. Opposition voices are muffled, and the public media serve the interests of the government, he said.

There is only one news service, the government-run Chad Press Agency.

Independent broadcasters produce their own programs—and in doing so, exercise significantly more independence than the state media.

Considering the question of media ownership, Mekondo commented that such information is obscured, making it difficult to analyze the news objectively. Furthermore, while the government runs the public media, several groups and associations are active in the private media.

Minority languages have minimal representation in the Chadian media. Djekombe said that most private radio stations broadcast in three languages (French, Arabic, and Sara) and "only the National Radio broadcasts in thirteen languages—but then again, there is always some boss who decides on these languages based on [an] allegiance to or affinity with the ruling party."

OBJECTIVE 4: BUSINESS MANAGEMENT

Chad Objective Score: 1.44

Most of the panelists agreed that independent media are managed badly—according to Djoutoun-Gona to the point that they exploit journalists. Lobo said, "Journalists earn next to nothing, and very often managers hire people without appropriate qualifications or degrees." Only media owners are able to live decently, and newspapers in particular are managed more like a household than a professional enterprise, panelists said. Radoumadji, an independent journalist, added that the poor management creates instability and contributes to the journalist exodus. Djekombe said, "The managers of publications or radio stations run

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.

their outlets as they please—with only a few exceptions." Furthermore, Lame said, "Media management is not always transparent. Even when there is a cash inflow, some press companies are not well managed."

As the previous MSI reported, the Chad Private Press Publishers Association has addressed these concerns by launching an effort to professionalize management and accounting systems.

A few sources of revenue fuel the media in Chad, panelists said. Advertising is the principal source, though the market is underdeveloped, and the country has no advertising agencies. Djoutoun-Gona noted, "There is an advertising cultural deficiency." Still, as reported in the 2008 MSI, the dependence on advertising is quite heavy; advertisements represented almost 80 percent of private media revenue that year.

Djoutoun-Gona said that the government is mandated to support private media outlets with an annual subsidy, which is designed to ensure their survival, but the private media are still struggling—primarily due to bad management. Vatakha said that the subsidy is insufficient, and Takaobi commented that the process for distributing subsidies is very unequal, so the media cannot count on this support. According to Djekourninga, government subsidies have not affected private media independence; outlets are still somewhat well managed and independent despite governmental support, in his view.

Laguerre said that Chadian media remain without market research to help tailor and improve their content. Mekondo confirmed that accurate circulation and ratings figures are still not available, either.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Chad Objective Score: 2.10

Mekondo said that Chad has no business associations representing media owners and managers, but it does have professional journalist associations. Djoutoun-Gona said, "There are multiple supporting institutions—NGOs, media professionals' associations, human rights organizations, etc.—working to protect the interest of independent media professionals." Djarabe agreed that a number of communications, journalist, and human rights organizations uphold the professional interests of the independent media.

Lobo agreed that some institutions are protecting the professional interests of the independent media, but said that their scope is limited due to tight finances. When the situation demands, they do get involved in professional development projects, he said.

According to the panelists, many NGOs support the freedom of the press and uphold the professional interests of the private or independent press. Radoumadji made note of the human rights organizations in Chad that are advocating for freedom of speech. For example, eight human rights organizations came together to create Radio FM Liberté in N'Djamena. Noubatan added that the country has many civil society organizations that speak out on behalf of journalists' rights in cases of violations. The groups include international NGOs (Reporters Sans Frontières, Journaliste en Danger) and domestic NGOs. Some of these organizations also provide legal support to journalists facing charges.

Chad still has no journalism school. Mekondo noted the country has only one communications department dedicated

to training good journalists, housed within the Department of Language and Literature at the University of N'Djamena. Most of Chad's journalists trained abroad.

Despite their limited degree options, journalists have some other training opportunities. Previous panels praised the work of MédiaExcel in this regard. Takaobi said that many domestic and international NGOs organize regular training sessions dedicated to improving the quality of reporting. Lazare commented, "The French NGO Le Gret supports the interests of the media, most notably by offering training and internships, and lobbies on behalf of the media in cases of conflicts between the authorities and the private media."

Regarding sources of newsprint and printing facilities, the Chad Printing House holds a monopoly essentially; last year's MSI noted that the minister of communication is a shareholder. Although Chad has no media distribution service quite yet, media members have a serious interest in creating a service, according to the panelists. For now, media outlets set up their own, generally informal distribution policy.

List of Panel Participants

Sony Mekondo, activist, Association for the Promotion of Fundamental Rights in Chad, N'Djamena

Tchanguiz Vatakha, editor-in-chief, Brakoss Radio, Moissala

Djarabe Jehiel, journalist, UTCF, N'Djamena

François Djekombe, chief of sales, Radio FM Liberté, N'Djamena

Edouard Takaobi, independent journalist, N'Djamena

Maurienne Lobo, member, Union of Female Communication Professionals of Chad, N'Djamena

Hoinathy Gotngar Noubatan, editor-in-chief, Radio Lotiko, Sarh

Jonathan Radoumadji, independent journalist, Ati

Maryse Dlgarlaldjin, member, Association of Women Sociologists of Chad, N'Djamena

Marie Laguerre, journalist, National Radio, N'Djamena

Moderator and Author

Odjitan Djoutoun-Ngona, executive secretary, Union of Journalists for the Defense of Human Rights, N'Djamena

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

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.

Violent crimes against journalists, including murder, physical attacks, and death threats, persist. The general climate has worsened since the Congolese and Rwandan armies jointly launched attacks in the eastern DRC against the Democratic Forces for the Liberation of Rwanda.



DEMOCRATIC REPUBLIC OF CONGO

After years of military conflict, and despite the 2006 general elections, which brought democratic institutions to power, once again simmering ethnic conflicts have become time bombs in some provinces of the Democratic Republic of the Congo (DRC). In the eastern provinces (Nord and Sud-Kivu, Province Orientale), politicians stir up and often exploit cultural differences to serve their own purposes.

In this fragile environment, there are media outlets—most of which are controlled, directly or indirectly, by political forces—working very hard to be a vehicle of peace. Congolese politicians invest in the media not because they are passionate about sharing information, or even because they hope to make a profit, but because the media are a tool that helps them to gain or preserve their power. Additional pressures, including the constant threat of censorship, allegedly on behalf of protecting the national security and preserving public order, and self-censorship, compound this political interference. Violent crimes against journalists, including murder, physical attacks, and death threats, persist. The general climate has worsened since the Congolese and Rwandan armies jointly launched attacks in the eastern DRC against the Democratic Forces for the Liberation of Rwanda (the Rwandan Hutu rebel forces who have lived as refugees in the DRC since 1994, and have been accused of driving the Rwandan genocide).

While freedom of the press is officially guaranteed by the constitution, and the specific clauses of this freedom are spelled out in the law, the government shows no political will to ensure freedom of the press may be exercised. To the contrary, it shows a clear intention to muzzle the independent press and stifle any opinion opposed to the government's view, according to the MSI panel. In one of the most overt examples seen in the past year, Lambert Mende Omalanga, the minister of communications and the media, and the attorney general warned the press not to release news or publish articles that might—in the government's opinion—demoralize the troops fighting the Rwandan Hutu rebels. A few weeks later, on July 26, 2009, the government accused the public French radio station, Radio France Internationale (RFI), of doing precisely that, and cut the station's signal throughout the entire country.

Still, there are organizations working to strengthen the press and raising awareness about the threats, various pressures, and the pervasive government censorship and self-censorship that undermine the credibility of the Congolese press. Human-rights advocates do react to violations against journalists; pressure from advocacy organizations has played a role in bringing some perpetrators to justice.

DEMOCRATIC REPUBLIC OF CONGO AT A GLANCE

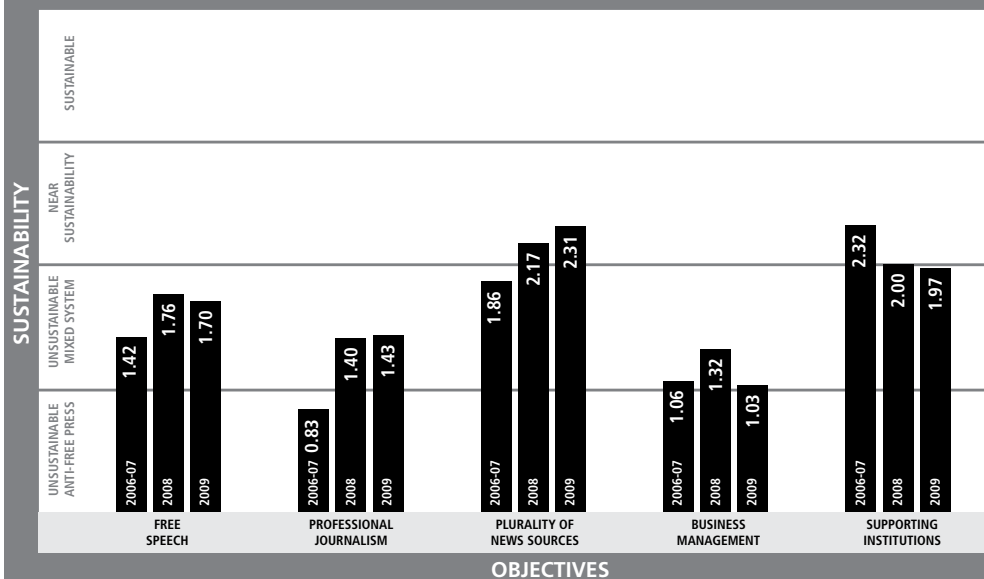
GENERAL

- > **Population:** 68,692,542 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Kinshasa
- > **Ethnic groups:** Over 200 African ethnic groups, of which the majority are Bantu; the four largest tribes—Mongo, Luba, Kongo (all Bantu), and the Mangbetu-Azande (Hamitic) make up about 45% of the population (*CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic 50%, Protestant 20%, Kimbanguist 10%, Muslim 10%, other (includes syncretic sects and indigenous beliefs) 10% (*CIA World Factbook*)
- > **Languages:** French (official), Lingala (a lingua franca trade language), Kingwana (a dialect of Kiswahili or Swahili), Kikongo, Tshiluba (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$10.68 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$300 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 67.2% (male 80.9%, female, 54.1%) (2001 est., *CIA World Factbook*)
- > **President or top authority:** President Joseph Kabila (since January 17, 2001)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 8 daily newspapers, more than 100 others; Radio Stations: 226; Television Stations: 60 (Source: GRET, 2005)
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** top three radio stations: National Radio (state-owned), Golfe FM (privately-owned), Capp FAM; Top three TV stations: National television (public channel), Canal3 (private channel), Golfe TV (private channel)
- > **News agencies:** Agence Congolaise de Presse (state-owned), Associate Press Agency (private), Syfia (private), Dia (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 290,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: DEMOCRATIC REPUBLIC OF CONGO



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

DRC Objective Score: 1.70

All the panelists agreed that the DRC legally guarantees the freedom of speech (detailed in law number 002/96 of June 22, 1996) and establishes media pluralism. The DRC constitution, adopted on February 18, 2006, recognizes citizens' rights to freedom of speech and opinion. Panelists were also pleased to report that the 1996 law, which had survived Mobutu's dictatorship, was submitted to the parliament for modification, particularly with respect to the provisions defining and sanctioning slander and offenses against authorities.

Unfortunately, though, there is a large gap between the existing legislation and its enforcement. As a result, there have been many violations of the freedom of the press and the freedom of speech of opposition leaders or civil-society actors whenever their views did not coincide with those of the government.

The panelists believe the lack of political will by the public officials, who also enforce the law, is to blame for the disregard of the law. Michel Mukebaji Nkoso, director of the daily newspaper *Congo News*, was more categorical: "A lot of obstacles prevent the application of the press law. This is mainly due to the fact that the public authorities lack political will. A corrupt regime will not, by definition, encourage the freedom of speech. Another reason is the propensity of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Edouard Mukendi, an attorney with the Kinshasa Bar association, believes that in the DRC, enforcing the legislation regarding the freedom of the press is a real challenge due to some very diverse difficulties: influence peddling, a dysfunctional judiciary system, corrupt judges on the payroll of the rich and powerful, etc.

the same public officials to resort to extrajudicial methods." Natasha Nzembe, head of the *Journaliste en Danger* (JED) legal defense office, also pointed to a lack of awareness on the part of journalists of the laws governing their profession, and the spreading phenomenon of journalists aligning with politicians. Furthermore, Nzembe underlined repressive aspects of the current press law. Many of its provisions refer to the criminal code, and imprisonment is the principal criminal sentence handed down for press offenses. Thus, the penalty involving personal confinement is more often than not considered a form of revenge meant to silence journalists.

Edouard Mukendi, an attorney with the Kinshasa Bar association, believes that in the DRC, enforcing the legislation regarding the freedom of the press is a real challenge due to some very diverse difficulties: influence peddling, a dysfunctional judiciary system, corrupt judges on the payroll of the rich and powerful, etc. However, Mukendi mentioned that a number of perpetrators of crimes against journalists, including murders, have been brought to justice thanks to pressure from human-rights activists—although the trials in those cases are sullied with many irregularities.

Two ministries are involved in the granting of broadcast licenses: the Ministry of the Post, Telephones, and Telecommunication, and the Ministry of Information, Press, and National Communication. Previous MSI studies have reported a lack of independence and transparency in the granting of licenses; Mukendi also noted that to be eligible for a media operation license, media outlets are forced to obtain a lot of approvals, including that of the information services.

Stanis Nkundiye, secretary-general of the *Syndicat National des Professionnels des Médias*¹, pointed out that in the DRC, the legal framework guarantees the press companies' free access to the market, but in reality the security and information services often interfere in the process of granting

¹ Media Professionals' National Union

Kinienzi pointed out that the government hides behind the excuses of “national security” and “defense secrets” to prevent the circulation of information that might hurt the government. As a result, the public is deprived of its right to be informed on issues that are labeled “taboo,” although they are of interest to the public.

operational licenses to the audio-visual media. He also noted that many newspapers operate illegally, as long as they have no capital, and thus do not pay taxes—despite functioning as private enterprises.

To illustrate the gap between legal protections on paper and the dangers for journalists on the ground, Patient Ligodi, research coordinator with JED, pointed to at least 35 free-speech violations on the record for the first quarter of 2009 alone, including the imprisonment of journalists, cuts to radio or television signals, and bans on certain television channels.

In one of the most serious cases, radio journalist Bruno Koko Chirambiza was murdered in Bukavu on August 23, 2009; the presenter for the private station Star Radio was attacked and killed by eight unidentified assailants. However, according to Star Radio Program Director Jilly Bianga, Chirambiza did not cover any sensitive topics and was not considered a likely target. Bianga reported that the Committee to Protect Journalists is investigating the circumstances of the case to determine whether the killing was work-related.

In a clear show of the government's intolerance of freedom of the press, in May and June 2009, the government cut RFI's FM relay in Bunia (Ituri) and Bukavu, in retaliation for reporting why certain ex-rebel members of the army were deserting to go back to Rwanda, which the government found embarrassing. While the signal has returned in Bunia, at the time the MSI was being prepared, RFI could still not be picked up on FM in Bukavu. The signal cutoff measure was extended to Kinshasa, Lubumbashi, Matadi, and Kisangani as of Sunday, July 26, 2009, by the order of the minister of communications and the media.

Public media cannot be considered independent. Mukendi said, “There are of course privileged media—for instance, all the public media and some private newspapers are close to or belong to political leaders.” Many panelists believe that the time has come for the media regulatory agencies to call

for politicians to release their grip on the media—the public media in particular—and turn them into free zones, accessible by everyone and open to democratic debate.

As reported in last year's MSI, libel complaints are usually treated as criminal cases. Freedom House's Freedom of the Press 2009 report, which designated DRC as “Not Free,” noted the case of journalist Popol Ntula Vita, of *La Cite Africaine*. Charged with defamation in 2003, he remains in hiding.² It remains to be seen how any modifications to the 1996 law in parliament might affect the provisions defining and sanctioning slander and offenses against authorities, but for now, journalists continue to face prison sentences for libel cases.

As for journalists' access to information sources, Claudine Mbombo, a journalist with the daily newspaper *L'Observateur*, is categorical: “There is no law guaranteeing the access to information sources, especially the official ones. Even when they do have access to ‘sensitive’ information, journalists censor themselves for fear of reprisals and sometimes also out of leniency for the persons involved in cases of corruption or bad public-affairs management.”

Scott Mayemba, JED's head researcher, shared this view, and raised the issue of the media professionals' credibility: “Predators of freedom of speech are being recruited from among political decision makers or even the journalists themselves. The public information sources are ‘available’ only to journalists accredited by public institutions.”

Kinienzi pointed out that the government hides behind the excuses of “national security” and “defense secrets” to prevent the circulation of information that might hurt the government. As a result, the public is deprived of its right to be informed on issues that are labeled “taboo,” although they are of interest to the public.

As reported in previous MSI studies, DRC media outlets are able to broadcast foreign media programs. A problem, though, is that some media houses balk at the expense of foreign subscriptions; they sometimes present foreign material and fail to credit the source.

Regarding entry into the journalism profession, Mayemba commented, “The doors of the Congolese press are open to anyone who wishes to become a journalist, but there should be safeguards in the gathering, processing, and reporting news process. In this profession, there are too many ‘black sheep’ operating outside of acceptable standards. News reporting continues to be far from professional. Good

² Freedom House. Congo, Democratic Republic of (Kinshasa) (2009). <http://www.freedomhouse.org/template.cfm?page=251&country=7739&year=2009> Accessed June 10, 2010.

legislation is not enough: a collective will to put it into practice should prevail.”

OBJECTIVE 2: PROFESSIONAL JOURNALISM

DRC Objective Score: 1.43

The panelists sharply criticized the lack of adherence to accepted standards of professional journalism in DRC. St. Augustin Kinienzi, with the daily newspaper *Le Potentiel*, pointed out, “Recruitment of personnel and the questionable quality of journalists who lack awareness of professional ethics are real problems. On the other hand, the Congolese journalists become lazy, particularly due to their contact with politicians; as a result, journalists content themselves with trying to sell the image of their sponsor or protector. They investigate much less and instead choose the easy way—going on location only if they are invited by a self-promoting politician or businessperson. Journalists wait for the news to come to them instead of going out after it.”

Objectivity is a rare commodity in the Congolese media as a whole, according to Dieudonné Ilunga, an independent journalist, who offered a few examples. “Once a reporter from the state-run radio station labeled a physicians’ strike as ‘illegal and savage;’ three days later, he retracted that as he announced the end of the strike as a victory for the minister. In another example, after the killings that followed the 2007 confrontations between the police and the Bundu Dia Kongo sect militants in the Bas-Congo province, a report on the public television channel only showed the bodies of the killed policemen, although there had also been quite a large number of civilian casualties.”

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).

Echoing the concerns over failures to uphold professional standards, Nkundiye said, “Reports are not well-documented, and journalists do not bother to consult with experts. A lot of information comes from the politicians’ headquarters. We have even seen the same exact article published—word for word—in four different daily newspapers on the same day, and signed by four different people.

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Nevertheless, a professional ethical code, created in 2004, exists to guide DRC journalists. However, many journalists simply disregard it, falling prey to corruption and poverty and accepting bribes from sources. Such practices are forbidden under the professional ethical code, yet they are nonetheless widespread. Hodant Bongambo, a journalist with Radio Ekanga, testified that the practice is common in the northeastern province of the Equateur as well, noting, “Each politician or industry owns their journalists.” Due to this practice, journalists are unable to provide fair reports and fail to conduct appropriate research before reporting, he lamented.

Joël Mbombo Badiambile, with the Océan Pacifique radio-television in the Kasai Orientale province, said that journalists in his province lack not only awareness of the journalist’s professional ethical code but suffer from a dearth of training opportunities. “Professionalism is above all a personal attribute of a conscientious few. In Mbuji-Mayi, there are very few qualified journalists, but they do their job well thanks to the training teams from the capital.” Badiambile also commented that assignments are not fair; the older journalists receive most of the assignments, and rookie journalists are heavily underused in some press organizations.

Bongambo commented that open violations of the freedom of the press have now become less frequent. However, this is largely because journalists self-censor their own reports to

“With salaries so low (and sometimes non-existent), journalists strive to make money off each and every one of their pieces: this practice, called coupage, has become quasi-institutionalized,” according to Nkoso.

avoid being attacked, after seeing so many of their colleagues suffer. In particular, news related to the army, embezzlement, and corruption do not easily find their way into the press, and the government forbids the media to address such issues. In addition, the media often neglect crucial issues concerning the daily life of the populace, such as the cost of living, unemployment, water quality, electricity, health, public transportation, education, and taxes. When the media do raise these issues, they are addressed from the point of view of the media outlet’s financial backers—not that of the citizens.

Inextricably tied to the issue of professional standards and ethics is the question of pay. As a result of low salaries, journalists are reduced to living and working in poverty and utter destitution. To survive, penniless journalists focus all their energy toward finding their daily bread. Politicians or businesspeople recruit journalists with the lure of regular salaries and instruct them to make sure that no unpleasant information concerning them gets out in the press. “With salaries so low (and sometimes non-existent), journalists strive to make money off each and every one of their pieces: this practice, called *coupage*, has become quasi-institutionalized,” according to Nkoso.

In some cases, to make ends meet, journalists take positions as press attachés or communication advisors for politicians, on top of their jobs as journalists. This forces them to be both judges and committed parties when they have to report news involving their bosses. The credibility of the Congolese media is a growing problem, given the incompatibility between the responsibilities of a journalist in reporting news, and that of a press attaché or communication advisor, whose job is to promote their employer. The prevalence of journalists adopting such mixed roles also explains the dominance of promotional information over news in the Congolese media. Panel participants agreed unanimously that the media associations should formally forbid media professionals from working as journalists, reporters, or news directors while simultaneously serving as publicists, press attachés, or communication advisors for politicians or state-owned industries.

The panelists noticed that private media provide fewer and fewer news programs. Entertainment is winning out; the population clearly prefers it over newscasts and serious reporting. According to the panel, this is in part due to a sense of disgust for the politicians and the pomposity of the elite that has ruined the country. Ligodi pointed out that entertainment is unfortunately proliferating to the detriment of educational programs or productions addressing the country’s development. The television channels and radio stations broadcast music and sports all day long. Mayemba shares this view as well, noting, “The population is more interested in musical shows, whereas political shows only provide empty calories. You only have to turn on the television on Sundays to realize how many viewers are hooked on music shows. Local news is all but absent from virtually all television newscasts. However, a new show called “News in Easy Lingala,” addressing such issues, has become so popular that it is being rebroadcast multiple times by several television channels.

Facilities and equipment for gathering, producing, and distributing news are far from modern and efficient. Technical equipment is largely obsolete and unsuitable. “The press outlets are so poor that they cannot afford the necessary equipment, especially computers, Internet connections, digital photo cameras, video cameras, etc. Some outlets cannot even afford a radio or television set,” according to Jean Mbay Katshingu, with the *Observatoire des médias congolais*.³

OBJECTIVE 3: PLURALITY OF NEWS

DRC Objective Score: 2.31

All the panelists recognized the pluralism of news sources in the DRC, and especially in the capital. However, widespread illiteracy hinders access to the print media for the majority of the Congolese, who cannot read or write. For this reason, radio is all the more important, and panelists noted that Radio Okapi (run by the United Nations) covers most of the vast territory of the DRC. However, according to Ilunga, in Kinshasa, news sources are more numerous and diverse than in the provinces, where, although access to the media is not limited, “cyber-illiteracy” blocks out a large part of potential media consumers. In the northeastern province of Equateur, according to Emmanuel Kottra with Radio Liberté, the local population enjoys easier access to broadcast media—but newspapers are a rare commodity.

Still, there are signs of progress on the plurality of news options outside the major cities. Michel Ntumba Efor, a

³ Congolese Media Observatory

journalist with the *Agence congolaise de presse* in the southern province of Bandundu, expressed optimism about the growing news options there, which have increased the public's chances to receive objective and reliable news. "The longtime marginalized rural population now finds that objective information is increasingly available. The opening of private radio stations and television channels in the country and the development of the Internet in the rural areas have generated a higher news inflow for the citizens in the towns and villages of the provinces." However, one panelist did express the concern that the Internet contributes to the "corruption of the younger generation."

Mayemba commented that despite the multitudes of options, plurality does not always imply diversity. He explained, "The sheer number of news sources does not necessarily provide generally objective news to the population. The bipolarization of the press (divided between pro-opposition and pro-government press) is evidence enough. For example, CCTV, owned by the opposition leader Jean Pierre Bemba, never provides objective news if it is favorable to President Kabila's regime. The same goes for the pro-government stations, such as Digital Congo or RTGA, where the opposition is viewed negatively." Nevertheless, the panelists pointed out that there are some outlets providing verified and even balanced news, including Radio Okapi, Syfia Agency, and the news reported by the Kinshasa-based correspondents of foreign channels.

Regarding citizens' access to the media, Tombe Kabiena, an instructor in a Kinshasa journalism school, noted that access may be free in theory, but it is limited by

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.

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the declining purchasing power of many citizens. In the provinces, particularly in Kasai Orientale, up to 10 percent of the channels broadcasting out of Kinshasa can be picked up via satellite. According to Ligodi, the residents of the Congolese capital and larger cities can access international news sources. However, access to international channels is expensive and only the wealthiest segment of society can afford it, according to Badiambile. Although there are no broad limitations or absolute restrictions, the news offered by the international media, particularly on such issues as human rights or national security, is tightly monitored. This is proven by the frequent signal cuts these media experience when they release news about such issues.

As reported in last year's MSI, state-run media in the DRC were liberalized in 1996 under Law No. 96/002, which describes state-run media as public services that cannot serve an individual or a group of individuals. Yet in practice, the panel said it is clear that the state-run media are single-minded; they broadcast only the majority's viewpoint—not the views of the entire political spectrum. Panelists said that in the public media sector, the Agence Congolaise de Presse (ACP)⁴ gives everyone the chance to express his or her opinion, including the opposition parties. In contrast, Radio Télévision Nationale Congolaise (RTNC) broadcasts only the unilateral perspective of the Alliance de la Majorité Présidentielle.⁵ RTNC now operates as a propaganda machine for the ruling majority, all the while casting itself in a "village priest" role. The news relative to opposition political movements is assigned to tiny, if not negligible, airtime on the station. Instead, public television news bulletins are stuffed with government ministry meetings.

The DRC has four domestic news agencies. In addition to the state-run ACP, there are several independent news agencies,

⁴ Congolese Press Agency

⁵ Presidential Majority Alliance

While acknowledging the abundance of news sources, Nkoso said, "All these media suffer from the same disease: the lack of original content. Most of them fill the airtime with music videos."

including a private agency created by former ACP journalists named the Associate Press Agency, and Dia, a Catholic news service. Syfia International and Agence France-Presse also offer services in DRC.

While acknowledging the abundance of news sources, Nkoso said, "All these media suffer from the same disease: the lack of original content. Most of them fill the airtime with music videos." Nkundiye said this is one positive attribute of RTNC; it produces its own news programming, in contrast with virtually all other stations. According to him, many others offer programs bought or, more often than not, stolen from foreign sources, such as RFI or Canal France International.

Although the population can easily guess the identity of a particular media, no law forces media owners to reveal their full identities. A panelist from the province of the Equateur said that the local population there knows the names of the media owners very well; owners are also divulged in various documents. However, Nkoso raised another issue regarding transparency of ownership: "It is not an overstatement to say that in the DRC, there is an abundance of news sources. But most of these media provide fronts that are meant to hide the real owners."

In terms of the spectrum of social interests reflected and represented in the media, including minority-language sources, the panel underlined several strengths and weaknesses. As mentioned earlier, crucial social and quality-of-life issues, such as unemployment, are not well-addressed in general. However, this is changing with the appearance of community radio stations. These stations have brought about a proliferation of programs covering social issues in the national language; and Nkundiye noted that there are many community media providing local news, sometimes in local languages. In contrast, in the politicized public or state-run media, the languages of the minorities are not taken into consideration.

OBJECTIVE 4: BUSINESS MANAGEMENT

DRC Objective Score: 1.03

DRC media companies do not enjoy economic health. The panelists pointed out that the independent media are not real businesses; they tend to be small-scale, essentially family-sized enterprises. They cannot be described as well-managed or well-structured from a business perspective; most of the media do not keep books. As a result, the Congolese journalists do not typically receive salaries, only small remunerations, driving them to practice *coupage* (getting paid by their information sources). In general, the press sector is not profitable because small print runs or individual newspaper sales do not facilitate big returns. According to Nkoso, who manages a daily newspaper in Kinshasa, any discussion about profitability is useless as long as there is virtually no advertising and print runs are extremely low.

The Congolese media are still alive thanks to the opportunities provided by well-connected media investors who network on their behalf, or because of murky political funding. These cash-based connections are troubling, according to the panelists, because they often influence the editorial policy of the sponsored media.

Katshingu noted that press enterprises in the DRC get by out of sheer resourcefulness. "The newspaper run does not exceed 1,500 copies. Accounting is amateurish. Often, any revenue goes directly into the owner's pockets. Individual sales leave a lot to be desired, and there is no advertising.

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

BUSINESS MANAGEMENT INDICATORS:

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

The two well-organized exceptions are enterprises with foreign capital and management [RAGA, Antenne A].”

Regarding the economic strength of publishing houses, Mukendi said, “There are printing houses and other press-supporting enterprises, but their profitability must be considered cautiously. These companies are not managed according to international standards. The accounts of these individual structures coincide with those of their owners.”

In Mukendi’s view, the media survive thanks to advertisers. Some of them resort to advertising agencies, and others contact the press companies directly. There are no other income sources with the exception of the political resources, which have enormous influence on the editorial policy of virtually every single press outlet in the DRC.

Bongambo noted the particularly precarious economic situation of media outlets in the provinces, noting that the media do not receive funding from the government and some of them are unable to access the already limited advertising markets.

In the Kasai Orientale province, swarming with businesspeople well versed in the diamond trade, press companies operate on economically shaky ground. Joël Mbombo described the situation in Kasai Orientale: “There is a kind of connection-based profitability; it depends on the particular dynamics of the marketing agents and the development of the public-relations arms of their respective organizations. In general, the media [there] are able to survive thanks to advertising. The broadcast sector relies on sponsored shows and reports, while newspapers live off the pages they manage to sell to businesspeople willing to pay for promotional or career-building pieces. Some media are funded by politicians who influence their editorial line.”

The number of advertising agencies is very limited in accordance with the small scale of the business and economic activities. Given these limitations, there is no proper advertising market to speak of. However, there is a \$3 million-a-year “advertising fund,” distributed to the media mostly by cellular telephone companies and breweries. Panelists said, though, that these funds are not distributed according to the professional rules of advertising. In many cases, it has become a hidden cash source for the media relying on a political clientele system. Katshingu said that the broadcast outlets do have access to advertising, albeit under the terms and rates of the community media advertisers.

The panelists cautioned that the independence of all media outlets should be viewed with caution. Some of the newspaper headlines and articles that look like breaking news are in fact underground advertising handsomely rewarded by politicians or economic agents. This is true also of some

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prestigious current-event shows presented by broadcast media “consortiums.” In reality, the “guests” themselves sponsor such shows to advance their own propaganda.

While the government does not provide subsidies to journalists, the panelists believe that it should. Their view is that if the government made public funds available to the media, with fairness and transparency, it would give the private media the economic security they need to cease being easy targets for manipulation and corruption. In the 2008 state budget, the government had announced the allocation of \$2 million to the media, but this has turned out to be an empty promise, as the media have not received any funds, directly or indirectly.

Stanis Nkundiye confirmed that there are no market studies or reliable statistics concerning radio ratings or Internet usage. Again this year, it is not entirely clear whether the reason is that media outlets cannot afford to conduct formal research, or that owners are more interested in their political messages than measuring audience preferences. Furthermore, Nkundiye noted, the newspapers’ circulation and print-run numbers are kept secret precisely because they are so small.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

DRC Objective Score: 1.97

All the panel participants recognized the existence of media-supporting institutions, professional associations, and training agencies in DRC; however, they question their efficiency in protecting the interests of their members. Media owners’ associations include: Association des Editeurs du Congo⁶ (ANECO), Association Nationale des Entreprises de l’Audiovisuel Privé,⁷ and Association des Radios Télévisions Communautaires.⁸

⁶ Congolese Publishers’ Association

⁷ National Association of the Private Audio-Visual Companies

⁸ Community Radio-Television Stations’ Association

Kinienzi added, "Most Kinshasa journalists graduate from the sole higher school of journalism [Institut Facultaire des Sciences de l'Information et de la Communication]. But the quality of this school is questionable, as is the entire Congolese educational system. Sometimes journalists are not even trained on-the-job."

Professional associations include the Syndicat National Professionnel de la Presse, Union Nationale de la Presse du Congo,⁹ and Union Congolaise des Femmes des Médias (UCOFEM),¹⁰ but the panel did not believe the actions of these organizations in support of their members are very effective or visible. Claudine Mbombo addressed the lack of leadership in conjunction with the journalists' reluctance to create associations that might help them claim their rights. ANECO asserts itself only on issues related to shareable funds or other cooperation programs, she noted, and disappears when it comes to protecting its members. The same goes for UCOFEM, which addresses the problems facing all women except those working in the media, even though this is its primary mission. Addressing the current situation in his native province of Kasai Orientale, Joël Mbombo says that although there are owners' and journalists' associations, they are more preoccupied with individuals than institutions.

In Mukendi's view, it is a widely known fact that the DRC press has essentially been placed on the politicians' payroll,

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.

⁹ Congolese Press National Union

¹⁰ Union of the Congolese Women in the Media

and there are no real professional associations that are dedicated to help the media. However, he pointed out that there are remarkable professional organizations and NGOs fighting for the protection of human rights and freedom of the press—a view seconded by Joël Mbombo, who gave a nod to their work despite the hostility of politicians toward this freedom. The panelists lauded JED's efficiency in protecting the freedom of the press and defending journalists who are prosecuted as a result of their professional activities. For example, on World Press Freedom Day, JED publicized its concerns about the threats, various pressures, and the pervasive government censorship and self-censorship that undermine the credibility of the Congolese press. The panelists credit JED for achievements including the noticeable decrease of various forms of attacks against the media and intimidation of journalists. However, the panelists expressed their wish for more organizations focused on protecting the collective interests of journalists.

The panelists also noted that the graduates of journalism training schools are not very well qualified, while postgraduate training is almost non-existent. Furthermore, noted Mukendi, "The private and public higher educational institutes offer degrees in information sciences. Unfortunately, not many individuals are interested in them, given that training or a degree in journalism is not a precondition to getting a job in the media." Kinienzi added, "Most Kinshasa journalists graduate from the sole higher school of journalism [Institut Facultaire des Sciences de l'Information et de la Communication]. But the quality of this school is questionable, as is the entire Congolese educational system. Sometimes journalists are not even trained on-the-job." In Kinshasa, only the Institut Congolais de l'Audiovisuel,¹¹ linked to the RTNC and funded by the French, is equipped to train the technical personnel of the broadcast media.

Claudine Mbombo suggested reorganizing the training system to enhance the value of the degrees and improve the quality of the media professionals. Ilunga underlined the need to reform the journalism schools' curriculum, with a particular emphasis on developing speaking capabilities, foreign languages, computer knowledge, history, geography, and even geopolitics.

Kinienzi lamented the fact that most employers treat the remuneration and training of their journalists as a secondary responsibility, perhaps because of a prevailing attitude that nobody wants to waste time and money on training, as long as journalism is such a low-paying sector. In the meantime, professional quality suffers. However, Kabiema, an instructor of journalism, shared his view that despite all of the

¹¹ Congolese Audio-Visual Institute

challenges, the country's three training schools for the media professionals have managed to produce some fine journalists.

Printing houses are privately held and are apolitical but selective. As reported in last year's MSI, some newspapers, such as *L'Observateur*, have their own printing press, and they allow other newspapers to use it. However, the existing printing houses are technically limited in terms of capacity and the quality of printing. Furthermore, only Kinshasa offers adequate printing facilities. Papers far from the capital must find printers in neighboring countries, which is not economically sustainable. In terms of distribution systems, this is still a neglected area. Newspapers are sold in the street in the absence of a proper distribution system.

List of Panel Participants

Natasha Muika Nzembele, research assistant, *Journaliste en Danger*, Kinshasa

Stanis Angalikiyana Nkundiye, secretary-general, *Syndicat National des Professionnels de la Presse*, Kinshasa

Hodant Bongambo, journalist, *Radio Ekanga*, Mbandaka

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

Patient Ligodi, research coordinator, *Journaliste en Danger*, Kinshasa

Claudine Mbombo, journalist, *L'Observateur*, Kinshasa

Dieudonné Ilunga Kazadi, independent journalist, Kinshasa

Joël Badiambile Mbombo, journalist, *Radio Télé Océan Pacifique*, Mbuji-May

Emmanuel Kottra, journalist, *Radio Liberté*, Gemena

Michel Efor-Kabong Ntumba, journalist, *Agence Congolaise de Presse*, Bandundu

Dieudonné Tomba Kabiena, professor of journalism, *Institut Facultaire des Sciences de l'Information et de la Communication*, Kinshasa

Jean Mbay Katshingu Mbay, technical secretary, *Observatoire des Médias Congolais*, Kinshasa

Scott Bila Mayemba, Central Africa research assistant, *Journaliste en Danger*, Kinshasa

Edouard Mukendi Kalambayi, attorney, *Kinshasa Bar Association*, Kinshasa

St. Augustin Kienzi, journalist, *Le Potentiel*, Kinshasa

Moderator and Author

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

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

In the lead-up to the July elections, the authorities stepped up pressure against journalists as well. Several international journalists reported physical attacks and intimidation.



REPUBLIC OF CONGO

D

Despite an oil boom in 2007 and 2008, corruption is endemic in the Republic of Congo, and more than half of the population in this Central African country lives in poverty. Transparency International ranked the Republic of Congo 162 out of 180 countries in its Corruption Perceptions Index.

The presidential elections, which led to another seven-year term for Denis Sassou-Nguesso, dominated the headlines in 2009. The opposition boycotted the elections, which excluded the main opposition candidate. In the lead-up to the July elections, the authorities stepped up pressure against journalists as well. Several international journalists reported physical attacks and intimidation. An online journalist lost his life in a house fire, and his relatives raised the possibility that it was retribution for his work criticizing the authorities—though an official investigation ruled the cause of the fire accidental.

Self-censorship has become such a scourge in the Congo that it is devastating the profession. Journalists were so nervous during the election season that no media outlet broadcast a single program about the electoral process; they simply relayed advertisements from government ministries. Nonetheless, politics dominate the headlines, while the media neglect various societal problems such as child mortality, shortages of safe drinking water, poor waste management, electricity outages, and other issues that plague the populace.

The Congolese depend primarily on radio for information; access to other forms of media outside the capital is poor. Even Pointe-Noire, the second largest city and the country's economic capital, does not have a locally produced newspaper—and few can afford newspapers, in any case. Poverty affects journalists, too; salaries are low and working conditions are quite poor. A collective contract, which the media community hopes could improve compensation and job security for journalists, was adopted in 2009, but had not yet been implemented at the time that the MSI panel convened.

Journalists lack appropriate equipment to conduct their work; some journalists at Radio Pointe-Noire have not even been exposed to computers. Internet access remains a luxury. In addition to the prohibitive cost, poor connectivity hampers access to the web—even in Brazzaville, the capital and largest city. For now, the Internet is not used as an information source—though online news sources and blogs are emerging, some based in France, that could help spread usage.

REPUBLIC OF CONGO AT A GLANCE

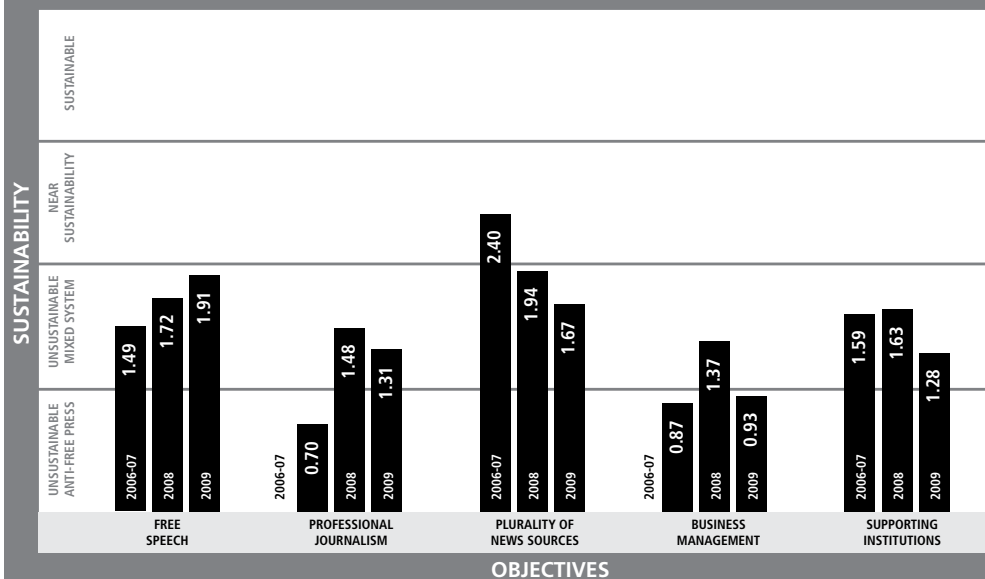
GENERAL

- > **Population:** 4,012,809 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Brazzaville
- > **Ethnic groups (% of population):** Kongo 48%, Sangha 20%, M'Bochi 12%, Teke 17%, Europeans and other 3% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 50%, animist 48%, Muslim 2% (*CIA World Factbook*)
- > **Languages:** French (official), Lingala and Monokutuba (lingua franca trade languages), many local languages and dialects (of which Kikongo is the most widespread) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$6.748 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$2,940 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 83.8% (male 89.6%, female: 78.4%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Denis Sassou-Nguesso (since October 25, 1997)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 1 daily newspaper (*Dépêches de Brazzaville*), 50 private newspapers (only a handful appear regularly), 10 weekly magazines; Radio Stations: 18, including Radio Liberté; Television Stations: 10 channels
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Congolese News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 155,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: REPUBLIC OF CONGO



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Republic of Congo Objective Score: 1.91

All the participants of the Brazzaville panel in the Republic of Congo generally agreed that their country has the necessary legal and social standards in place to protect and encourage the freedom of speech and access to information—with limits to safeguard human rights and public order. The Congolese information and communication sector is regulated by two laws: law number 8-2001 of November 12, 2001, concerning the freedom of information and communication; and law number 15-2001 of December 31, 2001, concerning the pluralism of the public broadcast media. The High Council on Freedom of Speech (known by its French acronym, CSLC) watches over cases of abuse and transgressions within the Congolese media.

Jean Clotaire Hymboud, a journalist and member of the Association of Press Publishers of Congo, added that in contrast to the single-party period (1963 to 1990), legislation has seen major progress. Perpétue Sandrine Mazandou, a freelance reporter, added that the Congo's legal provisions are consistent with international legislation. The challenge, the panelists agreed, is in the implementation and enforcement of legislation. The democratic transformations have not brought about a change in political leadership, and authorities continue to subdue the media reflexively and appear content to keep the media sector unstructured and weakened.

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.

Mazandou added, "When dealing with lawsuits between journalists and public officials, the justice system is neither free nor fair, but easily corruptible, and that leads to sometimes tougher sanctions against journalists."

Christine Matondo of the Federal Union of Communication Workers concluded that the media is only independent on paper, and journalists are scorned for their own turpitudes: corruption, favoritism, and distortion of the news. "Sometimes, articles in newspapers deemed to be close to one political party or another are censored, but their authors are never brought to justice," she said.

Marcellin Ndokadiki, a media consumer, provided a slightly more nuanced perspective based on the intense politicization of the media sector, noting that the president has stated openly that journalists should not face prosecution for their words. However, according to Eugène Gampaka, managing editor of *Tam-Tam D'afrique*, freedom of the press is relative. Judicial power is not independent; rather, it operates on the orders of the executive power, he said. Mazandou added, "When dealing with lawsuits between journalists and public officials, the justice system is neither free nor fair, but easily corruptible, and that leads to sometimes tougher sanctions against journalists."

Hénoc Nazaire Ebethas Bissat commented on the relative freedom of Congolese media laws. "The legal framework in the Congo is among the best in the sub-region, as it offers a great deal of freedom to the people. It is our personal experience that shows the limits of this legal framework when compared to others. But the most important aspect is how the media practitioners relate to the legal system in force."

CSLC controls and regulates broadcasting licenses. Bernard Mackiza of the Congolese Media Observatory (known by its French acronym, OCM) noted that the license granting process is fraught with difficulty, and explained that in most cases, applicants receive temporary permits—but these "temporary" licenses tend to last forever. Annette Kouamba Matondo, of the state-owned *Nouvelle République*, commented that often CSLC grants operating licenses based on personal affinities; however, Christine Matondo noted that under the terms of a 2003 press law, anyone who has been denied a license may appeal to an administrative judge. Gampaka said that some media owners make their outlets operational before receiving governmental authorization—

Gampaka agreed that the Congo has no regulation denying access to information to certain media, but argued that public authorities favor the state-owned media—while journalists in the private media must use their special connections.

and added that authorization is granted easily to a very specific social class.

Furthermore, most of the private radio stations and television channels with temporary licenses are owned by investors close to political powers. The authorities are known to apply pressure on investors, and sometimes even shut down broadcasts. For example, the government suspended Canal Bénédiction Plus (CB+) in February 2009 over aired political footage in the lead-up to the elections. Pointing to the arrest of CB+ director Edith Ebourefe, André Itoua of the Congolese Human Rights Observatory noted that the National Surveillance Department oversteps its authority and investigates journalists.

In terms of market entry, Blanche Simona Ngokoumounga, a journalist with the Pointe-Noire radio station, said that the Congolese media are tax exempt, unlike other industries, and the media sector continues to be “informal.” Jocelyn Francis Waboutoukanabio confirmed that the government places no tax pressure on the Congolese media. Gampaka commented that the broadcast media are subject to more restrictions than newspapers, which have free entry access based on a simple court order.

Some panelists claimed that while journalists suffer from various forms of intimidation, serious attacks against journalists are rare. However, the panelists agreed that violence against journalists goes unpunished by the authorities—and is sometimes perpetrated by the authorities. Edouard Adzotsa, vice president of the Central African Media Organization (known by its French acronym, OMAC), said that the public criticizes criminal acts against journalists, but Annette Kouamba Matondo disagreed, saying that journalists themselves are divided and afraid to speak for fear of punishment. Mazandou confirmed this, noting, “Unfortunately, journalists who have been beaten are afraid to press charges.” Ngokoumounga claimed that journalists in the Republic of Congo do not suffer as badly as journalists in other countries in this sub-region.

The authorities ramped up pressure on journalists ahead of the July elections. This year saw several cases of violence against or intimidation of journalists. The Committee to

Protect Journalists highlighted the case of Bruno Jacquet Ossébi, a correspondent for the Congolese online newspaper *Mwindi*, who died in a mysterious house fire. The CPJ report noted, “Ossébi was known for his outspoken coverage of alleged government corruption and his support for a lawsuit that seeks to uncover the purportedly extravagant personal holdings of African leaders. Ossébi’s brother, Roland Kouka, told CPJ that family members fear the fire may have been set to retaliate for the journalist’s coverage of alleged official corruption.”¹ The official investigation, however, ruled out foul play, according to the U.S. Department of State 2009 Human Rights Report for the Republic of Congo. Additionally, the U.S. Department of State reported that military police harassed several foreign journalists during the elections in July: for example, journalists from the BBC and France 24 reported that police assaulted them and seized their equipment.

Theoretically, the state-owned or public media are free, according to all legal provisions. According to Adzotsa, public media enjoy preferential treatment, and the law guarantees independence for public media journalists despite their very small salaries. But Mackiza said that in reality, many public servants are afraid to confront their immediate supervisors. Although the government has no influence over appointments in the private media, the minister of communications appoints the heads of the public media, and managers of state-owned media are placed under the influence of the government and ruling parties. The panelists gave the example of Adrien Wayi, a news chief at Radio Congo, who was fired for covering an opposition rally. Waboutoukanabio concluded, “In the state-run media, the interventionism, muzzling, and strict surveillance of the personnel by the government is apparent.”

A 2001 press law struck down prison terms for libel (while retaining prison sentences for incitement to violence or ethnic hatred), and since then, no journalists have been sent to jail for defamation. However, according to Mazandou, print journalists are harassed often and charged with lawsuits if they publish pieces of news that authorities deem too shocking or embarrassing. Gampaka noted that Internet service providers and website hosting services are never prosecuted or punished.

Berthe-Jeanine Koumba, a journalist with Radio Télévision Nouvelle Alliance in Dolisie, said that journalists are waging an access-to-information war. Mazandou noted that the CSLC charter provides for unrestricted access to information sources, and CSLC is supposed to guarantee access to

¹ Keita, M. H. Keita with S. Turbeaux. “Republic of Congo Special Report: From a Fatal Fire, Many Questions.” Committee to Protect Journalists. April 23, 2009. <http://cpj.org/reports/2009/04/republic-of-congo-special-report-from-a-fatal-fire.php> (Accessed October 31, 2010.)

information sources. Gampaka agreed that the Congo has no regulation denying access to information to certain media, but argued that public authorities favor the state-owned media—while journalists in the private media must use their special connections.

Annette Kouamba Matondo noted, however, that now journalists are able to obtain their news from the web—although access to other information sources still poses significant problems for journalists. Hymboud agreed, and said, “The spread of the Internet in the larger cities, and the decreasing costs of access, have helped media professionals do a better job managing their news sources.”

Although some panelists said that the government does not block access to foreign or domestic media, Ngokoumounga said that news sources are not always accessible. According to Gampaka, journalists in the private media can use domestic and foreign news resources freely, but journalists in the public media must choose carefully from among the two categories.

According to Waboutoukanabio, anyone can become a journalist. Some Congolese journalists have degrees, others do not. CSLC issues press cards, and sometimes takes a long time to issue them. Gampaka commented, “No license is required for reporting, except for specific events, such as the head of state’s swearing-in ceremony.” In the public media, anyone can become a journalist, provided that he or she has a journalism degree and is eligible to apply for a public servant position. Gampaka noted, “The government does not get involved in the recruitment of junior journalists in the private press, but it does organize hiring tests for the state-run press.” The panelists said that the government does not influence journalist associations.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Republic of Congo Objective Score: 1.31

While the panelists expressed concern over declining standards of quality and objectivity in reporting in the Congo, Mackiza said that Congolese journalism is still a developing profession. Despite the weaknesses in the media, generally journalists try their best to meet professional standards of quality, he said.

However, many panelists underscored pervasive shortcomings. Journalists often fail to check all the information they present, and they rarely conduct background research—either for lack of technical and financial resources, because they are pressed for time, or for lack of access to the information sources. Gampaka said this is especially true of reporters in the private media. According to Waboutoukanabio, few

Itoua said, “The real problem is the fact that journalism seems to be the only profession that anyone can practice, which leads to well-known deficiencies in quality. But in general, we should point out that there still are good journalists with degrees or on-the-job training.”

reporters check their information or ask experts technical or specialized questions. Bissat agreed that pieces are not researched well enough, and noted that the same expressions are repeated constantly.

Itoua said, “The real problem is the fact that journalism seems to be the only profession that anyone can practice, which leads to well-known deficiencies in quality. But in general, we should point out that there still are good journalists with degrees or on-the-job training.”

Adzotsa also attributed the declining standards to the lack of a good quality school of journalism. “The fact that academic programs do not meet the requirements of the trade creates huge discrepancies between training and practice,” he said. However, he also blamed laziness and the impoverished conditions in which many journalists live. “A country where journalists can barely survive and lack the courage to face life’s challenges cannot be a real democracy,” he concluded.

Corruption and political influence affect the quality of reporting as well. Elenga noted that most media and journalists are unofficially part of groups that are close to

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).

Matondo said, "Salaries are a fundamental issue in the fight against corruption. Journalists are indeed extremely underpaid; as a result, they place themselves at the disposal of politicians, who manipulate them according to their own purposes."

either the opposition or the government, and they are not apolitical despite their official statements. Christine Matondo said, "Sometimes journalists distort facts to obey politicians' orders; reporters and editors are often forced to alter reality to save their jobs, especially in the state-run media. Rarely are they neutral. They always seem to overemphasize a point of view, to harm a competitor, to block an attack, to make sure they get promoted, etc." Ngokoumounga agreed, adding, "Journalists in the state-owned media act according to the government's policy. There is no objectivity; only the government's opinion counts. Stories are always one-sided. The editorial line at the Pointe-Noire radio station coincides with the government's policy, as the coverage of the presidential election of July 12, 2009 showed."

Annette Kouamba Matondo said that while political bias is pervasive, the rise of private outlets in recent years has started a sort of competition, making journalists want to do a better job. Kouamba agreed that improvement is increasingly visible, and the media outlets that are interested in preserving the quality of journalism stand out.

OCM monitors the media and works to help journalists meet ethical standards. Waboutoukanabio said that many Congolese journalists not only fail to meet professional quality standards, they trample on ethical rules. Annette Kouamba Matondo agreed, commenting, "Many journalists flout ethics to fill their pockets with politicians' money." She added that some journalists cozy up to ministers and help ensure that officials' priorities are covered, while pressing societal issues are swept under the rug. However, Gampaka argued that ethical standards are more or less observed, and the lack of suitable training for young journalists explains their frequent mistakes.

Journalists in the Congo are weighed down by self-censorship. In Elenga's opinion, self-censorship is so rampant that the profession is being destroyed. Self-censorship was evident particularly during the election season; outlets ran advertisements from government ministries, while journalists were largely afraid to cover the positions of other candidates.

Gampaka said that field reporters censor their pieces before they are made public, either for fear of losing their jobs (journalists in the public media) or to avoid putting their personal safety at risk (in the private media). In the public media, editors block the coverage of certain events; for example, opposition meetings and press conferences. Matondo noted, though, that some events are censored to avoid disturbing public order and compromising safety.

There are certain topics that journalists know they must avoid. For example, Mazandou said that the notorious public hygiene problem in the capital city cannot be covered in the press, particularly the broadcast press, because the problem is the mayor's responsibility and journalists are afraid to criticize the mayor. According to Kouamba, the media cover key events only when officials feel the need to gain publicity for good deeds. Adzotsa said that many journalists are preoccupied primarily with sports and small political and cultural affairs.

Journalists cannot live off of their salaries, and very few media outlets actually have the resources to pay their employees on time—or at all, in some cases. Journalists generally earn less than other professionals, and journalists in the private media often are not even paid salaries, surviving as freelancers.

The panelists said that they believe that the poor working conditions and low salaries invite corruption. Economic need drives some journalists to accept gifts and under-the-table payments to cover events, and in order to survive, private newspapers sell pages to politicians. Matondo said, "Salaries are a fundamental issue in the fight against corruption. Journalists are indeed extremely underpaid; as a result, they place themselves at the disposal of politicians, who manipulate them according to their own purposes."

Low salaries affect state-run and private media alike. Annette Kouamba Matondo said, "The low salaries of journalists in the public media induce some of them to become political puppets to round up their monthly income." The government guarantees salaries for the public media, and according to Ndokadiki, the salaries of Congolese journalists are comparable to those of other civil servants. But according to Elenga, while the 2001 press law recommends that press managers provide journalists with salaries to guarantee their independence, the reality is that journalists in the public sector do not earn livable wages. Small salaries have caused an exodus to better-paying jobs in the administrative, economic, or political sectors.

Although Congolese journalists signed a collective contract in January 2009, whether it will ease the insecurity of journalists remains to be seen, as the contract has not been implemented yet.

The panelists disagreed slightly regarding the balance between entertainment and news. Some panelists claimed that entertainment outweighs news, but Gampaka said that the near-complete absence of entertainment programs forces viewers to watch channels from France (RFI) and the neighboring Democratic Republic of Congo. Ndokadiki said that entertainment programs dominate but are poor-quality fare. According to Koumba, "Entertainment prevails over newscasts for the simple reason that it is the only way to bring in some money."

Waboutoukanabio said that many media use very low-quality equipment. In contrast, the state-owned media received new equipment in February 2009, but few state employees are trained to use the gear. Gampaka said that journalists both in the public and private media are well prepared and experienced professionally, but not all are equipped for field reporting.

The private sector especially needs technological assistance. Christine Matondo confirmed that private media outlets struggle to achieve national coverage due to their subpar equipment. Some panelists said that the lack of equipment is especially apparent in the written press; Gampaka said that the fact that all newspapers are printed at just two or three printing houses explains their irregular appearance. The broadcast sector is not immune, however; Ngokoumounga said that Radio Pointe-Noire's equipment is very old, and journalists there do not even know what a computer is.

According to Mackiza, with sponsors investing less in human resources as well as technical equipment, journalists have a difficult time producing quality programs or investigative reports. Ngokoumounga put it bluntly, saying that investigative journalism does not exist; journalists with the Pointe-Noire radio station content themselves with covering seminars, general gatherings, or small meetings.

OBJECTIVE 3: PLURALITY OF NEWS

Republic of Congo Objective Score: 1.67

The Congo has multiple news sources, including newspapers, the Internet, radio, and television, but most people depend on radio. According to the U.S. Department of State's *2009 Human Rights Report: Republic of Congo*, in addition to three state-owned radio stations, the three privately-owned radio stations are pro-government. The country has one state-owned television station, plus four privately owned television stations, two of which have recently stepped up their criticism of the government. In addition, those who can afford satellite television services have several choices.

Despite the diversity of offerings, political influence is so great that journalists only address issues partially, and fail to present the full spectrum of opinions. Waboutoukanabio said, "Once you read, listen to, or watch one outlet, you feel that you have read, listened to, and watched them all. That is how similar the programs are, and how flagrantly minorities are marginalized. The local radio stations and television channels follow in the footsteps of the media from the capital, in terms of utter unoriginality." Annette Koumba Matondo agreed. "Journalists lack the sense that their job is to serve the population and not politicians," she said. She added that some private broadcasters have started to make a difference, but they are not numerous enough at the local level. Itoua commented that the Congo has no real community radio stations, except for one in Pokala, in the north.

Although the Congo has multiple media outlets, and citizen access to domestic and international media is unrestricted formally, most media outlets are clustered in the large cities—mainly Brazzaville. Elenga noted that outside Brazzaville, the country does not have a locally produced newspaper, even in Pointe-Noire. In addition, only public servants can afford to buy newspapers. Gampaka estimated that just five percent of the population can afford to purchase private newspapers at XAF 500 each (slightly more than \$1.00).

Television channels broadcast only in the cities. Although it is possible to follow foreign programs on channels such as Euronews, TV5 Monde, and other satellite channels, access varies hugely between the urban and rural areas. Rural populations can receive only the national radio station, which sometimes broadcasts in the national languages;

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

and sometimes they can receive RFI. Adzotsa said that the Congolese government does not restrict access to foreign sources; those wealthy enough to afford satellite services are free to tune in to all the radio stations and television channels they want.

Although the written press is urban essentially, Mackiza expressed the hope that perhaps the broadcast media, which is just starting to permeate the rural areas, will be able to bridge this gap.

Internet access remains a luxury in the Congo. In addition to the cost, access is hampered by extremely bad connectivity issues in Central Africa. Even in Brazzaville, the Internet is not available everywhere. Christine Matondo noted, "The Internet is more of a communication tool than an information tool."

According to the U.S. Department of State's *Human Rights Report*, "There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail." According to International Telecommunication Union statistics for 2008, approximately four percent of the country's inhabitants used the Internet.

The 2001 press law regulates pluralism in the public broadcast media, requiring it to produce, schedule, and air regular programs allowing all political and professional organizations, groups, and unions to express themselves directly. In reality, the opposite holds true. Hymboud said that instead of working in the public interest, the public media are placed under the complete control of the ruling political actors. Itoua said that most of the state-run outlets and even private outlets offer privileged coverage—bordering on propaganda—of the government's activities. Ndokadiki commented, "The state-run media are not free. There is a sense that they are the exclusive property of the ruling politicians. The media are extremely politicized."

The July presidential elections stole most of the headlines in 2009. The campaign season revealed clearly that, although every candidate has the right to fair and equal media exposure—as the CSLC itself proclaimed—, in reality content is all but dictated by political forces. For example, the Congolese opposition did not have access to the public media, and the social programs that opposition candidates formulated were not aired; only the statements coming from governmental sources were broadcast. Ngokoumounga noted that rookie journalists at the Pointe-Noire radio station covered the election by merely gathering reactions from the authorities.

Furthermore, the public media air very few cultural and educational programs. Ndokadiki said, "There is a dire need of quality programming in the public media."

The only press agency, Agence Congolaise d'Information, is not independent, and according to some panelists, it does not fulfill its responsibilities in feeding news to the state-run and private press. No foreign press agencies have bureaus in the Congo. Gampaka said that journalists tend to copy and paste the news they find on the Internet.

Ndokadiki said that the independent broadcast media rarely produce original content; political activity reports dominate radio and television news, while investigations are non-existent. However, several panelists said that radio stations and television channels produce at least some original content in addition to broadcasting foreign programs. Gampaka said that the private broadcast media produce religious shows and other original programs that differ greatly from the state-run programs. The community media try to produce shows that meet local needs, focusing on agriculture, stock breeding, fish farming, etc.

Regarding the transparency of media ownership, the names of owners and managers of the private press outlets are known to the public. It is also thought that owners of the private media have a heavy influence on their outlets. According to the panelists, most investors are politicians that dictate the editorial policies of their outlets through financial pressure and threats to fire those who do not comply. Elenga noted that the 2001 press law prohibits multiple media ownership, but in practice, this occurs nonetheless. For example, DRTV, DRTV Force One, and DRTV Pointe-Noire all belong to one owner, General N. Dabira. Panelists said that they consider foreign investment in the Congolese media insignificant.

The Congo has no print media outlets in minority languages. Except for a few independent journalists, broadcast media do not produce shows for Congolese minorities, panelists said. However, Waboutoukanabio described a pilot effort started in March 2009 by the community radio station Biso na Biso, the first indigenous-language radio station in the Congo Basin. The station targets the Pygmy population by offering programs in their languages and those of other minorities. According to the World Bank blog Development Marketplace, "The project, funded with generous support from the WB Development Marketplace (2005), Congolaise Industrielle des Bois, TFT and the Chirac Foundation, aims to give indigenous people and local communities a voice in forest management decision-making that impacts their livelihoods."²

² Poynton, Scott. "Biso na Biso Live on Air!" Development Marketplace, [blogs.worldbank.org](http://blogs.worldbank.org/dmblog/biso-na-biso-live-on-air); April 10, 2009. <http://blogs.worldbank.org/dmblog/biso-na-biso-live-on-air> (Accessed October 31, 2010.)

Gampaka said that both the public and private media address social issues, and that journalists are not harassed for addressing social issues. Other panelists said that the press neglects the Congo's severe societal problems such as child mortality, the shortage of potable water, poor waste management, electricity outages, etc.

OBJECTIVE 4: BUSINESS MANAGEMENT

Republic of Congo Objective Score: 0.93

According to the panelists, independent media outlets do not function as profitable, well-managed enterprises. Elenga said, "Strictly speaking, there are no real press enterprises in the Congo—at least in the private sector. Granted, the DRTV group could call itself an enterprise, but the lack of transparency prevents us from stating that the private media are well-managed." Adzotsa agreed that the Congolese independent media are generally ill-managed, but singled out a few exceptions: *Les Dépêches de Brazzaville*, *La Semaine Africaine*, DRTV, and the Presse Auguste printing house.

Accounting practices in the press leave a lot to be desired. The media are not known for accurate bookkeeping. According to Gampaka, accountants and marketing and human resources personnel lack suitable training. Christine Matondo pointed out that the media do not want to use real professionals because they would have to pay them. The financial management of the independent media is ambiguous, as the private media have obscure funding sources and lack a common business plan.

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

BUSINESS MANAGEMENT INDICATORS:

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

The private media survive off advertising and the selling of special advertising pages, or advertorials, while the public media receive their assigned annual budgets in installments. International institutions subsidize community media outlets. Hymboud noted that the 2001 press law prohibits the media from receiving financial aid from foreign sources, and this allows the government to keep media outlets under its control.

The Congolese advertising market is underdeveloped. According to Itoua, the advertising system as an income source, for newspapers in particular, is not well-oiled. There is no advertising agency to work with newspapers or other media; every outlet looks for advertising within a very tight market. Christine Matondo said, "Given that media enterprises are so weak, the advertising market is also almost non-existent. As a result, the media that boast of their independence often succumb to temptation—for they are not really financially independent."

The bulk of advertisements in the private press are from cellular telephone companies, along with breweries and services including hotels, schools, and cosmetics. Elenga said, however, that these businesses are not necessarily capable of supporting the media efficiently or helping them boost revenue.

According to Gampaka, the state-run media are privileged in terms of receiving advertising. As Hymboud asked, what entrepreneur would give advertising to an anti-government outlet, given that the public authorities are the greatest market providers?

The advertising sector is unregulated in the Congo. Advertisements are run informally and commercial airtime is not subject to limits. According to Mazandou, advertisements and commercials consume too much space and airtime. Gampaka said that all broadcast outlets assign timeslots to special advertising programs, at the expense of news, to secure revenue. Mazandou noted that his outlet's television channel feels forced to cram in a lot of commercials during highly rated soap operas to attract more advertisers.

In 2001, the president granted the media sector a one-time subsidy of XAF 300,000,000 (about \$607,000). However, the subsidy has not been renewed. Gampaka commented that although this subsidy did not influence the production content or the management policies of the media, it was distributed unfairly, based on how various outlets reported government activity. "If subsidies were institutionally implemented, it is expected that they would not be shared fairly; some media would receive less due to their critical stance," Gampaka said.

While some panelists said that private media outlets receive no subsidies whatsoever, Christine Matondo said that the private press does benefit occasionally from presidential gifts, and Ndokadiki commented that subsidies are merely under wraps. “While advertising and paid reporting constitute the main media income sources, subsidies are often kept secret,” he said. “For instance, the newspaper *Les Dépêches de Brazzaville* has a price per issue of only XAF 100 (\$0.20). How could this newspaper possibly meet its expenses without a government subsidy? This outlet’s editorial policy clearly indicates its dependence upon the authorities.”

The Congo has no organizations producing broadcast ratings, print run estimates, or market research. Annette Kouamba Matondo said that there is no press market research to speak of due to the informality of most print outlets—they have never taken the time to order research. According to Elega, “The media set up their programming without considering the needs of their listeners and viewers—they do not care about implementing rating committees or clubs.” Waboutoukanabio commented that there are no polling institutes that could be called upon to research the market or estimate ratings. However, the Biso na Biso radio station in Pokala uses rating committees made up of representatives of various communities. The committees are tasked with reacting to program contents and making suggestions on how to enhance their quality. Waboutoukanabio concluded that radio and television programming content is weak, and outlets rarely take into consideration the expectations of their listeners and viewers. “Reader’s mail is an unknown concept,” she added.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Republic of Congo Objective Score: 1.28

Essentially, the Congo’s few existing media trade associations are neither active nor do they lobby the government. These include some press publishers’ associations and related business associations that media owners may be a part of.

In the Congo, the main supporting institutions working to uphold the interests of independent media are the professional associations. One, OCM, focuses on helping journalists meet ethical standards. The International Federation of Journalists, and its affiliated union, the Federal Union of Communication Workers, work to advance the welfare of Congolese journalists. A number of associations represent specific fields (sports, national languages, etc.) within the trade and they operate independently from the government.

Although more than 10 other professional associations for journalists have sprung up, they are still in embryonic stages and do little to help protect journalists, according to the panelists. They said that no association has ever issued a statement about a case of censorship or attack against journalists—for example, these associations did nothing when journalist Christian Perrin, with *Télé Pour Tous* in Pointe-Noire, was arrested and placed in custody in 2008. Mazandou added, “In our country, when a journalist is brought to the courts, very few journalists or NGOs protest publicly—with the exception of the human rights NGOs. Basically, there is absolutely nothing that is being done in this area.”

These associations offer free memberships but have few members, as a result of their lack of effectiveness. According to Christine Matondo, associations have no membership criteria; any information or communication professional can be a member. Several panelists said that journalists are more concerned with their personal interests than the collective good of the profession. Christine Matondo said that the associations existing in the Congo were created for political purposes, and Waboutoukanabio expressed her impression that too many partisan interests damage collective action. Mackiza suggested that a press house, in collaboration with the government, could help journalists come together outside of press conferences.

Very few human rights NGOs join forces with press outlets. The panelists singled out the Congolese Human Rights Observatory and the Association for Human Rights in Prison Settings as the preferred partners of the Congolese media. They offer legal support to media professionals, launch emergency appeals, and collaborate with international organizations concerned with the freedom of the press. However, Annette Kouamba Matondo pointed out that

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

“NGOs cannot act as lobbyists while journalists themselves are divided.”

Although Congolese schools offer university degrees for journalism, Ndokadiki said, “There is no proper school of journalism. The Humanities department at the Marien N’Gouabi University has two training programs, and another one is offered by the Ecole Nationale Moyenne d’Administration [ENMA]. But such institutions do not exist outside of Brazzaville.” Some panelists proclaimed the training programs decent; according to Christine Matondo, “The two governmental programs [ENMA, Department of Communication Sciences and Technologies at Marien N’Gouabi University] that train professionals are up to the task.” However, others said that academic studies are far too theoretical, and noted that the university has no laboratory. New graduates heading to work for the state-run print or broadcast media must enroll in practical training first.

Students have multiple opportunities to study abroad and obtain degrees from foreign schools; some of them never come back to the country, due to the unsuitable working conditions and uncertain salaries available in the Congo. Most journalism graduates are currently unemployed because there are not enough positions for them—particularly not in the state-run outlets.

Although the government and international organizations organize skill-improvement seminars, the panelists said that short-term training opportunities are rare, given the level of need. The United Nations Human Rights Center organizes frequent seminars, while the press professionals’ union of Central Africa only organizes seminars once a year, due to limited financial resources. Even when training seminars are offered, very few journalists participate. According to Waboutoukanabio, media companies have no staff training plans outside of the opportunities provided by international organizations. In addition, training for younger journalists is not adapted to the new practices within the radio and television fields. Koumba said, “There are no training programs. Young people do not want to learn anymore.”

Printing houses belong to the private sector and the panelists felt that the government does not impose onerous restrictions in this field. However, Mackiza said that the printing of Congolese newspapers does not completely meet the needs of the consumers, as there are not enough professional printing houses (with the exception of the one used by *Les Dépêches de Brazzaville*). Furthermore, according to Waboutoukanabio, some printing houses play into the hands of the government by refusing to print certain newspapers.

The Congo has no newspaper distribution network; every newspaper simply chooses where to sell their papers. The

government controls the radio transmitters of the state-run media, but not those of the private media. The installations managed by private entities are not politicized.

List of Panel Participants

André Itoua, member, Congolese Human Rights Observatory, Brazzaville

Jean Clotaire Hymboud, journalist; member, Association of Press Publishers of Congo, Brazzaville

Christine Matondo, member, Federal Union of Communication Workers, Brazzaville

Eugène Gampaka, managing editor, *Tam-Tam D’Afrique*, Brazzaville

Jocelyn Francis Waboutoukanabio, journalist and coordinator, Biso na Biso radio station, Ouessou

Annette Koumba Matondo, journalist, *Nouvelle République*, Brazzaville

Hénoc Nazaire Ebethas Bissat, head of communications, Civil Society Forum for Free and Transparent Elections, Brazzaville

Perpétue Sandrine Mazandou, freelance reporter, Brazzaville

Bernard Mackiza, chair, Congolese Media Observatory, Brazzaville

Marcellin Ndokadiki, media consumer, Brazzaville

Blanche Simona Ngokoumounga, journalist, Pointe-Noire radio station, Pointe-Noire

Sylvain Elenga, journalist, Congolese Information Agency, Brazzaville

Berthe-Jeanine Koumba, journalist, Radio Télévision Nouvelle Alliance, Dolisie

Moderator

Edouard Adzotsa, vice president, Central African Media Organization, Brazzaville

Co-Authors

Edouard Adzotsa, vice president, Central African Media Organization, Brazzaville

Donat M’baya Tshimanga, president, Journaliste en Danger, Kinshasa, Democratic Republic of Congo

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

However, television channels inspired by Ivoirians are making their appearance on the Internet. Furthermore, competition between Internet service providers and mobile telephone operators enabled Ivoirians to obtain and use new technologies at attractive prices.



COTE D'IVOIRE

Côte d'Ivoire's social and political climate remained calm in 2009. The country had fallen into civil war in 2002, which led to a partition between two factions. The terms of the March 2007 peace agreement signed between the two have held. However, a delay in the elections originally planned for October 16, 2009 raised doubts over the sincerity of political will to resolve the crisis, and the media reflected this uncertainty.

Despite the effects of the turmoil, Côte d'Ivoire has demonstrated a commitment to defending freedom of speech and promoting the freedom of the press. In addition to Côte d'Ivoire's fundamental law upholding the freedom of speech, the laws on print and broadcast media adopted in 2004 are considered fairly strong. Adding to those strengths in the past year, various components of the media industry succeeded in reorganizing. The long-awaited Press Support and Development Fund became operational, as did the Joint Press and Media Identity Card Commission. During the year, the fund made its first grants in the form of subsidies to press enterprises. Additionally, the government allowed media businesses a three-year tax break to help them organize and improve the economic environment of the sector.

However, to date, only the radio sector has succeeded in making full use of Côte d'Ivoire's press freedom. The government has granted 100 or so licenses to radio stations, and community radio stations in particular. In the five years since the radio and television media law passed, not one private television channel has gone on the air, indicating that the country lags behind some others in the subregion. However, television channels inspired by Ivoirians are making their appearance on the Internet. Furthermore, competition between Internet service providers and mobile telephone operators enabled Ivoirians to obtain and use new technologies at attractive prices.

A striking indication of Côte d'Ivoire's media's future is the proliferation of cybercafés in larger towns and all parts of Abidjan, and the number and zeal of cybercafé patrons. The popularity of the Internet, which has become an essential source of information, is proving to be formidable competition for the print media. Internet users pay XOF 200 (about \$0.40) for an hour of Internet access—less than the price of a daily newspaper.

However, the panelists found that observance of professional standards is far from satisfactory; relatively low scores for Objective 2, professional journalism, brought down the overall country score. All other objectives scored higher than the overall country score.

CÔTE D'IVOIRE AT A GLANCE

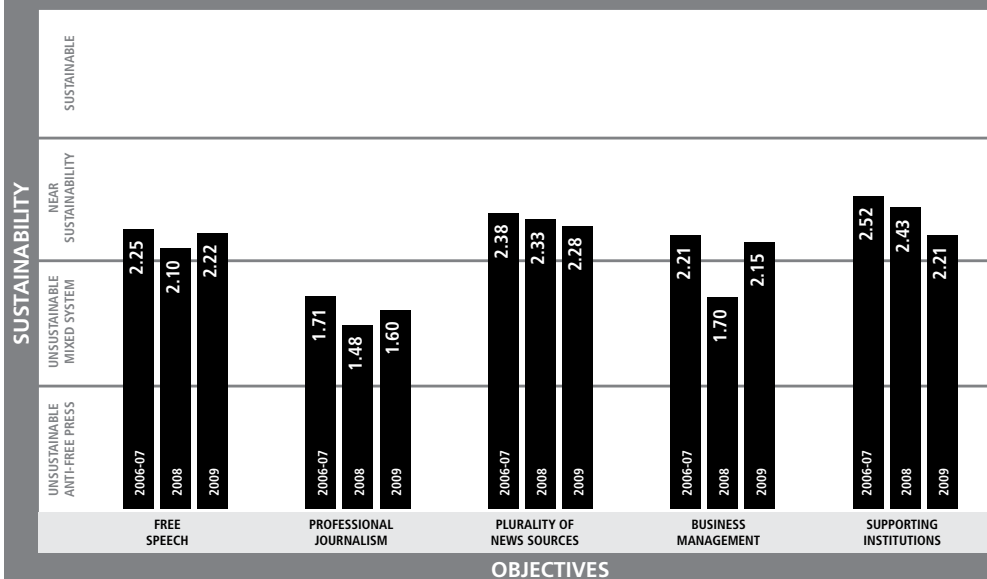
GENERAL

- > **Population:** 21,058,798 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Yamoussoukro
- > **Ethnic groups (% of population):** Akan 42.1%, Voltaiques or Gur 17.6%, Northern Mandes 16.5%, Krous 11%, Southern Mandes 10%, other 2.8% (includes 130,000 Lebanese and 14,000 French) (1998 est., *CIA World Factbook*)
- > **Religions (% of population):** Muslim 38.6%, Christian 32.8%, indigenous 11.9%, none 16.7% (2008 est., *CIA World Factbook*)
- > **Languages:** French (official), 60 native dialects with Dioula the most widely spoken (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$22.42 million (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,640 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 48.7% (male 60.8%, female 38.6%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Laurent Gbagbo (since October 26, 2000)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 22 daily newspapers, 58 others, 8 periodicals (National Council of the Press); Radio Stations: 5 national and about 100 local; Television Stations: 3 (including 1 fee-based)
- > **Newspaper circulation statistics:** Top three by circulation: *Fraternité Matin* (circulation: 6,824,333), *Soir Info* (circulation: 4,904,498); *Le Nouveau Réveil* (circulation: 3,733,010) (National Council of the Press 2006)
- > **Broadcast ratings:** N/A
- > **News agencies:** Ivorian Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 660,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: CÔTE D'IVOIRE



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Côte d'Ivoire Objective Score: 2.22

Free speech is guaranteed in Côte d'Ivoire. Articles 9 and 10 of the Ivoirian constitution state that the freedom of thought and expression, including the freedom of conscience and of religious and philosophical opinion, are guaranteed to all, and citizens have the right to freely express and disseminate their ideas. Additional supportive legislation encourages private initiative, while reaffirming the freedom of expression, and the Ivoirian government has also ratified various related international legal instruments. Furthermore, the 2004 law liberalizing the sector and eliminating jail sentences was a significant gain for media professionals. As Silué Salimata Konaté, a journalist at Côte d'Ivoire National Radio, put it, getting rid of the fear of imprisonment helped improve the freedom of speech overall.

However, the question of whether legislation encourages the freedom of speech raised some discussion among the panelists. Touré-Diabaté Ténin, a professor and chair of the Network of African Muslim Women, Côte d'Ivoire section, gave a minimal score, citing many constraints. She recalled that in 2008, she organized a study on the media in the urban environment, and the results painted a fairly negative picture of freedom of expression. In light of that study, she said that she feels sure that many violations of freedom never come to light, and she concluded that freedom of speech and access to public information are in fact very limited.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The Ivoirian state granted relief to the media sector as a form of indirect assistance with four tax items...

The panelists agreed also that the sector is still quite restrictive from the point of view of radio and television promoters. Charles Sanga, a journalist and the director of publication and editor-in-chief of *Le Patriote*, said that radio stations cannot operate properly because they are subjected to so many constraints and because radio and television legislation is not liberalized yet.

Obtaining a radio or television broadcasting frequency is subject to a call for applications under the sector's regulatory body, the National Broadcast Media Council. For the time being, only the radio sector has been successful: The council has granted about 100 concessions to radio broadcasters, with community stations favored. Although five years have passed since the government enacted the radio and television media law, no private television channels have gone on the air. In this respect, Côte d'Ivoire compares negatively to some of its neighbors. On a positive note, more Ivoirian television channels are cropping up on the Internet.

For print media, publication directors do not necessarily have to be professional journalists; any backer of a title needs only to go through the formalities of notifying the district attorney.

However, the National Press Council is tasked with regulating the press sector. It brought approximately 40 cases against media outlets in 2009 regarding whether the outlets had been constituted legally and questioning the legality of the outlets' articles of association. Six press enterprises were called before the council for failing to follow the correct procedures to create a press outlet.

The panelists all hailed the tax authority's initiative to exempt press enterprises for a three-year period. The Ivoirian state granted relief to the media sector as a form of indirect assistance with four tax items: the tax on industrial and commercial profits or minimum flat-rate tax; the tax on real estate holdings, with the exception of buildings that are rented out; the domestic contribution to the economic, cultural, and social development of the nation using local personnel; and arrears on taxes due as of December 31, 2008.

The panelists noted that since the March 4, 2007 signing of the Ouagadougou Political Agreement to restore peace and reunify the country, journalists and media outlets have seen a noticeable lull in attacks. However, Francis Domo of the National Press Council countered that in 2009, there

Barthélemy Kouamé, chair of the Côte d'Ivoire Network of Online Press Professionals, was emphatic: State employees and all those who are required to disclose public information are not really making the necessary effort to provide such information.

had in fact been serious attacks on media freedom. He pointed to *Le Nouveau Réveil*, whose editorial offices were besieged and wrecked by young demonstrators for its ties to the Democratic Party of Côte d'Ivoire–African Democratic Rally, the opposition party of former President Henri Konan Bédié. That crime has resulted in no prosecutions. Domo also described the case of a journalist that had not only received death threats, but narrowly escaped being lynched. That case has seen no prosecutions, either, as with so many other cases. Similarly, members of the Akoudan Oufilé association besieged the premises of *Notre Voie* on the grounds that the paper had published articles about complaints by disgruntled association members. *Notre Voie* is the newspaper of the party in power, the Ivoirian Popular Front.

In its annual report, the National Press Council logged various attacks that occurred throughout 2009 against the exercise of freedom of expression. Incidents recorded include journalists that were hauled before the courts, physically attacked, threatened, and even suffered attempted lynchings.

Youssef Sylla, a freelance journalist and press correspondent for the Central Region (the area besieged by the former rebellion), described the improved situation in his home of Bouaké, the country's second city. Until recently, journalists working in the area could expect some warlords, who did not appreciate criticism, to react in a certain way, although not in any institutionalized manner. But in all of 2009, journalists there reported no particular impediments to their work.

Also in 2009, authorities freed the French journalist Jean Paul Ney. Ney is an independent reporter-photographer who was thrown into an Ivoirian jail in January 2008 for conspiracy against state security. He was released at the end of a working visit by the Alain Joyandet, the French secretary of state for cooperation with Francophone countries. Côte d'Ivoire President Laurent Gbagbo granted audience to the secretary, and the Appeals Court in Abidjan released Ney on bail. His freeing also meant the release of six others, who had been detained with him as part of the same case.

The panelists judged that the authorities need to do more to facilitate access to public information sources, but

acknowledged that the government has made significant progress in that regard. Adama Koné, a journalist at *Fraternité Matin* and member of the Francophone Press Union, said that he is all in favor of the developing trend of sources organizing conferences and press briefings to share information. During 2009, quite a few events led to press conferences; for example, the prosecutor in the Café-Cacao embezzlement affair gave press briefings. The panelists emphasized that nothing like that has ever been seen before in Côte d'Ivoire, and they consider it a sign of progress.

Also, the panelists said that the difficulties that journalists face in accessing sources of information do not always seem to be related to their publications' editorial lines. Sanga, speaking as editor-in-chief of *Le Patriote*, said that he has difficulties getting at facts concerning information and communication technologies in Côte d'Ivoire, even though a member of the party with which *Le Patriote* is affiliated leads the relevant ministry.

Barthélemy Kouamé, chair of the Côte d'Ivoire Network of Online Press Professionals, was emphatic: State employees and all those who are required to disclose public information are not really making the necessary effort to provide such information. For example, 1998 is often the latest year available for statistics.

Clearly, journalists sometimes experience serious obstacles in accessing public information. Information from some key sectors of the national economy (such as coffee, cocoa, and crude oil production) has proven especially difficult to access. Many state employees prefer to hide behind a hypothetical need for authorization from higher up to avoid opening up to journalists, panelists said. At the same time, the public administration is attempting to use information and communication technologies to raise the profile of its own activities. Practically every ministerial department and all the major directorates in the public administration now have their own websites—though many are not updated regularly.

Access to media careers could be considered free. In addition to the public Institute of Media Sciences and Technologies, many large private colleges provide training in media. For some Ivoirians, the cost of registering in those institutions restricts freedom of access. This leads to quite a few journalists opting for on-the-job training after their first few years at university. The press law stipulates that to be considered a professional journalist, one must have either a *diplôme supérieur* (postgraduate degree) from a professional journalism college; a license (bachelor's degree) plus two years of vocational training in journalism; or a *maîtrise* (master's degree) or equivalent qualification, plus one year of vocational training in a journalism college recognized by the state or a one-year vocational internship.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Côte d'Ivoire Objective Score: 1.60

The average score awarded for this objective shows very little progress in professional practice since the 2008 study, and remains well below the overall country score.

Emmanuel Akani, member of the Ivorian Movement of Consumers of the Côte d'Ivoire Media,¹ said that many titles on the market have ties to political parties, and that such influence detracts a great deal from objectivity and quality. Although a newspaper's closeness to a particular political party should not affect professionalism, he said, frequently consumers cannot get past the first few lines of an article without tossing the paper aside because the writer did not follow rules of professional ethics and conduct.

In 1992, Côte d'Ivoire media members adopted a professional code, which the Observatory of Press Freedom, Ethics, and Standards (known by its French acronym, OLPED) attempted to promote. However, according to OLPED's own analysis, a vast majority of journalists do not attach much importance to these rules that they set voluntarily for themselves.

Sanga recognized that many newspapers have low standards, but argued that it is possible to stand up for particular political policies and stay objective, and newspapers can choose not to distort the facts while remaining free to comment.

¹ Mouvement ivoirien des consommateurs des œuvres de presse de Côte d'Ivoire

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).

Sanga recognized that many newspapers have low standards, but argued that it is possible to stand up for particular political policies and stay objective, and newspapers can choose not to distort the facts while remaining free to comment.

In 2009, the National Press Council imposed 150 findings against daily papers and 108 against weeklies for professional misconduct. Punishments ranged from simple warnings to official reprimands for misdemeanors, including professional disloyalty, insulting the head of the state, incitement to revolt or violence, and outrage against public morality. There were also about 40 reports from readers for non-publication of the right of reply, as required by law.

In its annual report, the office of the National Press Council chair indicated that the council recorded a total of 315 breaches of professional rules by the print media. In response to the most serious complaints, the council suspended five press outlets, imposed fines on five outlets, and issued 95 official reprimands and 98 warnings, along with more than 25 formal notices and 86 summonses. In 2009, *Le National* received the most citations, with 15 official warnings. *Le Temps* (which is close to the ruling party) and *Le Nouveau Réveil* (with ties to the opposition) racked up 11 warnings each.

The council's goal in imposing disciplinary sanctions was to rein in the errors and steer the press toward more professional behavior. Notably, however, the council implemented only one suspension decision (against *Le National*, for one month). Four one-month suspensions of two dailies and one-month suspensions of two weeklies were withdrawn. Previously, the council had shown reluctance to go beyond reprimands and warnings; the 2009 suspensions represent a more serious effort to address professional lapses.

Josette Barry, editor-in-chief of education at the government daily *Fraternité Matin*, dismissed many newspapers as rags, and the panelists agreed that in general, the quality of journalistic writing and investigative work in many papers has declined over the years, including at *Fraternité Matin*. Barry said that to address the faltering adherence to professional standards at her paper, managers have held dozens of seminars. She noted that more and more other newspapers are following suit, but the quality remains mediocre at many papers.

The panelists also pointed to an agreement between the Group of Press Publishers of Côte d'Ivoire (known by its

*Josette Barry, editor-in-chief of education at the government daily *Fraternité Matin*, dismissed many newspapers as rags, and the panelists agreed that in general, the quality of journalistic writing and investigative work in many papers has declined over the years, including at *Fraternité Matin*.*

French acronym, GEPCI) and the National Private Press Union (known by its French acronym, SYNAPPCI). The agreement aims to apply the Inter-professional Collective Convention, which has been in force for several years. However, it did not prove possible to implement the agreement to apply the convention before the grace period ran out. A new round of negotiations is underway between the two parties, with the National Press Council mediating.

Without the protection of the Collective Convention, salaries for journalists varied a great deal between one house and the next during 2009. Barely a third of the 15 or so press outlets that publish dailies paid their journalists salaries equal to or higher than the minimum standard set forth under the convention. The panelists agreed that given the poor pay, many Ivoirian journalists are insecure financially.

In terms of the state of equipment and facilities, the panelists noted a positive development in 2009. After 20 years with no sign of support from the Press Support and Development Fund, media businesses and professional press organizations received subsidies worth XOF 243 million (around \$500,000) in the form of office equipment (computers, scanners, printers, etc.) and vehicles.

As reported in the 2008 MSI, generally self-censorship can be traced to political or economic ties. Political themes dominate reporting, at the expense of including more topics concerning societal issues.

OBJECTIVE 3: PLURALITY OF NEWS

Côte d'Ivoire Objective Score: 2.28

With about 20 daily newspapers, nearly 40 weeklies, and about 100 local radio stations, in addition to the international radio and television channels that can be picked up in Côte d'Ivoire, a reasonable plurality of news sources exists. The proliferation of cybercafés in all parts of Abidjan and other

major towns are an obvious sign of the growing accessibility to various sources of information.

Apart from the "neighborhood radio stations" and religious-based stations, the radio and television landscape is made up of four public channels (two radio and two television channels), two private radio stations (Radio Jam and Radio Nostalgia), one United Nations radio station (Onuci FM), and one international encrypted television station (Horizon Channel). In addition, Ivoirians have access on FM to the principal international radio stations (RFI, VOA, and BBC). In addition, during 2009, Italian investors made a submission to the minister of communication for approval to set up a new television channel for Africa based in Côte d'Ivoire.

The panelists agreed that Ivoirians are free to obtain information from various sources, both domestic and international (apart from the payment of a fee to watch the encrypted television channel). The panelists agreed that poverty more than legal barriers hampers access to news. However, Ivoirians are benefiting from competition between Internet service providers and mobile communications operators, as they offer new technologies at improving prices. As noted in the 2008 MSI, newspaper distribution is unreliable, and especially in the north, people turn to satellite dishes to obtain international news.

Sylla, speaking as a press correspondent working in Bouaké, noted that the supply of programming in the center of the country includes stations that came on the air in the midst of the political crisis of 2002 and played a role in its history. He pointed out that Bouaké's TV *Notre Patrie* offers programming independent of the national channel. The

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 enjoys relative freedom, he said, but stressed that the situation in Bouaké is somewhat unusual. The creation of radio and television stations there, in so-called rebel zone, could be considered one positive benefit of the crisis. These stations, founded without any form of authorization from the National Broadcast Media Council and thus illegally, continue to operate more or less unobstructed.

Barry explained that at the beginning of the crisis, a whole swath of Côte d'Ivoire functioned somewhat separately. UNICEF and UNDP collaborated with several international NGOs and the unauthorized radio and television stations to organize awareness-raising activities. After the war broke out, the United Nations system worked with the unauthorized stations because Ivoirian Radio and Television could not be received in the rebel-occupied zone. Created at first as an informal solution, this collaboration slowly became more formal and official.

Regarding the public media, the panelists were nearly unanimous that public outlets do not reflect the full diversity of political opinion. For example, at the beginning of 2009, the National Press Council had to remind the government daily, *Fraternité Matin*, of its mission as a public medium—which includes ensuring the observance of the principle of equitable access to the public media during electoral campaigns (originally set for October 16, 2009).

The panelists were somewhat divided on the question of transparency of media ownership. Even if a publication's masthead states who is legally responsible for a periodical, i.e., the director of publication, in some cases, that person is just the tip of the iceberg. The true backer is often someone with political ties. The law forbids that practice, and it obligates newspapers to publish the names of directors and members of governing bodies every year, along with the list of shareholders and the amount of shares they hold. However, the panelists noted that every press enterprise completely ignores this particular provision of the law.

As readers find it impossible to discern true owners at first glance, they must rely on the predominant color of the headlines and the front page to identify the newspaper's place on the political chessboard. Ivoirian media are split between the blues (papers belonging or close to the party in power) and colors used by the rest—the independents and those close to the opposition. Akani said firmly that ownership is not transparent. The true owners hide behind fronts, and in his view, the law should pave the way for greater ease in determining the true owner without having to use the court system.

OBJECTIVE 4: BUSINESS MANAGEMENT

Côte d'Ivoire Objective Score: 2.15

Thanks to the National Press Council's efforts to clean up the sector, all the titles now published in Côte d'Ivoire are produced in compliance with the conditions required by the law. From an economic point of view, the press is emerging from a more informal state, where it had languished for many years.

Even so, in the panelists' view, most outlets are still far from profitable. In 2009, the overall circulation of publications (daily, weekly, etc.) was around 40 million copies. The total revenue was XOF 4,201,480,355 (around \$8.5 million), 73 percent of which was for the daily press. Since 2007, the total circulation of dailies had been in constant decline, dropping from 37,263,661 copies in 2007 to 34,246,638 in 2008 and 30,689,994 in 2009.

The sector definitively generated significant combined revenue; nevertheless, given the number of companies in the market, very few publications managed to break even. In 2009 the press sector was locked in a bitter struggle, according to National Press Council figures, with 21 dailies, 43 weeklies, and 26 monthlies and bimonthlies. Of all the dailies, four dominated the market, pulling in 75 percent of sales.

In 2009, 29 new publications appeared on the market, while 23 publication titles died out. Longevity appears to be a major challenge; few titles have a lifespan beyond five years. Considering this, the panelists emphasized the need for press businesses to apply proper management rules—both in terms of accounting and human resources. Barry, for example,

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.

wondered how the accounting and financial practices of many press outlets would stack up against international standards. He questioned whether press houses hire proper professionals to carry out their accounting, marketing, and human resources functions, and whether they have rigorous personnel policies.

As a whole, the panelists deplored the way press outlets are managed. Koné noted that some press enterprises do not consider themselves full-fledged businesses. The press is the only sector in which practically anyone can approach the editor-in-chief for a job as a writer, he said, and added that people seem to view the press as a field for anyone to come and try their luck. Furthermore, there are indications that some press bosses dip into the company's funds to line their own pockets.

The panelists agreed that media receive income from a variety of sources. Even so, they said, there is good reason to fear that the covert subsidies that some newspapers receive affect content.

As the social climate has relaxed, advertisements in the various newspapers demonstrate an uptick in economic activity. The time appears to have passed when advertisers would steer clear of some titles out of fear of being accused of promoting the opposition. The frenzied competition between the mobile telephone operators in 2009 was reflected in inserts in the principal dailies and weeklies. Nevertheless, Domo judged that apart from *Fraternité Matin*, Ivoirian Radio and Television, *Le Patriote*, and *Notre Voie*, which were delighted to receive so much advertising, many other media outlets and newspapers are not benefiting from the advertising windfall at all. Also, as noted in last year's MSI, advertising does get in the way of editorial content.

The print media are facing serious competition from the Internet, which is booming in popularity and has become a vital information source. XOF 200 (about \$0.40)—less than the price of a daily newspaper—buys about an hour online, which is enough time to review all the web-based domestic press outlets. People visit Internet cafés in droves, impacting print sales further.

As noted above, press outlets and supporting institutions received subsidies in 2009 from the Press Support and Development Fund, in the form of equipment support and vehicles.

According to the panelists, approximately 25 media consultancy, publicity, and marketing agents are present in the Ivoirian market. As noted in last year's study, the media suffer from a lack of market research. Only a few media agencies carry out studies, and those are fragmented; and no companies carry out research before launching a title or

changing editorial policy. This is likely a major reason behind the short shelf life of so many publications. In addition, last year's panelists expressed the hope that the Press Support and Development Fund would address this shortcoming and help fund studies, but the 2009 panelists were not aware of any such progress so far.

Also noted in last year's report, broadcast media have no statistics available on audience size, though point studies are carried out to gauge the penetration of radio and television stations. For the print media, the National Press Council publishes quarterly figures on the number of copies on the market and the sales rates of each title.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Côte d'Ivoire Objective Score: 2.21

The media's support institutions are showing more and more organization. In addition to the National Union of Journalists of Côte d'Ivoire, established in 1991, active groups include GEPCI, SYNAPPCI, and the National Confederation of Publication Directors of Côte d'Ivoire. A new umbrella organization came on the scene in 2009: the Organization of Professional Journalists of Côte d'Ivoire, alongside the Network of Women Journalists of Côte d'Ivoire.

Ostensibly, these organizations were all involved in efforts to help professionalize the sector and to improve working conditions in 2009. Toward this end, they could depend on the profession's self-regulatory bodies: National Broadcast Media Council for the broadcast media, the National Press Council, and OLPED.

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.

Domo said that GEPCI was instrumental in prodding the government to put the Support and Development Fund into action and bringing about the tax exemptions (both discussed above). He said after years of talk, it was ultimately GEPCI that stood up for the interests of press businesses and lobbied to have the subsidies distributed.

Panelists differed regarding the involvement of civil society organizations in defending press freedom. Paul Oussou, first deputy chair of the Study and Research Group on Democracy and Economic and Social Development in Africa, Côte d'Ivoire section, said that his organization has taken a clear stance in support of the freedom of speech and the freedom of the press. He pointed to his organization's work with the journalists' association on a number of activities, such as press monitoring, as proof of his organization's interest and involvement. However, the panelists agreed that not all NGOs are helpful for the media, and some actually do more harm than good.

Some civil society organizations serve as sounding boards for voices that want to shackle the freedom of expression; others are simply more focused on other issues, panelists said. Barry emphasized that at particular points in Côte d'Ivoire's history, some NGOs have been very active. Curiously enough, in 2009, those same NGOs did very little in favor of press freedom, panelists said. They added that it is also important to draw distinctions between NGOs and politically motivated groups. For example, some associations support political parties and react only when a political party newspaper is in trouble.

In Abidjan, many private schools provide training in media but not always specifically in the profession of journalism. For 20 years or so, Ivorian journalists have trained primarily on the job, and generally in the private sector. The Institute of Media Sciences and Technologies, under the auspices of the Ministry of Communication, is the only public institution of its kind in the media sector. Access to the Institute of Media Sciences and Technologies is open to any applicants who pass the relevant entrance exam.

The panelists agreed that journalists have various in-service training possibilities as well. Some professional organizations held capacity-building workshops in 2009 and seminars for journalists in partnership with international groups.

Given the difficult working conditions in many press houses, staff turnover is high, indicating a need for a human resources strategy overhaul. Without attention to human resources and retention, the heads of press businesses will continue to have trouble deriving any benefit from providing training and continuing education opportunities for their staff, panelists said. Without such a strategy, the most

experienced staff members will continue to be tempted to cash in on their know-how by moving to more lucrative fields.

As noted in last year's MSI, printing presses are experiencing somewhat of a decline. Two houses that had printed their own titles now subcontract their printing, and of seven rotary printers that shared the domestic market a few years ago, only four are left operating.

On the distribution side, a single company, Edipresse, is involved. Other attempts at distribution have fizzled out, plagued by high unsold return rates.

List of Panel Participants

Josette Barry, journalist, editor-in-chief of education, *Fraternité Matin*, Abidjan

Adama Koné, journalist, *Fraternité Matin*; Union de la Presse Francophone, Abidjan

Francis Domo, journalist, National Press Council, Abidjan

Barthélemy Kouamé, chair, Côte d'Ivoire Network of Online Press Professionals, Abidjan

Charles Sanga, journalist, director of publication and editor-in-chief, *Le Patriote*, Abidjan

Silué Salimata Konaté, journalist, Côte d'Ivoire National Radio, Abidjan

Youssef Sylla, freelance journalist, press correspondent for the Central Region, Bouaké

Paul Oussou, Study and Research Group on Democracy and Economic and Social Development in Africa, Côte d'Ivoire section, Abidjan

Touré-Diabaté Ténin, university teacher; chair, Network of African Muslim Women, Côte d'Ivoire section, Abidjan

Emmanuel Akani, member, Ivorian Movement of Consumers of the Côte d'Ivoire Media, Abidjan

Moderator and Author

Samba Koné, national coordinator and chief executive officer, Sud Actions Médias; chair, Network of African Media Self-Regulatory Bodies, Abidjan

Closed in 2007, one opposition newspaper, Le Renouveau, remains silenced. Foreign news sources are available, though news about Djibouti is infrequent.



DJIBOUTI

When President Ismael Omar Guelleh signed a peace agreement with a holdout belligerent faction of the Front for the Restoration of Unity and Democracy (FRUD) in 2001, a stable peace finally took hold. Djibouti is now an important transshipment point and serves as Ethiopia's outlet to the sea. It is also home to thousands of French soldiers, sailors, and airmen, as well as a slightly smaller contingent of U.S. troops involved in anti-piracy efforts, anti-terrorism operations, and regional humanitarian assistance. The country is stable, particularly when compared to most of its neighbors.

The government protects this stability by limiting dissent. A sidelined political opposition is allowed to operate a newspaper (*Le Republique*), but government media dominate local reporting. The government controls domestic broadcasting through ownership of Radio Television of Djibouti (RTD). The sole news service, Agence Djiboutienne d'Information, and two highest-circulation newspapers (French-language *La Nation* and Arabic-language *Al Qarn*) belong to the government. Government media exert no editorial free-thinking and serve the authorities. Closed in 2007, one opposition newspaper, *Le Renouveau*, remains silenced. Foreign news sources are available, though news about Djibouti is infrequent.

An example of one story from 2009 is that of the Borrel Affair. Bernard Borrel, a French judge working with the Djibouti Ministry of Justice, reportedly on an arms smuggling case, was found dead under suspicious circumstances in 1995. Initially ruled a suicide, further investigations led to a French court sentencing Djibouti's attorney general and head of intelligence in absentia for pressuring witnesses in the case. In May of 2009, a French appeals court overturned these sentences. Djibouti's official media hailed this as a victory for the country without delving into allegations that Borrel's death was linked to Guelleh or that the French government was attempting to protect its base agreements with the country.¹

Opposition reporting is also not balanced. Therefore, Djibouti lacks a media capable of providing insightful reporting that credibly holds government and politicians to account.

Due to the polarized state of the media in Djibouti, in which all media outlets are politicized, IREX was unable to find sufficient number of media professionals willing to discuss the media situation due to the risk of negative consequences. This study reflects a combination of research and interviews with those knowledgeable of the media in Djibouti.

¹ Compare coverage of the issue by the BBC and Djibouti's *La Nation*: "France Acquits Djibouti Officials," May 29, 2009 (<http://news.bbc.co.uk/2/hi/europe/8073407.stm>) and "Trois questions à... Djama Souleiman Ali," June 4, 2009 (<http://www.lanation.dj/news/2009/ln88/national5.htm>)

DJIBOUTI AT A GLANCE

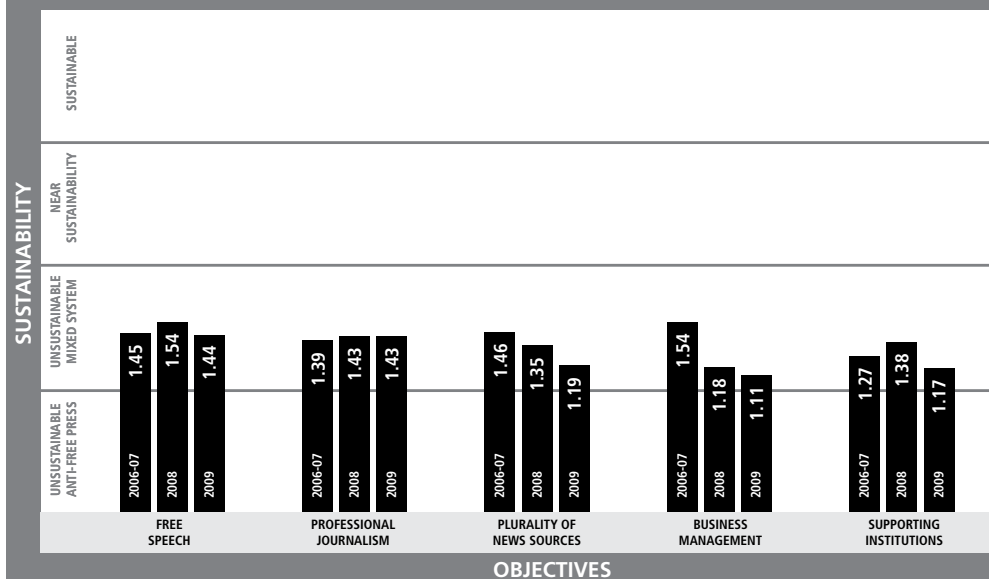
GENERAL

- > **Population:** 740,528 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Djibouti
- > **Ethnic groups (% of population):** Somali 60%, Afar 35%, other 5% (includes French, Arab, Ethiopian, and Italian) (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 94%, Christian 6% (*CIA World Factbook*)
- > **Languages:** French (official), Arabic (official), Somali, Afar (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$1.106 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$2,480 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 67.9% (male 78%, female 58.4%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Ismail Omar Guelleh (since May 8, 1999)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** *Le Nation*, *Al-Qarn*, *Le Republique* (opposition), and Radio Television de Djibouti
- > **Newspaper circulation statistics:** Top two by circulation: *La Nation* (circulation 1,500), *Al-Qarn* (circulation 500)
- > **Broadcast ratings:** N/A
- > **News agencies:** Agence Djiboutienne d'Information (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 13,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: DJIBOUTI



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Djibouti Objective Score: 1.44

Djibouti's constitution includes provisions that guarantee free speech, freedom of the press, and free access to public information. However, current media regulations are a legacy from the previous administration of late president Aptidon. Although this law has not been fully implemented by the present government, it includes articles that severely restrict media freedom.

There is space allowed for some dissent by the opposition, marginalized though it is, which is reflected in the newspaper they operate. But serious limits to freedom of the press exist. Signs that the government is not fully committed to the spirit of the constitution are manifest by the near monopoly over communications and media held by the government.

For example, the Ministry of Communications, Culture, Posts and Telecommunications (MCCPT) oversees media licensing. However, there are no private broadcasters; state-run RTD holds a monopoly on the airwaves. One could only speculate on whether any licensing would be handled transparently and fairly. Past years' panelists could not point to the government prohibiting the establishment of any media, but none exist to cover news that are outside the control of political parties or the government.

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.

Djibouti has no law that addresses editorial independence for state media. State media editors and management are closely linked to MCCPT or other government agencies.

Furthermore, the government has indeed closed media that threatened its image: Freedom House, in its 2010 edition of *Freedom in the World*, noted that *Le Renouveau* newspaper, aligned with opposition parties, remained shuttered in 2009 after being ordered to close after losing a libel case. *Le Renouveau* reported that a bribe was paid to the governor of the national bank, who is the president's brother-in-law.

Panelists from years past have pointed to freedom on the Internet, despite the fact that MCCPT oversees the country's sole Internet service provider. People freely use Voice Over Internet Protocol services such as Skype. However, in its 2009 *Human Rights Report*, the U.S. State Department reported that the government blocks internal access to the Association for Respect of Human Rights in Djibouti's website.

Panelists from past studies asserted that Djibouti is a safe place to practice journalism and that no media professionals are subject to violence. How much of this is because journalists adhere to certain boundaries about what to cover is difficult to assess.

Djibouti has no law that addresses editorial independence for state media. State media editors and management are closely linked to MCCPT or other government agencies. Large businesses rarely play roles or have any influence with the state media. Opposition politicians charge that the government utilizes state media to advocate particular agendas.

Panelists from past studies reported that the defamation and libel sections of the criminal code are sometimes used against staff of opposition media when they write about government officials. But they pointed out that no journalist has served a complete sentence for libel. Public officials are sometimes held for libel as well, according to past panelists. Judges are not independent of the government, but are well paid and no corruption scandals involving libel cases have come to light.

Djibouti Telecom and other foreign web hosting companies have not been held legally responsible for the Internet content of individual website owners who use their services to create web pages.

State media are well equipped with the latest technology, allowing their journalists to more easily perform their day-to-day activities. Opposition journalists, however, do not work under such favorable conditions.

Foreign news organizations have offices and relays in Djibouti. There are no restrictions for these media organizations, apart from making a formal request to MCCPT. The ministry also accredits journalists coming to the country.

Although there are no legal hurdles to joining the media profession, given the high degree of political control over the media such considerations affect entry in practice.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Djibouti Objective Score: 1.43

First and foremost, journalists in Djibouti work for the political parties or governmental owners of their media outlet. Impartiality and balance are not the primary goal of reports carried by these media. Further, most journalists do not have the necessary training to undertake professional reporting. Panelists from previous years reported that Djiboutian journalists do not have a professional code of conduct to guide their work.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

Editors and producers exercise self-censorship in dealing with news that is critical of the government and the ruling party. Freedom House reported that, in light of libel laws, "Journalists generally avoid covering sensitive issues, including human rights, the army, the FRUD, and relations with Ethiopia." Last year's panelists noted that reporters and editors are encouraged to cover key events in Djibouti, but one panelist said that such events must be either under the patronage of the government or have the blessing of the government.

Journalists are highly paid in comparison to journalists working in other parts of Horn of Africa, but the cost of living in Djibouti is very high.

State media are well equipped with the latest technology, allowing their journalists to more easily perform their day-to-day activities. Opposition journalists, however, do not work under such favorable conditions. Opposition politicians do not make a priority of updating technology, and opposition media have difficulty generating funds to help equip their journalists. Such newspapers lack any real graphic design or images.

OBJECTIVE 3: PLURALITY OF NEWS

Djibouti Objective Score: 1.19

There is little plurality of national news in Djibouti, even if some dissenting opinions are allowed. Although the population is relatively small (about 750,000) the media sector still lacks the depth to adequately serve the public.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

The government's newspaper *La Nation* is published four times per week; *Al Qarn*, in Arabic, is another government offering. Only about 15 percent of the population read newspapers because of the strong oral culture in Djibouti. This makes broadcasting an important medium, but RTD is the sole broadcaster and offers one radio channel and one television channel. These government media do not criticize the government.

Opposition newspapers do not serve as an independent alternative voice, rather they promote the causes of their party. The State Department's *Human Rights Report* indicates, "Each registered political party is permitted to publish a public journal or newspaper," however none are published regularly beyond *La Republique*.

The Horn of Africa Journal, a monthly magazine in English, targets mainly the business community and presents the potential and economic advantages of Djibouti as a hub for international shipping. Other publications that do not carry news exist.

As for the international press, major newspapers in Arabic, French, and English are available at newsstands but are quite expensive for the average Djiboutian. Major newspapers are brought from Dubai and Paris. Citizens have unrestricted access to news and information from the world's major news organizations, including BBC, CNN, VOA, RFI, RMC, and Al Jazeera (in Arabic and English). Foreign news agencies such as AFP, Reuters, and AP have correspondents in Djibouti, as do the Somali television networks Universal TV and Raad TV. Foreign news media organizations produce their own news programs and have the liberty to send to their main offices the news they deem appropriate.

One news agency exists, Agence Djiboutienne d'Information, but it is state-run and hardly independent.

Ownership of Djiboutian media is transparent. State media is clearly owned, run, and controlled by the government; opposition newspapers are clearly owned, run, and controlled by the opposition politicians. However, this duopoly in practice has the same effect as media controlled by conglomerates; there is no effective competition. Further, given the government monopoly on broadcast media, there is no independent broadcast news production.

State media is clearly owned, run, and controlled by the government; opposition newspapers are clearly owned, run, and controlled by the opposition politicians. However, this duopoly in practice has the same effect as media controlled by conglomerates; there is no effective competition.

OBJECTIVE 4: BUSINESS MANAGEMENT

Djibouti Objective Score: 1.11

Last year's panel reported that state-owned media are well financed and well managed. Dedicated professionals handle accounting, marketing, and human resources duties and established procedures govern their operations. On the other hand, opposition newspapers are under-financed and poorly managed by inexperienced personnel who were not recruited for their managerial knowledge, competence, or experience.

In neither case do media outlets receive revenue from multiple sources. They are funded by political patrons and do not strive to increase sales of advertisements or turn a profit. Last year's panelists said that advertising accounts for about 11 percent of the media sector's total revenue. Advertising agencies have yet to be established in the country.

Similarly, no efforts are made to undertake market research or to measure audience size or circulation figures. In the

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.

Last year's panelists said that advertising accounts for about 11 percent of the media sector's total revenue. Advertising agencies have yet to be established in the country.

case of circulation, it is recognized that it is limited and this is not required to boost sales, since financing comes from political funders.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Djibouti Objective Score: 1.17

The Association of Djibouti Journalists (MAJD) is the only journalists' association in the country. The association was founded in early 2008, due to efforts by the International Federation of Journalists and Eastern Africa Journalists' Association, along with financial support from American Center for International Labor Solidarity. However, only a small number of Djibouti nationals are practicing journalists. MAJD has been working to bring together journalists and other media staff to show solidarity and address key issues as one body. The association represents mainly state media members—editors, reporters, camera operators, and freelancers. Opposition media members are not involved in the association; they are not considered "journalists" by MAJD.

NGOs that support media freedom, freedom of expression, or other media development activities do not operate in

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.

Djibouti. The U.S. Embassy in Djibouti previously provided limited support to the media sector. There are also no trade associations, given the limited ownership of media aside from the government.

As reported last year, Djibouti also suffers from a lack of educational institutions that provide interested students with practical training instead of theoretical knowledge. Specifically in the field of media studies, no journalism schools or trained faculty exist in Djibouti, and opportunities to study abroad are limited. Media outlets have hired some journalism graduates from neighboring Somalia, and a few journalists have graduated from programs in other countries.

However, short-term training opportunities do exist. The training programs are organized in collaboration with international organizations. Basic journalism skills classes are among the more popular courses.

Supporting industries and facilities are not apolitical and most are not privately held. Distribution and printing firms are barely adequate to support the media in its current state. To date, distribution and printing firms have not been manipulated into interfering with media operations.

All broadcast transmitters are owned and operated by the state for exclusive use by RTD. Djibouti has only one Internet service provider, Djibouti Telecom, which is under control of MCCPT.

List of Panel Participants

Due to the polarized state of the media in Djibouti, in which all media outlets are politicized, IREX was unable to find sufficient number of media professionals willing to discuss the media situation due to the risk of negative consequences. This study reflects a combination of research and interviews with those knowledgeable of the media in Djibouti.

Often criticized for human-rights violations, the government displays little tolerance for the barely breathing political opposition.



EQUATORIAL GUINEA

A small country of just over 500,000 inhabitants, Equatorial Guinea is the only Spanish-speaking country in Africa. Dubbed “Africa’s Kuwait” after the discovery of oil in the 1990s, it is the third largest oil-producing country in Sub-Saharan Africa.

Despite the oil wealth, Equatorial Guinea is a closed country with an extremely poor population, and the corruption rate is said to be among the highest on the continent (Transparency International ranked it 168 out of 180 countries worldwide in 2009). Often criticized for human-rights violations, the government displays little tolerance for the barely breathing political opposition. The country has been ruled with an iron fist by President Teodoro Obiang Nguema for thirty years, since he overthrew his uncle in a coup in 1979—and although he was recently reelected, the international community and the opposition raised questions about the legitimacy of the election. Reporter sans Frontières (RSF) noted, “President Obiang Nguema was reelected at the end of 2009 with 96.7 percent of the votes in polling that many international media, including the Spanish daily *El País*, were prevented from covering.”¹

In recent years, the authorities have denounced several plots seeking, in their view, to overthrow the regime in this former Spanish colony. On the night of February 16–17, 2009, sleeping residents of the capital, Malago, awoke to gunfire. By morning, the capital returned to calm—but the confrontations left many dead and injured. The government blamed the violence on “terrorist rebels” from the Niger Delta, but the Movement for the Emancipation of the Niger Delta, which is behind many attacks on the Nigerian oilfields, immediately denied responsibility. The true circumstances surrounding the attack were shielded from the public and the media—an example of the government’s will to control all information in the country.

This is the third consecutive year that the MSI was not able to convene an expert panel in Malabo to research the media sustainability in Equatorial Guinea. This is not only due to the journalists’ reluctance to participate in a public meeting that could be “frowned upon,” but because the authorities in this closed country have forbidden any kind of meeting—of political parties, or of civil society, or especially journalists—without obtaining the authorization of the Minister of Information and going through a bureaucratic procedure. In the face of this difficulty, only about 10 journalists accepted to complete, individually and discreetly, the IREX questionnaire.

¹ “Predators of Press Freedom - Teodoro Obiang Nguema - Equatorial Guinea President.” *2010 World Press Freedom Index*. Reporters sans Frontières, http://en.rsf.org/spip.php?page=predateur&id_article=37196

EQUATORIAL GUINEA AT A GLANCE

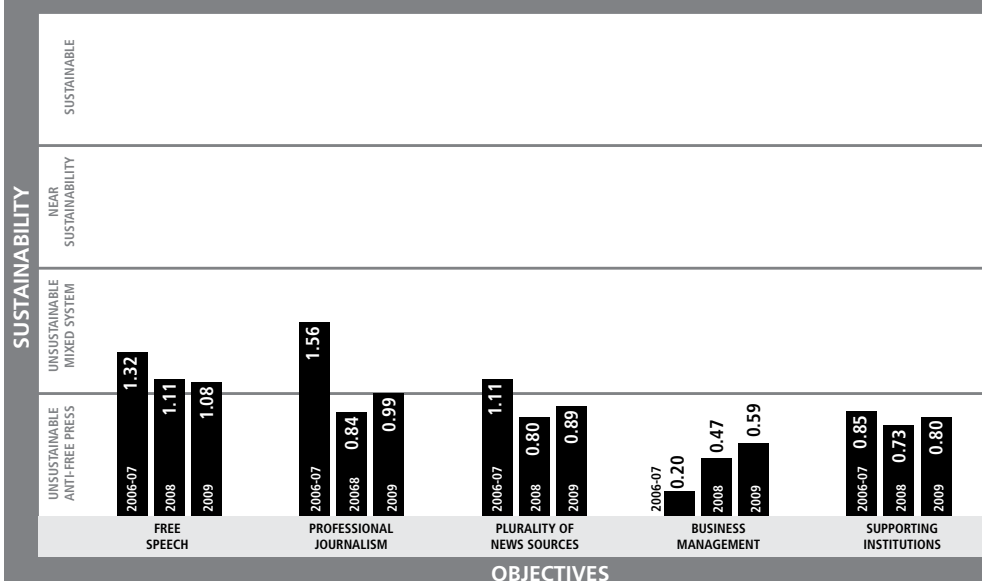
GENERAL

- > **Population:** 633,441 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Malabo
- > **Ethnic groups (% of population):** Fang 85.7%, Bubi 6.5%, Mdowne 3.6%, Annobon 1.6%, Bujeba 1.1%, other 1.4% (1994 census, *CIA World Factbook*)
- > **Religions:** nominally Christian and predominantly Roman Catholic, pagan practices (*CIA World Factbook*)
- > **Languages (% of population):** Spanish 67.6% (official), other 32.4% (includes French (official), Fang, Bubi) (1994 census, *CIA World Factbook*)
- > **GNI (2009-Atlas):** \$8.398 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$19,350 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 87% (male 93.4%, female 80.5%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Brig. Gen. (Ret.) Teodoro Obiang Nguema Mbasogo (since August 3, 1979)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers; Radio: 2 national stations; Television: 1 state-run station
- > **Newspaper circulation statistics:** Top three by circulation: *Ebano* (state-owned) *La Opinion* (private) *La Nacion* (private)
- > **Broadcast ratings:** Top two radio stations: Radio Nacional de Guinea Ecuatorial (state-run), Radio Asonga (private, owned by the president's son)
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 12,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: EQUATORIAL GUINEA



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Equatorial Guinea Objective Score: 1.08

Although the panelists acknowledged the existence of legislation guaranteeing the freedom of speech, they noted that the authorities tend to politicize the press and prevent the enforcement of legal provisions upholding the freedom of speech. The 1992 constitution, amended by Constitutional Law Number 1/1995, guarantees “the freedom of speech, thought, ideas, and opinions.” However, in reality the press is a tool of the government. Law Number 13/1992, concerning the press and printing, regulates all aspects of the practice of journalism—and it is an exact replica of the Spanish press law issued by the dictator Francisco Franco in the 1960s. As last year’s MSI noted, this law is not fit for a democracy.

Furthermore, aspects of the code that should protect journalists are not enforced—and the authorities themselves are often the offenders. According to one panelist, journalists are slowly gaining their freedom of speech, but they still avoid speaking their mind for fear of government reprisals. Another summarized the key challenges in this objective: “Speech is not really free; journalists are afraid to tell the truth. Only pro-governmental political information is easily available. Slander is punishable under criminal law, and journalists go to prison. Often, journalists who tell the truth are threatened.”

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.

Regarding broadcast licensing procedures, all broadcast outlets have ties to the government, and the Ministry of Information serves as the media regulator—leaving few options for truly independent outlets to break into the market.

Regarding broadcast licensing procedures, all broadcast outlets have ties to the government, and the Ministry of Information serves as the media regulator—leaving few options for truly independent outlets to break into the market. In its 2009 human-rights report on Equatorial Guinea, the U.S. Department of State noted, “Starting a new periodical requires a complicated process governed by an ambiguous law and was often inhibited by government bureaucracy.”

One panelist noted, “Journalists only enjoy very limited protection. In fact, the government often takes action against them,” while another expressed regret that journalists are not protected. The limited existing legislation is not enforced.

At the time of this study, the memory of the June 17, 2009, arrest of the sole foreign press correspondent in Equatorial Guinea, Rodrigo Angüe Nguema, weighed heavily on the panelists. In April 2009, Nguema released a news piece on Agence France-Presse (AFP) claiming that the director of Ceiba national airline, the Gambian native Mamadou Jaye, had fled the country after embezzling XAF 3,500 million (nearly \$8 million). The news turned out to be false; a source had provided faulty information. Nguema acknowledged his mistake, and international media released the Ceiba director’s denial notice. Nevertheless, the airline director filed a lawsuit for slander against Nguema, and he was sent to the notorious Black Beach prison.

Nguema’s arrest serves as a prime example illustrating the relentless energy of the Guinean authorities in oppressing journalists in a country that appears impervious to the freedom of the press. One panelist commented, “Journalists are imprisoned by politicians who do not want the press to do its job. They [politicians] ask us to be political activists and hide the truth from the population.”

Regarding the availability of public information, the panelists said that only information favorable to the ruling party is available.

The government immediately refutes news concerning Equatorial Guinea broadcast by international radio

Regarding the balance of entertainment and news, one panelist confirmed that while there is a wide array of entertainment programming to choose from, news programs are lacking.

stations. The media do not relay the news appearing in the international press, such as by Reuters, AFP, etc., as they would be held responsible for this content.

Given this climate for the media, it is not surprising that in 2009, RSF ranked Equatorial Guinea 158th out of 175 countries in its press freedom index.²

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Equatorial Guinea Objective Score: 0.99

Although forced to work in an uncertain environment, some Equatorial Guinean journalists do wish to live by the rules of the trade. Noted one panelist, “There are multiple reasons for which journalists cannot—or it is hard to make them—meet professional quality standards, such as low salaries, the politicization of the media, etc. We are forced to follow the authorities’ orders, as they do not want the press to show the actual reality. So we must hold back, so that we won’t be investigated.”

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).

² *World Press Freedom Index 2009—The Rankings*. Reporters sans Frontières. http://en.rsf.org/IMG/pdf/classement_en.pdf (Accessed October 16, 2010)

As pointed out in last year’s MSI, most journalists and media professionals in Equatorial Guinea are qualified; the older journalists were trained in Spain over three decades ago, while the next generation is being trained in Cuba or China. All journalists are public servants, governed by a public servant and state administration agent law.

Regarding professional ethics, Law Number 13/1992, concerning the press and printing (mentioned above), includes an ethical and moral code for journalists, publishers, managing editors, publication managers, and general managers. However, the repressive environment prevents journalists from upholding basic ethical principles, such as reporting truthfully.

Self-censorship is pervasive; journalists encounter a great deal of political pressure and cannot work freely. The status of freedom of the press is no better in Bata, the country’s second-largest city; there, as in Malabo, journalists are held back from reporting what they feel they should in favor of reporting what politicians want to hear. The constant harassment of media professionals is antithetical to freedom, independence, and safety of their working conditions.

The panelists agreed that salaries for journalists are low, and that is the reason why they turn to politicians to be able to make ends meet. Journalists avoid telling the truth for fear of losing their jobs. Public-media journalists are paid according to the civil servant system; last year’s MSI reported that this ranges from XAF 100,000 to XAF 250,000 (\$225 to \$560) monthly for a manager.

Regarding the balance of entertainment and news, one panelist confirmed that while there is a wide array of entertainment programming to choose from, news programs are lacking. As for technical resources for journalists, one panelist reported that the technical equipment journalists must use is more or less adequate, but journalists still lack the resources they need to fulfill their mission.

As last year’s MSI noted as well, reporting on specialized topics is extremely thin, and investigative reporting is nonexistent.

OBJECTIVE 3: PLURALITY OF NEWS

Equatorial Guinea Objective Score: 0.89

Clearly, the political situation in Equatorial Guinea impedes media pluralism; there are few private publications in the country. The existing media are simply propaganda agents for the political authorities. News is politicized and censored by politicians, particularly in the popular media outside of

the capital. It cannot be said that a broad spectrum of social interests are reflected and represented in the media.

There are not many news sources for the public. The existing news sources are either created or controlled by politicians and offer citizens only the government's viewpoint. The state-run media, Radio Télévision de Guinée Équatoriale, includes television and radio stations in Malabo and Bata. There is also Asonga radio-television, which is described as private but in fact is owned by the president's son.

As for print media, there are only a few regular publications. *Ebano* is the official state biweekly publication; there is also the state-owned monthly, *La Gaceta*. There are a couple of nongovernmental papers as well, but they have little freedom and are supported politically and financially by the ruling regime. One panelist said, "The independent press is out of place in this country; it cannot function as it should. By asking the media to produce favorable content, the government interferes with their credibility." Another observer gave some credit to the public media, which try to keep the public informed, but their hands are tied on many issues because the political authorities control the news they release.

The BBC reported that Radio France Internationale and Gabon-based Africa No. 1 are available on FM in Malabo.³ Otherwise, citizens find it difficult to access foreign news sources. In addition to the government's unwillingness to allow such access, the high levels of poverty also create a barrier to access.

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.

³ BBC Country Profile: Equatorial Guinea. http://news.bbc.co.uk/2/hi/africa/country_profiles/1023151.stm (Accessed October 16, 2010)

The state-run media, Radio Télévision de Guinée Équatoriale, includes television and radio stations in Malabo and Bata. There is also Asonga radio-television, which is described as private but in fact is owned by the president's son.

State media do not reflect the views of the entire political spectrum, or serve the public interest, as the election season revealed starkly. RSF noted, "Closely controlled by the government, the state media have sung the president's praises and have taken care to pay little attention to the opposition's activities. Nguema is expected to get close to 100 percent of the vote, which is about the same as the share of media coverage he has been getting."⁴

No domestic news agencies operate in the country.

Since broadcasting is directly or closely controlled by the government, one cannot say that independent broadcasters produce their own news content. Similarly, while ownership of the media is more or less transparent given the government's heavy involvement, it also represents a near monopoly of ownership to the detriment of the plurality of content and opinions represented.

OBJECTIVE 4: BUSINESS MANAGEMENT

Equatorial Guinea Objective Score: 0.59

Although some independent media may be economically independent, they must still be politically dependent. Otherwise, the government starts to make threats or simply closes down the inconvenient media. "Without basic resources and substantial income from advertising, the private media can be neither independent nor well-managed," noted one panelist. As noted in last year's MSI, regulatory burdens and economic hardships mean that a truly independent media outlet would be unlikely to survive.

The national television channel is 100 percent government-funded and receives advertising from private companies, especially the telecommunication and oil multinationals. As noted in last year's MSI, *La Gaceta* and *Ceiba* (with a heavy entertainment focus) have a Ministry of Information-sanctioned monopoly on print media advertising.

⁴ "President dominates state media election coverage, opposition invisible." Reporters sans Frontières website, November 27, 2009. <http://en.rsf.org/equatorial-guinea-president-dominates-state-media-27-11-2009,35102.html> (Accessed October 16, 2010)

“Without basic resources and substantial income from advertising, the private media can be neither independent nor well-managed,” noted one panelist.

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

BUSINESS MANAGEMENT INDICATORS:

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- > 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.

An edition of *La Gaceta*, for example, often includes two to 10 advertising pages out of a total of 30 pages.

The panelists agreed that the government does not provide the private media with any kind of official public aid. However, that does not prevent the media, which is owned by powerful politicians, from living off political money and receiving a lot of advertising. However, despite the lack of government subsidies, the government influence on the public and private media and journalists continues to be significant.

As reported in previous MSI studies, market research is not used, broadcast ratings are not prepared, and circulation figures are not verified independently.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Equatorial Guinea Objective Score: 0.80

Equatorial Guinea has no associations dedicated to protecting journalists. There is a journalists' association, called the Press Association of Equatorial Guinea (known by its French acronym ASOPGE). But according to the panelists, it does nothing to help journalists or enhance the sector's professionalism. A politicized body, it is not capable of

upholding the journalists' interests; it cares only about self-promotion.

According to the panelists, the reason these organizations fail to protect their members' freedom of speech is that they wish to stay clear of any trouble they might have with the government. Furthermore, the panelists charged, activists working for the existing associations are busy with self-promotion, to the detriment of the profession. In fact, ASOPGE is essentially tasked with controlling the press and ensuring that journalists who become members of another association lose their membership, and consequently their jobs. For that reason, journalists can only participate in activities concerning the press that are organized or approved by the Ministry of Information.

Previous MSI panels explained that early in its history, ASOPGE, which was first created in 2000, operated as a true association for the protection of journalists and media professionals. However, after a couple of years, the government declared that the association "behaved like a parallel government" (in the words of Alfonso Nsue Mokuy, vice-minister of information at the time). Faced with ongoing threats from the government, the former chair, Pedro Nolasco Ndong Obama Nkara, fled the country and sought refuge in Spain.

NGOs do not help fill the void of supporting institutions, either. Rather than upholding the freedom of speech and protecting the interests of journalists, they protect their own interests. The U.S. State Department's 2009 human-rights report on Equatorial Guinea noted, "The law restricts NGO activity, and the few existing domestic human-rights NGOs focus on development issues involving social and economic rights, such as health and elder care." This report continued

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.

to explain that while the law does not forbid NGOs from working on human rights issues, the government maintains an unfriendly posture toward domestic and international NGOs working in or reporting on the country—with burdensome restrictions and registration requirements. As a result, the report concluded, there are very few international human rights NGOs in the country.

There is no retraining program, school, or training center for journalists. As reported in last year's MSI, the National University of Equatorial Guinea teaches communications in its School for Social Sciences, but in general, the curriculum does not cover what would be considered journalism.

List of Panel Participants

Octavio Ancelmo Ondo Nguema, journalist, Radio Asonga, Malabo

Amador Botey Rioko, journalist, Guinean Press Association, Malabo

Jose Antonio Ndong, journalist, Ebano Gaceta, Malabo

Pedro Obiang Edu, journalist, Radio Asonga, Malabo

Manuel Nze Nsogo, journalist, *L'Opinion*, Malabo

Honorio Obama Ndong, journalist, National Radio, Malabo

Maribel Mangue Ondo, journalist, Radio Bata, Bata

Ernesto Micha Ondo, journalist, Radio Bata, Bata

Frank Nze, show host, Radio Bata, Bata

David Mba, journalist, National Radio, Malabo

Feliza Oyona, correspondent, Radio Asonga, Bata

Juan Pedro Mendene Mba, National Radio, Malabo

Moderator

Samuel Obiang Mbana, journalist and correspondent, *Journaliste en Danger*, Malabo

Co-Authors

Samuel Obiang Mbana, journalist and correspondent, *Journaliste en Danger*, Malabo

Tshivis Tshivuadi, secretary general, *Journaliste en Danger*, Kinshasa, Democratic Republic of Congo

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

In the face of relentless government control on literally all sectors of social activity, news critical of the government or events such as the EEPA conference can only be reported from sources based outside Eritrea.



ERITREA

The outlook for the media in Eritrea is too bleak to even provide the most rudimentary indicators of sustainability. In previous MSI studies, Eritrea scored the lowest of all countries studied, and it seemed hard to imagine how the situation could get any worse. Yet again in 2009, Eritrea has been blighted by more negative developments.

State-run media—the only existing media for the past nine years—dispenses only entertainment programs and news that flatters the government. Coverage of events or news that questions or criticizes the government is censored as a threat to national security. Some foreign-based radio broadcasts and websites are blocked, and the government's active network of secret services monitors e-mail and other communications. Government-sponsored newspapers, magazines, or websites largely restrict coverage to issues of Eritrea's sovereignty, national unity, self-reliance, and development projects.

Yet in 2009, so much more has happened in Eritrea, such as UN sanctions on Eritrea for its role in arming anti-government forces in Somalia and its military incursion into Djibouti. Also, an international conference on the role of US and EU policy on Eritrea, organized by the European External Panel of Advisors (EEPA) in Brussels, drew participation from a number of Eritreans and officials from Europe, the United States, and Africa. Topics included in the discussions were the Eritrea-Ethiopia border, the need to strengthen Eritrean civil society, and gross violations of human rights being committed in Eritrea. Both events stirred debate among Eritreans while highlighting the gravity of the increasingly intractable Eritrean predicament.

In the face of relentless government control on literally all sectors of social activity, news critical of the government or events such as the EEPA conference can only be reported from sources based outside Eritrea. Despite the shutdown of independent media inside Eritrea in September 2001, diaspora media have gradually risen over the past 10 years. Eritreans living abroad—individuals, civic and religious organizations, activists, political groups, entrepreneurs, writers, and poets—use the Internet for blogging, radio, video, music, chat rooms, polling, campaigning, information sharing, and organizing events and demonstrations in “democratic” countries. The Internet has become the main hub to communicate, raise, and debate issues. However, a free Internet is unavailable to most within Eritrea.

Overall, Eritrea has no sustainable independent media infrastructure and does not exhibit any intention to set up, invite, and improve the conditions for establishing and encouraging a culture of independent media.

All MSI participants were Eritreans living in exile. The MSI panelists participated remotely by completing the MSI questionnaire and being interviewed by the IREX moderator, also an Eritrean in exile. Given the geographic dispersion of the panelists, a full discussion was not held. While not all panelists asked to remain anonymous, because of the political situation in Eritrea IREX decided not to publish their names.

ERITREA AT A GLANCE

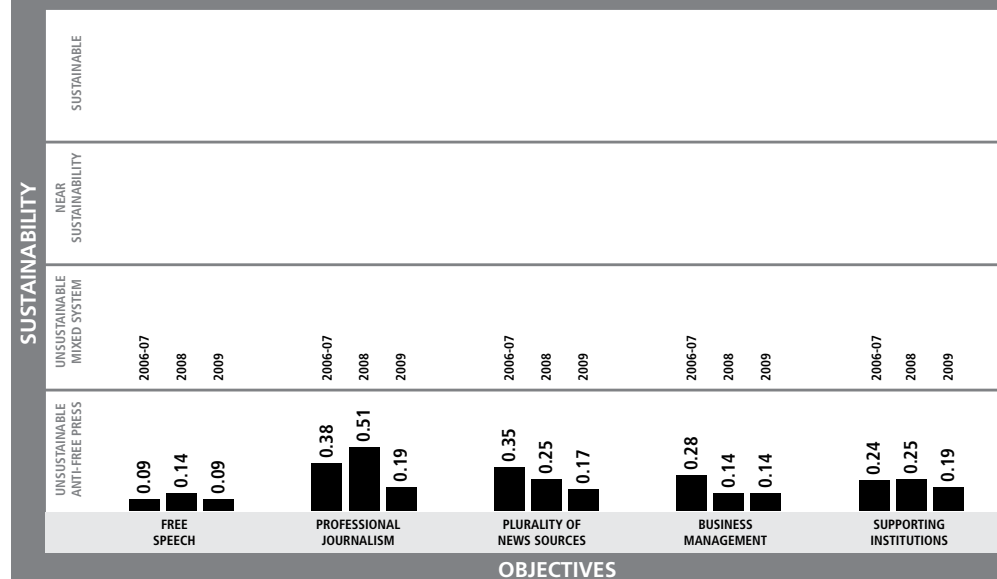
GENERAL

- > **Population:** 5,792,984 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Asmara
- > **Ethnic groups (% of population):** Tigrinya 50%, Tigre and Kunama 40%, Afar 4%, Saho (Red Sea coast dwellers) 3%, other 3% (*CIA World Factbook*)
- > **Religions:** Muslim, Coptic Christian, Roman Catholic, Protestant (*CIA World Factbook*)
- > **Languages:** Afar, Arabic, Tigre and Kunama, Tigrinya, other Cushitic languages (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$1.492 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$660 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 58.6% (male 69.9%, female 47.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Isaias Afworki (since June 8, 1993)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Newspaper readership is low; there are some radio and television stations. All are state-owned.
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** None
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 200,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ERITREA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Eritrea Objective Score: 0.09

Legal and social norms to protect and promote free speech and access to public information do not exist in Eritrea. The state of media in Eritrea is no different, if not worse, from what has been going on since September 2001—when the previous, relatively tolerable press law was rendered invalid. As one panelist put it, “The president [Isaias Afworki] has, on many occasions, repeatedly made it clear that there is no need for private media and freedom of speech.”

Article 4 of Eritrea’s 1996 press law gives the government plenty of reach to limit press freedom. For example, it prohibits censorship—“except under the provisions of this proclamation or with the approval of the competent court.” The press law also outlines circumstances for the government to censor the mass media when national security is threatened—an excuse it regularly cites by pointing to the still-unresolved border issue with Ethiopia.

Although the Eritrean constitution (ratified, but never implemented) provides for the freedom of speech and the freedom of the press, the government has strictly restricted the establishment and practice of independent media and freedom of speech. As a panelist from last year’s MSI study noted, “In a nation where any congregation of more than seven people has been outlawed, minority religions banned, the only university in the nation closed for good, and the

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Although libel laws provide for the criminal punishment of offenders, these provisions are not generally used against journalists. Generally, if the government questions a journalist’s loyalty, the journalist is simply arrested and taken to prison.

whole nation put under a totalitarian grip, to talk about the state of private media is a bit misleading unless it is at the same time put in context within that larger picture of pervasive repression.”

Also reported in last year’s MSI, there is no broadcast licensing; the government is the sole owner of radio and television. Similarly, market entry is closed; in the current setting it is impossible to open a nongovernmental broadcasting outlet or publication.

There are no public or legal institutions to speak of. According to one participant, literally anything that veers from the government’s message is punishable by imprisonment, torture, or disappearance. Most violence against journalists can be traced to the government. In its 2009 *Freedom of the Press* country report on Eritrea, Freedom House noted, “The country remained one of the worst jailers of journalists in the world, with 13 journalists in prison as of December 1, 2008, according to the Committee to Protect Journalists. Torture and unsanitary conditions are the norm in prisons where journalists are being held.” All prisoners are held incommunicado in closed locations. It is known that several journalists arrested in September 2001, when the government shut down the private press, died in detention. One of the journalists arrested at the time, a reporter named Dawit Isaac with Swedish citizenship, remains in jail, and international organizations have been denied access to him or information about his condition, despite reports of his failing health.¹

Many government journalists also opt to leave the country when opportunities arise. A significant number have left the country, others died or were killed attempting to cross the border into Sudan—while others were captured and sent to prison.

¹ “Eritrea: Dawit Isaac hospitalized, denied visits.” February 23, 2009. International PEN website: <http://www.internationalpen.org.uk/index.cfm?objectid=A355E9F3-3048-676E-26F588DE206C1429> (Accessed October 29, 2010)

The government media policy, under the title “Challenges for Preserving Media Sovereignty,” focuses on global economic inequality as a pretext to justify control of national media.

As reported last year, as a monopoly, the state media enjoy legal advantages. There is no legal guarantee or expectation of editorial independence.

Although libel laws provide for the criminal punishment of offenders, these provisions are not generally used against journalists. Generally, if the government questions a journalist’s loyalty, the journalist is simply arrested and taken to prison.

According to one panelist, the government controls access to information that should be available to the public. Furthermore, it has curbed public access to information by spreading a substantial number of security agents across the capital, Asmara, and other small towns to spy on anyone who follows external news that contradicts or criticizes government views or policies.

Although journalists are not forbidden from accessing international news sources, they cannot freely relay information from foreign sources, especially if it relates at all to Eritrea.

As explained in last year’s MSI, while the government does not have licensing procedures for journalists, as they are the only employer of media professional, by default the government defines who is, and who is not, a journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Eritrea Objective Score: 0.19

As independent media are nonexistent, all that can be reported for the objective covering professional standards and ethics revolves around the state-run media establishment. In the state’s system, a panelist explained, “Whether they [the journalists] are qualified or want the job or not, journalists are not recruited on the basis of accepted recruitment standards but assigned to the position on national-service basis by the government.”

It is not clear what kind of qualifications such journalists bring to the job. According to the panelist, they are employed after a short training period. However, those who fall under

the national-service category work without proper payment, while those with monthly wages are paid well below the amount required for decent living standards.

Editorial independence is nonexistent. Perusing through government-sponsored media offerings, it is not very surprising that there is an endless list of reports and articles that propagate only “good news” about events in Eritrea. In a way, these actually serve as indicators of the total absence of independent media: realistic and balanced reporting of news and events requires a variety of sources to provide and promote responsible and accountable reporting. That is entirely lacking in Eritrea’s media.

Similarly, journalism ethics and self-censorship are not matters of professional choice—journalists must follow the directions of their editors, who take their orders from the authorities. In general, reporters employed by the government have no alternative other than to exercise self-censorship to keep their jobs and their safety. In other words, critical reporting is prohibited by default; upholding professional journalism standards is out of the question when journalists are forced to serve the government and promote its propaganda. Deviation from this results in jail for the journalist.

Government-sponsored news projects the sense that all is well inside Eritrea, and what is being reported from outside is just a threat against or attack on Eritrean sovereignty or national security. An editorial statement from the Eritrean Ministry of Information, posted on its website in October 2009, is telling. The government media policy, under the title “Challenges for Preserving Media Sovereignty,” focuses on global economic inequality as a pretext to justify control of national media. It claims that free press is fraudulent 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).

is used as a disguise to control resources; that those who control global media are based in western countries and are set up to protect the interests of the few; that even non-western media sources have allowed themselves to serve as tools against the interest of the wider public; that such a global media domination has hampered the development of local and national media, and; that Eritrean “government-controlled” media are geared to protect the Eritrean public from western-biased media influences. The editorial concludes with the following statement, “The responsible and free Eritrean media that is budding free of such influences could be taken as one worthy reference.” In other words, the likelihood that the government of Eritrea will open up spaces for the development of independent and critical free press is far from likely.

Government-sponsored media outlets provide further evidence of the government’s commitment to practice its “no free press” media policy. They focus on the national progress Eritrea is making in education, health, construction, and resource development; fight presumed western “conspiracies” that undermine Eritrea’s national security; highlight “bad news” from Ethiopia, and; underplay or not report on the unfavorable events in Eritrea and/or blame these on “unpatriotic” elements. Media reports on potentially disturbing issues, like malnutrition, the rapidly increasing number of young people fleeing Eritrea, slave labor, or Eritrea’s performance on the global stage, are discouraged or even forbidden.

In short, while working hard to silence, shut down, or discourage independent news sources based outside Eritrea, the government of Eritrea has made it clear that it is against the establishment of independent media inside Eritrea.

Many, if not most, journalists are not paid at all. Some of the recruits work under the terms and conditions of national service (their work is considered a contribution toward time spent in mandatory military service). Most are looking for an opportunity to abandon the media—or, like most Eritreans, to flee the country when they get the chance.

Last year’s MSI panelists said that on the surface, it appears that there is a respectable balance between news and entertainment content. However, this cannot be taken as a great strength considering the lack of objectivity in the government-sponsored news.

In terms of facilities and equipment, in 2007 the government invested heavily in a new media center that includes modern equipment.

What little niche reporting exists is typically tainted by political influence, and investigative reporting is not possible.

OBJECTIVE 3: PLURALITY OF NEWS

Eritrea Objective Score: 0.17

With the absolute absence of critical reporting, and state control over all news sources, it is a foregone conclusion that reliable or objective news is not possible. While print, radio, television, and online news sources exist, they all project the government’s viewpoint.

Moreover, access to critical sources of media is strictly followed. The quality and content of news to citizens is divided along languages, income, and urban/rural lines. Furthermore, most Eritreans have extremely limited access even to the government media’s slim offerings. According to one panelist, there are only three Internet cafés (in the capital of Asmara), with no more than 10 computers in service and with very slow Internet connections. Internet service is available in the capital and other small towns; however, the expense, slow connection speeds, and ever-present security agents severely curtail the Internet’s utility as a news source for Eritreans. Only an extremely low percentage of the population accesses the Internet for news. Mobile phones, though available on the market, are registered to a government agency. Moreover, most residents do not have disposable income to use these services.

Given the inefficient distribution systems, the circulation of government-sponsored print media is more or less confined within the city of Asmara and other small towns. On top of the limited circulation and high illiteracy, the majority cannot afford to buy the papers.

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.

Internet service is available in the capital and other small towns; however, the expense, slow connection speeds, and ever-present security agents severely curtail the Internet's utility as a news source for Eritreans.

Nationwide, the same is true for broadcast media—a television set would be well beyond the reach of most. Although access to international television broadcasts (again limited to the capital and small towns) is not strictly prohibited, subscribers exercise caution in their selection of channels—just in case they might raise suspicion in being identified as unpatriotic or anti-government sympathizers. Spreading poverty is also placing radios out of reach for many; the expense of replacing batteries would be an extra burden. Those who do own a radio can access radio transmissions from outside Eritrea, and, as reported in last year's MSI, foreign broadcasts are helping to raise awareness. Reporters sans Frontières, in addition to its continuous and tireless follow-up on the injustices committed by the Eritrean government on journalists, set up ERENA—a satellite radio station that is managed by Eritrean professionals. However, radio broadcasts transmitted by Eritrean dissidents from abroad are frequently blocked. For example, in 2007 the government attempted to jam the Voice of Meselna Delina, a South Africa-based satellite radio run by Eritreans.

Overall, although there are no official restrictions on access to news or information, the strict boundaries are nonetheless understood as part of the all-encompassing atmosphere of fear that blankets Eritrea. Regarding foreign sources, one panelist wrote that the majority of Eritreans inside Eritrea have practically no access to external sources of independent media of any format. However, the frequency of print news coverage on Eritrean affairs by international papers, television broadcasts, or websites like AFP, Reuters, BBC, and Al Jazeera has shown a significant rise in 2009. For example, *L'Espresso*, an Italian paper, conducted investigative journalism into the involvement and collaboration of Italian government officials and Italian businesses with the government of Eritrea, raising allegations of corruption. Whether Eritrean media in the diaspora are effective in informing or influencing national, regional, or international opinion on Eritrea is an area that demands further research.

As noted above, there is no leeway for state media to deviate from serving as a messenger for the state. There are no independent news agencies. And, while the ownership of

media is entirely transparent—it is all government owned—it is also entirely a monopoly.

It cannot be said that a broad spectrum of social interests and minority-language information sources are reflected in the media. Tigrinya, Arabic, Tigre, and English are the main four languages used in broadcast media. Those who cannot speak or understand these languages are at a disadvantage to follow the news; furthermore, these minorities often have lower income levels and live in more rural or remote locations.

OBJECTIVE 4: BUSINESS MANAGEMENT
Eritrea Objective Score: 0.14

As there are no independent media, the objective measuring how well-managed the media are must only be applied to the state media. One panelist described the shortcomings in managing the state-run media.

State media are neither efficient, nor a business-generating enterprise. They run on state-funded subsidies to serve as a political tool and promote government propaganda with no planning, transparency, or accountability. As reported last year, it is difficult to gain specific insights about management practices in state media, but poor financial accountability plagues all government ministries.

Advertising agencies do not exist, but there is a limited advertising market centered on the local catering and travel industries; primarily, though, advertising sections of newspapers are dominated by government postings of a legal nature. Media in Eritrea are essentially a 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.

department run by an ad hoc strategy that takes no account of logistical challenges or professional qualifications.

Furthermore, the extreme poverty confronting Eritreans severely limits the supply and likely impact of advertising—a weakness that would make it very difficult to revive the independent press even if the political climate improved.

As in last year's MSI, the panelists were not aware of any efforts at conducting serious market research or measurement of circulation or broadcast audience.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Eritrea Objective Score: 0.19

This objective is also hard to apply to Eritrean media. There are no independent media outlets, and the only supporting public institutions (educational or otherwise) are run by the Ministry of Information to promote government policy and propaganda.

Training establishments for journalists proceed under the watchful eyes of the authorities and fail to impart the basic minimum standards to produce professional journalists or to provide an atmosphere that promotes critical reporting skills. Although some state media staffers are given the opportunity to study abroad, quite a few have failed to return after completing their studies. This phenomenon is not confined to the media sector; it occurs across all the government departments.

External groups, such as NGOs or other international institutions, which could potentially or indirectly contribute toward the development of independent media, have, over

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.

External groups, such as NGOs or other international institutions, which could potentially or indirectly contribute toward the development of independent media, have, over the years, been expelled, or their operations have been severely restricted.

the years, been expelled, or their operations have been severely restricted. From abroad, international organizations, including Reporters Without Borders, Human Rights Watch, Amnesty International, Freedom House, and the Economist Intelligence Unit, have produced reports that portray the Eritrean government as one of the world's most oppressive because of its severe restrictions on media, human rights, and political, economic, and religious freedoms.

The government controls all printing presses and channels of distribution for both print and broadcast media. Freedom House's *Freedom of the Press 2009* report on Eritrea detailed the government's control over the Internet: "The government requires all Internet service providers to use government-controlled Internet infrastructure and owns a large percentage of them. Authorities are believed to monitor e-mail communication, although Internet use is extremely limited, with just over 2 percent of the population able to access this medium in 2008." Unconfirmed reports allege that Eritrea uses Internet control systems provided by Chinese companies to spy on users.

List of Panel Participants

All MSI participants were Eritreans living in exile. The MSI panelists participated remotely by completing the MSI questionnaire and being interviewed by the IREX moderator, also an Eritrean in exile. Given the geographic dispersion of the panelists, a full discussion was not held. While not all panelists asked to remain anonymous, because of the political situation in Eritrea IREX decided not to publish their names.

The government used the law to force the closure of the independent Addis Neger in late 2009, dealing a serious blow to key independent voices in the country. Addis Neger's staff fled the country after a government paper publicly accused them of violating the new law.



ETHIOPIA

Ethiopia's current government, led by Prime Minister Meles Zenawi, continues on a course of oppressing the media, all while claiming that press freedom is growing stronger. Officials display little respect for press freedom and freedom of speech, crushing demonstrators agitating for their rights, forcing many journalists into exile, and holding others in detention for years. The media labor in an atmosphere clouded by intimidation, fear, and self-censorship. The few surviving independent voices feel forced to tread cautiously, often avoiding penning any articles that criticize the government.

The government continues to enact ever more draconian and highly subjective media laws, such as the 2009 Anti-Terrorism Proclamation. The law drew international condemnation for granting the government broad power to criminalize reporting that it claims supports or glorifies terrorist groups. The government used the law to force the closure of the independent *Addis Neger* in late 2009, dealing a serious blow to key independent voices in the country. *Addis Neger's* staff fled the country after a government paper publicly accused them of violating the new law.¹

Much of Ethiopia's rural population lives in what some panelists designated a "media dark zone." Electronic media, especially radio, remain the most influential (and in some cases the only) information reaching the rural areas where most Ethiopians live. However, the government controls most of Ethiopia's radio stations, as well as the sole national television station; they are expected to serve as its mouthpiece. Currently, only three independent broadcast outlets operate in the country of about 80 million people.

Although people in major cities increasingly access online news sources, predictably, Internet reliability and speed weaken outside urban areas. Watching foreign media online is not a problem, provided that Internet access with the required bandwidth is available—and that the state has not blocked sources with one of its periodic cyber-blockades. Blogging is still uncommon in Ethiopia, and SMS news alerts are nonexistent.

Despite the many obstacles, some private media outlets have managed to grow, with new newspapers and news websites emerging that dare to criticize the government in their publications. In another sign of progress, some regional officials are softening their stance on providing official information to journalists.

Due to the oppressive political environment, panelists for Ethiopia agreed to participate only on condition of anonymity.

¹ Heinlein, Peter. "Ethiopia Newspaper Shuts Down, Editors Flee." Voice of America News.com, December 6, 2009.

ETHIOPIA AT A GLANCE

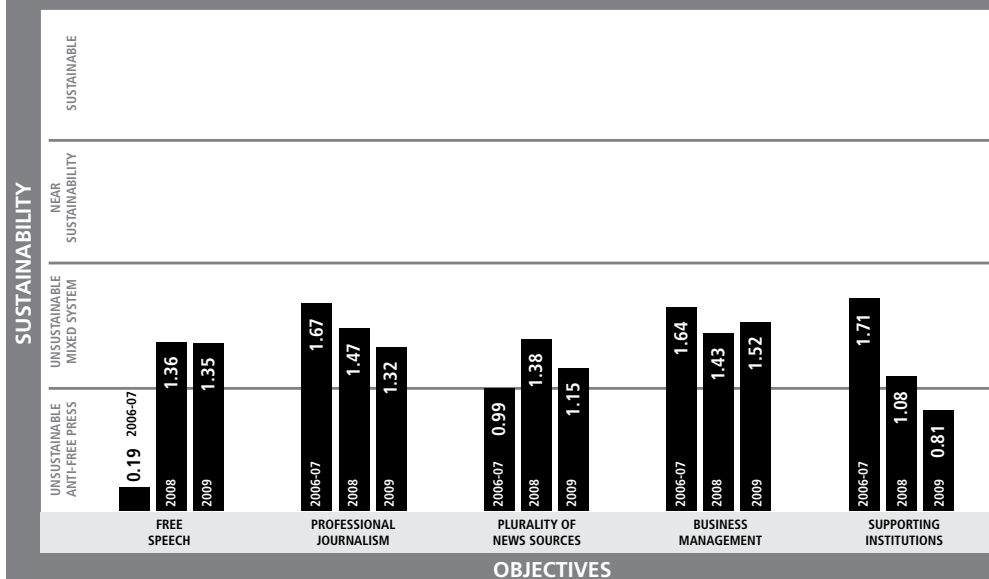
GENERAL

- > **Population:** 88,013,4192 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Addis Ababa
- > **Ethnic groups (% of population):** Oromo 34.5%, Amara 26.9%, Somalie 6.2%, Tigraway 6.1%, Sidama 4%, Guragie 2.5%, Welaita 2.3%, Hadiya 1.7%, Affar 1.7%, Gamo 1.5%, Gedeo 1.3%, other 11.3% (2007 Census, *CIA World Factbook*)
- > **Religions (% of population):** Orthodox 43.5%, Muslim 33.9%, Protestant 18.6%, traditional 2.6%, Catholic 0.7%, other 0.7% (2007 Census, *CIA World Factbook*)
- > **Languages (% of population):** Amarigna 32.7%, Oromigna 31.6%, Tigrigna (official) 6.1%, Somaligna 6%, Guaragigna 3.5%, Sidamigna 3.5%, Hadiyigna 1.7%, other 14.8%, English (official) (major foreign language taught in schools), Arabic (official) (1994 census, *CIA World Factbook*)
- > **GNI (2009-Atlas):** \$27.03 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$930 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 42.7% (male 50.3%, female 35.1%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Girma Woldegiorgis (since October 8, 2001)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 3 daily newspapers, 4 other main papers; Radio Stations: 12; Television Stations: 1 main station
- > **Newspaper circulation statistics:** Top three by circulation: *Addis Zemen* (state-owned), *Ethiopian Herald* (state-owned), *The Daily Monitor* (private)
- > **Broadcast ratings:** Top three radio stations: Sheger Addis, Fana FM, Zam; Ethiopian Television (state owned) is the sole domestic television channel
- > **News agencies:** Walta Information Centre (private, pro-government), Ethiopian News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 447,300 (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ETHIOPIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Ethiopia Objective Score: 1.35

Article 29 of the 1991 constitution guarantees the legal tools that govern the protection of free speech and media. Most panelists argued that in practice, an assortment of policies, regulations, and politics have poisoned the media atmosphere since the constitution was enacted, rendering its protections increasingly powerless. The regulatory and social frameworks governing the day-to-day details of journalism, along with longstanding legal hostility towards the press, have proven to be increasingly disabling for journalists.

Noting the advent of a series of laws and regulations on the press, civil societies, and terrorism, the panelists said that the state is constantly eroding protection for the freedom of expression. Social norms also seem to work against the media. Sixteen years after the birth of free press in Ethiopia, tolerance to different views is still in its early stages, and lags far behind other countries. The government, for example, labels the private press as puppets of diaspora opposition camps.

Panelists underlined with concern the recently enacted anti-terrorism law, which they said could be used to silence the media and justify a systematic crackdown on media practitioners. One panelist recalled repeated instances in which comedians who poked fun at leading government officials suffered serious harassment and intimidation.

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 third private FM radio station, the all-English Afro-FM, received its license in 2009. It airs mostly English music. Several panelists consider this evidence that radio station requests are not only frequently delayed, but they are more likely to be rejected if they deviate from entertainment into more serious, controversial topics, including politics.

Near unanimously, the panelists deemed the broadcast media licensing process deeply opaque, political, and selective. Previous FM radio permit allocations demonstrated that no clear regulations guide the bidding process for the licensing of airwaves. Media professionals see the severe restrictions on radio station licensing as the government's unwillingness to entertain views different from its own. The broadcast agency's obscure process led the panelists to conclude that the agency functions with its own set of vague criteria to arrive at decisions with an air of political bias.

A third private FM radio station, the all-English Afro-FM, received its license in 2009. It airs mostly English music. Several panelists consider this evidence that radio station requests are not only frequently delayed, but they are more likely to be rejected if they deviate from entertainment into more serious, controversial topics, including politics. Furthermore, the process of appointing heads of the regulatory agency is highly political, which panelists take as additional evidence of the government's intention to steer the whole licensing process toward its own political advantage.

The panelists do not deem market entry more restrictive for the media than other businesses. However, under the new law, individuals that own more than a 31 percent share in one newspaper are not allowed to apply for broadcast permits. The new law also puts a minimum capital of \$20,000 to establish a Media PLC—a ridiculous and virtually unworkable amount for those planning to launch their own outlets. Media houses enjoy the privilege of importing large printing machineries tax-free, but the tax levied on paper imports is crippling.

A spate of physical attacks on media professionals by unknown assailants intensified in the last year, with yet another famous reporter, from *Addis Neger*, beaten on his way to his office. The event was a stark reminder of the near-fatal attack on renowned journalist Amare Aregawi that

“Regional government officials are becoming more receptive to our queries on news articles—a huge improvement over the past,” noted one panelist.

took place in broad daylight. Most panelists agreed that the trend is not likely to abate, as the new press law empowers the government to ask editors and deputy editors to print their residence addresses on forms—removing a key hurdle for potential attackers.

Despite the unprecedented increase in violence against journalists in the past year, no investigations of attacks against journalists resulted in indictments or prison terms—a further indication of the government’s disinclination to protect the media or to take such attacks seriously. However, this year’s panelists noted a significant decline in the number of journalists appearing in court and being imprisoned.

According to the panelists, state media receive preferential treatment at all levels of government—federal and regional. On paper, media laws do not favor state media over private media outlets, but in practice, party-affiliated media and state broadcast agencies often enjoy premier access to public information. For example, in one regional state, reporters from Zami FM, one of the three private FM radio stations, were denied access to government offices and the opening ceremonies of a power station. The Ministry of Foreign Affairs often denies members of the private media access to cover ministry news conferences and events at the national palace, where diplomatic delegations are welcomed.

The new press law makes it harder for journalists to extract themselves in sound financial health from libel accusations. Journalists found guilty of defamatory stories could face fines of ETB 100,000 (\$8,000). The panelists said that the fines are designed to strike a financial blow to already struggling private media, and ultimately deter journalists from writing public interest stories regarding powerful institutions (mostly non-state actors, including large private businesses, religious institutions, and other establishments connected to the incumbent party).

State media have unrestricted access to information, and the government has no overt bans on private media access to public information. Although the government has communicated its understanding that its public relations officers are duty-bound to share official information with journalists, the reality on the ground, however, is often quite different. Private journalists have consistently protested obstacles on this front, with little success.

Another concern raised in this category is the amalgamation of the new press law and freedom of information act. The panelists said that many of their colleagues believe that the merger is carried out deliberately to delay or deny access to information to journalists.

Nonetheless, access to public information has also shown some signs of improvement in the past year, as the prime minister’s office eased its stance and began inviting journalists from private media outlets to its press conferences. In another encouraging sign, other federal ministries and offices have slowly started following suit. The panelists commended regional authorities for their efforts to cooperate with private papers concerning matters under their jurisdiction. “Regional government officials are becoming more receptive to our queries on news articles—a huge improvement over the past,” noted one panelist.

Rebroadcasting of content from international media is prohibited by law in Ethiopia. Sheger FM, the much-acclaimed private station in the capital, signed an agreement with VOA, while FM 97.1 has similar deals with the BBC. One panelist stated that the Sheger VOA deal could soon come to an end, following the Ethiopian government’s alleged displeasure over the issue. In addition, the government blocks websites from foreign countries periodically, in violation of journalists’ constitutional guarantee of access.

Regarding licensing and accreditation, no group of reporters receives special privileges or restrictions. The only exceptions that the panelists noted are the cases of journalists Eskinder Nega and Sisay Agena; the government has ignored their license applications. The two were among those jailed alongside opposition politicians following the 2005 election riot, and pardoned after two years. At times, reporting on certain events requires special permission. For example, any media activity in the restive Ogaden region requires permits from federal authorities.

The government does not control access to journalism schools in many of the public universities. However, the Addis Ababa University (AAU) graduate school of communication and journalism has a practice of “unwritten quotas” for state media journalists. As the program’s entry qualifications are tight, with just two dozen available places, the reservation made for state journalists could be termed politically charged.

State media journalists are governed by strict regulations on reporting, editing, and broadcasting their content. The hiring of entry-level journalists is partly political, as recruits are trained on the incumbent’s political ideals and strategies. Critics term this process as governmental “indoctrination of the media” and denounce it as unprofessional and detrimental to Ethiopian media in general.

Journalists are relatively free to form associations to protect their rights and to join any of the four currently legal associations (which, the panelists noted, dislike and distrust each other intensely). However, the panelists said that they have not yet seen any that fight resolutely to improve rights for journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Ethiopia Objective Score: 1.32

In terms of professional standards of journalism, fact checking has improved somewhat over the last two years, according to many of the panelists, but not to an extent that could fairly allow them to hail the progress as significant. “Journalists themselves know that their work falls short of internationally accepted standards, but they see little incentive to improve the quality of their work,” one panelist said.

Financial rewards are too small for striving practicing journalists in Ethiopia, impeding much-needed ethical and professional progress in the media. Some panelists argued that editors deserve as much, if not more, blame for the decline in professional standards. Noted one panelist: “Traditionally, editors are more interested in quantity than the quality, accuracy, or creativity in news reporting and feature productions.” The panelists found problems to be worse in regional public radio stations, but the federal stations have not escaped crumbling standards, either. In particular, panelists said, investigative pieces fall far short of standards, with meager attempts to verify accuracy and check adequately for errors.

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).

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As an example, panelists noted that journalists still make potentially dangerous factual errors in business reporting—and such mistakes are not only common, but go unpunished by editors at media houses. “For example, we have seen embarrassingly disparate estimates of the production capacity of cement factories in different newspapers,” a panelist said. “None of these papers cared to look into the disparity and investigate either their reporting or the information about the cement investments.”

Some panelists pinned much of the responsibility on public media for what they described as a dreadfully laughable lack of professionalism in recent years. Previously, faltering standards and fact-checking lapses were associated more with the private media. “It is a clear twist of trends, and the public media registered the biggest backslide after the 2005 election,” explained one panelist. “Prior to the election, independent print media dominated the ‘standard-free’ field of media activity.”

On the other hand, panelists have noticed some improvements relative to conditions five years ago. A few practicing journalists have succeeded in raising professional standards; for example, it is becoming more common to see technical experts consulted for stories. However, the panelists noted a parallel rise in anonymous quotes. A couple of panelists said that wary readers might question the trustworthiness of anonymously sourced articles, and said they fear that such reporting could be hijacked and used dishonestly by journalists who wish to use the media to advance private agendas.

Ethiopian journalists do not have a generally accepted code of ethics or conduct to guide their work. Panelists from one of Ethiopia’s major newspapers complained about colleagues that regularly fail to meet their deadlines. The panelists consider the widespread addiction to chewing “chat,” the commonly used wild stimulant, and alcohol abuse during working hours to be ethical problems that poison the work environment and need to be addressed.

In the words of panelists, self-censorship is now the unwritten, unspoken, but universally accepted approach for all news outlets, regardless of ownership. One panelist cautioned that self-censorship should not be taken solely as

One panelist cautioned that self-censorship should not be taken solely as a state-induced problem, but “rather a combined production of state, business, religious, and other actors who want to silence or threaten the media, or dictate coverage on their activities.”

a state-induced problem, but “rather a combined production of state, business, religious, and other actors who want to silence or threaten the media, or dictate coverage on their activities.” Members of the panel came to a consensus that presently, businesses operate under the widespread belief that the media can be bought, and it is a matter of finding the right price. The panelists said that currently, big business poses the most dangerous threat to the media.

Regarding the degree to which journalists cover key events and issues, the panelists agreed that journalists know that they face unintended consequences if they cover certain topics. There are numerous cases in which editors actually prevent reporters from covering certain areas of interest in the political, business, or social spheres, for fear of imagined or real retributions. For example, journalists rarely report on military activities and security affairs, despite the strength of information made available to them on these topics.

Pay rates for reporters and editors have shown steady growth over the last two years, especially at private print media houses. High employee turnover to other media outlets—and worse, the increasing number of journalists abandoning the profession for communication jobs at international organizations—has worked to the advantage of practicing journalists. Editors’ salaries have seen constant incremental growth in the last two years as well, although the raises are still too weak to discourage corruption, panelists said.

Frequently, journalists covering events ask organizers for transportation allowances and per diems—one panelist observed that this is becoming the norm, rather than the exception. Many institutions have become so uncomfortable with the requests that they note in their invitations that they offer no per diems for coverage or participation. The lack of financial rewards, weighed against the time, intellect, and energy that journalists must put into their work, has effectively resulted in favorable stories exchanged for cash or gifts in kind. Allegations of journalists’ widespread involvement in cash-for-coverage deals in the past two years have hurt the credibility and status of the private press at a

time when it desperately needs both to survive and grow as a respected institution.

Panelists debated the entertainment-to-news balance, considering the definition of FM and the objectives of FM stations before deliberating on the content of broadcast and print media. On the one hand, FM programs are, by nature, meant to entertain pluralistic political views from across spectrums, argued one panelist, which raises questions about the approach and content of Ethiopia’s FM radio formats. Entertainment programs are laden with music and lack creativity. Nevertheless, said the panelists, public and private radio broadcasts both have made significant strides in customizing entertainment programs for the young, and attracting a growing audience for their programs on social issues such as marriage, children, personal development, and health. Panelists noted also that when the broadcast agency grants airtime permission, it explicitly states how much time must be allocated for entertainment and other programs in daily schedules; those decisions are not at the discretion of the station. The content of regional FM stations tends to fare worse, with entertainment programs eclipsing news and information programs. Sports and social issues take up the bulk of the daily air time, leaving virtually no space for listeners to hear and engage in harder issues.

News-gathering and production facilities are improving slowly, with Internet access slightly improved over the past year. However, the panelists said that newsrooms cannot be described as modern and efficient. More often than not, journalists seeking important background information to fill out their stories are left to the mercy of very unreliable Internet connections. Internet connections are knocked out routinely in Ethiopia, sometimes for three to four days at a time. Digital cameras and other recording equipment are available now more than ever, according to panelists. Media houses, however, still suffer shortages of the most efficient equipment. In most cases, journalists purchase digital cameras and recorders from their own funds and use them for both work and personal causes.

Niche reporting is emerging slowly, particularly thanks to the private newspaper *Addis Neger* and the two private radio stations Sheger FM and Zami FM. According to the panelists, *Addis Neger’s* deep, detail-rich coverage of economic and political issues signal the coming of the first paper customized for the educated elite.

Sheger FM also airs programs with a distinctively attractive format. Global business news stories are simplified, shortened, customized, and aired throughout the day, giving the station an uncontested lead in business coverage along with its popular weekly guest programs. The panelists praised

Sheger FM's news presentation for originality and catering to listeners across all age groups and strands of life.

Zami FM specializes in a grassroots approach to news, sending its reporters to the lowest levels of public administrations and reporting on events of public interest. The one-of-a-kind approach has been hailed for its originality, follow-up, and depth. The trend is encouraging, although the public media has not shown interest in emulating the approach.

OBJECTIVE 3: PLURALITY OF NEWS

Ethiopia Objective Score: 1.15

Enormous financial restraints plague the media as well as the consumers and businesses that sustain the media. The low income levels of Ethiopia's mainly rural and semi-urban citizens limit access to newspapers, despite wide availability. As a result, the plurality of public and private media sources is not very developed—even in urban settings, where access is greater and financial capacity is relatively stronger.

Rural audiences rely mostly on state radio (AM), followed by state television programs; print products are largely out of reach. Community media, owned by regional governments, broadcast in some parts of the country, but their news slots are taken over by extended music and sports call-ins. Currently, two AM radio stations have national reach, but their service to peripheral regions is compromised often by technical difficulties (signals weaken and are lost, and sound quality deteriorates).

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

One panelist recounted a troubling incident in which stacks of his weekly paper were briefly taken into police custody in the eastern part of the country en route to distribution in Somaliland. Local security agents accused the paper's distributors of trying to smuggle "national secrets" into neighboring countries.

Private papers deal overwhelmingly with national issues (economic and political)—a trend driven by market strategies that aim to capitalize on the demand for national political issues. Ethiopia has multiple international news sources, including free satellite channels accessible by most urban dwellers. Persistent price drops, and the expansion of retail businesses, are allowing more Ethiopians to own satellite dishes, with few problems related to income disparities. Free satellite channels are now a common phenomenon in urban settings all around the country, and some international broadcast agencies have gained a significant viewer base in recent years. Subscriptions to satellite television programs are available for those who can afford to pay annual fees. ArabSat channels and many others are transmitted free of charge, and viewers all over the country access them without any restrictions.

Some panelists described a "media dark zone," where most rural Ethiopians live without access to news. Radio remains the sole means of news and information, but the availability of radio sets is questionable—a further obstacle to the dissemination of information among most rural communities.

Citizens who can afford satellite dishes mount them on rooftops, to date without state interference. Foreign news articles, including those that publish critical articles routinely, are easy to find in shops around the capital city. University libraries around the country also offer outdated copies. Generally, middle-income earners in Ethiopia can afford foreign print materials. Panelists stated that in a country of 80 million people, where the largest private paper has a maximum of 40,000 copies in weekly circulation, access to information is unacceptably low.

Furthermore, the government sometimes intervenes to block foreign reporting that it deems threatening. The Committee to Protect Journalists reported that in August 2009, the Ethiopian government tried unsuccessfully to apply diplomatic pressure to a private Kenyan broadcaster, Nation Television,

A couple of panelists stressed that while the public media throw all their power and energy into praising the government's endeavors in every sphere, the private press, particularly the print media, have taken to "fault exploration" across policy levels. The private print media dwell too much on witch-hunting on government shortcomings, noted one panelist.

to drop a report on Ethiopia's separatist rebels in the south (the Oromo Liberation Front). Ethiopia's ambassador to Kenya protested the airing of the report, claiming it tantamount to giving a platform to a terrorist organization. The government tried a similar approach against Qatar-based Al-Jazeera in 2008, after the station aired a report on another separatist group, the Ogaden National Liberation Front.

One panelist recounted a troubling incident in which stacks of his weekly paper were briefly taken into police custody in the eastern part of the country en route to distribution in Somaliland. Local security agents accused the paper's distributors of trying to smuggle "national secrets" into neighboring countries. Although the incident has a comical tone, it also serves as an example of the challenges that the independent media face.

With regard to the Internet, income levels dictate ability to access online news sources. People in major cities access the Internet for news and information on many issues. Those in the capital especially enjoy better connections, speed, and reliability than rural areas; service weakens as one goes further from the capital city in all directions. The state also launches periodic cyber-blockades, hampering access to a multitude of sources on the Internet. Blogging is still uncommon in Ethiopia, and SMS news alerts are nonexistent.

Watching foreign media online is not a problem, provided that Internet access with the required bandwidth is available. However, watching foreign-based news reports on local issues is a different story. The government routinely blocks many foreign websites classified as "unfriendly" and "hostile."

State print and broadcast media are almost synonymous with the ruling party; for the most part, state media do not entertain views from a broader political spectrum. The government, according to some panelists, has abused the public media into a party propaganda machine that seeks to politically capitalize on selected economic achievements. A

couple of panelists stressed that while the public media throw all their power and energy into praising the government's endeavors in every sphere, the private press, particularly the print media, have taken to "fault exploration" across policy levels. The private print media dwell too much on witch-hunting on government shortcomings, noted one panelist. However, another panelist noted, "The state media focus on highlighting government successes, rarely producing coverage that can be classified as critical. The rare exceptions usually rest on individuals, not establishments." Panelists gave wider recognition to state media, though, for their growing efforts to introduce the different cultures and traditions of Ethiopia's ethnic groups.

Ethiopian Television (ETV) is the sole television broadcaster in the country. Daily transmission has expanded to 24 hours of coverage, with a significant block of time dedicated to regional issues. Using their newly constructed studios, regional states now produce programs in Oromifa and Tigrigna (the two most widely spoken languages in the country, after the official Amharic) and send the programs to ETV to be aired. The content of the regional programs is quite similar to federal programming, in that most of the programs are reports on government development success stories.

Currently, Ethiopia has only two news agencies, with scores of reporters and affiliates to cover the entire country. One is the Ethiopian News Agency (ENA), which belongs to the state; the second is Walta Information Center, a ruling-party affiliate. Panelists blasted both of them for being completely partisan, lacking editorial independence, and proving unwilling to entertain diverse views and opinions. Neither one is trusted largely nor relied upon by local private journalists, according to the panelists. International news agencies including AP, Reuters, and AFP are used (online) by private media as their principal sources of international news, but the panelists said that they only know of one private news outlet that subscribes to an international news agency for its international news needs. State broadcasters also receive international news items from global news brands, including AP and BBC. Other international news sources that serve journalists and the wider public include BBC, Al Jazeera, CNN, and France 24.

Public and private outlets both rely on their own reporting. Many members of the panel held up Sheger FM's creative productions and format as unique and worthy of setting a precedent for all others. In the print media, many news articles come from their own research and informants, while ENA and Walta supply many public broadcast station news items.

Media ownership is kept highly secret in the Ethiopian media atmosphere, except in rare circumstances. The new media law stresses disclosure of ownership, but the opposite is true in practice. Many private media outlets are alleged to be owned by individuals whose names are never made public; the antagonistic nature of government, one panelist said, has possibly played a big role in the choice of many people behind some private papers to conceal their identities or use “front men” for legal purposes. “Newspaper ownership is mostly shrouded in secrecy, and it has proven difficult time and again for media professionals to know whose and which interests lie behind certain publications. The condition has resulted in yet more rounds of speculation—often misguided—based on the content and tone of the papers,” commented one panelist. Noted another, “I think the owners of many of the private media outlets are known, though undeclared. But the ownership of Walta Information Agency and Radio Fana has been kept ambiguous for many years. They are allegedly affiliated with the ruling party, but the government has not come clean on the issue.”

According to the panelists, the media entertains a variety of social issues with content and format that is improving every day. FM stations deserve credit for inclusion of so many social issues in their programs and encouraging listeners to participate in programs. In general, though, the shortage of funding and a lack of interest result in insufficient coverage of minority issues. The state broadcasters have made commendable efforts to include minority language programs, but overall the country has a serious lack of programs in minority languages. South FM, state-owned and located in the heart of the multiethnic southern region, has some programs in minority languages—but in light of the array of minority languages spoken in the region, the efforts could be summed up as only a beginning.

Community media outlets are only beginning to learn of the dynamics of community media, objectives, and target audience. Efforts so far have not gone beyond promoting the government’s political interests. But signs have emerged that they are reflecting on local needs and a broader spectrum of views. It should be noted that longstanding cultures have proven quite a challenge to cover for young journalists with the skills and the will to make their reports truly representative of the different views in their areas. Community media efforts remain minimal, but panelists lauded the efforts as hopeful stirrings.

“The only thing these journalists had when they started the papers was desire,” observed one panelist, “and what keeps them going is passion, not the profit margins.”

OBJECTIVE 4: BUSINESS MANAGEMENT

Ethiopia Objective Score: 1.52

Ethiopia’s state media outlets were never established to generate profit; they are intended to serve as government organs that function in tandem with official policies and as public relations machines, and operate on budgets allocated annually. However, the panelists noted, the government is in the process of transforming state television into a corporation, paving the way to shore up its income, expand its reach, and improve program quality.

Most of Ethiopia’s media outlets operate in a mainly traditional sense, the panelists said. Media houses are not managed as businesses—many private print media outlets are established by journalists that are eager but lack even basic business management skills. “The only thing these journalists had when they started the papers was desire,” observed one panelist, “and what keeps them going is passion, not the profit margins.” Some parties invest in the media, but recently, more investors are opting to leave the media.

Many private media outlets lack essential human resources, such as accountants and marketing professionals, and have

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

BUSINESS MANAGEMENT INDICATORS:

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

One panelist noted, “I haven’t seen editors who, after conducting market research, have changed columns or improved style and design and advertisements. The editors are responsible for improving their own papers, and I can say many of the media have not given market studies serious consideration.”

never developed business plans or marketing strategies to improve their businesses. Despite numerous difficulties, however, the print outlets *Addis Admas*, *Addis Neger*, *Reporter*, and *Fortune* have made significant progress in staffing their marketing and finance departments and have strengthened their institutions steadily in the past few years.

According to the panelists, the future of community radio is openly contingent on the ability of the stations to market their product and attract advertisements from businesses. “The continuous funding for community radios in Ethiopia from donor or state organs is likely to become increasingly tenuous in the years to come,” said one panelist. “The community radios in the country are pilot initiatives, and at their current performance, it is clear that their sustainability is in doubt.”

As underdeveloped and improperly governed as the sector looks, advertising still constitutes the lion’s share of revenue for private media houses. However, what advertisement exists is concentrated heavily in the capital city, as advertisements follow capable consumers and established markets.

Print media outlets (both private and state) earn the bulk of their revenue from advertisements and by attracting sponsors of various pages from the donor community. Mounting printing costs (which have increased three times in one year alone) force media managers to focus more on obtaining advertisements and forging new business partners than on the style and substance of their products. One panelist said that although the sponsorships are helping the papers weather bitter financial difficulties, there are growing fears that the impact has already started to creep into the editorial room. “We have started to note a trend recently that advertisers (at times) tend to impose, rather than partner, when it comes to news contents that involve them,” observed one panelist.

The lack of sufficient revenue has pushed media managers to include more and more advertisements in their programs to fill revenue gaps. Many programs are so haplessly dependent on sponsorship (or continued advertisement funds) that a number of them have appeared and then disappeared, depending on whether or not they were able to secure sponsorship funding.

Panelists see a tendency now to strive to appeal to potential advertisers—completely contrary to the obligation requiring the media to allocate not more than 40 percent of programming for advertisements. One panelist expressed his fear that the momentum of such practice could lead to exclusion of issues of public interest, replaced instead by entrenched businesses, government events, and popular news.

Among private broadcasters, sponsorship revenue is the most serious issue. One panelist noted that currently, donor agencies and businesses have earmarked a considerable portion of their budgets for sponsorship of media programs. But the sponsorship mostly materializes based on informal connections or vested interests.

Affiliations with private businesses, embassies, and international development organizations is becoming more common among some print media outlets. Similarly, a few panelists raised the issue of restrictions imposed by the new media law that bars any sort of media funding from foreign sources. During numerous debates in parliament, government representatives argued that foreign funding (just as domestic sources, as some critics argue) could jeopardize editorial independence and leave a media outlet vulnerable to foreign interest groups with hidden agendas.

Very few advertisement agencies work with the media. Advertisement agencies work with television, print, and radio, but the lack of Internet commerce (and Internet news media) has kept them from engaging with Internet media. Internet speed and availability issues have also discouraged Internet advertisement in Ethiopia.

Subscriptions are not a significant source of revenue; the panelists indicated that only one English and one Amharic paper currently enjoy a wide base among the media-savvy urban population.

Independent media do not receive subsidies in any form from the government, although suspicions of alleged financial aid granted to some members of the private media community have surfaced in the past. Other claims maintain that some of those papers compromised their editorial independence in exchange for state support. The allegations withered away

slowly, and no further evidence emerged of state attempts to entice members of the private media to promote their causes.

Market research, for the sole purpose of improving form and content of programs or the overall media management, is not a usual practice in Ethiopian media. Although Zami FM produced a revised comprehensive market strategy—its second in four years—others claimed repeatedly that market strategies are largely absent from media houses. Panelists pointed out that the lack of such detailed study and vision explains why so many media are mismanaged. One panelist noted, “I haven’t seen editors who, after conducting market research, have changed columns or improved style and design and advertisements. The editors are responsible for improving their own papers, and I can say many of the media have not given market studies serious consideration.”

Many private media outlets assume that by including programs catering to all sections of society, they can expand their advertisement partners—an approach that the panelists believe may have done more harm than good. Panelists argued that outlets need clearer definitions of target audiences in order to evaluate the impact of programs and to court business accordingly.

Some panelists argued in defense of journalists that have failed to conduct proper marketing research. Two panelists explained that most of the private media houses are not established by individuals with prior business management experience. One panelist, well acquainted with state radio and television in Ethiopia, said that the Ethiopian Radio and Television Agency recently declared that it is too short of manpower, expertise, and finances to conduct full-scale audience surveys in the country.

The case with party-affiliated Radio Fana is different nevertheless. The station has conducted surveys in the past, and claims that it carries out annual audience surveys on its programs.

Ethiopia has no independent organizations that work on broadcast ratings, figures, and other related statistics. But weekly circulation figures are available from the broadcast agency’s office and they can be accessed by anyone, including journalists. Panelists also noted the initiative taken by some newspapers to print their weekly circulation figures, in a bid to reveal their competitive edge to potential businesses. Some papers also started presenting figures that show the number of Internet users visiting news features on their websites.

“Some of the pseudo-professional associations have in fact played roles that damaged the status of journalism in the country,” one panelist said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Ethiopia Objective Score: 0.81

Ethiopia does not have industry-level trade associations that represent the interests of practicing journalists and the media, and publishers and media owners are not represented as “entities” in trade associations.

Currently, several associations claim to represent media interests, both as umbrella organs and for specific interests of professionals. They include the Ethiopian Journalists Association, the Ethiopian Free Press Journalists Association, the Ethiopian Women Journalists Association, the National Photo Journalist Association, and the Ethiopian National Journalists Union (ENJU). Currently, ENJU claims more than 300 members (which private media and other media professionals highly doubt) and does not accept publishers or other individuals involved in activities related to publishing businesses, for fear of conflicts of interest between businesses and journalists.

The debate over who truly represents the media has sparked fierce friction and finger-pointing among the (often warring) associations, and has degenerated into disastrous political labeling over the past few years. The conflict has shown signs of simmering down in the past

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

“NGOs are not allowed to take up advocacy programs if more than 10 percent of their income is secured from foreign sources,” he said, “and that move is designed to limit the NGOs to humanitarian and relief work, and sever their relationship with the media.”

year, however. The firestorm between members of the Ethiopian Free Press Journalists Association five years back, and the ensuing court battle, still remains a stark reminder of the lack of trust and civility among association leaders and their members. Many journalists still recall scenes in which disgruntled members exchanged barbs and incendiary comments and finger-wagging over corruption scandals and political affiliation.

Some panelists expressed annoyance that little more than verbal assistance has materialized from any of the associations. None of those currently operational have lobbied the government to protect the interests of the media, and they failed to voice any trace of concern when the media law was drafted and introduced. “Some of the pseudo-professional associations have in fact played roles that damaged the status of journalism in the country,” one panelist said.

Another panelist summarized, “If professionalism was the norm in the culture of associations, then all journalists would have come under one umbrella to develop and implement code of conduct, ethics, and other programs geared towards the professional growth of their members and dialogue with the government over issues confronting the media and its practitioners.”

Panelists were unanimous that Ethiopia has no trade association of media owners or journalists at the moment that have the will or capacity to look after journalists’ interests. Although the government’s broad categorization of the private press as aligned with “anti-development forces” is by any standard unfair, inappropriate, and dangerous, it has been noticed in the past that association leaders were deeply and scandalously embroiled in opposition politics and were repeatedly accused of extortion and soliciting funds in the name of jailed journalists, only to divert the funds for their private use.

Some NGOs are engaged seriously in the promotion of freedom of speech and offer institutional support for media rights issues. Other civil society organizations have sponsored platforms, but the issue of engagement with the media, the panelist opined, has never made it to the top of their “focus list.” One panelist did note some NGO involvement in the media over the past few years, and provided some details. He explained that a media forum composed of journalists and other media practitioners played a role in the drafting process of the new media law, while the activities of that forum were made possible through NGO funding.

The panelists identified some international NGOs that have played a relatively significant role in supporting the media. The US-assisted PACT, Panos Ethiopia, Population Media Center (PMC), Friedrich Ebert Stiftung, and the Heinrich Boll Foundation are the only civil society organizations working closely with the media in different capacities, including training and financial support. PACT supported the media sector during its discussions with the government over the draft media law. Panos and PMC trained media practitioners, and Friedrich Ebert and Heinrich Boll provided financial support to journalists’ works.

One panelist stated that he has serious doubts whether the government would tolerate the existence of, let alone partner with, NGOs that aspire to work with private media organizations. He cited the rationale of the new media law to detail what he called the government’s intent to strangle the media by choking off all forms of local and foreign support. “NGOs are not allowed to take up advocacy programs if more than 10 percent of their income is secured from foreign sources,” he said, “and that move is designed to limit the NGOs to humanitarian and relief work, and sever their relationship with the media.” For fear of stepping in dangerous territory with potentially disastrous consequences, he argued, the NGOs have been staying out of meaningful contact with the media. Another panelist said that the limited and sporadic engagement of some NGOs will end completely in the coming years, when the government enacts the press law.

Higher education in journalism and communication is a relatively new phenomenon in Ethiopia, considering that the first mass media training institute founded its diploma program only 12 years ago. The institute began by training journalists from state-owned broadcast and print outlets and public relations officers working in regional information bureaus. Eighty percent of students enroll through governmental recommendations, with private

applicants allowed to fill in remaining spaces. Unity University College was the first private educational institute to offer a journalism degree program, while AAU opened its graduate school of journalism in 2004. Government-sponsored students still represent the majority enrolled in AAU's journalism masters program. Beginning in 2007, the former Ethiopian Mass Media Institute was integrated into AAU to form the School of Journalism and Communication.

Panelists complained that all journalism training schools, including the famed school of journalism at AAU, are known mostly for their poor job in producing competent and aspiring journalists ready to join the media. "As far as my experience [goes], none of the graduates I have seen can write a decent news story," one panelist commented. "Feature stories are unthinkable, because I wonder if they really know the distinction between the two."

Another panelist complained that low-quality graduates add to the burden of veteran journalists, who then assume the extra responsibility of teaching new arrivals the basics of writing. The absorption of graduates is thus undesirable, despite empirical evidence that the media are suffering from a shortage of qualified personnel.

The school of journalism at AAU was also slammed for lacking professional lecturers with experience as journalists and thus the ability to combine theory and practical experience in class. In recent years, the school has also made headlines for disputes that flared among its administrative personnel over alleged corruption and unethical behavior. Such coverage has seriously undermined the reputation of the school, its ability to cope with the dynamics of the industry, and its capacity to produce journalists with the skills and motivation to promote positive change.

Judged against opportunities to join schools of journalism, the better option is to take advantage of NGO-sponsored short-term training programs, working not directly on media skills but indirectly on niche subjects such as health and environment, the panelists said. In the past, media professionals benefited from training opportunities organized by international and local NGOs. The most common training programs focused on the environment, HIV/AIDS, reproductive health, and newsroom management. Although the programs were drops in a sea of skill-related problems, it is fair to assume that they helped bridge some capacity gaps among journalists in those respective fields. One panelist opined that NGO training classes are usually preferred by journalists over the painstaking degree programs. Generally, locally organized training programs do not charge fees.

Another panelist offered some details of NGO attempts to provide some support in what he called a highly controlled and unfriendly atmosphere. "NGO programs involve some conditions—prescribed by the NGOs rather than professionals," which some journalists find hard to swallow, he said. Generally, NGOs' roles as supportive organizations are minimal, the panelists suggested. "It should also be noted that many of the NGOs would like to benefit from media coverage, instead of working to strengthen it and cooperate to improve its professional and ethical standards," one panelist said.

The training programs are limited in scope to those journalists who cover certain areas of interest, and do not address the professional needs of other departments in the media.

Mid-level editorial positions are sometimes included in training programs. But more commonly, mid- and high-level positions at media houses benefit more from international travel experiences than training at the local level. Management positions such as editor-in-chief and managing editors travel to many international events, with event organizers covering their expenses.

Printing facilities are almost entirely in the hands of government. Coupled with what some panelists described as the state's unfriendly attitude towards the private media, the result is an uncomfortable relationship between publishers and printers. The biggest printing enterprise, Birhanina Selam, is state-owned and responsible for the printing of all major public and private papers. The hostile relationship is reflected in the unjustified printing price hikes and other impediments that private publishers face.

Distribution networks are not strong; they are concentrated in a few hands. Panelists that come from the large private papers described the distribution mechanism as very chaotic. Some of them also pointed out that the distributors might well have taken a political role, particularly in the pre-2005 period. One panelist shared, "A few individuals without legal jurisdiction or contracts ran the whole business, and all private news and magazines heavily depend on these 'barons' for their survival." Although meddling in the survival and (content) of some private papers by these distributors has withered in the last two years, the attempts to rein in these distributors have not been entirely successful.

List of Panel Participants

Due to the oppressive political environment, panelists for Ethiopia agreed to participate only on condition of anonymity.

Although new media has been slow to take off in Gabon, the election season brought small steps forward—including the emergence of SMS messaging, blogs, YouTube, and Twitter among candidates and a handful of journalists.



GABON

The death of President Omar Bongo Ondimba was the major event that gripped Gabon in 2009. The president, who died of a heart attack, will be remembered as a big personality in post-colonial Africa, having reigned for 41 years. Rich in natural resources, Gabon gained independence from France in 1960 but retained extremely close ties with the country. Gabon headed off political strife by launching a multi-party system in 1991, and an independent and pluralistic press started to emerge after the democratization process began. However, the authorities maintained their fairly tight rein on the media.

Soon after the president's death, his son, Ali Ben Bongo Ondimba, who had long served as the minister of defense, was elected as successor. The transition promised to be rough, and the first clashes appeared ahead of the election. In one incident, the police dispersed a gathering of several hundred opponents pushing for candidate Ali Ben's cabinet to resign and demanding a more transparent election. The closer Gabon inched toward the election, the deeper the country descended into a political crisis, and a number of people lost their lives in post-election violence.

A few days after the start of the campaign season, the National Communication Council (known by its French acronym, CNC) tried to raise media professionals' awareness of their role in the campaign, with the seminar on "Ethics, Deontology, and the Communicator's Responsibility in the Electoral Campaign." Emmanuel Ondo Methodo, CNC chair, described the underlying intent: "The issues of this seminar [were] twofold: creating suitable conditions for free and transparent elections, and to uphold the credibility of the election results; and also regulating the social, ethnical, or tribal tensions that always emerge in electoral circumstances." However, according to the Committee to Project Journalists (CPJ), censorship, intimidation, and violence against reporters marred media coverage during the elections, and numerous media outlets were hassled, censored, or suspended over the period of study.¹

Although new media has been slow to take off in Gabon, the election season brought small steps forward—including the emergence of SMS messaging, blogs, YouTube, and Twitter among candidates and a handful of journalists. Still, the overall climate hampers media growth and progress, and thus Gabon's score changed little from last year, not yet crossing the threshold into the near-sustainability category.

¹ "Gabon election marred by media censorship." Committee to Protect Journalists website, <http://cpj.org/2009/09/gabon-election-marred-by-media-censorship.php> (Accessed October 15, 2010.)

GABON AT A GLANCE

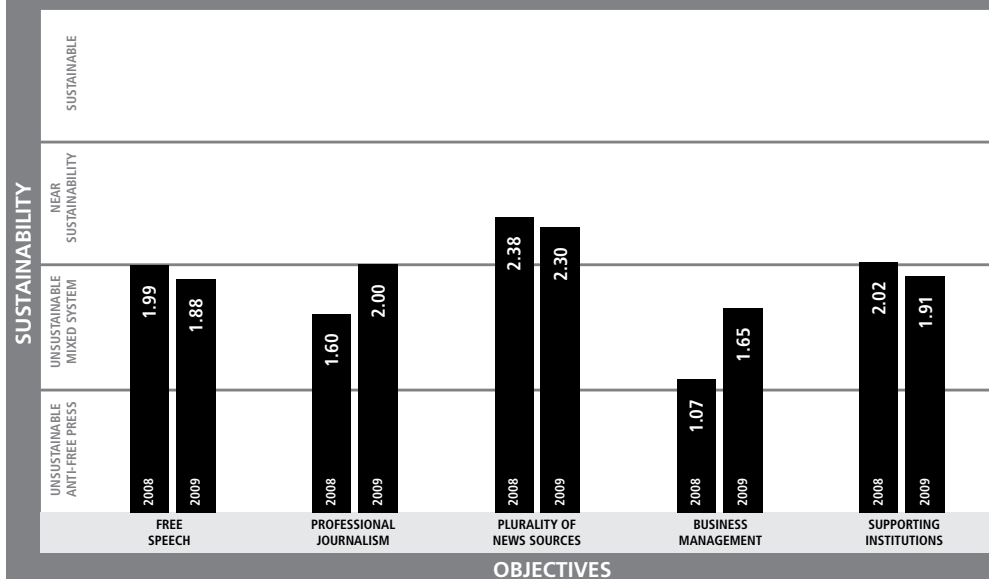
GENERAL

- > **Population:** 1,514,993 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Libreville
- > **Ethnic groups:** Bantu tribes, including four major tribal groupings (Fang, Bapounou, Nzebi, Obamba); other Africans and Europeans, 154,000, including 10,700 French and 11,000 persons of dual nationality (*CIA World Factbook*)
- > **Religions (% of population):** Christian 55%-75%, animist, Muslim less than 1% (*CIA World Factbook*)
- > **Languages:** French (official), Fang, Myene, Nzebi, Bapounou/Eschira, Bandjabi (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$10.87 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$12,460 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 63.2% (male 73.7%, female: 53.3%) (1995 est., *CIA World Factbook*)
- > **President or top authority:** President Ali Ben Bongo Ondimba (since October 16, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 7 regularly published newspapers; Radio stations: 13; Television stations: 4
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Gabonews (private), Internet Gabon (private) (BBC Country Profile)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 90,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: GABON



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Gabon Objective Score: 1.88

Like many other countries in the Central African sub-region, Gabon has created a communication code to establish a legal framework that supports the freedom of the press, and Gabon's constitution guarantees the freedom of speech generally. But as the panelists pointed out, putting legislation into practice is a challenge, and the communication code takes a repressive stance regarding alleged press offenses. The code is enforced doubly, in criminal courts and by the CNC, and according to panelists, often the code seems to be a tool to restrict the freedom of the press. Pascaline Mouango, with the Gabonese Radio-Television channel 1 (RTG 1), confirmed, "It is a fact that in Gabon there is a communication code that regulates the press. But we should point out that this act has some legal holes in regards to the legal and social standards meant to protect and advance the freedom of the press and of information access."

In November 2009, Reporters Without Borders (known by its French acronym RSF) "condemned Gabon's 'persistently repressive impulses' after the National Communications Council slapped suspensions and final warnings on eight privately-owned publications."² RSF questioned the CNC's

² "Communications Council Punishes Nine Media." Reporters sans Frontières, November 13, 2009. <http://en.rsf.org/gabon-communications-council-punishes-13-11-2009,34989.html> (Accessed October 15, 2010.)

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Regarding broadcast licensing, Armelle Baoulé, with RTG 1, said that media creation continues to be the privilege of financially well-equipped political groups committed to controlling the content of their press outlets.

independence from the Libreville government and detailed the punishments, which included a three-month suspension of *Echos du Nord* for an October 29 article titled, "The first fruits of a hooligan state;" and the suspension of the program *Entre Nous*, on the grounds of "numerous failings in the mastery of techniques for live broadcasting."³

Regarding broadcast licensing, Armelle Baoulé, with RTG 1, said that media creation continues to be the privilege of financially well-equipped political groups committed to controlling the content of their press outlets. Most broadcast media outlets belong to business and political groups. As a result, true media professionals are unable on their own to attain leadership positions at radio stations and television channels.

Public and private media journalists alike suffer from attacks, harassment, and threats. CPJ documented numerous acts of harassment and censorship against the media during the election season; for example, "masked gunmen riddled the satellite uplink of candidate André Mba Obame's international broadcaster, Go Africa TV, with bullets." Supporters of another candidate assaulted a copyeditor from an international broadcaster, Africa Numero 1; the attackers mistook him for an editor from a local station that they consider pro-government. Supporters of Bongo's rivals attacked four journalists from a Christian station, Radio Télévision Nazareth, CPJ also reported.⁴ RSF pointed to the arrest of Albert Yangari, editor of *L'Union*, as evidence that the government attempted to create a climate of fear among Gabonese journalists. RSF also noted that the communication ministry ordered the seizing of equipment belonging to TV+ Gabon, a station owned by a presidential candidate.⁵

Given the electoral context, the participants expressed their wish that authorities allow more flexibility and autonomy for the public service media by amending their legal status,

³ Ibid, Reporters sans Frontières. <http://en.rsf.org/gabon-fear-in-libreville-after-leading-25-09-2009,34598.html> (Accessed October 15, 2010.)

⁴ "Gabonese media under attack since election." Committee to Protect Journalists website, September 3, 2009. <http://cpj.org/2009/09/gabonese-media-under-attack-since-election.php> (Accessed October 15, 2010.)

⁵ "Fear in Libreville after leading daily's editor is arrested and questioned for several hours." Reporters sans Frontières, September 25, 2009.

Jean Yves Ntoutoume, with the private weekly Le Temps, said that he believes that Gabonese journalists do want to cross-check their facts, but their sources are often hesitant or altogether too fearful to talk to journalists.

continuing to liberalize the news gathering system, and guaranteeing the public media's fair and balanced inclusion of the entire spectrum of opinions in the country. Mouango commented, "Journalists working in the public media are not free inasmuch as they are forced to voice the usually pro-government editorial line set by the media manager."

Freedom House's "Freedom of the Press Report" classified Gabon as "not free," noting, "Libel can be treated as either a civil or a criminal offense, and the government is permitted to criminalize civil suits and initiate criminal cases in response to the alleged libel of government officials. Publications can be legally suspended for libel and other press offenses."⁶

Many panelists underscored poor access to information as another serious challenge to press freedom in Gabon. Véronique Niangui, with *L'Union*, commented, "If we really want to establish the freedom of speech in this country, we must reform the current communication framework and stop the involvement of the authorities and regulation agencies in journalists' activity; facilitate access to public information, and; create protection mechanisms for journalists, who are now tried before a criminal court and not a civil court judge."

Regarding the media's access to international and domestic news, panelists said that some access is allowed, but the government steps in to suppress news that it deems threatening, as seen in the elections. In addition, CPJ noted that during the presidential elections, the government denied accreditation to at least four international journalists.⁷

Although entry into the profession is relatively free, Mouango lamented that at some point, the profession became open to everyone, including people with no training whatsoever. People began to think that anyone could become a journalist, which led to the decline in professional standards, detailed below.

⁶ Freedom of the Press: Gabon (2010); Freedom House, 2010. <http://www.freedomhouse.org/template.cfm?page=251&year=2010> (Accessed October 15, 2010.)

⁷ "Gabon election marred by media censorship." Committee to Protect Journalists website, <http://cpj.org/2009/09/gabon-election-marred-by-media-censorship.php> (Accessed October 15, 2010.)

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Gabon Objective Score: 2.00

Most of the panelists agreed with Jean Pascal Ndong, chair of the Congolese office of the Union of Francophone Press, that generally Gabonese journalists fail to meet professional quality standards. Even if they are well trained, journalists still face multiple hardships, including the financial difficulties of the private media, the involvement of government authorities in the state-run media, and the difficulty in access to information. All of these obstacles impact the quality of reporting.

Théophile Mombey Assoumou, director of *Gens d'ici*, placed the blame on questionable ethics. "Sometimes journalists do meet professional and ethical standards," he said.

"But we have noticed that journalists who often resort to self-censorship avoid addressing a number of issues. We must strengthen professional capacities to allow communicators to do their job well by observing the professional ethical codes—the only guarantee for complete and balanced reports." Annie Chantal Bikene, director of the publication *Femmes d'Aujourd'hui*, suggested that journalists need to be trained and made aware of the professional ethical codes, to encourage them to fight corruption.

Jean Yves Ntoutoume, with the private weekly *Le Temps*, said that he believes that Gabonese journalists do want to cross-check their facts, but their sources are often hesitant or altogether too fearful to talk to journalists. Some members of the media feel forced to self-censor, given their delicate status and despite their awareness of the professional ethical rules.

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).

Nziengui Hasse, director of RTG 1, summarized the elements preventing the Gabonese journalists in general from meeting professional requirements: the temptation of easy money, self-censorship, and more overt censorship.

CPJ has documented widespread censorship, and self-censorship especially regarding sensitive topics, such as the former president's health or the wealth of his family. For example, in February 2009, a judge in France froze the private bank accounts of Gabon's president, and as CPJ reported, "...more than 24 hours later, the local press was mum on this development of national interest, according to local journalists. Internet-based news agency InfoPlusGabon appeared to be the only media outlet to publish an article..." A local editor told CPJ, on condition of anonymity for fear of government reprisals, "For us, it is a very dangerous topic. We prefer to keep silent, for fear of drawing unnecessary problems."⁸

Journalist salaries are small—particularly among those working for private-sector publications, which do not function as press enterprises and lack a business structure. Their informality prevents them from offering better financial conditions to their employees, and as a result, journalists' work quality suffers. Assoumou noted that it is true that the press must be more responsible, "but to do that, we must improve the compensation system for journalists."

Bikene linked low salaries to journalists' vulnerability to corruption. To improve salary prospects, she called for a collective work contract that would protect journalists as well as their editorial supervisors. Ntoutoume added, "We must give the salary issue some serious thought, and set up a collective work convention for journalists in the public and private sectors, aiming at creating an interdependently-supported framework. Journalists are less prone to corruption if they are well taken care of financially."

Steve Mve, with the NGO *Transparence et Gouvernance Démocratique*,⁹ did not share this view. He blamed the absence of administrative sanctions for encouraging the corruption of journalists, and also noted that they often show complacency towards the financially or politically powerful.

⁸ Keita, Mohamed. "Gabon media silent on French freezing president's assets." Committee to Protect Journalists Blog, February 27, 2009. <http://www.cpj.org/blog/2009/02/media-in-gabon-silent-on-french-freezing-president.php> (Accessed October 15, 2010.)

⁹ Transparency and Democratic Governance

Assoumou said that "while it is a fact that there are multiple news and current events sources, it is also true that they sometimes fail to provide reliable and objective information—which casts a doubt on the quality of the journalists working in those media."

OBJECTIVE 3: PLURALITY OF NEWS

Gabon Objective Score: 2.30

Gabon has more than 10 radio stations and television channels, and almost as many regularly published newspapers, reflecting the remarkable media development since the start of the multi-party democratic process in the 1990s. The first Pan-African radio station, Africa No.1, was also created in Gabon. A number of radio stations and television channels appeared right before the first truly democratic elections in the post-Bongo era, and they were directly or indirectly under political control. New media has been slow to take off in Gabon; however, small steps were taken in this direction during the election season.

A blogger from Madagascar, Andriankoto Harinajaka Ratozamanana, covered Gabon's elections for *Global Voices Lingua* and blogged about the experience for CPJ. He noted that many of the 23 candidates boasted campaign websites,

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.

On the economic sustainability of Gabonese press enterprises, Niangui was categorical: "To our knowledge, there are few independent media. It is more accurate to speak of the private media supported by patrons or politicians who use these outlets for self-promotion or to settle scores with opponents."

and campaigned on social networking sites including Facebook, Flickr, YouTube, and Twitter, while Ali Ben Bongo sent out SMS messages. Ratozamanana also described the presence of new media. "At first, many young people I met did not seem very interested in the Internet. In fact, the most educated told me they used the web exclusively to check e-mail and visit chat or dating sites... Nevertheless, with help, a few people took their first steps in using the web as social media, and a handful of new citizen voices slowly emerged." Ratozamanana cited several examples, including a journalist named Gaston Asséko, who broadcast his election day experience on YouTube.¹⁰

While the panelists were pleased with the dynamic evolution of the Gabonese press, they questioned the quality of content. Assoumou said that "while it is a fact that there are multiple news and current events sources, it is also true that they sometimes fail to provide reliable and objective information—which casts a doubt on the quality of the journalists working in those media."

Assoumou said also that high costs discourage citizen access to domestic and international media. Ntoutoume agreed, noting, "Yes, multiple information channels are available and unrestricted—but they are not quite affordable. Internet connections are not cheap, and unfortunately, most of the population does not have the means to buy Internet service. Satellite television channels are a luxury—the various program packages are expensive."

Expense is not the only obstacle, however. Ratozamanana noted that mobile companies suspended SMS service during the elections—effectively blocking an Ushahidi crisis reporting platform organized by The Guardian Angels of Gabon, a diaspora movement based in France.¹¹

The public media do not always reflect the diversity of opinions on a particular topic; usually they give the government point of view more than its due. According to the panelists, the private media do need to establish a more professional reputation, but they manage to fulfill their function of questioning the government. By comparison, the public media often fail to give each side the right to speak, panelists said.

On the other hand, RTG 1's Akomo Akalla Romuald could not hide his satisfaction when pointing out that "the country has started to connect to new information and communication technologies. Because it was able to diversify its press production, Gabon has now become established in the world's information community. Other countries have become interested in the shows and other programs produced by the plethora of Gabonese channels."

Akalla attributed much of this progress to what he considers the late president's support of press freedom, saying that the president believed that the press should be an efficient informational analysis tool with a public service approach. According to Akalla, public media provide citizens with objective and reliable news. They report the news with passion, he added, whereas the sources of the private press are not always reliable. However, Niangui noted, "The fact that there are multiple news sources in Gabon is indeed a guarantee for diverse news—but not objectivity, inasmuch as most of the media are owned by the politicians that rule the country or are funded by them. As a result, the public's social preoccupations are disregarded when they may affect or hurt the sponsor."

Delphine Yari, with RTG 2, shared that view, noting that the evolution of new information and communication technologies has given the public better options to become informed about domestic and international events. However, she cautioned, the public should verify all incoming information, since the partisan nature of some news produces libel and slander.

In addition to using the Internet for news gathering, the media turn to Agence France-Presse and Gabon Press Agency.

¹⁰ Ratozamanana, Andriankoto Harinajaka. "Gabon's bloggers struggle to take hold." Committee to Protect Journalists Blog, <http://cpj.org/blog/2009/10/gabons-bloggers-struggle-to-take-hold.php> (Accessed October 15, 2010.)

¹¹ IBID

OBJECTIVE 4: BUSINESS MANAGEMENT

Gabon Objective Score: 1.65

The panelists were quite divided on the topic of the economic sustainability of press enterprises, in terms of defining the very notion of a press enterprise as well as the issue of government-assigned subsidies. Ngoua Mezui Norbert, director of the *Nku'u le Messenger* and an active member of the Observatory of Gabonese Media, expressed regret that the existing press outlets do not develop business and marketing strategies as a way to improve their otherwise disastrous financial situation.

On the economic sustainability of Gabonese press enterprises, Niangui was categorical: "To our knowledge, there are few independent media. It is more accurate to speak of the private media supported by patrons or politicians who use these outlets for self-promotion or to settle scores with opponents."

In general, the independent media are ill managed, failing to ensure their sustainability. But even when private outlets are managed well, they are unable to attract the advertising they need to cover their balances. All of the panelists recognized that no media company can hope to operate as an independent business enterprise without advertising as the main income source. Some advertisers simply refuse to grant advertising to media that they consider supportive of the opposition. Bikene agreed that "no newspaper can survive for long without advertising."

Ndong pointed out that Gabon's advertising market is wide open and has no agencies. Therefore, he suggested that

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

BUSINESS MANAGEMENT INDICATORS:

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

Gabon has no institution involved in training journalists. Occasionally, there are some isolated seminars organized around specific topics, such as journalists' responsibilities for reporting during electoral campaigns.

media outlets in need of more revenue set up an advertising agency, tasked with issuing rate cards, coordinating the price-setting policy, training marketing agents, and selling communication campaigns with a wider scope than just occasional advertising.

Assoumou said that the government has been funding the public and private written press through an annual subsidy set up in 2003. However, the government allocates the subsidy using highly subjective criteria, and discriminates according to political allegiances. Niangui noted, "The written media that meet the requirements receive an annual government subsidy, which varies according to the distributor [the Ministry of Communication] and the editorial policy." Bikene suggested that the CNC and the Ministry of Communication determine a set of objective criteria for the government's allocation of media subsidies.

Mve said that the government subsidy ought to be backed by other revenue sources, particularly by advertising and individual newspaper sales. This approach would ensure at least a minimum amount of financial and editorial independence for the recipients of the subsidy, he said. Niangui added, "In fact, most newspapers are only able to survive thanks to this very subsidy (not applicable to the broadcast media yet) because the unregulated advertising market does not allow all newspapers to take advantage of it. The media have a lot of trouble becoming real press enterprises. In terms of management, the broadcast sector seems to be in better shape than the private written press."

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Gabon Objective Score: 1.91

All the panelists recognized that Gabon has practically no institutions that support the media or efficiently protect the interests of members. Regarding media owners' associations, Akomo pointed out that the country has no publishers' or distributors' association.

Gabon's existing organizations fail to uphold the interests of their members or influence the government's decisions.

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 Observatory of Gabonese Media and Union de la Presse Francophone, for instance, are more preoccupied with journalists meeting professional ethical rules, according to the panelists. For example, Ntoutoume said, when journalists are arrested or beaten, none of these organizations lift a finger. He added that political decision-makers never consider the requests of professional associations. Further, journalists from the governmental media are often forgotten or neglected by the government, which explains the frequent strikes in the communication sector.

Bikene lamented the lack of solidarity, and mentioned the case involving the publication manager of *Nku'U le Messenger*. Fellow journalists answered his arrest with total indifference. Only foreign organizations, such as Reporters Without Borders and Journaliste en Danger, responded appropriately. Niangui concluded that the supporting institutions are busy protecting their own interests. Since they are private institutions, their particular mission is all that matters, he said.

Gabon has no institution involved in training journalists. Occasionally, there are some isolated seminars organized around specific topics, such as journalists' responsibilities for reporting during electoral campaigns.

Steep printing and distribution costs are suffocating press enterprises. Gabon has only one distribution service that takes 40 percent of the sales return—which the panelists deemed outrageous. Existing printing houses belong to private investors, who may be under government pressure to refuse printing of any pro-opposition newspaper.

List of Panel Participants

Steve Mve, psychologist, Transparency and Democratic Governance, Libreville

Jean-Yves Ntoutoume, publisher, *Le Temps*, Libreville

Norbert Ngoua Mezui, director, *Nku'u Le Messenger*, Libreville

Jean Pascal Ndong, chair, Francophone Press Union, Gabonese office, Libreville

Armelle Baoulé, reporter, Radiotélévision Gabonaise 1, Libreville

Romuald Akomo Akalla, journalist, Radiotélévision Gabonaise 1, Libreville

Théophile Mombey Assoumou, publication manager, *Gens d'Ici*, Libreville

Annie Chantal Bikene, director, *Femmes d'Aujourd'hui*, Libreville

Nziengui Hasse, program manager, Radiotélévision Gabonaise 1, Libreville

Mouango Pascaline, producer, Radiotélévision Gabonaise 1, Libreville

Niangui Veronique, editor-in-chief, *L'Union*, Libreville

Yari Delphine, journalist, Radiotélévision Gabonaise 2, Libreville

Moderator and Author

Tshivis T. Tshivuadi, secretary-general, Journaliste en Danger, Kinshasa, Democratic Republic of Congo

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

In June 2009, seven journalists, including three executive members of the Gambia Press Union (GPU), were arrested and charged with seditious intention, defamation, and the publication of false information simply because their work criticized the Gambian president.



THE GAMBIA

Despite constitutional guarantees of the freedom of expression and the independence of the media, journalists and citizens in The Gambia live under starkly different circumstances. Soon after a group of military officers overthrew the democratically elected government of President Dawda Kairaba Jawara in 1994, it took aim at the media. Upon transforming itself into a civilian regime and renaming itself the Alliance for Patriotic Reorientation and Construction (APRC), it introduced a series of decrees aimed at gagging the media. Its pattern of harassment, intimidation, and censorship continued throughout 2009.

In June 2009, seven journalists, including three executive members of the Gambia Press Union (GPU), were arrested and charged with seditious intention, defamation, and the publication of false information simply because their work criticized the Gambian president. Six of the journalists—among them a nursing mother—were subsequently tried, found guilty, sentenced to 18 months imprisonment, and fined GMD 250,000 (\$10,000) apiece. In response to this and other instances of intimidation and harassment, and through the advocacy efforts of the GPU and other organizations, awareness of and sympathy for the cause of journalism has grown significantly this year. Still, much work needs to be done to encourage the positive promotion of journalism to the public.

The Gambian economy is very weak; most people live on less than one dollar a day, placing newspapers—at about \$0.50—out of reach. Investments flowing into the country have not had much impact on the media, especially in relation to advertisements. Most companies prefer not to advertise with the private media for fear of government reprisals, while others still regard advertising as a favor to the newspapers, rather than a promotional opportunity for their business. It is especially hard for community radio stations to operate as efficient, sustainable organizations; they are mostly sponsored by donors and have become highly politicized. Despite the challenging business environment, some better-established media houses are now working to improve the management side of their businesses; a number of management courses were conducted for media personnel this year.

On the new media front, the Internet can still be considered a novelty in The Gambia, but access is improving with the emergence of new mobile-phone Internet service providers—a sign of hope in a country with only one, government-controlled television station. The recent introduction of SMS news alerts has proved particularly attractive to young people. In addition, Gambians outside of the country have set up online newspapers, radios, and blogs. Although no registration is required to access online news content, the government frequently blocks websites it deems hostile.

THE GAMBIA AT A GLANCE

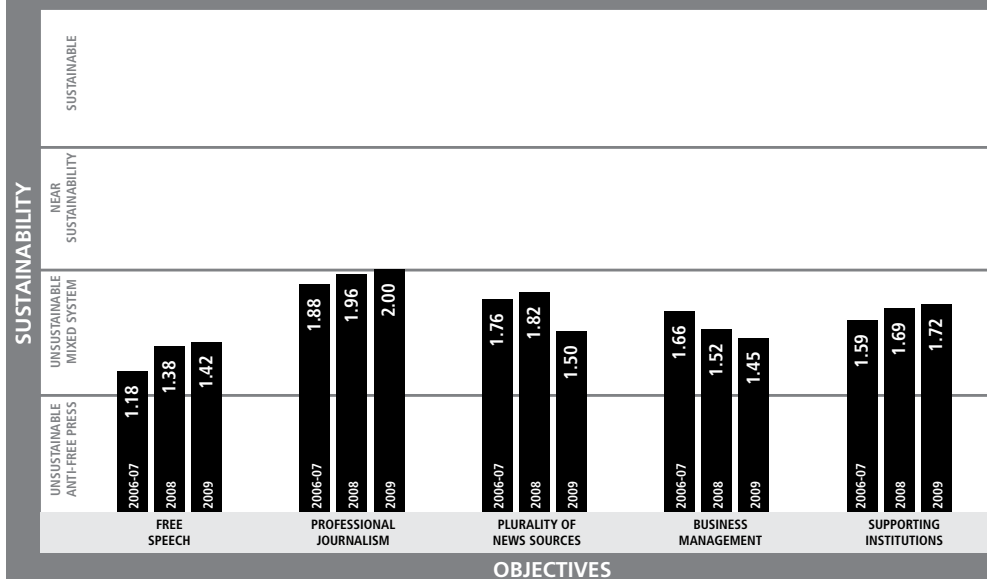
GENERAL

- > **Population:** 1,824,158 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Banjul
- > **Ethnic groups (% of population):** Mandinka 42%, Fula 18%, Wolof 16%, Jola 10%, Sarahule 9%, other 4%, non-African 1% (2003 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 90%, Christian 8%, indigenous beliefs 2% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), Mandinka, Wolof, Fula; Jola; Sarahule and Krio (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$743 million (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,330 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 40.1% (male 47.8%, female 32.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Yahya A. J. J. Jammeh (since October 18, 1996)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 8 newspapers; Radio Stations: 9 plus 3 community; Television Stations: 1
- > **Newspaper circulation statistics:** Top three by circulation: *The Point*, *Daily Observer*, and *Foroyaa*
- > **Broadcast ratings:** N/A
- > **News agencies:** Gambia News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 130,100 (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: THE GAMBIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

The Gambia Objective Score: 1.42

The constitution protects freedom of expression, stating explicitly in Section 25 “Every person has the right to freedom of expression” and, in Section 207, that “The freedom and independence of the media is guaranteed.” In practice, however, it is not enforced, and additional laws further inhibit freedom of expression. Jailing, fining, detention, and threats by the authorities continue to define the lives of journalists, and as a result people are afraid to speak their minds. While the constitutional provision is comparable to international standards, there is no freedom-of-information law. The constitution does provide for redress in cases where the freedom of expression is violated, but the lack of independent and impartial courts deters journalists from pursuing those rights. As Sam Sarr, editor of *Foroyaa*, explained, “The constitutional instrument guaranteeing free speech is like dead wood; the judiciary is not independent, and laws have been enacted to persecute and jail journalists.”

As an example of how laws are used against journalists, the panelists mentioned the case of Pap Saine, the editor and co-proprietor of *The Point*. During the course of 2009, Saine was harassed and intimidated continuously, enduring one legal tussle after another—ranging from false publication to the questioning of his Gambian citizenship. He was eventually acquitted of all these charges, only to be arrested again, with

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.

Unlike previous years covered by the MSI, the panelists did not report any serious crimes (such as arson and murder) against journalists in the past 12 months. They could think of only one incident, an assault, which was reported by the media, and they noted that there was no public outcry.

six other colleagues, and charged with seditious intention, defamation, and the publication of false information.

Regarding legal restraints on Internet access, the panelists agreed that no registration is required to access online news content. Nonetheless, the government frequently blocks certain websites it deems hostile.

Broadcast licensing is the domain of the Department of State for Information, Communication, and Technology, with support from the Public Utilities Regulatory Authority—but the president has the last say. According to the panelists, it is virtually impossible for an opponent or critic of the government to obtain a license. Though a few licenses have been issued to radio stations recently, a closer look at the proprietors of these radio station reveals that they are all sons of the regime, compelled to show unquestioned loyalty. Licensing procedures cannot be considered fair and competitive, and the whole process is highly politicized. Rejected applicants can appeal to the Minister of Information; however, there are no transparent or independent bodies to hear appeals.

Market entry for the media is particularly stricter than for the rest of private business. It is neither fair nor transparent, both for the print and broadcast media. For instance, the Newspaper Act, which has been amended to include broadcast media, requires all private media to enter into a bond of GMD 500,000 (approximately \$2,000) to register a media house. Taxes are levied on media houses, including income tax, sales tax, licenses for editors, broadcasting houses, and Internet service providers. The heavy taxes on newsprint are particularly debilitating for the print media.

Unlike previous years covered by the MSI, the panelists did not report any serious crimes (such as arson and murder) against journalists in the past 12 months. They could think of only one incident, an assault, which was reported by the media, and they noted that there was no public outcry.

The constitution requires the state media to afford fair opportunities and facilities for the presentation of divergent

Obtaining information from the state, even simple statistics, is like mining for gold, noted Sarr.

views and dissenting opinion. In practice, however, there is no editorial independence within the state media. The country's only television station is state-owned, and the panelists said that it resembles a ruling-party propaganda tool more than anything else.

State media enjoy a number of advantages. The law does not require state media outlets to register, unlike the private media. Sarata Jabbi, vice president of the GPU, said, "State media enjoy preferential legal treatment to access information, while it is difficult for the independent media; private media face discrimination." Journalists working for the independent media are also barred from the state house and high-profile state functions, such as visits by foreign heads of state and other dignitaries.

Libel is treated as both a civil and criminal offense, punishable by a heavy fine or imprisonment. This year, six journalists were each jailed for two years and fined heavily for libel and sedition after publishing material that criticized the president. Under Gambian law, the defendant should prove the truthfulness of the publication, that he/she had no intention to defame, or that the publication is privileged. Once one of these requirements is met, the defendant will not be liable. The panelists believe that the burden of proof is higher to prove libel against a public figure, but this has yet to be tested in a court of law. There is no law on the operation of the Internet, and the courts have not yet heard any cases regarding Internet offenses.

The Gambian judiciary can only be described, as one anonymous panelist put it, as "a conspiracy against the media and the masses in general." The judiciary has no independence, and above all it has lost its integrity, as the majority of Gambians have lost faith in the judiciary's ability to administer justice. Presidentially appointed Nigerian judges in very key positions dominate the composition of the judiciary. These judges, labeled "mercenaries" by the Gambian media fraternity, have thrown the scale of justice to the wilderness. They dance to tunes dictated by the president and will imprison any individual that the president considers a threat to his regime.

The constitution requires the media to uphold the responsibility and accountability of the executive to the people. But this has not worked in practice, as there is no freedom-of-information law, and the government is not

legally bound to give public information to the public. Obtaining information from the state, even simple statistics, is like mining for gold, noted Sarr. Public officials are usually reluctant to divulge information to the independent media. Journalists who commit an offense can face severe penalties if they publish information that is purported to be confidential. Furthermore, they will be required to reveal their source. Journalists have complained to the authorities concerned, but they have not pursued the matter in a consistent, organized manner.

The government does not restrict international news and news sources, and journalists are able to access the Internet for news. But the cost of maintaining a fairly good Internet service at a media house is high. Media houses do reprint/rebroadcast foreign news programming or news agency information.

Journalists do not need a license to do their work, although state institutions sometimes require special press cards for coverage of particular events. The executive's perspective of journalists is that they are opponents of the government, and those in the private media who wish to be in good graces with the government shy away from the press union. As for those in the state media, they disassociate themselves from the press union for fear of losing their jobs.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

The Gambia Objective Score: 2.00

The topic of professional standards in journalism drew mixed reactions from the panelists. Some said that reporters do check their information, but more work has to be done in consulting a variety of sources. They claim that more often than not, reporters try to get all sides to a story, and that sometimes they do include background information in their stories and consult technical experts. However, they agreed that overall more work needs to be done in obtaining background information before conducting interviews. They added that while many Gambian journalists are doing their level best to meet their professional obligations, the absence of journalism training facilities and the fact that many journalists have never had any professional training pulls down the standards. Some journalists barely verify their facts before publication and rarely conduct the necessary background research before they go to press.

Gambian newspaper reports are generally fair, objective, and dictated by the public interest, according to the panelists. However, they were quick to point out that such objectivity is not found in the state media and the *Daily Observer*. As

propaganda outfits for the regime, their news content is tailored to promote the ideals of the authorities, even to the detriment of the public interest, the panelists said.

The press union has published a code of ethics, which is not fully developed, but meets the basic standards set by international professional organizations. Though press union members have received training on the ethics of the profession, they are not well aware of the substance of the press union's code of ethics. This code reflects the ideals of the International Federation of Journalists code of ethics (of which the GPU is an affiliate). Given their level of training and circumstances, journalists observe these standards fairly well. Panelists said they have heard of fewer reports of journalists accepting money or gifts for certain types of coverage than previously (noting that this practice is more prevalent in some media houses than in others). According to the panelists, private media house editors are consistently on their guard against bribery and corruption in their media houses.

Reporters and editors engage in self-censorship for fear of losing their jobs or being persecuted. This is particularly true for state media employees. Some journalists also resort to self-censorship to avoid conflict with business interests or pressure from their editors. Very few newspapers, *Foroyaa* among them, have the confidence to write and analyze most issues objectively. Self-censorship has increased along with the frequent intimidation and harassment brought by the current regime against journalists.

Journalists do what they can to cover key events and issues, but most media houses dare not address some very important events and issues. Fear still rules the country. Quite often,

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).

Though press union members have received training on the ethics of the profession, they are not well aware of the substance of the press union's code of ethics.

rather than prevent reporters from covering certain events, editors simply refuse to publish their reports. Covering events related to security issues of local and international concern is especially sticky territory—many journalists who try wind up ensnared in the net of the executive branch. Private media in The Gambia are still barred from covering major governmental events, especially those held at the state house. Despite this, the private media do cover some government functions, such as ministry meetings.

In the state media, broadcast television pay levels are considered sufficiently high to discourage corruption. Journalists working for the state media are paid according to a civil-service scale, which is more or less very poor, but they benefit from some allowances that the private media do not receive.

This is not true for private-sector journalists, who earn far less than their counterparts in some other professions. Gambian journalists, like the majority of journalists in West Africa, are very poorly paid; the luckiest earn about \$200 per month, but some make as little as \$50 per month. Journalists make about the same amount as teachers, but within journalism, there is not much difference among the various sectors. Many hang on because of love for the profession, but the low pay drives some highly qualified journalists to leave journalism for jobs with banks, insurance companies, NGOs, and others. Virtually none of these journalists are insured, though the journalists working for the state media do benefit from some form of social security. Selling articles does occur, according to the panelists, though they said it is difficult to determine the extent.

According to the panelists, the broadcast media (both radio and television) devote a lot of air time to entertainment and sports and very little time, if any, to news, which the panelists link to the intimidation and harassment of journalists and the culture of fear that pervades the country. Some private stations even synchronize with the Gambia Radio and Television Services (GRTS) and others like RFI and BBC to broadcast the news. The print media, on the other hand, give limited space to entertainment. *Foroyaa*, for example, devotes 60 percent to news and reviews. Some panelists feel that introducing more news will surely attract more audience and readership for both broadcast and print media.

Gambian journalists, like the majority of journalists in West Africa, are very poorly paid; the luckiest earn about \$200 per month, but some make as little as \$50 per month.

Media houses are benefiting from a UN-funded project to improve their facilities and equipment. Overall, the facilities are still inadequate, and this affects the quality of work. In the print media, the lack of facilities is felt most in the production phase.

While they see the quality of reports continuing to improve, the panelists said that what Gambian journalism is missing the most is investigative journalism. This is partly due to the fact that most journalists lack the competence and training, but the few who take up the task are afraid their reporting will land them in jail. In this regard, the newspapers are often inundated with soft news from political activities and court reports. According to the panelists, only one media house, *Foroyaa*, engages in investigative journalism.

Quality niche reporting is the exception rather than the rule, but a few newspapers do occasionally succeed in this respect. News broadcast by the state-owned media focuses on official engagements or empty propaganda, and it is heavily censored. As Amie Sillah, executive director of Women for Democracy and Development, describes it: "Gambia television practices trial-by-media, as seen in the case of some women detained by security agents and paraded on national television on the pretext that they were sex workers. The issue of gender is given more space in private print media than electronic media. The public media are regime-controlled by law and practice. Ninety percent of news is on the executive, with nothing on the opposition or cultural programs. There is resistance to coverage of gender issues coming from government."

OBJECTIVE 3: PLURALITY OF NEWS

The Gambia Objective Score: 1.50

Most of the panelists said that it would not be true to say that a plurality of private and public news sources exist and are affordable in The Gambia. However, within the print media, there are several sources that can enable people to check one against another. Still, due to the low literacy rate—and the fact that very few people can read and understand English, in which all the newspapers are written—very few people actually have access to the newspapers. There is only

one television channel, which is government-controlled and carries only officially sanctioned news and programs.

As far as community radios are concerned, the panelists said that community radio stations exist in name only and do not produce news; rather, they sound more like state propaganda tools. Their coverage on health, agriculture, education, gender, and sports is limited, as they tend to follow the style of the commercial radio stations, and none of them produce their own local news. Some of them link up with the national radio to broadcast mainly official news.

The Internet can still be considered a novelty in The Gambia. Employees of NGOs and public servants use the Internet to access news and information; Internet café users typically visit to send and receive e-mails. The emergence of new service providers, notably QCell, which now provides mobile-phone Internet services, has made access much easier and readily available. There are also newspapers, radios, and blogs established and run by Gambians outside of the country. SMS news alerts are a new phenomenon, recently introduced, which have attracted the attention of many young people.

News coverage is national, and newspapers circulate mainly in the urban area, where all the print media houses are based. When newspapers occasionally make their way to the countryside, the educated youth read them to their parents. Nonetheless, peasant farmers rely primarily on state-owned broadcasting house for their news, both local and international.

Despite the facts that newspapers are sold at approximately 50 cents, very few Gambians can still afford to buy newspapers every day—considering that most Gambians live

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.

on less than one dollar a day. Income levels do affect access to Internet, satellite, or other pay broadcast services. While most people cannot afford to buy newspapers, accessing the Internet for an hour is even more expensive. While there are satellite televisions available, very few people can afford them due to cost, as well. Otherwise, there are few restrictions on access to the media, national or international, with the exception that a website very critical of the government is often blocked. Only a tiny minority can afford to subscribe to cable or satellite television.

The panelists agreed that the state media do not reflect the views of the political spectrum; they support the ruling party and do not serve the public interest. Sarr commented, "The state media are not truly public. They are not open to alternative views and comments. They are partial; most of the broadcast time is devoted to reports on the head of state and achievements of government. Political opponents and other critics of the government are denied access. There are educational, cultural, and other programs, but they are hardly free from political influence."

There is a clearly felt absence of news sources and news agencies in the country. While the state media boast a dormant news agency, GAMNA, the private media cannot claim any functional local news agency. An attempt to launch one a few years ago failed, but this is apparently because media houses cannot afford the services of a news agency, opting instead to lean on international news agencies such as PANA, AP, AFP, and Reuters. However, the panelists said it is difficult to state with any accuracy whether any media houses hold paid subscriptions.

Apart from the state media, broadcasting stations do not produce their own news; some only relay international news from international stations like BBC, RFI, and VOA. Some of the independent media broadcast stations also relay the news of the state media. However, because private radio stations do not carry their own news, people have no choice but to rely on the public media for information.

Considering whether the independent media carry divergent views, panelist Demba Jawo, editor of the African Press Agency in Dakar, Senegal, said, "While independent media have the freedom to carry divergent views, because of the prevailing self-censorship, hardly any other newspaper apart from *Foroyaa* carries stories critical of the government, or that even differ very much from what appears in the public media."

Ownership of media houses is generally transparent; the owners are often known. It is required to disclose ownership at the time of registration, but it is not required that that information be published—although the public is entitled

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to conduct a search at the office of the registrar general for the information. There is no monopoly or oligarchy of media owners. There is no conglomerate of media owners. Apart from *Football Digest* and *Business Digest*, owned by some Lebanese business companies, and the *Daily Observer*, which is widely believed to be owned by President Jammeh himself, the rest are owned by media professionals. Reporters in these media houses complain of interference by the proprietors. In addition, one panelist stated anonymously, "What is most interesting is the trend of young Nigerian immigrants becoming newspaper owners. The only logical explanation is that some of these young men are being used by fronts that are close to government circles."

There is foreign media investment in Internet and cell phone services, but not in the print or broadcast media, the panelists said.

In terms of the spectrum of social interests reflected in the media, the panelists pointed to signs that media houses are becoming increasingly inclusive. More and more social issues are being given greater attention, such as people living with disabilities, people living with HIV/AIDS, gender issues, minority groups, minority languages, etc. However, the panelists expressed concern at evidence of unprofessionalism in the state media, with journalists and managers, in an apparent bid to please the president, displaying ethnic bias.

OBJECTIVE 4: BUSINESS MANAGEMENT

The Gambia Objective Score: 1.45

MSI panelists believe that media outlets in The Gambia cannot be characterized as serious, profit-making ventures. MSI panelists revealed that most media houses in The Gambia are generally small in size, and a majority of managers are not well-equipped with management skills. The private media try to operate as commercial ventures, but they hardly turn any profit, due to their poor capital base and

Advertising revenue can be said to be very dry in the Gambia. This is partly due to the fact that most business enterprises in the Gambia still consider advertising in newspapers as a favor to the papers, rather than a promotion for their businesses.

inadequate management and business skills. However, some better-established media houses are now working to improve the management side of their businesses. A number of management courses were conducted for media personnel this year. The state media, on the other hand, are managed by qualified personnel, but they are run more like civil-service operations than well-managed businesses. The government subsidizes them. It is especially hard for community radio stations to operate as efficient, sustainable organizations; they are mostly sponsored by donors. Also, added the panelists, they have become highly politicized.

Private media generate revenue from sales, advertising, and project funding. Public media revenue derives from sales, advertising, project funding, and government subsidies. Advertising revenue can be said to be very dry in the Gambia. This is partly due to the fact that most business enterprises in the Gambia still consider advertising in newspapers as a favor to the papers, rather than a promotion for their businesses. To make matters worse, the government has developed a strategy of not advertising in private newspapers, especially those perceived to be critical of the regime. Gripped by the

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.

fear of reprisal from the regime, most government parastatal enterprises have also adopted this approach. This affects the revenue of the private newspapers, thus limiting their capacity to expand and to pay better salaries to the staff. Retaining professional staff in the private media is very difficult, because most of these professionals search for work elsewhere in order to earn a more decent income.

Although advertising is not yet well-developed in The Gambia, advertising agencies are growing fast, with services offered mainly to Internet service providers, broadcast media, and cell phone companies. In the rural areas, advertising is virtually nonexistent, and where it exists it is dominated by local agencies. For the state radio and television stations, the ratio of advertising to program time is minimal; for the private media, advertising consumes a more substantial amount of time.

Advertising in private newspapers provides a substantial portion of revenue, due to limited sales resulting from the low income of readers. Even there, an increasing number of advertisements are needed to meet revenue goals. For the private radio stations, advertising constitutes the principal source of revenue.

The independent media do not receive any government subsidy. According to Sarr, "What the private media need are not government subsidies, which can lead to editorial influence. What the private media need is the removal of the sales tax on newsprint and other printing materials, and reduced licensing fees."

The panelists said that market research is not used to formulate strategic plans, enhance advertising revenue, or tailor the products to the needs and interest of the audience.

There are no surveys on broadcast ratings, circulation figures, or Internet statistics to speak of. Presently, The Gambia does not have any organizations conducting media ratings for media houses. Furthermore, media houses lack the requisite skills and experience to conduct audience surveys on their own. As one anonymous panelist said, "In fact, it would be very difficult for any Gambian to give an accurate figure of the percentage of Gambians in the rural areas that read a particular newspaper, such as *The Point*. Circulation figures for newspapers are still below the 5,000 range. As there are only two dailies in The Gambia, *The Point* and the *Daily Observer*, it is still difficult to say if these papers can sell up to 35,000 copies a week." Most likely, this is quite impossible, the panelists felt; however, perhaps on special occasions, some of these papers might sell up to 5,000 copies a day. The newspaper industry in The Gambia is still held back by various factors—such as low rural readership and poor roads, which lead to late deliveries—to have a commanding hold in the rural areas.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

The Gambia Objective Score: 1.72

There are no publishing or broadcast owners associations in The Gambia; an earlier attempt to form a publishers association failed. Presently, an editors' forum is in the making. The constitution has been finalized, and Sarr explained that one area of focus will be to find a way to import newsprint as a body and make it available to the media at a much lower price.

The GPU is the leading independent organization defending the rights and interests of most of the country's journalists. Most of its members come from the private media; the panelists said that the majority of journalists from the state media distance themselves from the union, for fear of reprisals from the government. The GPU represents individual media practitioners, such as editors, journalists, or related media professionals, and the panelists believe it is very supportive of its members. It fought tooth and nail to secure the release of members who were jailed this year. However, as a young association, consisting of no more than 300 members, half of whom are not active, the union lacks the financial resources and public support to face the challenges it confronts everyday. For example, in June, three members of the executive were arrested in relation to a response that the union made concerning a presidential statement. In addition, three senior editors were also arrested and jailed. The GPU had to defend its members in court on its own; it had to appeal for funds from regional and international organizations to be able to pay for the legal service.

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.

There is still no school of journalism in The Gambia. For years now, preparations have been underway, but it has yet to get off the ground. There is speculation that the University of The Gambia is currently working on the curriculum for a mass communication degree program.

One panelist commented on the legal proceedings against the GPU: "I am glad that events that occurred (the trial/ conviction of six journalists) have proven that one cannot suppress freedom of expression. There were attempts made to liquidate the Gambia Press Union, but the union is growing stronger. The government went after every soul within the GPU, which is a thorn in its flesh... The GPU and the private media are the only surviving voice of the nation, and we have to ensure that democracy in The Gambia will also survive."

During the past twelve months, the GPU has organized four training courses for journalists. It is also gearing up for more advocacy and lobbying initiatives. It has restructured its administration to become more professional and effective, it is revising its constitution, and it is planning to update its code of ethics and to establish a complaints body. The GPU's growing membership is open to all journalists and other media workers, and members are becoming more active. The concern and sympathy for the cause of journalism has grown significantly this year, but more work needs to be done in promoting journalism to the public in a positive way.

During the past two years, similar associations grouped according to reporting specializations have emerged as well. These include the Sports Journalists Association, the Health Journalists Association, the Human Rights Journalist Association, an association for photojournalists, and the Young Journalists Association of The Gambia. The members of these associations are also all members of the GPU.

NGOs give verbal and moral support to the GPU, but they are not very active in their support for free speech and independent media, although some do work with international free-speech organizations. They do not provide legal support to journalists or media outlets, but they will be involved in advocacy and lobbying for changes in media laws that the press union is now working on. They are also involved in the training of journalists. Some panelists feel strongly that human-rights NGOs in The Gambia have not lived up to expectations, especially the Gambia Bar Association, the Africa Center for Democracy and Human-Rights Studies, the Institute for Human Rights

Even privately held printing facilities are influenced by politics, the panelists said, and usually refuse to print for the private media.

and Development in Africa, and the Foundation for Legal Aid Research and Empowerment, just to name a few. The panelists said also that Action Aid The Gambia, though it has not issued statements in relation to the suppression of the freedom of the press, has been very supportive in terms of funding programs for the GPU. On the other hand, organizations such as the International Federation of Journalists, the Media Foundation for West Africa, the Media Defense Program of the Open Society Initiative, and the Doha Centre have helped to pay legal fees for some court cases concerning journalists.

There is still no school of journalism in The Gambia. For years now, preparations have been underway, but it has yet to get off the ground. There is speculation that the University of The Gambia is currently working on the curriculum for a mass communication degree program. NGOs and the press union are helping to fill the void in the meantime; the GPU, through a Danish NGO, Gambia Media Support, is running a two-year diploma program for Gambian journalists. In the case of the public media, the government does send its media staff for training abroad. Overall, the number of graduates from mass communications or journalism in the media houses is still very low, especially in the private media. Media houses are not in a financial position to absorb graduate journalists, except perhaps for the post of editor.

Short-term training courses have absorbed much of the responsibility for training journalists in The Gambia all these years. The training courses include basic journalism skills, as

well as reporting on social issues such as HIV/AIDS, human rights, etc. Some of the training courses are set up locally, while others are held internationally. The training courses in the past year have all been free, and according to the panelists, they cover the needs of most departments and professional levels.

Sources of newsprint are in private hands, apolitical, and not restricted. However, because of high government taxation, the cost of newsprint is exorbitant and beyond the means of the private media. This invariably has a political dimension, one anonymous panelist stated. On the other hand, the state media, especially GRTS, do enjoy tax holidays in relation to the importation of their materials.

Even privately held printing facilities are influenced by politics, the panelists said, and usually refuse to print for the private media. State-funded printing facilities deny access to the private print media. Thus, the four leading newspapers have their own printing machines; they print their own newspapers and provide services to the newspapers with lesser circulation.

Channels of media distribution are in private hands, apolitical, and not restricted. Due to the fact that all the newspapers are centralized in the urban areas, coupled with poor transportation networks, limited readership, and the financial constraints of the private media, newspaper distribution is quite limited. There are no distribution firms; rather, the distribution network for newspapers is composed of individual newspaper vendors who purchase the paper directly from the media houses at a discount. Newspapers are sold in supermarkets, bookshops, hotels, and other shops. Transmitters can be obtained only when licenses have been issued (which, the panelists described earlier, is a politically biased process). The government controls the Internet.

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, The Gambia, Serrekunda

Samuel Sarr, editor, *Foroyaa* newspaper, Serrekunda

Sarata Jabbi, journalist and vice president, Gambia Press Union

Demba Jawo, editor, African Press Agency, Dakar, Senegal

Fatou Fye, gender, youth, and human-rights activist, accountant, Francis Small Printers, Serrekunda

Moderator and Author

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

Assistants

Momodou Lamin Jaiteh and **Buya Jammeh**, producers/reporters, Radio Alternative Voice for Gambians, Dakar, Senegal

The Gambia study was coordinated by, and conducted in partnership with, FAMEDEV, the Inter Africa Network for Women, Media, Gender, and Development, Dakar, Senegal.

From the starting point of the state-owned Ghana Broadcasting Corporation's one television station, two national short-wave networks, and three FM stations, as of December 2008 nearly 50 television and 190 FM radio stations had received broadcast licenses, according to the National Communications Authority.



GHANA

Before Ghana's return to multiparty democracy in 1993, only about a dozen poorly printed, tabloid-sized newspapers appeared sporadically on the newsstands. In contrast, the number of print media titles registered with the National Media Commission (NMC) now approaches 500. Significant growth is underway in the broadcast sector as well. From the starting point of the state-owned Ghana Broadcasting Corporation's (GBC) one television station, two national short-wave networks, and three FM stations, as of December 2008 nearly 50 television and 190 FM radio stations had received broadcast licenses, according to the National Communications Authority (NCA). In addition, the telecommunications industry has been relatively well-served by a rich deployment of ICT infrastructure and services. Currently, as many as 114 Internet Service Providers (ISPs) and five cellular service operators cater to more than a half of the total population.

This remarkable expansion in media plurality, and freedom of expression in general, can be traced largely to constitutional provisions guaranteeing the freedom and independence of the media, and insulating media practitioners and institutions against any form of interference, censorship, or control. According to the Media Foundation West Africa's 2009 report on Ghana, "The Ghanaian media are seen as 'one of the most unfettered' in Africa, operating with little restriction. The media often carry criticism of government policy without fear or restriction."¹ However, the panelists noted that this relative freedom and plurality is not always matched in quality, or in a diversity of viewpoints; many media adhere to sharp partisan loyalties.

In the past year, two major events shaped Ghana's media climate. First, several laws were passed to govern the converging technologies of telecommunication, broadcasting, and computing. Second, a flurry of political propaganda accompanied the December 2008 presidential and parliamentary elections, with the parties and candidates desperate for public platforms and courting media exposure. However, the panelists underlined serious concerns about professional standards and ethics.

On the whole, the MSI scores place Ghana in the near-sustainability range. Panelists were least impressed with the quality of professional standards. On the other hand, the panelists were impressed by the growing contributions of supporting institutions. The overall score suggests a positive, albeit not necessarily glowing, outlook for the country's media system.

¹ Ghana—2009 Country Report. Media Foundation West Africa website, July 29, 2010. http://www.mediafound.org/index.php?option=com_content&task=view&id=551&Itemid=47

GHANA AT A GLANCE

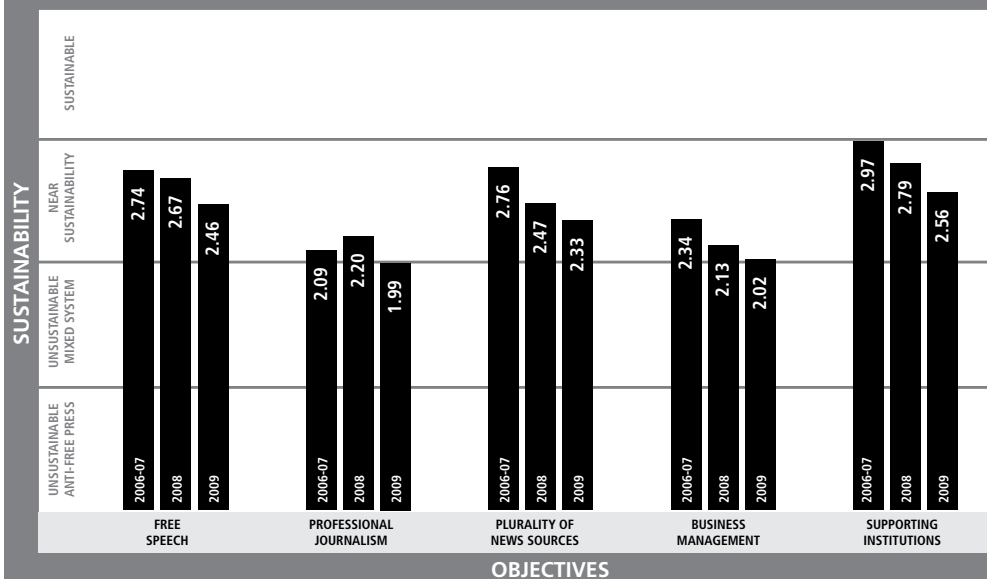
GENERAL

- > **Population:** 23,887,812 (July 2010 estimate, *CIA World Factbook*)
- > **Capital city:** Accra
- > **Ethnic groups (% of population):** Akan 45.3%, Mole-Dagbon 15.2%, Ewe 11.7%, Ga-Dangme 7.3%, Guan 4%, Gurma 3.6%, Grusi 2.6%, MAnde-Busanga 1%, other tribes 1.4%, other 7.8% (2000 census, *CIA World Factbook*)
- > **Religions (% of population):** Christian 68.8%, Muslim 15.9%, traditional 8.5%, other 0.7%, none 6.1% (2000 census, *CIA World Factbook*)
- > **Languages (% of population):** Asante 14.8%, Ewe 12.7%, Fante 9.9%, Boron (Brong) 4.6%, Dagombe 4.3%, Dangme 4.3%, Dagarte (Dagaba) 3.7%, Akyem 3.4%, Ga 3.4%, Akuapem 2.9%, other 36.1% (includes English (official)) (2000 census, *CIA World Factbook*)
- > **GNI (2009-Atlas):** \$16.604 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,480 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 57.9% (male 66.4%, female 49.8%) (2000 census, *CIA World Factbook*)
- > **President or top authority:** President John Evans Atta Mills (since January 7, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 466 total publications, including 11 national daily newspapers (National Media Commission, December 2006; BBC World Service Trust-AMDI 2006); Radio: 190 licensed; 146 on air (National Communications Authority Annual Report, 2008); Television stations: 47; 19 on air (National Communications Authority Annual Report, 2008)
- > **Newspaper circulation:** Top three daily newspapers: *Daily Graphic* (state-owned), *Daily Guide* (private), *The Chronicle* (private) (BBC World Service Trust-AMDI 2006)
- > **Broadcast ratings:** N/A
- > **News agencies:** Ghana News Agency (state-owned since 1957)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 997,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: GHANA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Ghana Objective Score: 2.46

The rights of citizens to hold and express divergent (even dissenting) views, and the plurality and independence of media institutions and practitioners, are firmly secured by the constitution and functionally enabled by supportive legislation. In particular, Article 21 (1) (a) guarantees the right to “freedom of speech and expression, which shall include freedom of the press and other media.” These legal protections compare favorably with international requirements and standards (notably Articles 19 and 21 of the UN declaration on human rights), and have actually engendered an atmosphere of open and robust (and even sometimes reckless) contest of opinions and views—not only on media platforms, but also in the court of public opinion. In fact, the panel expressed concern about growing public disapproval that some journalists and social commentators abuse the right to free expression. George Sarpong, executive secretary of the NMC, was particularly concerned about the miasma of legal strictures on media freedoms—unless practitioners themselves begin to exercise greater professional discretion and self-regulation. “While the environment is very free, public mood seems to be changing in favor of more restrictive legislation,” Sarpong lamented.

The panelists suggested that the social norms and cultural mores pose a more insidious threat. Eric Adae, president of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Larweh noted that some community stations have had applications pending for more than six years, during which time several individuals with obvious political connections received commercial broadcast licenses.

Evolve Limited, a brand development and communications consultancy, affirmed this concern and pointed to Ghana’s elite as the locus of calls for stronger legislative limits on media freedom. Adae noted that some facets of Ghanaian culture tend to view as effrontery any public comments considered invidious toward “the rich, powerful, influential, and well-placed business leaders and political elites.” According to Kofi Larweh, training officer of the Ghana Community Radio Network, inhibitory traditional roles are even more pronounced within rural communities, where everybody knows everybody, and you may be called before the elders and chastised for disgracing them. Furthermore, Ghanaians are typically socialized to mind their own business, which can work against the media as well.

The panelists do not believe that the process for obtaining broadcast media licenses is sufficiently transparent or apolitical; they see a lot of bias in the system. Larweh noted that some community stations have had applications pending for more than six years, during which time several individuals with obvious political connections received commercial broadcast licenses. Samuel Bartels, a radio broadcast journalist and television program host, described the creative response of villagers in the Nzema rural area: they set up a non-frequency broadcast facility that propagates community messages via loudspeakers.

The panelists noted that the government passed several laws in 2009 to govern the converging technologies of telecommunication, broadcasting, and computing: the National Communications Act, 2008 (Act 769), the Electronic Communications Act, 2008 (Act 775), the Electronic Transactions Act, 2008 (Act 772), and the National Information Technology Agency Act, 2008 (Act 771). The new laws are designed to help attract investors, and make the NCA more transparent.

The panelists also concluded that the tax regime for importing broadcast equipment and telecommunications facilities is both prohibitive and cumbersome. This, they explained, is leading to a hegemonic control of the media by commercial and political interests. As Bartels noted, “The voices of rural dwellers are crowded out by the monopoly

As Abigail Larbi, assistant editor with the state-owned GBC radio, noted, the lack of a right to information law makes “access to public documents and information subject to the goodwill and discretion of government and public authorities.”

of big-brand stations that set up subsidiaries to relay their programs from urban centers, thus denying the locals their own content.” Larweh suggested the need for a tax regime that would privilege rural community radio, “...because of their potential to interface with and mobilize their listeners for participation in national development.”

As noted in last year’s MSI, serious injury or death for journalists in Ghana is extremely rare, and the panelists did not describe any serious attacks. However, low-level harassment and limited physical violence is somewhat common. The lack of public outcry or sympathy when journalists are harassed makes their position more precarious.

Although the last government under the New Patriotic Party, (NPP) repealed the criminal libel provisions of the 1960 Criminal Code (Act 29), it also initiated processes for the passage of a defamation law, which, according to the Media Foundation for West Africa (MFWA), could impose undue closure and controls over the media. The change of governments in January 2009 may have offered some temporary reprieve. However, in the absence of a contrary public pronouncement from the National Democratic Congress government of President J. E. A Mills, the specter of a potentially restrictive defamation law will continue to blight Ghana’s otherwise forward-looking legislative environment.

Panel members contended that the NPP’s reticence when it came to promulgating a right to information law amounted to a betrayal of public faith. Again this year, the panelists also lamented that the legislature still has not approved a Right to Information Bill, jointly sponsored by the Commonwealth Human Rights Initiative and the MFWA since 2001. As Abigail Larbi, assistant editor with the state-owned GBC radio, noted, the lack of a right to information law makes “access to public documents and information subject to the goodwill and discretion of government and public authorities.”

Another concern is that the media’s constitutional duty, detailed in Article 162(5), to promote “the responsibility and accountability of the government to the people of Ghana” is substantially vitiated by the persistence of the State Secrets Act of 1962, which imposes restrictions on the right of access to public information and documents. Given these concerns,

it is hardly surprising that the question of access to public information received the lowest score in Objective 1.

The government does not require registration to access the Internet, and neither the government nor the responsible agency (the NCA) blocks or otherwise proscribes access to Internet sites or features. Access to international news and information is also free and open to the extent that supply and affordability allow.

Entry into the profession is free—even lax, to the extent that some panel members suggested a need for more clearly defined entry points for membership of the profession and minimum obligations for recognition as a journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Ghana Objective Score: 1.99

As the overall average scores for the five objectives suggest, the panel was least impressed with the levels of professional output among the media and journalists in the country. To illustrate this point, Bartels pointed to the fact during the last annual Ghana Journalists Association (GJA) awards ceremony there was no award for Best Journalist. The panelists identified a litany of factors they believe contribute to the poor professional standards, including the partisanship of the private media, which leads journalists to disregard the most elementary professional ethical codes and the basic news reporting tenets of objectivity, fairness, and balance.

Journalism lecturer Timothy Quashigah enumerated a number of production weaknesses, including the preponderance of trivialities rather than serious, well-sourced, and contextually

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).

backgrounded events and issues; the woeful lack of niche reporting; and the poor state of electronic news-gathering facilities. The panel noted that there have been no significant qualitative improvements in media content or format to match the expansion in print titles and broadcast outlets. Again, the panel attributed this, in part, to the lack of any objective standard of entry qualifications for journalists. According to Dave Agbenu, vice president of the GJA, due to Ghana's high unemployment rate, there are also a number of people posing as journalists with no identifiable institutional affiliations.

Newspaper proprietor and lawyer Egbert Faibille also pointed to examples of the predilection of some newspapers with blatantly scurrilous, misleading, and sometimes vulgar headlines and stories on their front pages. He blamed the NMC for "virtually abdicating its constitutional obligation to promote 'the highest journalistic standards in the mass media'" (Article 167 (b)). "From poor grammar to poor news presentation, everything is being sacrificed in an otherwise noble profession," Faibille lamented. Sarpong, however, pointed out that the empirical evidence from the media-monitoring activities of the NMC is that more than 90 percent of stories meet a "minimalist interpretation of the principles of fairness and balance. The difficulty is that [the] occasional journalistic infractions are usually so extreme that even isolated incidents seem to provide fodder for the anti-free expression lobby which is strongly emerging—especially among the elite."

The GJA has developed a 17-point code of ethics for practitioners. However, because membership of the association itself is voluntary, not all practitioners belong, and the sense of obligation to comply with the tenets of the code of ethics seems wanting. Even for GJA members, the panel noted that violations generally attract no more than the moral sanction of a public condemnation—the occurrence of which, in the view of the panel, was rare in the first place and not of sufficient deterrent value.

Panel members observed that due to the plurality of media outlets and the express constitutional guarantees against censorship (Article 162 (2)), editors could (or ought to have the capacity to) exercise their gate-keeping functions based on objective news values. In reality, however, in the words of Loretta Vanderpuye, editor-in-chief and television news anchor for GBC, "It is not uncommon to do self-censorship so that a government in power would not mark you out as sympathetic to the opposing." The vicarious hand of proprietors and political/financial lackeys is also all too visible in the nature of stories published by the media. The panel noted, in particular, a high incidence of political propaganda-inspired coverage, especially during the peak of the December 2008 election campaigns.

"From poor grammar to poor news presentation, everything is being sacrificed in an otherwise noble profession," Faibille lamented.

Furthermore, the panel noted that apart from a few iconic figures in the profession, most journalists are paid a pittance. This leads to a high dependence on pseudo-news stories—described by Agbenu as "he-said, she-said newsgathering and reporting." To a large extent, it is the profession's low remunerations that the political power brokers and commercial interest groups depend upon to exploit the media. In the words of Aday, "many journalists have resorted to 'stomach journalism' [and] compromise their independence and professionalism by being in bed with the political and business elites of the land." Vanderpuye also noted that "Because of low salaries, [some journalists] allow themselves to be used by political figures to settle personal scores." Not surprisingly, this indicator received the lowest average score.

Again this year, the panelists said that media content is dominated by programming that appeals to the lowest common denominator. Accordingly, there is more entertainment programming in the electronic media than news and information. Larbi said, "Entertainment seems to be gaining more air time than news because it is a major source of revenue to the media organizations—reality shows, sports, soap operas, drama, and music videos" seem to hold the most appeal for audiences.

The majority of the private press houses are poorly funded, single-owner outlets that operate with the very barest of equipment and resources—perhaps a couple of computers and recorders, but no more. What little equipment exists is certainly neither modern nor efficient. And with respect to the broadcast media, the state-owned GBC seems to suffer the greatest from resource shortages. Vanderpuye commented, "You sometimes have to wait in line to edit a story before going on air at 7:00 pm, creating a lot of tension... When Elizabeth Ohene, a former BBC journalist and minister of state in the NPP regime, saw our equipment, she commented that she thought our equipment belonged in a museum."

Niche reporting is relatively rare, partially on account of the low professional capacity of practitioners, partially on account of the low institutional capacity of newspapers in supporting specialized desks or beats, and partially because most journalists tend to gravitate toward politics.

Sarpong said, "There are multiple sources but very little diversity."

OBJECTIVE 3: PLURALITY OF NEWS

Ghana Objective Score: 2.33

The panelists concluded that collectively, the media present a multiplicity of perspectives from a plurality of news sources. There is a plurality of avenues to facilitate the expression of varied views on issues of public interest. This optimism must be qualified, however; as such plurality does not necessarily always amount to a diversity of opinions. Sarpong said, "There are multiple sources but very little diversity." This is also partially due to the fact that most newspapers are partisan and report from a tunnel-vision perspective. Adaye noted, "Too many news stories appear to promote business and vested interests," with the effect that "The various news bulletins all sound like a chorus." Larweh also pointed out that most private newspapers and broadcast stations are mostly located within, and promote the interests of, urban city dwellers, to the relative exclusion of the majority rural populations. In addition, most private media do not send correspondents to all the regions of the country, much less internationally. Adaye added that too many news organizations tend to cull their international stories from the BBC and other open-access Internet portals.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

The panel also acknowledged the significant presence of international broadcast media organizations (including BBC, CNN, RFI, VOA, DW, and Al Jazeera)—available either as subscription channels or through partnerships with local media outfits. A number of international mainstream newsmagazines (including *The Economist*, *Newsweek*, *Time*, *Financial Times*, and *Mirror*) are found easily in supermarkets and gas stations.

Although the constitution seeks to insulate the media from political and other sectarian control (Article 162) and obliges the state media in particular to allow a diversity of shades of views (Article 163), panel members did not think that these provisions were necessarily being adhered to in practice; it cannot be said that state/public media reflect alternative views in their output or serve the public interest. Faibille underlined the largely partisan nature of most media outlets, including the state media, and Sarpong added that "There appears to be a strong influence of ownership on editorial content."

There is only one official indigenous wire service, the Ghana News Agency. Established in 1957, it has struggled to survive because of financial hardship. A number of international news-gathering services, such as Reuters and AP, are available by subscription to broadcast and print outlets in the country.

Broadcast media generally produce their own programs. There are, in fact, more than 20 independent production companies that principally produce sponsored television infomercials, documentaries, and live shows. Notable among them are Charterhouse Productions, Channel 2 Productions, Sparrow Productions, Eagle Productions, Village Communication, Premier Productions, Point Blank Media Concept, Deltrack, and Bullseye.

The ownership of media outlets is a matter of public record, accessible both at the Registrar General's department and at the two regulatory institutions in the country (the NMC and the NCA). Indeed, media owners have little reason to disguise their stakeholder interests in the media, since the constitution provides that "there shall be no impediments to the establishment of private press or media" (Article 162 (3)). The panel observed a growing trend of multiple ownerships and affiliations in the FM radio sector but did not yet see sufficient grounds for concern about the negative consequences of conglomerations. They generally saw the development as a product of the need for market presence.

There is only one local-language newspaper, the *Graphic Nsempa*, with limited circulation within Kumasi, the capital city of the Ashanti region of Ghana. On the other hand, the broadcast media provide substantial avenues for local-language programming.

OBJECTIVE 4: BUSINESS MANAGEMENT

Ghana Objective Score: 2.02

Although this objective slipped slightly from last year's MSI score, at the indicator level, the changes were not dramatic. The panelists viewed the business management progress of broadcast media outlets much more optimistically than the print media. Newspapers, they believe, are largely tied to the apron strings of their political benefactors and sympathizers. Panel members described the Ghanaian media as a "cottage industry." Adae said that many media outlets are essentially run by one person. Consequently, very little strategic management or evidence-based projections about medium- or long-term prospects is seen. Aside from the predominant reliance on a shrinking advertising pie, only a few broadcast stations (and to a limited extent, the state-owned *Daily Graphic*) have explored alternative revenue sources such as sponsorships, promotions, special events, and sales of kits to improve their profit margins.

Alongside the liberalization of the media market, many local advertising outlets—large and small—have sprung up. However, there is an observable lack of professional creativity or sophistication and, according to Adae, growing evidence of conflict of interests. He explained that, contrary to the Code of Advertising Practice developed by the Advertising Association of Ghana, "Many media organizations also own or control ad agencies, either directly or indirectly. This does not bode well for the industry, since it creates complex conflict-of-interest situations and also greatly obfuscates the playing field."

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.

Adae said that many media outlets are essentially run by one person. Consequently, very little strategic management or evidence-based projections about medium- or long-term prospects is seen.

The independent media in Ghana do not benefit from any state or parliamentary appropriation or fund set up for the purpose of subsidizing the industry. Most broadcast stations rely almost exclusively on advertising revenue. But, owing to the fierce competition to attract advertising, most of these outlets are pressured into cutting their ad rates and thus have to fill up their advertising breaks with many advertisements—which, the panelists said, are inordinately long.

With respect to government advertising, however, the panel concluded that political patronage, more than considerations of management efficiency or professional quality, defined the ability of various outlets to mobilize this source of revenue. Furthermore, some nongovernmental advertisers would be wary of advertising in certain newspapers for fear of being branded politically.

There are no universally subscribed media ratings services in Ghana. In their bid to position themselves as widely circulating advertising vehicles, some media organizations occasionally commission circulation assessments and audience profiles, but, of course, the credibility of their figures is suspect, compromised by their vested interests. Faibille commented, "In Ghana, everybody lies about their circulation," underlining the need for an independent auditing bureau to verify claims. The panel estimated that for some newspapers, unsold copies probably constitute 50 percent of total print runs, which might not exceed 5,000 copies per edition in most cases.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Ghana Objective Score: 2.56

Objective 5 earned the highest score, reflecting the continued commitment by journalists and media operators to organize around associations of common interests and promote the goals and aspirations of their members. In addition to the GJA, there are other associations and affiliations of media and communication practitioners, such as the Ghana Independent Broadcasters Association, the Ghana Community Radio Network, the Institute of Public Relations, the

Some of the panelists traced the mediocre adherence to professional standards to what they consider the low standards of Ghana's journalism training institutions. More in-service training programs are needed to help fill the gaps, they believe.

Advertisers Association of Ghana, the Film Makers Guild, the Association of Women in the Media, Women in Broadcasting, the Internet Society of Ghana, the West Africa Journalists Association, the Sports Writers Association of Ghana, the Sports Broadcasters Association, the Environmental Club of Journalists, the Economic and Financial News Reporters Association, the Association of Past Broadcasters, the Communication Workers Union, and the Ghana Association of Writers. All these unions and associations work to preserve their professional integrity and to advocate the interests and welfare of their members.

Several media and advocacy NGOs have been pivotal to strengthening media freedom and advancing professional development of journalists. Notable among them are the MFWA, the Commonwealth Human Rights Initiative, the Friedrich Ebert Foundation, the GJA, and the other associations of media practitioners. As noted in last year's report, the MFWA and Friedrich Ebert Foundation have provided financial and technical assistance—with an emphasis on support for journalists' associations and for rural media. The NGO community has also supported the media community with publications on media-rights violations and standards of professional and ethical practice.

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.

Journalism students can choose from at least a dozen accredited media/communication and journalism training institutions in Ghana. Some of the programs offered include the graduate School of Communication Studies at the University of Ghana, the Ghana Institute of Journalism, African Institute of Journalism and Mass Communication, National Film and Television Institute, Manifold Academy, Jayee Professional Institute, and the Ghana Telecom University College. Access to these training institutions is fairly open; the conditions are comparable to the general admission requirements for other secondary or tertiary institutions in Ghana. As these institutions continue to mushroom, however, the panel members expressed concern about their potential to work against efforts to improve professional standards in the country. Some of the panelists traced the mediocre adherence to professional standards to what they consider the low standards of Ghana's journalism training institutions. More in-service training programs are needed to help fill the gaps, they believe.

According to the panelists, newsprint production and printing distribution facilities are very much driven by economic interests, and they are absolutely free from political interferences or restrictions. Urban areas have plenty of printing facilities, but there are not enough to serve rural segments. Newspapers often take more than 24 hours to reach some parts of the country. Limited television coverage also excludes a large segment of the citizenry from being well-informed and participating fully in the decisions affecting national governance. To address these concerns, some of the panelists would like to see state support by way of subsidies, tax rebates, or logistics support to private investors who might be interested in helping to build up the media infrastructure in rural communities.

List of Panel Participants

Samuel A. Bartels, radio broadcast journalist and television program host, Accra

Kofi Larweh, training officer, Ghana Community Radio Network, Ada

Egbert Faibille, lawyer, publisher and editor-in-chief, *The Ghanaian Observer*, Accra

Eric K. Adae, president, Evolve Limited, Accra

George Sarpong, executive secretary, National Media Commission, Accra

Dave Agbenu, vice president, Ghana Journalists Association, Accra

Loretta Vanderpuye, editor-in-chief and television news anchor, Ghana Broadcasting Corporation, Accra

Abigail Larbi, assistant editor, Ghana Broadcasting Corporation radio, Accra

Timothy Quashigah, lecturer, Ghana Institute of Journalism, Accra

Moderator and Author

Gilbert Tietaah, lecturer, graduate School of Communications Studies, University of Ghana, Legon

Observers

Beatrice Amoah, program officer, Research & Publications, Media Foundation West Africa, Accra

Richard Konduah, Media Foundation West Africa, Accra

The Ghana study was coordinated by, and conducted in partnership with, the Media Foundation for West Africa, Accra.

Over the past few years, 20 or so private radio stations have joined the airwaves. Community radio stations now blanket almost all of the country, providing Guineans with a diverse range of information.



GUINEA

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Since the death of Guinea's president, Lansana Conté, in 2008, political upheaval has shaken Guinea. A new military regime, led by the National Council for Democracy and Development (known by its French acronym, CNDD), took over soon after his death. Initially, Guineans drew relief from the non-violent transition and welcomed the new regime, which promised elections in 2010. Before long, though, political opposition began to heat up, amid speculation that the country's new leader, Captain Moussa Dadis Camara, might stand in the future elections, despite his earlier promises to the contrary.

In September 2009, the opposition coalition known as Forces Vives mobilized a demonstration at the September 28 Stadium (named for the 1958 date when Guineans voted for independence, ending Guinea's days as a French colony). Although intended to support democracy and head off a last-minute coup that would undo all the progress made in the electoral process, the demonstration turned bloody at the hands of security forces. More than 150 people lost their lives, more than a thousand were injured, women were raped, members of the press were manhandled, and the opposition political party leaders were beaten and thrown into prison. A United Nations panel investigation pinned the blame on CNDD members for their involvement in the massacre. The ordeal led many international partners to suspend investments and development activities in the country. Following an attempt on Camara's life in December 2009, Brigadier General Sékouba Konaté was named interim president. His promise of free and transparent elections in June 2010 gave Guineans cause for hope.

Despite this upheaval, the MSI revealed discernible progress in the media sector over the past year. Guinea's professional media associations, including the Guinean Union of Free Radio and Television Broadcasters (known by its French acronym, URTELGUI), launched an all-out offensive against the National Media Council (known by its French acronym, CNC) to defend democratic liberties and freedom of the press. Media associations also condemned the heavy-handed violence against reporters on September 28, 2009. Although CNC undermined press freedom by banning private radio stations from broadcasting political programs, people may express themselves freely on the airwaves and in foreign media outlets. Over the past few years, 20 or so private radio stations have joined the airwaves. Community radio stations now blanket almost all of the country, providing Guineans with a diverse range of information.

Internet affordability continues to improve, with new media options filling the gaps left by the traditional press. In the capital, people can listen to international channels easily. Much work remains, however, in the area of media professionalism and in updating the facilities of most media outlets to compete on a global scale. Further, Guinea's struggling economy and impacts business management and by extension the ability of media to upgrade equipment. Panelists showed optimism, even if overall their scores showed little overall change compared to last year.

GUINEA AT A GLANCE

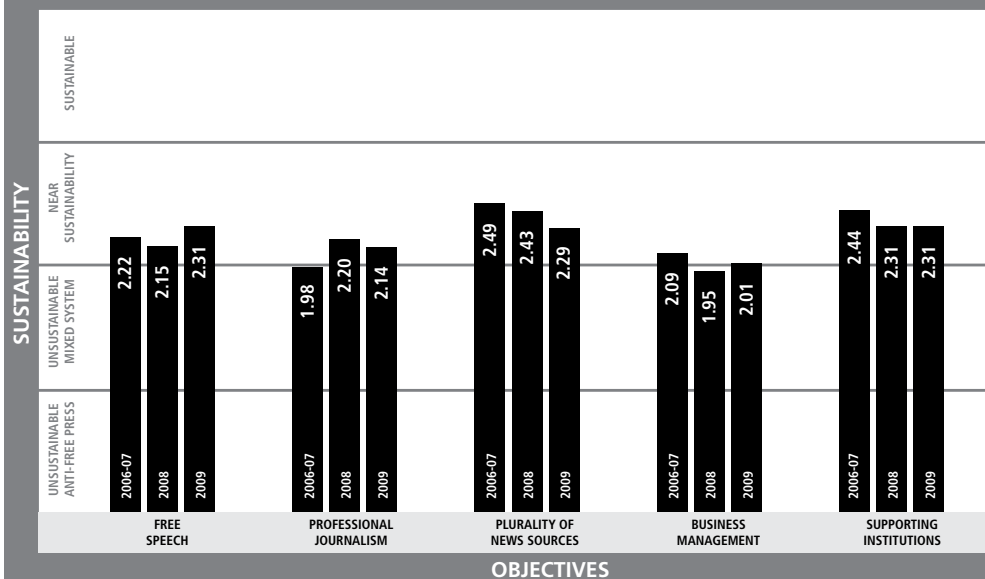
GENERAL

- > **Population:** 10,324,025 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Conakry
- > **Ethnic groups (% of population):** Peuhl 40%, Malinke 30%, Soussou 20%, smaller ethnic groups 10% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 85%, Christian 8%, indigenous beliefs 7% (*CIA World Factbook*)
- > **Languages:** French (official); each ethnic group has its own language (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$3.771 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$940 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 29.5% (male 42.6%, female 18.1%) (2004 est., *CIA World Factbook*)
- > **President or top authority:** General Sekouba Konaté, Interim President (Head of the military Government since December 3, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 240 titles (including 15 private weeklies which appear more or less regularly and have circulations of between 1,000 and 10,000); Radio Stations: 34, including 6 public channels, 16 community radio stations and 12 private radio stations; Television Stations: 1 public channel
- > **Newspaper circulation statistics:** Top four by circulation: *Le Lynx*, *l'Indépendant*, *l'Observateur*, *Le Diplomate*
- > **Broadcast ratings:** Top three radio stations: Familia FM (independent community radio); Espace FM (commercial); Radio Nostalgie (commercial)
- > **News agencies:** Guinean Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 90,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: GUINEA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Guinea Objective Score: 2.31

The country's fundamental law recognizes freedom of speech, but the law was suspended following the army coup d'état in December 2008. The Organic Law L005 of December 1991 backs up the law's provisions, making press outlets relatively easy to create. Additionally, this law protects Guineans against harassment for their opinions. With the proliferation of independent media, and private radio stations in particular, the panelists are seeing fewer and fewer restrictions on freedom of speech. They noted, for example, that listeners can express themselves freely on private stations.

However, a few hangovers from the dictatorship hold back the progress of the journalism profession in Guinea. Significantly, the CNC chair decided to ban mention of political subjects in all interactive broadcasts, in all languages. Ibrahima Cissé, an instructor at the Institute of Information and Communication Sciences, said that the media community and radio listeners see the decision as a violation of their freedom of expression, in contempt of the decree liberalizing the airwaves. URTELGUI reacted vehemently to the decision and called on its members to continue to air their programs as normal—bearing in mind that they must uphold the media's code of ethics.

Additionally, the panelists commented that Guinea lacks legal protections against violations of freedom of speech

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The second half of 2009 was characterized by frequent acts of violence against media professionals by the authorities. The tragic events of September 28, during which 157 opposition demonstrators were massacred, did not spare journalists.

legislation, as the state continues to wield influence over the judiciary. The panelists noted, however, that the government does not restrict access to the Internet.

Guinea's state structures overseeing electronic media licensing include the Ministry of Communication and New Information Technologies, CNC, and the National Department of Homeland Surveillance. The Ministry's Post and Telecommunication Regulatory Agency issues radio and television station licenses. Although Guinean law itself does not contain preferential provisions, licensing outcomes tend to depend upon the mood of the officials examining the files. Panelists expressed their impression that officials do grant licenses on a preferential basis, with Cissé commenting that a degree of wheeling and dealing is involved. Additionally, politician investment in radio stations such as Gangan FM, Soleil FM, and Continental FM raises questions about preferential treatment. Such problems notwithstanding, it is possible that some applicants for licenses do not meet the bid specifications and requirements. As noted in last year's MSI, the government provides no appeals process for those denied licenses.

After the 2005 liberalization of the airwaves, legal measures for regulating the radio and television media came into effect, setting out the conditions to establish and operate private radio and television broadcasting stations in Guinea. With the exception of religious groups and political parties, anyone could set up a radio or television station in Guinea, provided they complied with scrupulous conditions and paid GNF 15,000,000 (\$2,960) to obtain a frequency—a fee some private broadcasters consider exorbitant. Ultimately, the annual fees were set at GNF 25,000,000 (\$4,930) for commercial radio stations; GNF 2,000,000 (\$395) for community radio stations; GNF 5,000,000 (\$985) for commercial television stations, and; GNF 3,000,000 (\$590) for community television stations. Foreign radio and television broadcasting channels signed agreements with the communications ministry to set up operations in Guinea.

Regarding market entry, the panelists noted that the government imposes no restrictions, and that private

Diallo recalled one instructive defamation case in 2009 involving the print media, brought by a mining company against the National. The newspaper had difficulty providing proof that the person running the company is an arms trafficker, and the National's lawyer was forced to find a compromise solution.

newspapers can launch without incurring enormous costs. Alpha Abdoulaye Diallo, a journalist with the Guinean Independent Press Association (known by its French acronym, AGEPI), pointed out that Guinea has practically no VAT; the government does not levy taxes or charge annual fees, and essentially leaves the print media alone.

The second half of 2009 was characterized by frequent acts of violence against media professionals by the authorities. The tragic events of September 28, during which 157 opposition demonstrators were massacred, did not spare journalists. Chaikou Balde, of the Guinean Organization for the Defense of Human and Citizen's Rights, witnessed the events and said that many journalists were attacked or arrested; others lost their reporting equipment and material. Reporters from *Le Lynx* newspaper and Familia FM and Espace FM were nearly killed. Others were arrested and imprisoned, while BBC and RFI correspondents were forced into exile. Although the local media covered the events, the perpetrators were not apprehended or charged. However, Cherif Diallo, station chief of Bissikrima Community Radio in Dabola, countered that the media shied away from talking about the events, and no one had been tracked down or prosecuted because journalists have no legal recourse. Silence on the part of the victims and the media is more dangerous than the acts of the criminals themselves, he said; if journalists want protection, they must speak out when the rights of their colleagues are violated.

Although the state and independent media are treated equally legislatively, the panelists said that the state media benefit from special treatment. Cissé underscored the point that the public media are all under the thumb of those in power. The events of September 28 helped reveal to Guineans that the government controls the public media. The state radio and television stations read out incendiary scripts that day, compromising national unity and damaging hopes of cooperation with the international community. Furthermore, Cherif Diallo noted that state radio enjoys better conditions in the field than private radio stations but it fails to give the public the news it demands. The stations capable of providing

the news that citizens need lack the operational freedom to work in the field. Balde commented on the lack of objective or rational criteria in force to appoint staff in the state-run media; instead, some staffers win plum posts in reward for demagoguery and opportunism.

Curiously, reported the panelists, the government also manipulates some private stations, such as Familia FM. Panelists detect an ethnic bias in the reports of events in the field broadcast by that station, with statements likely to disturb public order—to the extent that URTELGUI issued a bulletin reminding its members of their ethical and professional obligations, and urging them to work toward bringing peace and political and social stability to Guinea.

Regarding defamation laws, if a newspaper or radio station is suspected of defamation, the CNC's professional ethics division investigates. Depending on the seriousness of the case, and after verifying the facts, CNC hands down any sanctions—suspension backed by fines, for example. Very serious cases are sent to court. The law stipulates clearly that complainants are allowed the right of reply. Any corrections must be carried *gratis* and at the top of the very next issue or broadcast in the very next edition, or in one chosen by the authority.

Diallo recalled one instructive defamation case in 2009 involving the print media, brought by a mining company against the *National*. The newspaper had difficulty providing proof that the person running the company is an arms trafficker, and the *National's* lawyer was forced to find a compromise solution.

Guinean law does not hold Internet service providers and web hosting companies legally responsible for content. But the panelists noted that authorities cannot control web content easily, as most sites are hosted outside the country.

Although no laws obstruct the media's access to public information, access is nonetheless a complex issue, dependent on several factors. Cissé said that in practice, authorities grant the public media favors in this area. As an example, he described how the authorities only allowed Radio Télévision Guinéenne (RTG) to cover the political activities of soldiers in their camp, while Familia FM and Sabary FM were turned away. However, Alpha Abdoulaye Diallo said that the lack of skill amongst journalists is partly to blame, as well—access sometimes hinges on the attitude and network of the journalists involved, and on the reputation of their outlets. In Diallo's view, access to information becomes easier if the media behave responsibly.

Lancine Camara of *Horoya*, a national newspaper, gave a qualified response, noting that apart from media coverage of official ceremonies, the national radio or printed press do

not gain special access to information. And in some cases, the private media have greater access to information than state media; sometimes agents of the administration deliver articles to the doorstep of private outlets.

Guinea enjoys relatively open access to international news and news sources, with access to RFI, BBC and VOA programming. Some local media outlets, in particular Sabry FM and Familia FM, rebroadcast VOA programs. Oumou Hawa Sylla of Radio Kaloum Stereo warned that using programs in that way demands a high degree of professionalism; although all media houses rebroadcast or redistribute programs, they should not just parrot the news from foreign stations—they should put the information into context for their listeners, he said.

The government does not prohibit or restrict Internet access, though Balde commented that cost is a limiting factor for some. Some media outlets can afford to subscribe to an Internet service, but the high price deters most editorial offices from offering access—forcing many journalists to use cybercafés. Alpha Abdoulaye Diallo noted that some private newspapers and cybercafé managers have forged partnerships; as a result, the print media have enjoyed greatly improved Internet access since 2008.

Education sector reforms in Guinea open tracks for journalists both in public sector and private sector higher education institutions. However, the panelists criticized the lack of regulations on the recruitment side, noting that the applicant selection process is not very rigorous.

The government does not restrict anyone from practicing as a journalist and does not demand licenses. The panelists noted also that the government, in keeping with the law, does allow journalists to form associations. However, Sylla lamented that anyone can become a journalist in Guinea; to break into broadcasting, one needs only the ability to speak well. In his view, radio stations that employ presenters with no journalism training are a serious problem. Aminata Tounkara, of Search for Common Ground, shared her impression that some private media outlets employ journalists without any experience or training in journalism; she suspected they obtain their jobs through nepotism.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Guinea Objective Score: 2.14

This year, the MSI panelists noted that a number of private media outlets have made significant improvements in the collection and handling of news. For example, the panel praised the private radio stations Radio Nostalgie, Djigui FM, Espace FM, and Soleil FM for their professional news

Some panelists singled out Le Lynx, L'Indépendant, and Le Populaire as well as some online media (such as guineenews.org and tamtam.com) for their professionalism.

bulletins. The panel remarked that those stations benefit from well-trained reporters who take care to check their facts before stories air. The panelists also commented that Espace FM broadcasts objective material, ensures balance of coverage, and uses its sources judiciously. Despite that progress, the panelists noted some shortcomings among producers at other private radio stations. Tounkara noted that increasingly, some of the topics that private radio stations address require a great deal of investigative work—but that journalists leading the discussions are obviously not up to the task. Sylla added that although many journalists try their best to be objective and even-handed, sometimes they simply lack the ability or the means.

Some panelists singled out *Le Lynx*, *L'Indépendant*, and *Le Populaire* as well as some online media (such as guineenews.org and tamtam.com) for their professionalism. Ismail Kabiné Camara, of *Le Diplomate*, praised tamtam.com's reporting as mostly objective, and noted that any lapses likely stem from a lack of training and professionalism rather than a desire to do harm. Lancine Camara offered a less rosy view of some of the newspapers employing under-experienced journalists, finding that they tend to enliven their scripts with "news" from café-bars.

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).

Balde stressed that the working conditions create fertile ground for corruption, and Sylla agreed, noting that the journalists have little incentive or reward for upholding ethical and professional standards.

Although generally the state media employ professional journalists, papers and programs tend to reflect the views of the authorities in power. A key example is the CNC's decision to keep leaders of political parties off official media channel airwaves for a good part of 2009.

Professional ethical standards and codes for the journalism profession exist. The Guinean Association of Journalists, the Guinean Observatory of Media Professional Ethics, and other journalist organizations in Guinea helped to develop these guidelines. The authors based some of the standards on those set by the West African Journalists Association, a sub-regional structure for monitoring media ethics and professional conduct. The low professional level of journalists, however, complicates compliance with those standards. Lancine Camara found that the standards have not been adequately disseminated or promoted within the media. They are not popular among those who know about the standards, and people are not keen to find out about them.

According to the panelists, journalists violate ethical standards most frequently out of poverty and poor working environments. Balde stressed that the working conditions create fertile ground for corruption, and Sylla agreed, noting that the journalists have little incentive or reward for upholding ethical and professional standards.

Panelists described self-censorship as a spreading cancer at some media houses, particularly among the state media. Cissé said that journalists at the state-run outlets carry anything that portrays the authorities in a good light, but they are subject to a gag on any information deemed sometimes a simple personal reaction to a story causes a journalist to cover up some information, and sometimes articles are pulled at the last minute when a minister intervenes and orders it to be removed.

Self-censorship is rare in the private media but does exist. Media such as Soleil FM have censored their own broadcasts; for example, Soleil temporarily halted the program *La Grogne (The Grumble)* after the events of September 28, 2009. On the other hand, stations such as Espace FM take a stance against self-censorship, airing what they feel would be of interest to

their audiences even when a story could invoke the wrath of the authorities.

Generally, the freedom to cover key events and issues depends on the status of the medium in question. In the state media, authorities' demands direct the editorial line. State journalists avoid touching on sensitive topics, such as questions of sovereignty, limiting themselves instead to safe events, such as official visits and inauguration ceremonies. In the official media, Sylla said, sometimes managing editors use the pretext of "poor timing" to block the work of journalists that write newspaper opinion pieces.

The panelists did note, however, that the private media are not subject to such restrictions in terms of covering key issues and events. Authorities do not pressure newspapers or radio stations, but newspapers tend to cover potentially sensitive topics in less detail than radio stations. In addition, in the private press, articles are sometimes embargoed until the timing improves and the issue at hand is not as controversial.

Given Guinea's weak job market, people working in the media rarely find opportunities to jump to other sectors, and incomes are low across the board. Journalists working in the public media draw civil service salaries of GNF 400,000 (\$79) on average—low relative to the cost of living. With a few exceptions, employees of media outlets such as Radio Nostalgie, Espace FM, and Familia FM and press organs such as *Le Lynx* are paid relatively well. Journalists at these stations nevertheless consider their pay insufficient to cover their everyday needs, and unfortunately, the slight advantages do not preclude journalists from the taint of corruption. Cissé pointed out that journalists have to live and have families to feed, and they would do what they have to in order to survive. For example, some journalists have been known to phone up the subject of an unflattering article to ask if he or she would ransom the piece back before it is aired. Sylla agreed that many journalists who see opportunities to make money will not hesitate to seize them.

Alpha Abdoulaye Diallo identified the need for a collective agreement to address these problems, which, he believes, also handicaps social and economic progress. The panelists suggested that the root of the problem might be the lack of solidarity among journalists themselves. For too long, journalists have let state institutions regulate the press, instead of taking collective responsibility to shape the regulatory structures.

Access to news programs improved gradually over the year. New private stations appeared on the scene that broadcast 24 hours a day, air news programs every four hours, and short newflashes of about four minutes in between. Alpha Abdoulaye Diallo noted that in 2009, specialized programs

aired about health and other issues on Radio Nostalgie, Familia FM, Soleil FM, Espace FM, and Radio Kaloum Stereo. Despite that improvement, panelists said, entertainment still dominates the program schedules both of public and private stations. Balde estimated that entertainment and music account for nearly 90 percent of all programs, at the expense of news and discussion. The panelists observed that Radio Nostalgie, Soleil FM, FM Liberté, Horizon FM, Espace FM, and Djigui FM air interactive programs that provide the public's best source to explore and debate questions of national interest.

News managers have worked over the past few years to improve the quality of equipment and facilities for their journalists. Cissé said that in radio and television, digital equipment is gaining the upper hand over analog. Now that digital editing has become a familiar process, work that used to take an hour now takes only 20 or 30 minutes to complete, helping journalists understand the need to convert to newer technologies. Cherif Diallo noted gains in the community radio sector, where the transition from analog to digital is taking place visibly, with help from the Radio Netherlands Training Center Informorac program in Guinea. For the nine recipient community radio stations, the challenge ahead is to train technicians to use the new equipment properly.

Despite these improvements, an overall shortage of modern equipment persists in the media. Sylla underlined the core problem of equipment availability, and the shortage of workstations—leading journalists to have to juggle schedules to share space and computers. In some media outlets, journalists have to fall back on the Dictaphone. Balde said that given these constraints, the national radio station, and private radio stations to a certain extent, have difficulty delivering high-quality live reports. Most of the scripts are recorded in rooms away from the studios. Lancine Camara commented that most of the equipment at his national news daily, *Horoya*, is obsolete. The paper is working with ancient computer equipment and without the Internet and is suffering serious difficulties, he said.

In terms of where aid can be channeled best, the panelists suggested that the public media sector is most in need of upgraded production studios (with computers for digital editing), the community media needs transmitters and reporting equipment, and printing presses need upgrades to close the shortfall in the number of copies produced by the newspapers and to remedy the lack of speed in handling and disseminating news.

The government granted the state media support to run reports from outside the capital and cover the key issues of interest at the community level. With eight regional offices around the country equipped to help reporters

gather regional news, state television could appeal to more Guinea's minority ethnic groups. National radio has also employed correspondents in the prefectures to produce local news on a daily basis. However, only a few reporters have proven capable of producing high-quality programs from the provinces.

Among the constraints on the public media, the panelists cited the lack of training, obsolete equipment, unreliable vehicles used by teams in the field, irregular fuel supplies, and the difficulty of covering isolated areas. Private newspaper reporting from the regions, except for coverage of official ceremonies, is rare, given that they have only modest means at their disposal and that some reporters lack training.

OBJECTIVE 3: PLURALITY OF NEWS

Guinea Objective Score: 2.29

In 2009, some 10 private radio stations opened up in the capital and covered all the rural areas of lower Guinea, where about a quarter of the country's population lives. Also, a number of private radio stations set up in the provinces, including FM Liberté in the N'zérékoré region, Bambou FM—a station devoted to women's issues—in the Faranah region, and Horizon FM in the Kankan region. These stations have 300-watt transmitters that cover not only urban areas but a significant fraction of the surrounding rural communities. For the moment, no private radio station boasts a national footprint. The panelists noted that despite the government's efforts, RTG's signal covers only 16 prefectures—less than half

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.

Only a fraction of the population—generally students and public and private sector employees—use the Internet; the unavailability of electricity and the expense prevent wider access.

the country's total of 33. Approximately 20 community radio stations cover the rural areas in their regions. They broadcast in the main languages in their target areas, and produce programs that take into account local concerns.

People in the larger towns and cities (Conakry, Kindia, Labé, and N'zérékoré) have greater access than rural residents to the foreign and domestic news produced by international channels (RFI, BBC, and VOA) and by domestic public and private radio stations. Only a tenth of the population, such as decision-makers and business people, can afford to buy newspapers. Of that tenth, 75 percent read private newspapers, 21 percent read the foreign press, and four percent read *Horoya*. However, Lancine Camara, speaking as an employee of *Horoya*, pointed out the proliferating parallel market in photocopied newspaper articles, which sell for about GNF 1,000 (\$0.20) and are seriously damaging newspaper sales revenues. Alpha Abdoulaye Diallo noted also that newspaper distribution is focused on the capital, leaving large numbers of Guineans without access to newspapers, and many newspaper publishers have stopped sending newspapers up country, citing financial problems.

Only a fraction of the population—generally students and public and private sector employees—use the Internet; the unavailability of electricity and the expense prevent wider access. Some people find access through public spaces (state institutions and universities), NGOs and their projects, community centers, and cybercafés. Online news sources include guineenews.org, aminata.com, kibarou.com, tamtam.com and others. Blogs are still rare, but the local telephone companies, including Sotelgui, Aeeba, Orange, and Selcom, offer text message news services. According to the panelists, only a small fraction of the population subscribe to satellite television news, which is distributed by the local companies Soditev, Makity, and Satelcom. Only a small number of people, such as civil servants and businesspeople, have the means to subscribe to cable television. Other people follow television news in public spaces.

For now, radio remains the main source of news, followed by television, the online media, and the newspapers. Sylla maintained that radio and television are more popular than the printed press because of oral traditions; Guineans tend to listen more than they read.

The government does not restrict access to domestic or foreign media. Regarding international news, the government signed agreements with foreign media to set up transmitters in the provinces: RFI in Labé, Kankan, and N'zérékoré and the BBC in Labé. The agreements allow Guineans easy access to foreign radio news in those areas. Foreign print editions can be found in kiosks, but many Guineans find the price exorbitant.

According to the panelists, the public media are in reality state media, and they reflect the views and whims of the authorities in power. The authorities have banned access to the state's airwaves by opposition political parties, in particular the Forces Vives coalition. Balde noted that Guineans face a great challenge because what are rather fantastically called "public" media are in fact neither public, nor even-handed, nor independent, and fail to uphold their programming responsibilities. Cissé agreed that it is impossible for government-appointed journalists to disassociate from the politics of the persons who appointed them. Journalists at RTG enjoy little independence; one might be told that a minister ruled that a particular piece could not be aired, and the journalist would have little recourse but to comply. However, the panelists agreed that national radio and television stations are making an effort to produce programs dealing with issues of national interest, in the areas of popular education and the promotion of cultural diversity.

Guinea has no independent or foreign news agencies. But often state media (including national radio and *Horoya*) and some private radio stations pick up stories from press agencies such as AFP, usually taking care to cite their sources.

Generally speaking, broadcast media outlets produce 95 percent of their programs based on information arising out of local concerns. A small fraction of radio programming, about five percent, results from cooperation with foreign stations or the VOA rebroadcasting agreement; that is the case with private radio stations such as Familia FM and Sabary FM. The agreement covers the main news programs of the partner stations.

According to the panelists, private media outlets have the freedom to raise many issues without restriction, including sensitive topics that reflect the concerns of their local audiences, and their reporting takes into account the views of opposing parties. Cissé pointed out, however, that the private media adhere to their own set of editorial guidelines, and sometimes turn to the public media for some facets of the news, such as official government communiqués. Community radio stations base themselves essentially on the needs of their audiences in producing their programs; to that extent, they are independent.

Regarding the question of media ownership, the state owns and controls the public media—thus, there is a degree of transparency. According to the panelists, though, the question of transparency among private newspapers is more complicated. The law outlines conditions to establish and operate private broadcasting stations, and stipulates that no private radio or television broadcasting station may directly or indirectly identify with a political party, religion, or region. Despite that regulation, panelists said, political parties and very influential businesses hide behind individuals and control some private media. Alpha Abdoulaye Diallo pointed out that among a certain number of stations, transparency is a given; stations such as Radio Nostalgie, Djigui FM, Espace FM, Cheri FM, Horizon FM, FM Liberté, and Koffi FM broadcast the names of their owners. Some outlets are open even about the workings of their governing boards. For others, however, the question of ownership remains opaque.

Over the past few years, the government has made strides to include interests of all social strata, including ethnic minorities, in state radio programming. Cissé said that coverage of minorities is not a problem, as news programs are aired in more than eight languages. The community media also broadcast minority programming. Cherif Diallo cited the town of Mamou as an example. People there wanted to hear the languages of the Guinea Forestière region in their programs, so in order to effectively design such programs, the station undertook a sociological study and learned that the people of Mamou understand three main languages: Forestier, Peulh, and Malinké.

OBJECTIVE 4: BUSINESS MANAGEMENT

Guinea Objective Score: 2.01

Although the panelists said that some press outlets are managed fairly well, the panelists doubted that accounting practices meet international standards. Currently, of 600 newspapers registered with CNC, only 20 are published regularly—and among those 20, not even five proved capable of producing a financial statement at the year's end. Some press companies manage to make their mark in their first year. Others in existence for years still have not managed to lift themselves out of financial mediocrity.

Alpha Abdoulaye Diallo held a slightly different opinion, saying that generally media companies are profitable, depending on their editorial policies and particularly on the drive and goals of media owners.

Recently, many newspapers have started up thanks to state subsidies, but only a handful exhibit financial viability, sound

Community media survive on subsidies from local and national organizations, contribution campaigns, and by providing services. Cherif Diallo said that it is very difficult for anyone to influence community media programming, as outlets link programs to local realities and communities' development needs.

management, and formal employment agreements. Instead, most of these papers rely primarily on freelance journalists, who work without employment contracts and are paid on a piecework basis. In terms of personnel management, Lancine Camara said that the absence of a press union or a collective agreement between publication directors and reporters is a serious problem. To address the issue, some journalists have taken a stand for contracts and social security compliance, and left as soon as they could find an employer offering such benefits, slamming the door behind them.

A number of sources finance the media, and Cissé said that some financial backers influence editorial policy. There is a tendency to believe that he who pays the piper calls the media's tune. For example, *Mutation* had a contract with the bauxite mining company RUSAL, which imposed a number of conditions in exchange for its support.

The public media are dependent completely on the government for funding. Private media outlets, meanwhile, are financed primarily by their owners, copy sales, advertising,

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

BUSINESS MANAGEMENT INDICATORS:

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

The community media's familiarity with audience research is growing through the help of the NGO Informorac, which holds on-site training sessions as part of its mobile training initiative for community radio outlets.

and sponsors, but they also receive annual state subsidies (which the panelists consider insufficient). Many media houses receive support through service contracts with local companies or institutions. Alpha Abdoulaye Diallo said that offers are frequently made for media campaigns; for example, the Canadian Embassy and the UNDP provide the media with "ready to wear" campaigns on targeted themes, or with articles on topics such as women's rights or participation in elections. The campaigns affect neither the editorial policies nor the conduct of the media, the panelists said.

Community media survive on subsidies from local and national organizations, contribution campaigns, and by providing services. Cherif Diallo said that it is very difficult for anyone to influence community media programming, as outlets link programs to local realities and communities' development needs.

According to the panelists, media outlets do not actively use the services of advertising agencies; generally, advertising is in the form of institutional announcements. Although an advertising market exists in Guinea, it is poorly structured, and little targeted advertising takes place. The panelists said that the media do not benefit from advertising as they might in a properly structured environment.

The country has no advertising regulatory agency; the Guinean Publicity Office (Office Guinéen de Publicité) only regulates public billposting. Advertising guidelines for newspapers restrict advertisements to 50 percent of all content in a 12-page newspaper; for private radio stations, advertising must not exceed 10 percent of programming. In most cases, advertising is not sufficient to make payroll or keep a newspaper afloat.

The government subsidy for print press and online media has grown steadily, though panelists still consider it insufficient. The first parliament, in 1996, approved the subsidy, after deciding that the media that had guided and supported the Guinean democratic process must be supported. Alpha Abdoulaye Diallo justified the subsidy, saying that it was a right—not a reward from a politician or another member of government. Since the Conté regime, the media had always been critical of the government, and this stance continued

even as the subsidy increased. According to the panelists, the government does not dictate how the subsidy should be used, whether to help pay the rent or acquire equipment. Some media houses report using their subsidies to buy computers and software to make their work easier, or to upgrade their facilities.

At the invitation of CNC, Stat View International, an NGO specializing in market research and polls, conducted a pilot poll survey in Conakry in April 2009 on the perception of the Guinean media. The survey covered radio, television, print, and online media. The poll, the first of its kind in Guinea since the liberalization of radio and television, offered a baseline for more in-depth and regular audience research on public and private media. The poll aimed to identify the Guinean media's strengths and weaknesses, and to pinpoint and analyze public perception of the media's quality and performance. Additionally, Stat View International carried out many surveys in other sectors, such as health and education. Politicians, civil society workers, public administrators, journalists, and media people made up the survey sample. The panelists said that they trust that Stat View operates independently and is not subject to political pressure.

The community media's familiarity with audience research is growing through the help of the NGO Informorac, which holds on-site training sessions as part of its mobile training initiative for community radio outlets. Radio stations also use interactive programs, mail from listeners, and interviews with people in the street to assess their audiences amongst the public.

Guinea's only ratings poll is carried out by Stat View International as well. The media and audiences learned of the poll results in a feedback workshop held by Stat View. The panelists said that they expect the media concerned, including private newspapers and *Horoya*, to be able to apply lessons from the survey to improve their services.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Guinea Objective Score: 2.31

Guinea's media community boasts a number of trade associations. The country has publishers' associations, such as the Guinean Online Press Association and AGEPI. AGEPI is the oldest publishers' association, dating to 1991, and as last year's MSI reported, over the years it has helped ensure implementation of Guinea's media laws. Alpha Abdoulaye Diallo said that in previous years, AGEPI, in concert with *Le Lynx*, tried to establish regional newspaper distribution, but it realized that the money did not come back even though the newspapers were distributed.

URTELGUI and the Rural Print and Broadcast Network represent broadcast outlets. The panel praised URTELGUI, in particular, for being very active in 2009. URTELGUI's noteworthy contributions include defending members who suffered injustices, as seen in the case of the director of Radio Nostalgie; its rigorous application of the journalists' codes of conduct (for example, it addressed instances of gross unprofessionalism at Familia FM); and in promoting democratic freedoms.

Additionally, Guinea does have several professional media associations that operate independently from the government. Examples include the Association of African Media Professionals and the Guinean Association of Journalists. These associations protect members' interests, set up lobbying groups, and search for funding to hold seminars. They also fight more generally for press freedom and to restore order to the journalism profession.

Associations depend on membership dues, and the panelists noted that association membership is rising gradually—partially because the sole qualification for membership is achieving recognition as a working professional journalist. The associations suffer from serious operational shortcomings, though, in part because they lack the funds to carry out relevant activities.

As for NGO support to the media sector, only the Guinean Organization for the Defense of Human and Citizen's Rights (known by its French acronym OGDH) worked with media outlets in 2009 to protect and defend journalists. It recorded at least a dozen cases of journalists threatened in relation to the September 28 tragedy. Other organizations provided assistance to OGDH in that context, following OGDH's

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

In Cissé's view, the main problem is the focus of the curriculum. During Cissé's study the University of Conakry, he experienced firsthand the mind-numbing emphasis on theory. Upon arriving at RTG, he and other journalists faced an uphill battle adapting their heavy theoretical background to a practical setting.

appeal to relevant international organizations on behalf of journalists seeking asylum outside the country.

A few educational institutions offer journalism training programs. These include the public Higher Institute of News and Media Training, and several private institutions: Mercure University, Kofi Annan University of Guinea, the Aboubacar Camara Foundation, and Sheikh Modibo Diarra University. In Cissé's view, the main problem is the focus of the curriculum. During Cissé's study the University of Conakry, he experienced firsthand the mind-numbing emphasis on theory. Upon arriving at RTG, he and other journalists faced an uphill battle adapting their heavy theoretical background to a practical setting.

Indeed, very few students opt for the formal degree route. Alternatives include the Aboubacar Camara Foundation, with its own training studio and radio station; and Familia FM, which also has its own radio journalism training center. Tounkara, speaking from experience, said that conditions in courses at the public establishments leave a lot to be desired. The Institute of Information and Communication Sciences offers a radio station, one room with a computer and small console, and a small announcer's room. There might be 200 students using one small room, and she commented that it would be impossible to expect so many people to get into one cramped studio to practice.

Short-term training opportunities do exist. EFES offers training courses for beginners, and other institutions, such as RFI Talent, organize workshops for independent radio station presenters on a generally annual basis. RTG offers courses for its journalists as well. Tounkara said that the Press Club of Lyon, France, in collaboration with the Guinean Press Club, trains individual reporters every year, including a field trip to Lyon to produce a news program. The courses focus on the radio format, and in particular the production of thematic, interactive, and roundtable programs.

A few stations give young interns practical training. Sylla said that in public radio editorial offices, it has proven necessary to give extra training on editorial style to people straight out of journalism schools—they typically arrive without the ability to conduct reporting, gather news, or write a news story.

A few stations give young interns practical training. Sylla said that in public radio editorial offices, it has proven necessary to give extra training on editorial style to people straight out of journalism schools—they typically arrive without the ability to conduct reporting, gather news, or write a news story. Cissé added that Familia FM offers short-term courses of two or three months at the station's training center, and another radio station offers similar short-term training sessions for young people, and grants certificates upon successful completion of the course.

Informorac has also organized five-day, on-site training sessions for stations, along with a week-long group training course focused on magazine programs, on-air roundtables, news production, public game programs, mini-programs, and interactive programs. In 2009, Informorac also offered training in journalistic technology, such as digital editing, preventive and curative equipment maintenance, and familiarization with information and communication technologies. Approximately 100 staff members attended from nine community radio stations from around the country.

Most of Guinea's print shops are owned privately, and their owners often discriminate between the newspapers for financial reasons, according to the panelists. In general, printing houses operate as commercial enterprises, favoring newspapers with large print runs because of their

profitability. Some newspapers, including *Le Lynx* and *L'Indépendant*, own their own printing facilities but are plagued by frequent technical problems, and they have to fall back on other local printing houses.

Although Guinea has a large number of printing houses, and the government generally does not interfere in the business, quality control is a major problem. Alpha Abdoulaye Diallo commented that the printing houses do not consider themselves part of the press. They have received no formal training, picking up their skills on the job. The limited hours of operation at printing houses has also proven to be an issue for newspapers. A printer operating only from 8 a.m. to 4 p.m. cannot print a newspaper, making newspapers yearn for their own printing presses. Still, the private printing houses seem to get a fair amount of work.

News kiosks are privately owned as well, and the state does not charge a sales commission for newspapers. The Guinean Press Distribution Company, however, levies a 30 percent commission on the sale price. The panelists said that the country still has no press distribution companies, although studies have been carried out to guide professionals in that direction.

The state also does not control Internet access, which is provided by private companies such as SOTELGUI, AFRIBONE, and MOUNA. The panelists reported no restrictions; users simply pay a fee and a line is made available. Newspaper distribution, however, remains a challenge. Alpha Abdoulaye Diallo said that only when newspaper companies restructure to operate as well-run businesses, and introduce some rigor into organizational, editorial, and financial aspects, can the industry address changes to distribution.

The government allocates frequencies to private and community stations through the Post and Telecommunication Regulatory Agency, but does not control transmitters. Private radio station transmitters are subject to an annual utilization fee.

List of Panel Participants

Oumou Hawa Sylla, Radio Kaloum Stereo, Conakry

Cherif Diallo, station chief, Bissikrima Community Radio, Dabola

Ismail Kabiné Camara, *Le Diplomate* newspaper, Conakry

Chaikou Balde, journalist, Guinean Organization for the Defense of Human and Citizen's Rights, Conakry

Bangaly Magassouba, independent jurist, Conakry

Ibrahima Cissé, teaching staff member, Institute of Information and Communication Sciences, Coyah

Lancine Kaba, Milo FM, Kankan

Lancine Camara, *Horoya* national newspaper, Conakry

Alpha Abdoulaye Diallo, journalist, Guinean Independent Press Association, Conakry

Hady Camara, journalist, Guinean National Television, Conakry

Mamadou Diallo Télémélé, community radio, Telimele

Aminata Tounkara, Search for Common Ground, Conakry

Amara Camara, Guinean National Radio, Conakry

Moderator and Author

Marcel Sow, independent consultant, Guinean Rural Radio and Magazine Network, Conakry

Journalists view the existing media policies, coupled with the tax burdens imposed on the media, as clear signals that Kenya's government has no interest in or respect for a free and flourishing press.



KENYA

Although Kenya's media display certain strengths, widespread intimidation of the media persists. Last year's MSI described Kenyan journalists' fears that hard times were in front of them, with politicians apparently conspiring against the media. These concerns proved well-founded. President Kibaki approved changes to the media law that broadened the scope of official power to interfere with the media, under the guise of protecting national security. The Government of National Unity, brokered by regional leaders, remains in control, but the situation is very volatile—with indications that it may collapse in advance of the 2012 general-elections.

The profession lost another journalist this year under mysterious circumstances: *Citizen Weekly* news reporter Francis Nyaruri was murdered; his body was found tortured and beheaded. Disturbed by the government's reluctance to investigate and prosecute this and other cases, journalists are resorting to widespread self-censorship. Government investigations of crimes against media practitioners frequently appear half-hearted, and cases are often withdrawn before they are resolved. The judiciary serves as an accomplice, passing harsh judgments with high fines against media houses, forcing some to close down. Journalists view the existing media policies, coupled with the tax burdens imposed on the media, as clear signals that Kenya's government has no interest in or respect for a free and flourishing press.

The state continues to suppress press freedom, supported by a framework of oppressive media laws—some inherited from colonial governments. The government continues to enact new media laws, described by journalists as draconian, under the guise of media regulation. For example, the Communications Amendment Bill 2008 sparked swift protests from the media community after parliament passed it into law. The protests forced the government to withdraw the bill and order a review involving all stakeholders. Although consultations with stakeholders were held, journalists are waiting to see whether their views are reflected in the final document passed into law by parliament.

Despite all these problems, however, there are causes for optimism. There are no restrictions on the Internet, or on access to foreign or domestic news sources. Additionally, Kenyans enjoy a wide plurality of news sources and benefit from strong supporting institutions. Unity among media practitioners and various professional associations is growing. For example, media associations work with NGOs to deliver training programs for journalists. Such trainings aimed to equip journalists with skills to cover violent situations and uphold press ethics, in an attempt to avoid a repeat of what transpired during the post-elections violence—when some journalists took sides, produced biased reporting, and were labeled partisan as a result.

KENYA AT A GLANCE

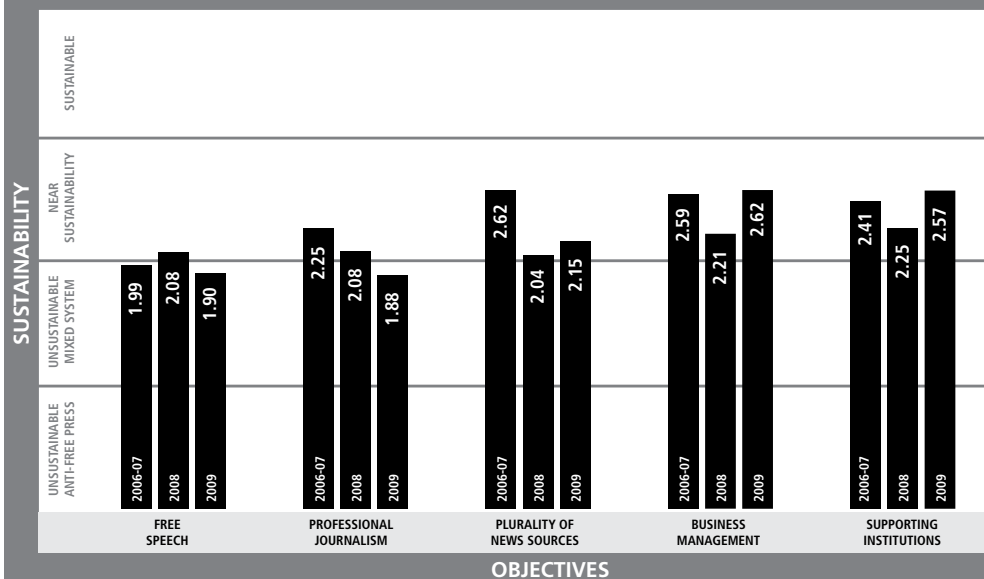
GENERAL

- > **Population:** 40,046,566 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Nairobi
- > **Ethnic groups** (% of population): Kikuyu 22%, Luhya 14%, Luo 13%, Kalenjin 12%, Kamba 11%, Kisii 6%, Meru 6%, other African 15%, non-African (Asian, European, and Arab) 1% (*CIA World Factbook*)
- > **Religions** (% of population): Kikuyu 22%, Luhya 14%, Luo 13%, Kalenjin 12%, Kamba 11%, Kisii 6%, Meru 6%, other African 15%, non-African (Asian, European, and Arab) 1% (*CIA World Factbook*)
- > **Languages:** English (official), Kiswahili (official), numerous indigenous languages (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$30.69 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,570 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 85.1% (male 90.6%, female 71.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Mwai Kibaki (since December 30, 2002)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 7 daily newspapers, 4 weekly newspapers, 2 weekly magazines; Radio Stations: 63; Television Stations: 17
- > **Newspaper circulation statistics:** Top three by circulation: *Daily Nation* (private, circulation 250,000), *Standard* (private, circulation 120,000) and *People* (private, circulation 45,000)
- > **Broadcast ratings:** Top three radio stations: Citizen Radio (private), Classic (private), Kiss (private)
- > **News agencies:** Kenya News Agency (state-owned)
- > **Annual advertising revenue in media sector:** KES 17.4 billion (2007)
- > **Internet usage:** 3.36 million (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: KENYA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Kenya Objective Score: 1.90

The overall score for this indicator dipped slightly from last year's study as indicators 2 (broadcast licensing), 3 (market entry), and 6 (libel laws) dropped notably. Other indicator scores remained relatively static. Indicators 4 (crimes against journalists), 5 (legal independence of public broadcasting), and 6 all lagged behind the objective score by roughly half a point each, while indicators 8 (media access and use of foreign news) and 9 (free entry into the media profession) outperformed the objective score by more than a point and about three-quarters of a point respectively.

Some panelists believe that Kenya has very sound constitutional provisions to promote freedom of speech; however, the country allows a number of additional laws to remain on the books that betray or contradict provisions in the constitution favorable to the media. To illustrate, the panel members cited the Penal Code Act, the Official Secrets Act, libel laws, and others that they said contravene section 79 of the constitution, which provides for freedom of expression. "The spirit to promote free speech is there, but little can be achieved when we still have other negative laws in place. There also is no specific provision for free media, which I think is a serious problem," said Ibrahim Oruko, a journalist and treasurer of the Kenya Union of Journalists (KUJ). Oruko counts close to 66 pieces of legislation with an anti-media bent. Added Peter Moss, a Kenya Television Network reporter, "What happens on the ground violates the code of law and regulations."

The Kenyan government has shown its reluctance to enact the Freedom of Information Law, which would promote a healthier environment for the press. Instead, it has languished as a proposed bill since 2000. As a result, violations continue to occur under the state's watch, added another panelist. On the other hand, another panelist claimed that a good number of Kenyans have abused what freedoms of speech and the media exist, essentially forcing the government to adopt a harsher stance. Other panelists added that the media, especially the electronic media, have abused this freedom as well and presented biased material.

Regarding the Kenyan judiciary, the panel agreed that it has never been independent, especially when it comes to freedom of speech. The court's silence on free-speech violations vexes journalists, and in fact courts have also sometimes prevented the media from covering certain cases without providing sound reasons. Suspects arrested and taken to court on free-speech or other violations rarely expect they will receive fair treatment.

However, Moss shared his view that in general, the legal environment has improved over time, especially after the advance of multiparty government. Julius Mbeya, a program officer for CLARION (Centre for Law and Research Institute), also pointed to commendable progress in opening up the democratic space since the reintroduction of multiparty politics—but noted this progress has not always translated to support for the media, a view echoed by other panelists as well. Mbeya observed that the government has adopted a more authoritarian approach to the media in the past few years, but pressure from the media and civil-society groups has led to some improvements. Kihu Irimu, of Journalists for the Rights of Children, commented that the ruling elite tends to view the media as an enemy—but that the media bears some responsibility as well because it has failed, collectively, to take a common stand on key issues.

Panelists also noted that the government does not require registration to access the Internet, nor does it block or restrict any Internet features, allowing access to anyone who can afford the service. The cost, though, is deemed prohibitive for many, especially outside of the cities.

Two bodies are charged with broadcast media licensing: the Ministry of Information and Telecommunication and the Communications Commission of Kenya (CCK). The Ministry of Information issues the licenses, while the CCK allocates the frequency. All of this is subject to political patronage, added Oruko. The information minister is appointed by the president, who in turn appoints all the directors of CCK—not inspiring confidence in their independence, noted

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.

Politicians obtain licenses with relative ease; for example, the deputy prime minister, Uhuru Kenyatta, took over K24 TV. His license was granted in a very short time, while others spend years in limbo waiting for their application to go through, said the panelists.

Agnes Ogula Ludaava, a lecturer at the Kenya Institute of Communication. David Matende, Chair of the KUJ, noted as well that licenses are very expensive, at KES 1 million (\$11,300). Other panelists underlined the lack of transparent criteria in the process of issuing licenses and noted that even worse, CCK is funded by the state, which exercises full control over it. Politicians obtain licenses with relative ease; for example, the deputy prime minister, Uhuru Kenyatta, took over K24 TV. His license was granted in a very short time, while others spend years in limbo waiting for their application to go through, said the panelists.

Oruko commented that the application process is deliberately confusing. There are no benchmarks for applicants to comply with; either the ministry does not keep proper records of applicants, or the records are inaccessible to the public, as they are considered classified information. Allocation of frequencies is equally opaque, Oruko added.

According to the panel, the regime does not uphold guidelines of fair competition, demonstrating a clear preference for state media since the 2007 elections. Anybody can approach the Ministry of Information and Telecommunication for a license, but obstacles occur at the frequency assignment stage, given the political nature of CCK, noted the panelists. They referred to the experience of journalist Sarah Nkatha (also a panelist). She was granted a license to operate a community radio but was denied a frequency for two years, while some powerful media houses, drawing on their political connections, acquired many frequencies that sit unused. In addition, Daudi Ochami, Commissioner of the Media Council of Kenya, shared his concern that the Kenya Communications Act 2009, in addition to introducing cyber crimes, details new restrictions on content and licensing of the electronic media in Kenya.

The tax structure, the panel said, is also not fair to the media, considering that in other sectors, tax breaks are extended to all investors. Matende noted that taxes on newsprint and electronic equipment are quite steep. A bond of KES 1 million (\$13,300) is required from anyone interested in starting a newspaper; coupled with heavy taxes on media

production materials, the costs are out of reach for too many. The panelists suggested that taxation on the media industry should vary depending on a media house's size. In particular, small media houses should be granted tax breaks, in the panel's view, to allow them an opportunity to grow.

The panel reported rampant crimes against journalists, enabled by an atmosphere of impunity. "Murder, torture, arrests without proper charges, and intimidation have been the order of the day," summed up one panelist. The panelists are especially concerned by two recent murders of journalists. In 2009, Francis Nyaruri, a journalist for the weekly *Citizen Weekly*, was brutally murdered, and his body was later found beheaded. Matende noted that at the time of the MSI panel, the government had yet to start prosecuting his suspected killers—police officers. Oruko noted that Nyaruri was killed after his reporting detailing the corruption of police officers in his district. The panelists also brought up the still unsolved 2008 murder of a New Zealand-born photojournalist in Kenya.

These murders, along with many instances of harassment and intimidation, have had a chilling effect on journalists in Kenya. The panel noted that in all these incidents, the government fails to display any interest in investigating and prosecuting these cases, and the panel believes that the state may be behind some of these crimes. Sarah Nkatha, vice chair of the KUJ, noted that journalists are often harassed by police government agents who feel threatened by them. Oruko noted that media houses have proved incapable of protecting their journalists from threats by state actors, and this has essentially killed investigative journalism in Kenya.

However, crimes against journalists provoke public outcry, according to Oruko, and civil-society organizations stand up and protest the violations. However, the degree of publicity depends on the status of the journalist involved. Nyaruri's case drew international attention: the Committee to Protect Journalists, International PEN, and UNESCO penned letters or statements protesting the murder and urging the Kenyan authorities to investigate in full. Not all cases garner such publicity.

State media have never been editorially independent; they function as a government mouthpiece. State media managers are government-appointed, hence answerable to the state. The panel noted that while no specific laws explicitly favor state media over private, the existing policy environment gives state media the upper hand.

Libel can be civil or criminal, depending on those in power, noted the panel, and many journalists have been brought up on libel charges. Serious examples include the following: Mburu Mushokha, who was jailed; David Matende (also a

panelist), who was initially charged with criminal libel in 2003 (although later the case was changed to civil libel); and Kamao Ngonza, of the *Standard*. As observed in last year's MSI, Kenya has a pattern of criminal charges for cases involving politicians and civil charges for cases involving others. The burden of proof in all cases, whether civil or criminal, lies with the media house and its reporter. Ochami commented also on the heavy fines imposed by courts in civil libel cases, delivered with the intent to cripple the media. As an example, panelists pointed to the former minister, Biwot, who sued *The People*—and its vendor, a bookshop—and reaped an award of KES 10 million (\$130,000). One panelist concluded, "The current state of the judiciary is terrible; the Kenyan judiciary is rotten, and something urgent needs to be done to rectify this situation."

To date, it has not been easy for the government to punish web hosting companies on the content on their sites, but the introduction of a new law on cyber crimes, the Communications Act 2009, would allow the government to confiscate computers for web crimes.

The panel noted that journalists do not enjoy easy access to public information, and no law exists to back up access rights. Although there is also no law that prohibits journalists from accessing public information, the government cites other laws, like the Official Secrets Act, to deny the media public information. However, the panel added that journalists, with the help of civil-society organizations and the Kenya chapter of the International Commission of Juries, have begun advocating for the creation of a law aimed at easing access to public information for all Kenyan citizens.

According to the panel, there are no restrictions to access to international news sources, a freedom journalists take advantage of. However, the expense of Internet access may hinder some media professionals, especially freelance journalists, from fully tapping these news sources. The panelists noted that there are no laws that prevent the media from reprinting or rebroadcasting foreign news and other programs.

After the post-election violence last year—which the media stand accused of participating in—the government developed standards to regulate entry into the journalism profession. The new standards, outlined in the new Communications Act 2009, will only affect those who wish to join the profession going forward; they will now need a diploma or certificate from a recognized media training institution. Journalists without a degree, but already practicing by the time the Communications Act 2009 was enacted, are exempt from this provision and may continue working and being recognized as journalists. Nonetheless, according to the panelists, the government does not control entry into journalism

institutions. Moss noted that while there is a need for more attention to the basics of journalistic ethics in the profession, talented people can learn how to become journalists without professional training.

Under the Communications Act 2009, the statutory Media Council lost its power to regulate the electronic media, while retaining regulatory powers over the print media. The Ministry of Information and Telecommunications now oversees accreditation of foreign journalists, and even local journalists have been asked to pay annual operation fees of KES 2000 (\$27) to the Media Council in order to receive press cards. Journalists can access and cover most events without any problem or restrictions, but only those with official press cards are allowed to cover state functions.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kenya Objective Score: 1.88

Panelists awarded a modestly lower score for this objective compared to last year. Most of the loss is attributable to three indicators receiving a worse score: indicator 1 (fair and well sourced reporting), indicator 4 (journalists cover key events), and indicator 8 (niche and investigative reporting). All the indicators scored close to the objective score, with the exception of indicator 7 (modern equipment), which beat the objective score by more than three-quarters of a point.

While the panel agreed that many Kenyan journalists conduct their work with professionalism, and try to turn out balanced work supported by facts, in some cases objectivity suffers. Oruko said that although technical experts are routinely consulted, reporters rarely verify and cross-check their facts. Nkatha commented that biases, whether political or tribal, frequently surface. Competition among different media houses, corruption, and incompetency are other factors that comprise objectivity and other journalistic principles. Irimu commented that many of the journalists do not consult experts while writing on serious matters, leading to the publication of inaccurate or misleading information. Moss sees a "cut-and-paste" mentality among some journalists. Ludaava commented that journalists are expected to perform professionally, yet there are no recruitment standards in place.

The existing code of ethics—a joint effort between the donor community and the media stakeholders—was developed in 2001 to provide a benchmark for free, independent, and responsible journalism. The Media Council later amended the code, and Otsieno Namwaya, editor of the Media Institute, noted that all major media houses have ratified the code.

Although Moss noted that with the Media Council's efforts the dignity and decency of journalism is improving, the panelists guessed that about 80–90 percent of the journalists in Kenya remain unaware of the ethical code's content. This has led to gross violations of the code by the media, including acceptance of bribes from sources—"brown envelope journalism"—and other ethical breaches. Many journalists feel driven to this practice to make ends meet, because of the poor pay in the profession. Oruko noted that the problem is so serious that the Nation Media Group launched an "Integrity Centre" to discourage gifts to its reporters; the Group provides contact information to report journalists demanding gifts for coverage.

Self-censorship is widely practiced in Kenya at all levels, from the reporters to the editors, and it is considered a major problem holding back professional growth. The panel agreed that the causes of self-censorship include journalists' fear of losing their jobs, opportunity for financial gain/corruption, editorial policies, business interests, and political pressure from owners and advertisers. Nkatha noted, "One cannot express an opinion freely without intimidation from the government agents... In the recent past, several journalists have been threatened for writing or touching on matters that the government did not expect to be made public." Furthermore, the panel reported that powerful businesses interfere with the editorial independence of media, setting conditions on stories that may be critical of their interests. Matende added, "Business journalists and editors are forced to censor themselves for fear that should they report objectively on certain corporate entities, those entities will not advertise in their media."

The media do not cover all key issues and events in the country. For example, issues related to security are restricted; if not covered carefully, these issues may cause problems for journalists. The panel agreed that the media display a bias toward coverage of political issues. This also goes back to media ownership issues, and, according to one panelist, in Kenya some media owners also have criminal interests—which makes it difficult to report on criminal offenses as well. Furthermore, according to Matende, although journalists strive to cover all important stories, the coverage is usually influenced by business interests.

Journalists are still poorly paid; pay levels continue to improve but still have a long way to go, especially for freelance journalists—the majority of journalists. Several panelists agreed that poor pay contributes to the high corruption levels seen in the media. However, Oruko disagreed, noting that even some highly paid journalists and editors have proved to be among the most corrupt people in the profession. The panel's main concern remains the disparity in salary

levels between the reporters and the editors. Mbeya also underlined the problem of favoritism, with salary disparities between reporters and editors at the same level. A reporter working for the mainstream media earns between KES 20,000 and 30,000 (\$250–\$385) a month, yet a freelancer earns KES 2,000–4,000 (\$25–\$50) and editors earn KES 40,000–100,000 (\$500–\$1,300) a month. But Irimu said that journalists are still paid better than employees working in many other sectors.

The panel agreed that entertainment has encroached on news; Oruko commented that content is heavily skewed toward entertainment, noting that in FM stations, entertainment accounts for about 99.5 percent of content. As a result, according to the panel, Al-Jazeera has overtaken other local television outlets as a news source. Additionally, students listen more to entertainment than news, which has affected the standards in training.

Most media houses have acquired modern equipment for news gathering and distribution, which has promoted good-quality work; for example, most media outlets have moved from analog to digital broadcasting. Matende commented, "Most media houses have modern facilities; indeed, media owners have been accused by the KUJ, among others, of investing more in equipment than in people." However, community media, where it exists, and small media houses suffer from a lack of updated facilities, computers, digital, still, and video cameras, and recorders. Even media training institutions lack good training facilities, turning out ill-experienced graduates as a result. The lack of good facilities and equipment has affected the quality of journalism in the country, as well as the delivery time of newspapers to the readers. The panelists suggested that any offers of assistance in this regard might be channeled through the

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

KUJ leadership, which represents the biggest number of journalists in Kenya.

Regarding niche reporting, the panelists noted that journalists have started appreciating the importance of specialization. Niche reporting is now more apparent in print media than electronic. Investigative journalism has not yet taken root and is considered highly dangerous. Nkatha said, however, that there are outlets, such as KTN and Nation Media, that play a vital role in exposing social problems and corruption in the country. Matende commented, though, “Good investigative journalists do not last in the newsrooms, because sooner or later, they step on sensitive toes and are either fired or forced to resign.” Some efforts are being made to improve coverage of social issues, such as poverty, unemployment, and healthcare in the country. For example, through a Knight International Journalism Fellowship sponsored by the International Center for Journalists, one journalist saw a need to investigate the declining state of hospitals, and her investigative report helped drive the government to pledge funding to upgrade hospitals.

Some media houses have made the effort to encourage and train their journalists in specialized reporting. However, the panel noted that a lot of training in this direction is still needed. Oruko claimed that “the greatest hindrance to the development of niche reporting is the lack of effort by media houses to help journalists build capacity in key areas.”

OBJECTIVE 3: PLURALITY OF NEWS

Kenya Objective Score: 2.15

The plurality of the Kenyan media scene expanded in the past year, and the score inched up compared to last year. Most of the improvement came from an increased score for indicator 2 (citizen access to media), which also outperformed the objective score by about three-quarters of a point. Even indicator 3 (objectivity of public media) showed a small increase in score, but it still fell short of the objective score by slightly more than half a point. Indicators 6 (transparency of media ownership) and 7 (coverage of minorities) also lagged behind, the latter by three-quarters of a point. Other indicators scored close to the objective score.

More people have invested in the media industry—opening up radio and television stations, as well as newspapers and magazines. Namwaya commented, “Since the mid-1990s, when Kenya had only one radio and television station, Kenya has experienced a phenomenal growth in the broadcasting subsector—now with over 10 television stations and close to 60 radio stations.” However, Namwaya added that the

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.

multiplicity of broadcast options has not translated to a multiplicity of ideas and information, because the media are concentrated in the hands of the political and economic elite.

The panel agreed that both local and national issues are given fairly equal coverage in private print and broadcast media. However, poverty is widespread, and only a small percentage, about 15 percent, of the population can afford to buy private print editions. Furthermore, illiteracy is a serious problem that limits the accessibility of print media. As a result, Mbeya noted that only two newspapers circulate nationally—*Nation* and *The Standard*.

Urban Kenyans enjoy more access to media sources than their rural counterparts. People living in rural areas mainly depend on electronic media, especially radios, for news and information. The presence of community media is felt in a few regions, but Oruko noted that the culture of community media is not well-developed because of the government’s failure to recognize the utility of such media and support it by providing a different licensing regime for such media.

Although the Internet is available in cities and towns, very few people use it for news purposes; it is primarily a communication tool. Furthermore, the cost deters many would-be users. Mbeya noted that Internet costs are about four times higher in rural areas than in Nairobi. In some rural areas lacking computers, electricity, or other basic infrastructure, Internet access seems especially far away. However, the government, through the Ministry of Information and Telecommunications, has plans to introduce “digital villages” to provide reasonably priced Internet access to rural citizens. Moss shared his impression, as well, that

Namwaya commented, "Since the mid-1990s, when Kenya had only one radio and television station, Kenya has experienced a phenomenal growth in the broadcasting subsector—now with over 10 television stations and close to 60 radio stations."

sources of news are becoming increasingly diversified, with blogs and SMS alerts being used.

The panel noted that there are no restrictions on access to both domestic and international media. Foreign media are available on the market; only the cost prevents more people from accessing these resources. Some Kenyans also tune in to foreign broadcast media, without encountering any interference from the government.

In Kenya there is no real public media; rather, state media are fully controlled by the government and serve as its mouthpiece. Noted Matende, "The Kenya Broadcasting Corporation [KBC] is a state broadcaster, though it styles itself as a public broadcaster. Its content is dominated by news about government and functionaries." Oruko commented that the editors of the state media know the cardinal rule is to serve the public interest, but they are nevertheless restrained by the need to avoiding clashing with government objectives. He added, "KBC used to promote educational and cultural programs, but that effort has tapered off, owing to financial constraints and the competition that has emerged in the last 10 years from private media." However, efforts to transform Kenya's state media into a true public media system, which would cover and reflect a wide spectrum of political views, are under discussion.

Ludaava reported that there is only one local news agency in Kenya, the Kenya News Agency. The Kenya News Agency, which is government-owned and adheres to government policies and regulations, was formed and protected by an act of parliament. This state-owned agency provides news to all media houses under a negotiated fee structure. According to the panelists, fees charged are fair and affordable in exchange for news in many forms—print, video, and audio. Panelists also agreed that different media houses in Kenya use the services of foreign or international news agencies, such as AP, AFP, Reuters, Xinhua, and the African Woman and Child Features Service—sometimes failing to credit sources. In accessing foreign services, the expense is the only limitation.

The panel agreed that there has been an effort to increase locally produced programs and to improve not just the quantity, but also the quality and content, driven by a concern that there is an over-reliance on foreign programs—especially on television. This movement is in line with a new law enacted to compel media houses to ensure that 40 percent of their programming is produced locally. Panelists believe the shift is underway; they are seeing some media houses beginning to reduce the number of foreign programs they use. This change is not just mandated from the top, though; it has been brought about in part by listeners and viewers who have communicated their preference for local programs over foreign material, essentially forcing media owners to make these changes.

Oruko said that media ownership, like licensing and frequency allocation, is not always transparent, and there is no law in place to facilitate disclosure. Despite this, Kenyan citizens who are interested in ascertaining the ownership of a given outlet can usually find out through unofficial channels or, if necessary, through a court order. Nkatha pointed out that it is not a secret that politicians own about 45 percent of electronic media outlets. This year's panel believes that media ownership is consolidated in a few hands—namely, the Nation Media Group, the Standard Media Group, Citizen Royal Media Group, and the Star Media Group. All these media houses own television and radio stations, a range of newspapers, and SMS media. The panelists have not seen any new major foreign investments in the media, although a foreigner owns a half share of the Nation, the biggest media house.

The panel agreed that there is no resistance to the inclusion of social issues in the media, yet Matende noted that minority groups hardly receive any coverage at all. As noted last year, there are no minority-language media outlets, but all Kenyans use Swahili as their national language. In terms of coverage of women's issues, the African Woman and Child Features Service is an example of a Nairobi-based media organization with a mission to enhance the acceptance of diversity and gender equality.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kenya Objective Score: 2.62

The panelists gave a considerably higher score for this objective this year, with much of the increase coming from an improved evaluation of the advertising sector (indicator 3) and audience measurement (indicator 7). Indicator 5 (government subsidies for private media) also improved in score, but still fell more than a half point behind the objective score.

The panelists generally agreed that most media outlets and their supporting firms are managed as profit-making businesses, run efficiently by hired professionals—sometimes, however, placing profit motives ahead of journalistic quality. Some of the people hired to manage such businesses are local, but some experts are brought in from outside Kenya. Panelists noted that a common link between all high-performing media outlets is that they are guided by sound business plans. A number of media houses are listed on the Nairobi Stock Exchange, with shares floated in the market. Many present their annual audited accounts in local dailies.

However, the panel added that some small media houses have been mismanaged by owners who employ unqualified relatives. This also applies to community media outlets, which often lack the resources required to engage professionals to manage certain departments. Many of these outlets shut down. The panelists also expressed concern about the way public media uses state funds, noting the lack of transparency surrounding the accounts of the KBC.

Panelists believe that multiple sources of revenue sustain most media houses in Kenya. Noted Matende, “Advertising is the main source of income. Last year, media houses raked in KES 17 billion (\$193,576,000) in advertising, although this year they will make less because of the economic crisis.” Although advertising is the major source of revenue for any particular media house, there are a handful of smaller media houses that mainly depend on sale of copies. Other sources of revenue include commercial printing, sponsored programs on radio and television, and pull-out ads for print media. Community media obtain funds from NGOs and their community, but not enough to sustain them. Mbeya observed, “Community media are underdeveloped and suffer

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.

Panelists noted that a common link between all high-performing media outlets is that they are guided by sound business plans.

seriously from underfunding, while private media are doing extremely well. For example, Standard Group just posted over KES 400 million (\$4,555,000) in profit.”

The heavy reliance on advertising funds does appear to impact the quality of news. Moss registered concern that the reliance on advertisements waters down the content and the duration of newscasts in broadcast segments. The panel also noted that advertisers have, on many occasions, influenced editorial content, especially when they sense that negative information concerning their businesses might get out. This form of censorship cuts across all media.

Oruko said, “The advertising market is well-developed in Kenya, both systematically and technologically. In fact, advertising agencies are the lifeline of media houses...they are the nerve centers of media houses, and they are better supported than editorial staff.” Some media houses work with advertising agencies to pull in advertising revenue, while others rely on internal advertising departments to handle such business. Most firms engaged in this business recruit professionals who generally carry out quality work. Advertising firms deal with media houses but also handle outdoor advertising (e.g., billboards), which constitutes an important share of their business. The BBC’s profile of Kenya’s media notes that Kenya’s middle class provides a healthy base to support the advertising industry.¹ However, advertising is mainly funneled to media in larger cities and towns at the expense of media in rural areas.

Advertising consumes 20–25 percent of the programming time in broadcast media, while in print media the ratio is 40 percent content and 60 percent advertisements. The panel noted that, as advertising revenue is the major source of income sustaining media houses, it takes a large percentage of space and air time. The panelists agreed that, on many occasions, advertisers (or managers) have pressed editors to run more advertisements than stories, or to drop stories at the last minute and replace them with advertisements.

The government does not provide subsidies to private media houses, but panelists pointed to cases where the government funded media houses indirectly, through advertising,

¹ British Broadcasting Corporation: Kenya Country Profile; updated February 23, 2010. http://news.bbc.co.uk/2/hi/africa/country_profiles/1024563.stm (Accessed June 24, 2010.)

sponsoring radio/television programs, and commissioning pull-out advertisements for print media outlets. Matende commented that the government contributes 25 percent of all the advertising revenue, but it has announced a major cut in advertising for this financial year because of the shaky economy. By providing this indirect source of funding, and by threatening to retract such business if any critical reporting emerges, the government exerts undue influence over the content produced by these media houses. As a clear example of this reality, panelists mentioned the many job advertisements placed in the *Nation* by the Public Service Commission. Oruko also raised questions about the government's management of funds for public media, noting, "Due to its state of decay, there is evidence that the public media do not put to prudent use whatever they get from the government and revenue generated from ads." Mbeya also expressed concern that the use of public resources in public media has not been open to scrutiny; the public has no access to the KBC accounts.

Some media houses carry out market research and use the findings to strengthen their businesses. Oruko believes that many media houses have internal market research departments that play an advisory role for the editorial and business development departments. However, Mbeya noted that research is not adequately employed in rural areas, and the credibility of research organizations is, at times, wanting. Market research takes place in different forms, including call-ins, engaging professional companies, circulating questionnaires, and other survey methods.

According to Matende, many companies conduct research or carry out surveys, such as Synovate (formerly Steadman), which most panelists consider reliable. The panelists generally deem Synovate's figures accurate and scientific. But some media houses refuse to accept the results, the panelists noted. Broadcast ratings, in most cases, are produced independently.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kenya Objective Score: 2.57

The score for this objective experienced a modest gain this year, with all indicators contributing to the improvement except for indicator 6 (sources of printing and newsprint), which scored somewhat lower than last year. All the indicators scored within a half-point of the objective score, except indicator 7 (free access to distribution channels), which scored slightly more than half a point higher.

The panel noted that several trade associations exist and represent the interests of their members—for example,

lobbying for fair taxation. Such associations include the Media Owners Association of Kenya, the Federation of Kenya Employers, and many others. However, the panel agreed that although these associations exist, not all media owners and managers belong to them, and Oruko noted that they are not very well-developed and have a reputation for exclusivity. Namwaya shared his view that the Media Owners Association frequently and vigorously defends media interests, evident particularly in its reactions to the government's attempts to enact anti-media laws in 2007 and 2009. However, he said that the concern is that "media owners only come out to fight when the media's commercial interests are threatened; they are less interested in the actual maintenance of journalism standards, press freedom, and the welfare of journalists."

Kenya also has a number of professional associations related to the media industry. The panel emphasized that journalists are free to organize as they wish to protect their rights, but most of the existing associations are weak and need assistance for capacity building. While some of them work for the protection and promotion of media freedom and development, others exist in name only and have not proved useful to the advancement of the profession at all. National associations include KUJ, Kenya Journalists Association, Sports Editors Guild, and Association of Media Women of Kenya. There are also smaller associations, which represent particular sectors of the media, such as the Environment and Science Journalists Associations, Kenya Media Educators, Parliamentary Reporters Association, and many others. Mbeya commented that these associations suffer from a lack of resources, and some view them as weak and disjointed. As an example, he cited the 2009 World Press Freedom Day activities. He noted that civil-society organizations stepped

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.

out to support pro-media activities then, but the response of the media itself was disappointing. According to Matende, of the KUJ, his organization is the only labor association that represents ordinary journalists, not only in trade disputes, but also against harassment by the state or other groups. He also noted that over the years, media owners have attempted to undermine the KUJ by preventing their staff from joining (it is subscription-based). The union has taken up the matter with the Ministry of Labor and is awaiting results.

The major role of many of these associations is to lobby the government on press-freedom issues, defend journalists' rights, improve working conditions, and carry out trainings. Many of these associations have a membership application process, while some are much more informal. According to the panel, all of these associations are independent of the government, but they grow slowly because although members demand services, very few pay membership fees.

A good number of NGOs operate in Kenya and have been very helpful to the media, especially when it comes to press-freedom issues and general support for freedom of speech, noted the panel. NGOs have lent support in advocating for legal amendments and raising awareness about arrests of journalists; they have also consistently supported journalists in organizing the World Press Freedom Day celebrations. Some of the most active NGOs on the media front include the International Commission of Jurists, CLARION, Media Institute, Article 19-Kenya, and Amnesty International. Namwaya observed that some media outlets have viewed NGO activists with suspicion or contempt, and that NGOs complain that the media are only interested in their work or in granting them airtime when the government is clamping down on the media.

Regarding training opportunities, some panelists consider university media training programs fairly high-quality but agree on the need for a greater emphasis on gaining practical experience. Mbeya said that training institutions are too theoretical, with no practical training exercises. Universities offering degree courses in journalism include the University of Nairobi, Kenyatta University, Moi University, Daystar, and more. Matende said that there are many other institutions that offer diplomas in journalism and mass communication, but the quality is always an issue. Irimu is concerned that despite a couple of exceptions, most institutions need help to meet international standards of journalism training. The panelists also noted that mushrooming media training institutions have affected overall training standards. Training opportunities abroad for Kenyans are scarce and highly competitive. However, the panel believes that journalists who have participated in exchanges usually return to Kenya but end up taking jobs outside the journalism profession.

The panel noted that short-term training programs exist, in addition to in-house training opportunities. Many journalists have benefited from such free courses, according to the panel.

The panel agreed that newsprint and printing facilities are held in private hands, but they showed concern that the government, on a number of occasions, increased the VAT on newsprint. The panel stated that all channels of media distribution are in private hands, including transmitters. Matende said also that Internet providers and cafés are held privately.

List of Panel Participants

Agnès Ogula Ludaava, lecturer, Kenya Institute of Communication, Nairobi

Gaku Mathenge, political writer, *The Standard*, Nairobi City

Jared Obuya, regional editor, BBC Bureau, Nairobi City

Onesmus Kilonzo, sub-editor, Nation Media Group, Nairobi City

Peter Oriare, lecturer, University of Nairobi, Nairobi City

Simon Munga, freelance sales and marketing specialist, Nakuru Town

Julius Mbeya, researcher, CLARION (Centre for Law and Research Institute), Nairobi City

Otsieno Namwaya, editor/program officer, Media Institute of Kenya, Nairobi City

David Ochami, reporter; member, Media Council of Kenya, Mombasa

Judy Amunga, media lawyer, Nairobi City

Rosemary Okello, executive director, Africa Woman and Child Features, Nairobi

Anne Nderi, program officer, International Commission of Jury, Kenya Chapter, Nairobi City and Kisumu

Ibrahim Oruko, freelance writer, Nyeri

Moderator and Author

David Matende, president, Kenya Union of Journalists, Nairobi

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda in cooperation with the Kenya Union of Journalists

The local media continue to operate largely unmolested, though functional independence of the press would require a combination of legal and economic safeguards that are lacking currently.



LIBERIA

After 30 years of civil strife, beginning with the coup d'état of 1980 and the subsequent civil upheaval of the 1990s and early 2000s, Liberia is beginning to experience relative stability and modest progress. The current government, headed by President Ellen Johnson Sirleaf, initiated reforms geared toward boosting economic recovery, political reconciliation, and national development. However, serious challenges, including widespread corruption, a lack of transparency, and low public accountability have hampered progress. In 2008, the government unveiled its Poverty Reduction Strategy, designed to stimulate the national recovery process. But the relatively slow pace of implementation, coupled with the harsh economic reality, has left skeptics doubting the strategy's efficacy.

These attempts at reforms are being made as Liberia emerges from the relics of successive autocratic administrations, during which the government severely restrained fundamental human rights—notably the right to free expression. Still, the country continues to see respect for free speech and fundamental rights grow. The local media continue to operate largely unmolested, though functional independence of the press would require a combination of legal and economic safeguards that are lacking currently. The government's failure to date to pass three press-related bills, introduced in the parliament two years ago, is telling. Two of the bills (the Freedom of Information [FOI] Act and the Broadcast Regulatory Commission Act) appear poised to pass, unlike the Act Seeking to Transform the State Broadcaster to a Public Service Broadcaster. While Liberia's president publicly backed the FOI Act, she has remained conspicuously silent on the Liberia Broadcasting System (LBS) Act. The government of China recently invested more than \$1,000,000 to help LBS achieve a national footprint.

Meanwhile, the general economic situation in which the media is forced to operate has scarcely improved. Salaries of most journalists remain perennially low, even at state-run media outlets. Although government and international data point to overall economic growth, especially at the macroeconomic level, that growth has not affected the media significantly. In fact, the weak business environment, coupled with poor management, has largely stunted professional growth in the media.

However, Liberian media have made some important gains, including the rise of community radio stations across the country, serving to mitigate the urban-rural imbalance. The Internet is emerging as a vast source of news and information, in spite of the high cost, while the proliferation of mobile phones has added a new and powerful dimension to communication. Mobile phone companies have introduced digital EDGE technology, making the Internet accessible in some rural areas.

Overall, the second MSI study in Liberia indicates stagnation. The slowdown is especially concerning given the investment made in 2008-2009 toward improving media conditions, particularly with the level and scale of training programs. The most serious problems are reflected in the dips in Objective 2 (professional journalism) and Objective 4 (business management).

LIBERIA AT A GLANCE

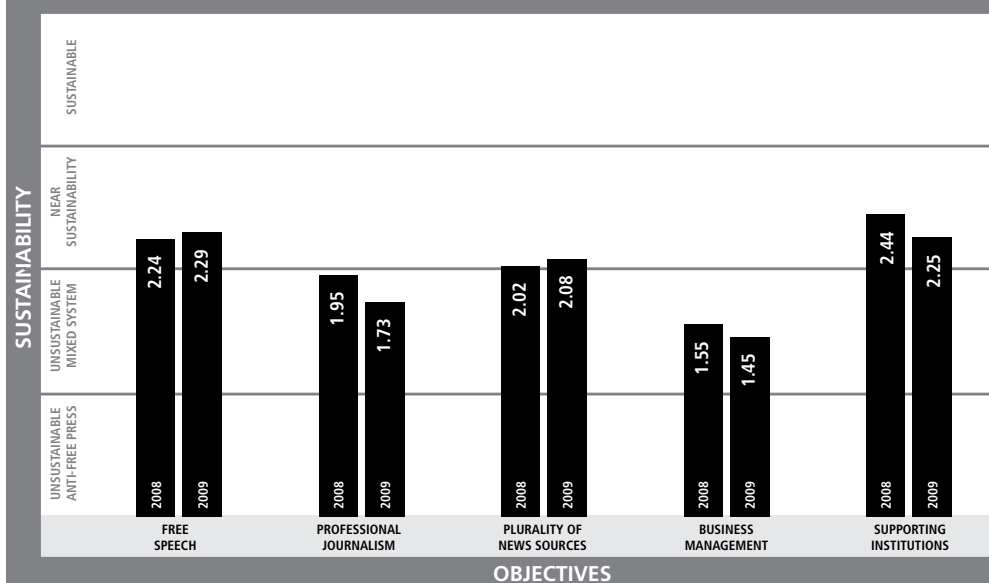
GENERAL

- > **Population:** 3,441,790 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Monrovia
- > **Ethnic groups (% of population):** Kpelle 20.3%, Bassa 13.4%, Grebo 10%, Gio 8%, Mano 7.9%, Kru 6%, Lorma 5.1%, Kissi 4.8%, Gola 4.4%, other 20.1% indigenous African 95%, other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 85.6%, Muslim 12.2%, traditional 0.6%, other 0.2%, none 1.4% (*CIA World Factbook*)
- > **Languages (% of population):** English 20% (official), some 20 ethnic group languages, few of which can be written or used in correspondence (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$648 million (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$290 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 57.5% (male 73.3%, female 41.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Ellen Johnson Sirleaf (since January 16, 2006)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 18 newspapers 8 of which are daily; Radio Stations: 16, 2 of which are nationwide; Television Stations: 6
- > **Newspaper circulation statistics:** Top three by circulation: Daily Observer (circulation 3,000), New Democrat (circulation 3,000), Inquirer (circulation 1,000) (*Media Reach and Penetration Study, Liberia Media Center*)
- > **Broadcast ratings:** Top radio station: United Nations Mission in Liberia (UNMIL) Radio Station (*Media Reach and Penetration Study, Liberia Media Center*)
- > **News agencies:** Liberia News Agency (state-owned but largely not functioning)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 20,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: LIBERIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Liberia Objective Score: 2.29

After a series of brutal, repressive governments that rejected press freedom and free speech, Liberia's current laws reflect international standards and recognize free speech as an inherent right. The panelists acknowledged that the current Liberian government has shown unprecedented tolerance of freedom of speech and of the press, although a number of instances call into question its commitment to promoting these freedoms. While Liberians can now point to constitutional safeguards that promote and protect free speech, numerous statutes contravene the spirit and intent of those provisions. The regulatory power of the state inherently subjects the media to manipulation, if not direct interference and control.

The 2009 Objective 1 scores reflect very slight increase over the 2008 MSI study, though much is still left to be done. As seen in last year's MSI as well, Liberia's level of free speech and tolerance to media is appreciable, but a lack of editorial and financial independence still inhibit media freedom. As Estella Nelson of the Liberia Women Media Action Committee put it, "Presently, there is a general sense of respect for media freedom. Nevertheless, there are still reasons for concern, in terms of the degree of freedom and effect, taking into consideration reports of restrictions from some sector ministries on the publication of materials."

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.

Tete Karneh, formerly of the state radio broadcaster, ELBC, and now manager of the Liberia Women Democracy Radio, disagreed. "The legal and social norms do not protect or promote free speech and access to public information," she said.

Norris Tweah, deputy minister of information, offered a different perspective. "I think the current laws provide the environment for the practice of free speech. However, several cases reveal that it is a common practice among some journalist to ignore or abuse the legal framework," he said. Tete Karneh, formerly of the state radio broadcaster, ELBC, and now manager of the Liberia Women Democracy Radio, disagreed. "The legal and social norms do not protect or promote free speech and access to public information," she said. "Even if they exist, are they practiced? We have to be cautious and vigilant in detecting when lip service is paid to important issues, else we unknowingly join in the practice. We do hold the belief that there is a little light at the end of the tunnel, and we need to work continuously for things to change for the better."

As last year's MSI indicated, the panelists agreed that the procedure for granting licenses still reflects a measure of fairness and freedom from political considerations. But the panelists were also of the view that passage of the pending Broadcast Regulatory Act (which has been before the National Legislature, along with two other laws meant to liberalize the media sector) presents the best chance for ensuring the entrenchment of a culture of freedom of expression.

Since the inception of the current government, entry into the media market has generally been open to all who meet the basic minimum requirements stipulated by law. Panelists knew of no special tax levies on media institutions that differ from those of other comparable businesses. Any fully registered company that desires to run a media business is permitted to do so; it must simply follow the procedures for establishing a newspaper, radio, or television station by referring to the appropriate authorities. These procedures cut across the media sector.

Arguments continue in Liberia on whether to provide the media with economic incentives in the form of tax breaks and duty exemptions for print and broadcast equipment. Over the past year, stakeholders have made very little movement on this issue, least of all with regard to print media, although

The panelists agreed that over the last four years, attacks against journalists have subsided, although state operatives have perpetrated a few excesses against the media.

different interest groups have drafted and validated a community radio policy. On the policy front, the publication of a Media Assistance Strategy¹ (MAS) for the country has advanced the case for more support to Liberia's media sector.

The panelists agreed that over the last four years, attacks against journalists have subsided, although state operatives have perpetrated a few excesses against the media. The Center for Media Studies and Peace Building chronicled attacks against journalists in 2009, detailing harassment and physical attacks by police; security personnel; and in one case, the president *pro tempore* of the Liberian Senate on journalists.² The panelists agreed that such incidents have no official backing. The panelists also mentioned the chief justice of Liberia seizing a journalist's camera, and a similar incident involving police officers at a government non-military facility. Karneh summed it up when she stated that the "media is free, but its feet have been shackled."

Regarding preferential legal treatment for the state media, the panelists noted that the constitution has clear guarantees enshrined in Article 15 (d): "Access to state-owned media shall not be denied because of any disagreement with or dislike of the ideas expressed. Denial of such access may be challenged in a court of competent jurisdiction." Despite such assurances, it is widely understood that news deemed anti-government is forbidden on the state-owned radio, ELBC. The retention of this repression, a carryover from past Liberian official culture, has baffled many observers and journalists. Peter Quaqua, president of the Press Union of Liberia (PUL), agreed that the situation is not ideal, but insisted that it is not beyond salvage. He commented, "The public media have editorial independence—of course, not by law, but custom. This is why efforts are underway to transform the state radio into a public service broadcaster."

Some laws lingering on the books grossly undermine freedom of speech. Notable examples include the "Criminal

Malevolence" and "Criminal Libel" statutes, which public officials can invoke when they feel defamed by a publication—although until recently, the government has been reluctant to use these statutes. Libel, especially against public officials, continues to be treated as a criminal offense in the country, even though most members of the current government (including the president) once opposed such laws staunchly. Ironically, in 2009 the president brought civil and criminal libel suits against two tabloids: *New Broom* and *Plain Truth*. Both cases are pending. The outcomes will provide an informative window on how the courts will use these criminal statutes, which are obviously in conflict with constitutional provisions guaranteeing freedom of expression.

While the government has done absolutely nothing to redress the situation, the state has officially invoked these anti-speech/sedition laws and criminal libel charges in responding to unfavorable and critical media coverage of government activities—and the activities of the president in particular. Reflecting these concerns, the panelists scored the indicator assessing the handling of libel cases quite low, in the unsustainable, mixed-system range.

While currently the media enjoys unprecedented freedom in reporting news about government activities, it lacks the enabling operating environment for accessing vital information about the performance of public sector institutions. For example, in the Liberian public sector, it is common for government ministries and agencies to place unwarranted restrictions on media, especially following unfavorable press coverage of their activities. These public entities have instituted measures ranging from gag orders on their officials to outright refusal of access to public records. At times, as in the case of the Ministry of Gender and Development, these ministries restrict the publication of matters relating to the general work of their agencies. The aforementioned ministry is reputed to have decreed that no one is allowed to publish any material on issues related to gender without reference to or approval from the ministry. Though isolated, this example makes a strong case for the timely passage of the draft Freedom of Information Act.

The former news editor of the *New Democrat*, Othello Garblah, commented on the factors affecting information accessibility. "Over the years, access to information here has not had any legal backing, especially in the statutes, although there is a considerable level of free speech practiced today. I think another serious problem is that state and private institutions do not keep records. Even the communication lines between heads of ministries and agencies to their media relations officers are problematic," he said. For all of these reasons, the indicator assessing access to public information received very low scores, in the unsustainable, mixed-system range.

¹ The Media Assistance Strategy, published by Humanity United and TrustAfrica, is an integrated development plan that covers the period 2009-2014 and captures the most pressing challenges facing the media. The strategy contains clear objectives, tangible performance targets, a monitoring evaluation plan, and a working budget.

² Intimidation: The Renewal of Censorship in Liberia. Center for Media Studies and Peace Building; 2009.

The panelists agreed largely that Liberian news media freely make use of international news sources, especially in covering international news items. Whether it is the relay of international news items on local radio or television or the culling and publication of articles from online newspapers/magazines, no local media institutions have reported government harassment for publishing or broadcasting such materials. But Joe W. Mulbah, professor of mass communication at the University of Liberia, argued that the high expense still restricts local media's access to these sources.

James Dorbor Sao, who manages Radio Super Bongese in Suakoko, in central Liberia, shared his view that entry into the journalism profession in Liberia is truly "free and unrestricted." Karneh agreed, but added that PUL is moving toward crafting standards for entry into the profession. Joe W. Mulbah argued that the "practice of journalism in any democracy should be unregulated [and] unrestricted, and it should not be tied to membership of any organization."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Liberia Objective Score: 1.73

The score for this objective dipped from its 2008 score. Indicator 5 (pay levels for journalists) scored at the low end of the scale. All other indicators fell within a half point of the objective's average score.

Though the panelists reported some improvements in news reporting and news gathering, overall quality is below par, with low wages and the weak economic base of the media

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

Nelson concurred that, "The quality of journalism in Liberia is still below average, despite improvements in the treatment of issues covered in the media. There are strong indications that editorial functions of the media are influenced by competition for audiences, leading to unwarranted sensationalized reporting and neglect of the social responsibility to peace."

frequently cited as causes. Nelson concurred that, "The quality of journalism in Liberia is still below average, despite improvements in the treatment of issues covered in the media. There are strong indications that editorial functions of the media are influenced by competition for audiences, leading to unwarranted sensationalized reporting and neglect of the social responsibility to peace." She said that this shortcoming is reflected in the media's reporting on the country's Truth and Reconciliation Commission final report.

But Garblah said that the root of the problem is the environment in which the media are forced to work. "The conditions under which many journalists work are very difficult, and as such, it hinders them from producing their best. In terms of logistics and compensation, [Liberian] journalists are amongst the least equipped and worst paid in the world. This has a corresponding effect on the quality of professionals needed in the system, and as a result, affects the quality of output. Trained journalists desiring better pay often tend to seek greener pastures with NGOs. In my view, I will say the standard of journalism here is falling."

C. Winnie Saywah, a reporter with the *Inquirer*, attributes the problem to failures in all aspects of the media sector. "When one speaks of professional standards or quality in the profession, it only brings smiles of confusion to me. Quality should speak to all aspects of the profession. Quality in infrastructure, quality in level of employees, quality in employer, quality in salaries, quality in production, quality in gathering of information, and quality to the profession (policy). For me, not one news medium meets all of the above professional standards of quality. If we should agree, we will say, someday, we will get there."

Barshel M. Kiawu, the station manager of Radio Piso, in the picturesque coastal town of Robertsport, adopted a more optimistic view. He said, "Journalism is improving in the country. There are many professional journalists, and also

Joe W. Mulbah shared his opinion that the bleak economic realities have contributed greatly to the media's ethical transgressions; he said that this, coupled "with untrained individuals being elevated to positions of editors," has severely tarnished the image of journalism in the country.

high-quality journalists that Liberia can depend on by this time—but professional journalism depends on how well they are paid or taken care of.”

In response to the public outcry against journalists' unprofessional tendencies, PUL and other media development organizations continue to reinforce ethics and professional standards. PUL made the international code of ethics for journalists a part of its constitution, but, as last year's MSI underlined, there is little evidence that it is widely circulated. Recently, PUL launched an effort to disseminate the code to Liberian journalists.

As noted in last year's MSI study, some degree of self-censorship persists, but in recent years, it has not been attributable to the fear of state interference or retribution. Since the 2005 democratic elections, journalists have been free to cover nearly all news. However, journalists sometimes practice "civic journalism"—taking extra care when reporting on conflict-sensitive issues, out of concern for Liberia's fragile peace.

The media situation in Liberia can be described best as emerging. Media institutions and journalists in the country follow mainly political news and events that promise to sell papers, often at the expense of key issues such as development and the environment.

Again this year, the panelists expressed concern that the pay levels of journalists are insufficient to deter corruption. They noted that as recently as 2004, some media institutions paid staff members around \$30 per month. Journalists in urban areas receive better pay than rural community journalists, who largely work as volunteers. The already-low standards of pay have been exacerbated by the effects of the global financial meltdown on the Liberian economy, and the panelists suggested that low salaries play a significant role in tempting the journalists to bend to unacceptable ethical standards. Joe W. Mulbah shared his opinion that the bleak economic realities have contributed greatly to the media's ethical transgressions; he said that this, coupled "with

untrained individuals being elevated to positions of editors," has severely tarnished the image of journalism in the country.

As noted in the last MSI study, broadcast outlets in the country devote about 60 percent of their airtime to entertainment programming. LMC's media monitoring program arrived at the same conclusion regarding the broadcast sector's time allocations in 2009. The imbalance continues to be even more pronounced with community radio stations. The LMC media monitoring study noted also that the majority of newspapers in the county allocate more space to advertisements than news stories. Some newspapers, especially those devoted to sports reporting, simply plagiarize the contents of web-based sports news services. This practice can be chalked up to commercial motivations, as these newspapers depend on sales and advertisements to stay afloat. The LMC intends to launch a system for measuring media quality through a project called the "Media Quality Barometer," which TrustAfrica and Humanity United will support jointly.

Although most local radio stations and newspapers, and a few community-based media, have moved to embrace technological advances, many media houses still rely on old, outdated equipment. Many media institutions lack the resources to ensure quality production, and those benefiting from programs to develop the media sector may face serious challenges in terms of sustainability.

Niche reporting has not yet taken off, largely due to low professional capacity. However, LMC and the Canada-based Journalists for Human Rights (JHR) jointly manage a project aimed at increasing human rights and governance reporting. The project is training journalists and editors across the country, and providing prizes to reward stellar efforts.

OBJECTIVE 3: PLURALITY OF NEWS

Liberia Objective Score: 2.08

Most indicators scored within a half a point of the objective score, with two exceptions. Indicators 2 (citizens' access to domestic and international media) received the highest score, coming in about three-quarters of a point higher. Indicator 3 (state or public media reflect the views of the political spectrum) improved significantly from last year, reflecting the panelists' belief that state media is gradually doing a better job reflecting a variety of views.

Since the end of the civil war in 2003, the media sector has seen an explosion of privately owned institutions across the media spectrum. Liberia has roughly 38 newspapers, although only about 18 publish with regularity. In addition, around

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.

50 registered radio stations, including community radios, operate across the country. The national radio and television services that the government owns and manages have been resuscitated, with support from the government of China. Liberia has four commercial television stations, none of which provide national coverage. The television channel of LBS plans to provide national coverage in the future. People in the capital enjoy disproportionate access to media sources compared to their rural counterparts, but the proliferation of community radio stations across the country is mitigating this imbalance.

The panelists agreed that the media provide both local and national coverage, though the readership and penetration of print media is very low. The panel identified three reasons: low literacy levels among Liberians, the struggling economy, and poor distribution and circulation of newspapers in most parts of the country. As a result, most of the population relies on radio to meet their information and entertainment needs. Three of the country's radio stations operate some form of shortwave broadcast, though the trend is toward operating FM networks capable of a nationwide reach. The United Nations Mission in Liberia (UNMIL) and LBS enjoy such nationwide FM reach, thanks to a network of relay sites.

UNMIL Radio is Liberia's most popular radio station in terms of listenership. The station provides news in simple Liberian English and the various vernaculars, and has close to national penetration. However, the state broadcaster has made significant inroads into UNMIL's monopoly, since the Chinese government assistance program boosted its nationwide capacity. LMC's 2009 survey on information perception found

"I would not say plurality of news outlets provides the citizens with credible, reliable, and objective news," Karneh said. "Yes, if you listen to all of them in a day, you will get the whole story. We all report from or with different interests."

that in Liberia's different communities, community radio stations draw the most listeners.

The Internet is also being popularized as a huge source of news and information, in spite of the high cost, and the introduction of mobile phones has added a new and powerful dimension to communication. Internet access is free and unrestricted as well. In the last year, Internet penetration levels have extended beyond Monrovia, with two of the country's largest mobile operators introducing EDGE technology on their networks, along with mobile Internet connectivity to most populated regions of Liberia and some rural parts of the country. Even with this increased availability, Internet usage rates are still very low, as the cost of access through the mobile network is out of reach for the vast majority of Liberians. The three mobile phone companies (LiberCell, Cellcom, and Lone Star) that allow Internet usage on their networks charge \$50 per month, \$60 per month, and \$1 per hour, respectively. With the average minimum wage theoretically set at \$100 per month, many Liberians cannot afford these charges.

Data is very scant on the actual number of Liberian Internet news websites, though an Internet search identifies roughly 21 web-based news outlets that target the Liberian diaspora. One of these, *Front Page Africa*, began as a newspaper publication within Liberia in 2009. All major Liberian daily newspapers continue to maintain web versions of their daily editions. The government also owns websites targeting diaspora Liberians. Three local radio stations (UNMIL, the state-owned ELBC, and Star Radio) maintain websites and provide some form of their content online. Among these, Star Radio maintains the most updated site. In addition, in 2009, some US-based Liberians established and now operate an online radio station devoted to Liberian news and information.

Blogging is still in its infancy, with very few members of the population taking up the habit. This low level of interest is blamed squarely on limited Internet access and the population's low literacy rate.

Quaqua was very critical of the state-owned media's approach to hearing alternative voices. "The public media are just not open to alternative views and comments, and journalists working there are forced to conform to the policy. For instance, once the state radio's director general released a memo stating that no journalists should report corruption stories relating to government officials."

Signals from the four operational television stations are confined basically to the capital city and its immediate environs. Though the majority of Liberians live in the capital, television viewing remains a luxury enjoyed only by a small proportion of the population. These stations have very little programming of their own, mainly relaying foreign content, with African soap operas and series dominating the channels.

All of the panelists acknowledged the boom in media coverage across the country, especially in Monrovia, and most agreed that the plurality of news sources provides a solid platform for diversity and choice, and limits the state capacity to restrict, restrain, or unduly regulate the media. However, several panelists doubted whether the increase in plurality has been of much service to the community. "I would not say plurality of news outlets provides the citizens with credible, reliable, and objective news," Karneh said. "Yes, if you listen to all of them in a day, you will get the whole story. We all report from or with different interests."

Saywah, too, said that she is not convinced fully of the value of plurality in the country. "For Liberia at present, our society is not mature when it comes to acceptance and objectivity," she said. "Therefore, multiple news sources are just otherwise used to spread disbelief and misinformation. Even some news media managers are not well informed...[and even] with our multiple news sources, we have failed to provide the citizens reliable and objective news and information. However, I am optimistic that things will improve, provided we keep our focus and devote some attention to underreported issues and areas, especially in the rural parts of the country."

Jasper Cumme, of the civil society organization AGENDA, agreed. "There are multiple news sources in the country... [but] they are saying the same thing," he said, adding that journalists in Liberia are heavily partisan. And according to Hector Z. Mulbah, "Multiple news sources don't provide citizens with reliable, objective news. The multiplicity of

news sources does not in any way guarantee reliability and objectivity. The cost associated with disseminating news from these has the propensity to deny citizens' information from these sources. Internet, newspapers, television, and radio stations are sources of information, but how many citizens have the purchasing power? This points to the fact that access to domestic and international information is restricted: restricted because of affordability problems."

Access to foreign media in the country remains free and open to everyone. The government imposes no restrictions, though the cost of access is prohibitive. Quaqua said, "There are plenty of news outlets in Liberia, so it is not clear yet whether the government has the will and the means to restrict citizens' access to media—domestic or international. Probably the only restriction would be to refuse to give access to information (on the local level)."

LBS and the *New Liberian*, published by the Ministry of Information, have served perpetually as the mouthpieces of whichever party is in power. While the radio and television services of LBS are now functional, the *New Liberian* has remained abandoned over the last few years. Despite the improvement in this year's score for the public media's reflection of views across the political spectrum, Quaqua was very critical of the state-owned media's approach to hearing alternative voices. "The public media are just not open to alternative views and comments, and journalists working there are forced to conform to the policy. For instance, once the state radio's director general released a memo stating that no journalists should report corruption stories relating to government officials. The state-owned media seems more like a propaganda tool for Liberia's president and the ruling party."

At present, Liberia has no independent news agencies servicing the media. Attempts to resuscitate the state-run Liberia News Agency (LINA) failed to take off properly over the past year. The agency's correspondents assigned to various parts of the country continue to languish in Monrovia. LINA has not truly operated in Liberia since the early stages of the country's civil war in the 1990s.

All independent broadcast media outlets, especially radio stations, produce some form of their own programming. But they produce very few news programs; most are entertainment-based programs or relays of foreign content—a problem that is especially acute with television stations.

Media ownership in Liberia is open to anyone who meets the requirements and registration procedures stipulated by the government. Ownership does not tend to be concentrated in the hands of a few individuals. The newspaper industry

continues to be run with sole proprietorships, owned and operated largely by journalists themselves; while television and radio stations are owned mainly by business people, politicians, or partnership interests. As the *Inquirer's* Saywah explained, the ownership of a media outlet reflects its editorial policies. "Look at the *Inquirer*, for instance, where stories are carried on the basis of consensus—especially critical stories reflecting the editorial independence of the paper, which is owned by the employees. Though the lack of external assistance has meant limited opportunities for growth and expansion, the paper has survived relying on sales and advertisements intake, staying afloat for over 18 years."

Given the diversity of media outlets and the convergence of political viewpoints, irrespective of tribal lineage, the panelists said the media show no institutionalized preferential treatment for tribal or religious interests on the national scale, especially not in the post-transitional era. No one group or interest enjoys media dominance, and radio and television stations in the country include daily news programs in different languages.

Gender-sensitive news continues to receive a high degree of coverage in the Liberian media. Over the last year, the media have devoted a fair amount of airtime and newspaper pages to the coverage of rape, domestic violence, and other forms of crimes against women and children. Training programs and enhanced awareness, promoted by the LMC and the Journalists for Human Rights Program under the British Governance and Transparency Fund, have especially helped these efforts.

OBJECTIVE 4: BUSINESS MANAGEMENT

Liberia Objective Score: 1.45

As with the 2008 MSI panel, Objective 4 received the lowest overall average—even slipping slightly from last year. Indicators 1 (efficient management of media outlets) and 2 (media receive revenue from multitude of sources) received the highest score for this objective, about a half point higher than the overall objective score. At the other end of the scale, indicator 7 (broadcast ratings and circulation figures) received the lowest score, more than half a point less than the overall objective score.

The Liberia Media Assistance Strategy addresses many of the factors that contributed to this objective's low score. According to the MAS, the media lacks an adequate technical base and other resources, which hinders the media's efforts to offer professional development programs. The poor conditions under which journalists are forced to work

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.

compromise journalistic ethics.³ Recognizing that private media are not as strong, viable, diversified, and financially independent as they might be, the MAS proposes various media business development programs.⁴

Tweah offered a different perspective, saying, "The environment provides the conditions [and] regulations for the establishment of independent media into full businesses. The level of management is mostly left to the organizers, while there are little regulations expected to be followed under the state and other professional bodies." However, Kiawu blamed the substandard business conditions on media managers. "Independent media are not well managed, because the managers are not fair to their workers," he said. "Some of them do not even have a bank account. Some do not have good management teams. Some of these stations receive a lot of advertising revenue, but do not reinvest it for the betterment of their institutions and the staff."

The panelists agreed upon the need for solid investment to help develop the print and broadcast sectors. However, cumbersome lending procedures and thick bureaucracy deter investors. As stated in the MAS, "Where investment opportunities exist, collateral requirements are colossal and rules stringent, preventing small businesses from accessing these facilities. Further, practicing journalists operating sole proprietorships often lack the full managerial and business skills necessary to attract huge capital investments and have limited access to loans from banks and lending institutions.

³ Arogundade, L. and Randall, L. Liberia Media Assistance Strategy; Humanity United/TrustAfrica; 2009: p.8. http://shelbygrossman.com/wp-content/uploads/2009/10/Final_Copy_Media_Assistance_Strategy1.pdf (Accessed September 28, 2010.)

⁴ Ibid, p. 32.

Liberia has no laws or regulations governing the placement of government advertising, either—even though the government is inarguably one of the largest advertisers in the country, according to the panelists.

However, while capital infusion could bolster the industry, it is poised to make nominal impact if underlying market issues are unresolved.”

Ade Kekuleh, station manager of the Catholic Church’s Radio Veritas, said that proper management of media institutions “actually depends on the owners of the institution. When it comes to management, the independent media allow for a relative amount of editorial independence.” But Othello Garblah, formerly of the *New Democratic*, thinks that the lack of independence in media institutions is a reflection of their ownership, which impacts the management of the entities. “The management of the independent media has been a problem affecting the viability of the sector,” he said. “Most of the media outlets are owned by individuals who direct the editorial content of the institution.”

According to the MAS, some of the blame for the media’s financial management problems can be laid at the feet of the national government. “The government has the chief responsibility to create the enabling environment for the survival of the print media. In this light, government should provide economic incentives that would aid the print media in acquiring printing presses, cheaper newsprint, computers, and other useful tools of the trade. The process of placing adverts in the newspapers should be fair, open, and transparent.”

The media’s management situation in Liberia remains a reflection of the general state of the national economy. Investment activities expected to fill in the advertising void have not improved. Major foreign investors, such as Arcelor Mittal, that commenced operation in Liberia two years ago have been forced to downgrade their operations in the country because of the global economic crisis. Other medium-scale projects, like the Buchanan renewable energy production and distribution project, have yet to gain steam.

Liberia has no established or recognized advertising agencies. Vendors and procurement agents within various public and private enterprises front as agents for media outlets, paid in commissions ranging from 10 to 15 percent, depending on the volume of the contract. Few media outlets have viable

marketing units, while most newspapers rely on traditional contacts, private businesses, and a handful of political supplements. These patterns have limited the potential of the media to generate advertising opportunities—accounting for the media’s relatively weak financial standing. The panelists warned that unless a robust, sustained program is developed to provide incentives for media growth and expansion, especially capital infusion in the print sector, the industry will be unable to attract competent and credible journalists.

Liberian law has no provisions regarding government subsidizing of the media, although unsubstantiated reports have surfaced saying that some private media entities receive money from the government to serve its interests. Liberia has no laws or regulations governing the placement of government advertising, either—even though the government is inarguably one of the largest advertisers in the country, according to the panelists. The government places advertisements on a preferential basis and in seasonal newspapers that promote state policies and interests. In other instances, the government grants advertising revenue in response to critical reporting, with the intent of diluting unfavorable media content.

Media advocates have recommended that the government set up a scheme for competitive advertising. This type of system would discourage other advertisers, such as the mobile phone companies, from setting their own price levels outside the established minimum boundary. Through competition, the panelists opined, seasonal newspapers would be starved out of the market, thus providing the more viable and stable media institutions greater access to badly needed revenue and likely guaranteeing quality journalism. This policy would also ensure that advertisers cease using advertisements as weapons to discourage dissent in the media.

Karneh commented on the connections between media independence and income. “Some independent media are well managed, but editorial independence? We are not there yet,” she said. “Media institutions do receive revenue from multiple sources—government, NGOs, politicians, businesses, private individuals, and even sources outside the country—but a legitimate independent media organization should not accept support from government, especially where this would undermine the independence of the enterprise.”

Adequate market research remains a void that needs to be addressed. While the country has no independent market research firms, a number of NGOs, including LMC, offer some guidance to the media through reports they produce on consumer attitudes and perceptions of media products.

As reported in last year’s MSI, no one has made sustained efforts to measure broadcast ratings or print media

circulation. However, LMC conducted research on print media in three cities and published the findings in its *Media Reach and Penetration Study*. According to the panelists, newspaper circulation claims are accepted generally.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Liberia Objective Score: 2.25

The overall scores for this objective suffered a modest drop compared to last year's MSI. Most indicators received small reductions, but indicator 3 (supporting NGOs) received a score about a third of a point lower. Nonetheless, most indicator scores stayed within a half point of the overall objective score, the sole exception being indicator 1 (trade associations), which lagged by about two-thirds of a point.

Liberia has several active trade associations that work in the interests of media owners. Two prominent examples are the Publishers Association of Liberia and the Broadcasters Association, which have attempted—but largely failed—to keep advertising prices uniform.

The Association of Liberian Community Radios (ALICOR) serves the advocacy, lobbying, and business interests of community radio stations. The organization has also tried, with limited success, to function as an NGO and implement projects. Several organizations, both domestic and foreign, are working on building ALICOR's capacity to fill this role properly. TrustAfrica, the World Bank, LMC, and Radio Netherlands Training Center (RNTC) have offered and given assistance to the organization.

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.

PUL is the main umbrella organization for media professionals in Liberia; it provides both institutional and individual memberships. It had been operating simply as an association of journalists and was not recognized as a labor union, but recently, the Ministry of Labor granted it a permit to function as a trade union organization.

PUL is the main umbrella organization for media professionals in Liberia; it provides both institutional and individual memberships. It had been operating simply as an association of journalists and was not recognized as a labor union, but recently, the Ministry of Labor granted it a permit to function as a trade union organization. Media members hope that this will strengthen PUL's appeal for collective bargaining, improve working conditions for media personnel, and sweeten incentives to attract quality staff members. PUL is also known for its advocacy work and taking a stance on journalists' rights. In those efforts, it has joined recently with the Center for Media Studies and Peace Building (CEMSEP). The groups raise awareness on rights violations through regular alerts and the publication of a journal on media rights violations.

As part of its mandate, PUL also accredits journalists, though registration with the union is not required to practice as a journalist. Accreditation has been a contentious area for some time now, and Joe W. Mulbah expressed skepticism over this role of PUL. "Anyone should be absolutely free to practice as a journalist in any society, regardless of whether they are part of an association or not. In fact, no such institutions should exist to accredit journalists," he said.

Along with professional associations, several international and local NGOs support Liberian media. TrustAfrica, based in Dakar, Senegal, executed several projects in 2009 aimed at strengthening civil society organizations. It also helps LMC monitor media coverage of the Poverty Reduction Strategy. LMC and CEMSEP are two leading local media NGOs, and a number of other organizations contribute significantly to the landscape, in training and content production. The Liberia Media Initiative and the Institute for Media Development and Dignity are also involved actively with capacity development initiatives.

The LMC community radio project is making immense contributions across Liberia, in partnership with RNTC

Accreditation has been a contentious area for some time now, and Joe W. Mulbah expressed skepticism over this role of PUL. "Anyone should be absolutely free to practice as a journalist in any society, regardless of whether they are part of an association or not. In fact, no such institutions should exist to accredit journalists," he said.

and Journalists for Human Rights and their joint human rights reporting program. At least two organizations focus on women in the profession: the Liberia Women Action Committee (LIWOMAC) and the Media Women Center for Development and Democracy. LIWOMAC received funding from the United Nations Democracy Fund to operate a radio station devoted to women's programming. With technical support from LMC, the FM station Liberia Women Democracy Radio has started broadcasting.

Joe W. Mulbah is not entirely pleased with the work of the support organizations, however, and insisted that they do not go far enough. "While it is true that some NGOs provide technical training and meager financial support, it is not sufficient to meet the professional interests of the media. The community radio sector is a classic example of this situation. Most community stations across the country lack the kind of support required to function professionally. As a result, the stations do not provide their listeners with the kind of information and programming desired."

Three universities in Liberia grant mass communication degrees; that number has not changed since the 2008 MSI study. Considered the premier degree-granting journalism program in the country, the University of Liberia attracts the most journalism students, followed by African Methodist Episcopal University and the United Methodist University. Cuttington University, a private school located in central Liberia, launched a media program in 2009 that includes a television and radio broadcasting component, but it does not grant a degree. The University of Liberia, which runs LUX FM, is the only other university that offers broadcasting as part of its program.

Despite the professional academic training opportunities available to the Liberian media sector, standards have not improved greatly. The negative toll cast over the country

by 14 years of civil war cannot be erased in a short time, panelists said. However, they expressed hope that with some improvement to the curricula of these institutions, and better training for instructors, these programs could become strong catalysts to bring about the desired change.

Various organizations provide short-term training programs for the media. Usually, these programs are supported by international development organizations and implemented by local partners. The Christian Media Center and LBS run medium-term courses for journalists, but they account for a small fraction of students compared to the recognized universities. Furthermore, Quaqua said, "There isn't any shortage of short-term training across the country; there are plenty taking place almost every month, free of charge. The question, however, is whether or not these multiple trainings are making the desired impact on the performance of journalists."

Karneh, too, questioned current training programs and called for a new track. "I think we have had enough short term-trainings. More needs to be done to promote long-term trainings and practice, which really helps. Innovation should be the new target in providing training," she said. Kiawu suggested that the solution of the problem lies in external exposure. "The government of Liberia needs to create opportunities for journalists (scholarships) so that they can go abroad for training," he said.

Printing facilities are private, and serve everyone capable of paying for the service. Only two media institutions, the *Daily Observer* and the *New Democrat*, own printing facilities. Quaqua challenged the idea that the government steers clear of the printing sector, however. "Yes, printing is a huge private commercial activity, but it is not free of government interference... There was recent friction between the Ministry of Information and the press union over the printing of two newspapers; the ministry had warned printing houses not to print, for allegedly violating its regulations."

While the source of newsprint is private and basically apolitical, the high import duties charged by the government play a large role in making the cost of printing very high. To address some of these concerns, LMC is leading a proposal for the development and launch of a newspaper printing cooperative, expected to attract five newspapers in a joint production, distribution, and circulation partnership program.

It is generally accepted that media distribution networks are in private hands, apolitical, and not restricted by the government.

List of Panel Participants

C. Winnie Saywah, reporter, *Inquirer*, Monrovia

Joe W. Mulbah, professor of mass communication, University of Liberia, Monrovia

J. Dorbor Sao, station manager, Super Bongese, Gbarnga

Othello Garblah, freelance news editor, Monrovia

Hector Mulbah, station manager, Radio Gbezohn, Buchanan

Tetee Karneh, station manager, Liberia Women Democracy Radio, Monrovia

Ade Wede Kekuleh, station manager, Radio Veritas Monrovia

Barshel Kiawu, station manager, Radio Piso, Robertsport

Peter Quaqua, president, Press Union of Liberia, Monrovia

Estella Nelson, executive director, Liberia Women Action Committee, Monrovia

Jasper Cumme, executive director, AGENDA, Monrovia

Norris Tweah, deputy minister, Ministry of Information, Monrovia

Margin Kerkulah, journalist, Community Radio, Monrovia

Moderator and Author

Lamii Kpargoi, coordinator, Liberia Media Center, Monrovia

The Liberia study was coordinated by, and conducted in partnership with, the Liberia Media Center, Monrovia.

The closure of Viva, a national television station belonging to the mayor of the capital, sparked the turmoil in early December 2008.



MADAGASCAR

Madagascar was shaken by an unprecedented political crisis in 2009. Opposition members overthrew President Marc Ravalomanana. Ongoing strikes and demonstrations followed, resulting in huge economic losses for the country, unemployment for thousands of workers, and widespread insecurity.

The closure of Viva, a national television station belonging to Antananarivo's mayor, sparked the turmoil in early December 2008. Viva ran afoul of the Ravalomanana government by broadcasting an interview with the former president, Didier Ratsiraka, in which he criticized Ravalomanana. The mayor, Andry Rajoelina, emerged as the natural opposition leader and a champion of freedom of expression and democracy. Rajoelina presented the government with an ultimatum to reopen his television station by January 13, 2009—and when the ultimatum failed, opposition members launched a general strike. After months of the strike, and a series of often-violent demonstrations that resulted in more than 80 casualties, the military took control on March 17, 2009. Days later, Rajoelina was installed as president of the Transition High Authority.

The international community denounced the turn of events as an unacceptable coup, and no foreign heads of state or diplomats attended the inauguration. The significant economic and social aftermath included a loss of 3,700 trade and service jobs. After Rajoelina came to power, demonstrations and the strike persisted—but this time initiated by ousted President Ravalomanana's supporters. A climate of insecurity prevailed, with the army carrying out regular crackdowns. The people seemed to be left to their own devices, not knowing whether they still had a government, or anarchy. The international community worked to help Madagascar find acceptable consensus-based solutions, but largely without success.

The violence has affected journalists deeply. In the first quarter of 2009, Ravalomanana's government continually harassed journalists and media that featured news on the opposition, including Viva and Antsiva radio stations. Meanwhile, at the peak of the strike movement, demonstrators targeted pro-government media specifically. Arsonists attacked national channels, including RNM and TVM; MBS radio and television channels; and other media organizations belonging to president Ravalomanana's TIKO group, such as Radio Mada and *Le Quotidien* newspaper. In the second quarter of 2009, the situation quieted down somewhat, but retaliation continued against media.

The crisis has had some positive effects, however; the public has a revived appetite for news, and blogging is on the rise as a forum for serious political debate.

The loss in overall MSI score reflects how seriously the political crisis has threatened media sustainability. All objectives except for Objective 4, business management, lost ground and fell into the "unsustainable, mixed system" score category.

MADAGASCAR AT A GLANCE

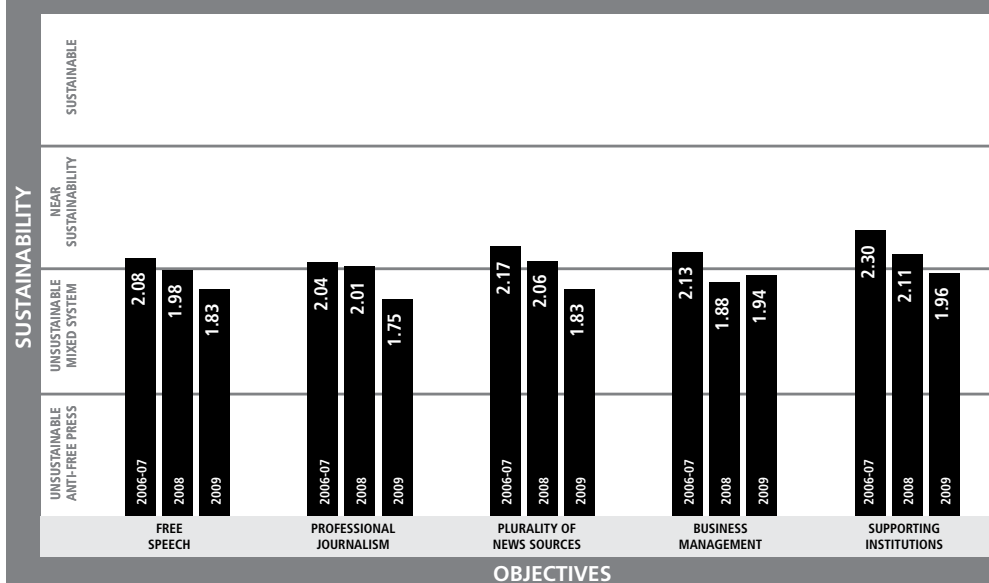
GENERAL

- > **Population:** 20,653,556 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Antananarivo
- > **Ethnic groups (% of population):** Malayo-Indonesian (Merina and related Betsileo), Cotiers (mixed African, Malayo-Indonesian, and Arab ancestry - Betsimisaraka, Tsimihety, Antaisaka, Sakalava), French, Indian, Creole, Comoran (*CIA World Factbook*)
- > **Religions (% of population):** indigenous beliefs 52%, Christian 41%, Muslim 7% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), French (official), Malagasy (official) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$7.932 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,050 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 68.9% (male 75.5%, female 62.5%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Andry Rajoelina (since March 18, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 254 radio stations, with 26 public stations (including the central and regional levels); 37 television channels, with 6 public channels (including the central and regional levels); 12 daily newspapers (with 5 partially in French and 1 entirely in French), 19 bi-weekly, 20 weekly, 12 bi-monthly, 21 monthly, 4 bimonthly and 14 quarterly. (http://www.ambafrance-mada.org/article.php3?id_article=269)
- > **Newspaper circulation statistics:** top three by circulation: *Midi-Madagascar* (30,511), *Tribune Madagascar* (15,000), *Express de Madagascar* (15,000); about 200,000 daily copies total for entire country (sources: various local newspapers)
- > **Broadcast ratings:** highest-rated television outlets: Télévision Nationale Malagasy (state-owned), Radio Nationale Malagasy (state-owned), Madagascar Broadcasting System (private television and radio stations)
- > **News agencies:** ANTA (public), MADA (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 316,100 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MADAGASCAR



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Madagascar Objective Score: 1.83

Generally, the constitutional provisions, laws, and regulations in Madagascar have not changed and do promote freedom of speech. But in practice, they apply only to the needs of the government in place, panelists said. Due to the political developments, this objective's score fell slightly to 1.83 from 1.98 last year. All indicators scored within a half-point of the objective score, evidence that all components that underpin a free speech environment have been affected.

The panelists agreed that opening a radio or television station is a free, fair, competitive, and non-political process, if the interested party meets the requisite conditions. The true problem relates to closures, panelists said. Despite the relative freedom to launch outlets, the political decisions of the ruling party always threaten print and electronic media somehow. This is a controversial subject, according to Jean Paul Razafimahatratra, a journalist at RNM. He pointed to the closure of Viva television that sparked the political crisis as an example. Radio Mada was closed down in a similarly violent fashion, at the behest of the new government.

Despite the existence of laws that guarantee freedom of speech, the 2009 crisis shook the journalism community profoundly. With insufficient legal protection, journalists worked in constant fear, according to Nanou Fiankinana of UNDP. During the 2009 crisis, persecution and criminal

For example, during this period of crisis, journalists did not wear any badges, maintaining anonymity in their movements. Sidonie Rahaingomalala, a MATV journalist, said that people opposing a journalist's work are likely to manhandle the journalist or destroy equipment, and journalists have little defense.

actions increased against journalists and media outlets, according to Jean Eric Rakotoarisoa, editorial director of *Dans les Médias de Demain*. Violence started with arson and looting of the national radio station, RNM, and the national television station, TVM—both considered allies of the Rajoelina government. Then, MBS, owned by the president, was ransacked, looted, and burned, according to Razafimahatratra.

Those events were merely the beginning of brutalities and persecutions that all contributed to muzzling the press, according to Tiburce Soavinarivo, journalist at Radio Fahazavana. For example, during this period of crisis, journalists did not wear any badges, maintaining anonymity in their movements. Sidonie Rahaingomalala, a MATV journalist, said that people opposing a journalist's work are likely to manhandle the journalist or destroy equipment, and journalists have little defense. Regional journalists fled to the capital after receiving death threats from politicians and their supporters, according to Stephenson Ravoajanahary, a journalist at TV Manakara. This created intense pressure on journalists, who also had to cope with the growing demands of readers as a result of competition and turn of events, said Rahaga Ramaholimihaso, president and CEO of Societe Malgache d'Édition.

Razafimahatratra said that journalistic freedom depends on the priorities and leanings of press bosses. During 2009, managers' influence was significant; many of them had political interests to defend. Journalists were not free, and have become almost like robots, Soavinarivo said. The media became political "weapons," as some journalists processed only information in favor of certain political camps, and sometimes made up stories to denigrate the opposing side. Viva and Antsiva conveyed a pro-Rajoelina stance, while MBS, Radio Mada, and others supported the pro-Ravalomanana position. In spite of some positive progress, the government in place still influenced the editorial lines of RNM and TVM. At the beginning of this year, those outlets gave preferential

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.

Under Ravalomanana, the MBS benefited from easy access to information. Today, Viva is given preferential treatment.

treatment to information and news from the Ravalomanana camp, then shifted to favor the Rajoelina-led Transition High Authority in April.

National media such as RNM and TVM have always been given preferential treatment, whichever the government. In these public media, journalists feel compelled to put up with the rulers' decisions at the risk of being transferred, suspended, or banned to speak on the air. Panelists pointed also to a few cases in which only private journalists connected to the government benefit, to the detriment of even the national channel. In these cases, national channels are forced to rebroadcast the programs that the favored private outlet produces.

As last year's MSI reported, in cases of libel, the courts may take administrative or penal actions, including possible prison sentences. However, no journalists have yet received prison time for libel against public officials or other actors, as far as the panelists are aware.

Regarding access to public information, private media always fare poorly in comparison with public media. For example, Rahaingomalala said, private media have much more difficulty obtaining interviews with ministry officials. When private media do not cover the news that the government promotes, those outlets are declared biased and supportive of the opposition, and sometimes threatened. Rakotoarisoa said that an overall lack of administrative transparency was evident particularly during the political crisis. Faly Rajaonarison, a journalist at *Les Nouvelles*, emphasized that historically, a pool of journalists has always been given more advantages than others. Under Ravalomanana, the MBS benefited from easy access to information. Today, Viva is given preferential treatment.

Access to international news sources is free from government restrictions in Madagascar. However, some journalists do not tap international sources as much as they could, due either to the cost of access or a lack of motivation.

Entry into the profession is considered free in Madagascar; the Madagascar Journalists Association (known by its French acronym, OJM) issues membership cards through an independent commission. While in principle journalists receive a card after at least three years of service, in practice the process is more fluid. Last year's panelists objected to the ease of entry and called for stricter criteria, noting that many

people claim to be journalists but lack appropriate skills. They cited the example of a person hired to broadcast music at a regional radio station and who eventually became a de facto journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Madagascar Objective Score: 1.75

Objective 2 fared the worst of all objectives in 2009, as the panelists concurred that professional standards are too weak. Individually, all indicators scored similarly poorly, as all were within a half-point of the objective score.

This year brought an uptick in the population's interest in political news, as the need to stay informed sharpened during the crisis. Unfortunately, the quality of information that journalists provided was spoiled by their eagerness to give the latest news fast, without double-checking and analysis. According to the panelists, journalists did not bother to document their work, and slip-ups were noted as a result of haste, passion, or inexperience. Some made serious allegations during the 2009 crisis; journalists mixed up their roles with those of militants, said Rakotoarisoa. Sometimes, radio stations broadcast words of hatred, humiliation, and anger rather than balanced news for information and education, Razafimahatratra said.

Ramaholimihaso offered a slightly different perspective, noting that in some cases, the intensified pressure of reporting through a political crisis brought about improvements, especially in searching for information.

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).

At press conferences, often journalists fail to ask substantive questions. Frequently, journalists simply reproduce press releases without any analysis, said Rajaonarison.

The panelists also criticized the lack of compliance with ethics standards. They said that increasingly, journalists no longer play the role of informant, communicator, and educator. They said that the primary ethics obligation of a journalist is to provide the audience with clear, complete, objective, and honest information. Yet unfortunately, a number of journalists cannot resist pressures, said Rahaingomalala. News becomes slanderous, which exacerbates societal tensions, added Soavinarivo.

In some circumstances, self-censorship exists as well. Some self-censorship is linked to the editorial priorities and interests of media managers, Rajaonarison commented. Soavinarivo added that some self-censorship is related to societal expectations; journalists are aware that they should not broach certain subjects.

In general, Malagasy media do not address key issues, in part because of limited resources. Rahaingomalala noted that sometimes ministries and large organizations are reluctant to share information, as they have little trust in journalists. According to Fiankinana, journalists certainly lack the means to report on major issues, but problems stem also from journalists' gaps in capacity to process the issues. For example, after a hailstorm in Antsirabe, a reporter wrote a story about the possible effects of climate change but did not treat the subject in a scientific fashion—just as a news brief. Some media outlets have sections full of figures, but do not delve thoroughly into analysis.

According to Rajaonarison, the lack of professionalism is explained partially by the relatively low salaries for journalists. Generally, journalist salaries do not allow free and independent practice. Often, entrepreneurial media owners want to “sell” their information quickly and with lower production costs, and they take on graduates fresh out of school that are willing to work for very little pay. However, the private media have made a marked improvement in salaries. The increase is certainly not enough, Rahaingomalala said, but it demonstrates a significant effort to prevent journalists from selling articles.

For public media workers, salary depends on the journalist's status—whether he or she is a regular government official, long-term employee, short-term employee, or temporary hire. Those with less job security or benefits sometimes give in to corruption, according to Razafimahatratra. Some journalists are not even members of the local social security scheme, noted James Ratsimandresy of RNM/TVM Fianarantsoa. Soavinarivo added that such individuals top the list of corrupted journalists.

According to Fiankinana, journalists certainly lack the means to report on major issues, but problems stem also from journalists' gaps in capacity to process the issues. For example, after a hailstorm in Antsirabe, a reporter wrote a story about the possible effects of climate change but did not treat the subject in a scientific fashion—just as a news brief.

Regarding the balance between entertainment and news, last year's MSI described media managers' perception that people were losing interest in news and politics, tipping the balance toward entertainment. At the same time that this year's political crisis renewed interest in news, out of necessity, the media has become more profit-driven. As a result, for the print and electronic media, increasing advertisements is often tantamount to increasing entertainment programs, at the expense of news. Some television channels even advertise during the news, which Rajaonarison charged is out of place. Similarly, in the print press, advertisements are encroaching on the space for news articles. Some press organizations are able to increase the number of pages, depending on the number of advertisements received, in order to preserve enough space for news.

As reported in the last MSI, national-level media have seen a technological revolution, with modern equipment used increasingly. At the regional level, however, quality still varies.

Niche reporting is still rare, limited by the lack of means to invest in training journalists to become specialized. Usually, such reporting is only possible if an NGO or other private institution supports the effort. The panelists pointed to a special need for journalists trained in economics and law; currently, journalists with some background studies in those fields help to fill in gaps, but their contributions are not enough.

OBJECTIVE 3: PLURALITY OF NEWS

Madagascar Objective Score: 1.83

Panelists gave lower scores to this objective this year, and all indicators save one scored very close to the objective score. The one exception is indicator 4 (independent news agencies gather and distribute news for print and broadcast media), which scored about two-thirds of a point lower.

During the annual prayers between late July and early August in Ankaramalaza, in Vatovavy Fitovinany region, some people still expected the visit of former President Ravalomanana—and were rather stunned when President Rajoelina showed up instead.

The panelists agreed that the people of Madagascar certainly have varied news sources. Residents of the main towns especially have a large array of newspapers and private radio stations and continually growing choices. Panelists noted the broadcast media's willingness to provide viewers with a mix of programs.

However, rural populations are underserved. Ravoajanahary shared an anecdote that revealed the extent of the news vacuum affecting some rural residents. During the annual prayers between late July and early August in Ankaramalaza, in Vatovavy Fitovinany region, some people still expected the visit of former President Ravalomanana—and were rather stunned when President Rajoelina showed up instead. Only public media offer full national coverage; however, because they are under government influence and dependent on politicians, they are unreliable sources of information for listeners in remote areas, Rahaingomalala said.

The government does not restrict citizen access to international and national media. Foreign radio stations,

such as Radio France International, are available, according to Ratsimandresy. However, the low purchasing power of the Malagasy tempers this access, Rakotoarisoa noted. Very few can afford to buy foreign magazines.

Madagascar has at least 20 national print press organizations, and to read news representing all political leanings, one would have to buy three or four newspapers and pay approximately MGA 2,000 (\$1)—which is out of reach for low-income people. Some newspapers are affordable, costing around MGA 200 (\$0.10) and are available exclusively in Malagasy. They include *Taratra*, *Ao Raha*, and *Gazetiko*. As for radio stations, for areas without electricity, the cost of one battery is equivalent to 1 kilogram of rice, Rajaonarison pointed out—too steep for most people.

Access to the Internet is free, but infrastructure is very limited and the cost of access is high. The only places that enjoy more or less reliable infrastructure are the capital; a few large towns; and development program beneficiaries, such the rural commune of Ranomafana, which runs the PACT-implemented and USAID-funded Last Mile Initiative. The cost varies: in some places within the capital, one hour of access costs MGA 900 (\$0.45), while in towns like Nosy Be, the cost might be six or seven times greater—close to MGA 6,000 (\$3). Mobile-telephone-based Internet is also expanding and covering more territory, but for the moment, the cost of hardware and connectivity is out of reach for the Malagasy people.

Public media are not public service media, and do not reflect the political spectrum's opinions, said Rakotoarisoa. The government in power is always favored. Much to their disappointment, members of the media community have not felt the changes that Rajoelina so strongly advocated in this regard. It appears that many actors, often close to the government, want to remain in the limelight—even if it means manipulating opinion through the media.

Currently, Madagascar has no operational independent news agencies to serve print or broadcast media. A majority of independent broadcasters produce their own news programs, dealing with the same news topics as the public media but providing a different perspective. Community radio stations are emerging in Fianarantsoa and elsewhere and are producing programs focused on local needs. Very often, these local stations provide support to development programs, such as the program that Saha Betsileo promotes in the rural commune of Alakamisy Ambohimaha, and Alt Radio in the Anosy and Androy regions.

Regarding the transparency of media ownership, as the 2008 MSI panelists reported, it is difficult to identify the majority shareholders in press businesses, but political leanings and affinities are identified easily.

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.

Minority languages are not an issue in Madagascar, as all citizens understand the official Malagasy language. However, radio and television stations in the regions produce programs in local/ethnic languages, which help stations remain in touch with their audiences.

OBJECTIVE 4: BUSINESS MANAGEMENT

Madagascar Objective Score: 1.94

The panelists expressed their view that independent media must be relatively well managed, because most survived—and in fact turned a profit—despite the political turmoil of 2009. However, significant challenges remain as reflected in a score that remains in the “unsustainable, mixed system” range. All indicators scored within a half-point of the objective score.

Madagascar has a few private media houses that do not seek commercial profitability but are used as political or denominational communications tools. For example, Radio Fahazavana is part of the communications strategy of the Church of Jesus Christ in Madagascar, with the TIKO group (an agribusiness conglomerate owned by Ravalomanana) contributing to payment of some expenses, such as salaries. RTV Manakara is owned by a politician, Rakamisilahy Martial, and although its revenues are not tremendous, the station is vital for the community’s political mobilization and some of Martial’s other economic activities. Sometimes, the press managers fail to understand that the media, with sound management, could be a profitable business, panelists said.

Soavinarivo emphasized that independent media may operate as cost-effective and profitable businesses but not necessarily

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.

Increasingly, professional communications agencies manage advertising, but most agencies are available just in the capital, Rakotoarisoa said. These agencies collaborate closely and professionally with both the private and public media. Advertisers in other big towns and regions still need to negotiate directly with the media.

professionally managed enterprises. While media houses receive revenue from many sources, including sponsorships, advertising constitutes a large portion of their revenues, according to Ratsimandresy. In fact, the panelists suggested, the dependence on advertising is so great that it may compromise objectivity when media houses report on major advertisers—including the government, large influential businesses, and international organizations.

Increasingly, professional communications agencies manage advertising, but most agencies are available just in the capital, Rakotoarisoa said. These agencies collaborate closely and professionally with both the private and public media. Advertisers in other big towns and regions still need to negotiate directly with the media. The number of advertisements sold depends on the media outlet’s credibility and visibility, according to Rahaingomalala, because advertisers, including communications agencies, target their media partners on the basis of these parameters.

The government never gives subsidies to private media, Rajaonarison said, and direct grants are not available. Tax exemption on media equipment is set forth in the Rome Convention, but this assistance is not granted automatically to everyone. For example, two journalists that import cars for their professional use will not benefit from the same treatment. If a journalist does not know how to negotiate, or is too critical of the government, his or her tax exemption request will be turned down.

Print media have commissioned surveys with private consulting firms specializing in audience rating analysis. They conduct surveys quarterly, with a view to reviewing the press company’s profitability and determining each press organization’s position compared with others, Rahaingomalala said. The problem lies in the reliability of a polling agency. It may distort data to attract more advertisers if the station is influential enough. Consulting firms only want to satisfy their customers, panelists commented.

Soavinarivo, however, criticized OJM for failing to suitably attempt to protect journalists. Statements are issued, but no actual protection results, he said. Furthermore, noted Rajaonarison, the association has never come forward to support any member facing legal action.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Madagascar Objective Score: 1.96

This objective also lost ground slightly compared to last year, and panelists rated all indicators rather similarly, with none scoring more than three-tenths of a point higher or lower than the objective score.

Madagascar has only one newspaper publishers' association, but generally it manages to defend its members' interests, according to the panelists. On the other hand, some other professional associations show a notable laxity and have not been as visible. The OJM has not been in a position to renew its committee membership, and a basic review should be conducted to work out with accuracy its mission and objectives, panelists said. Antananarivo-based Multi-Service Information Systems initiated an action to this end in late 2008, but the move lost momentum as a result of the political crisis. However, OJM is generally well regarded and panelists see it as the only institution able to bring journalists together.

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.

Soavinarivo, however, criticized OJM for failing to suitably attempt to protect journalists. Statements are issued, but no actual protection results, he said. Furthermore, noted Rajaonarison, the association has never come forward to support any member facing legal action. As evidence that OJM and other professional associations are not protecting journalists actively, the panelists mentioned the indictment of Evariste Ramanatsoavina, from radio Fahazavana, in the second quarter of 2009. Some journalists try to build solidarity for such causes.

Ramaholimihaso underscored the urgency to consider a true restructuring of the trade, but commented that the media community seems busy just managing daily issues. The biggest issue for the sector is the communication code, currently supported by UNDP and steered by a commission made up of former OJM chairs. An initiative has been formed to finalize the code, with steps including a technical workshop and a first meeting of journalists held in Antananarivo in August 2009. However, in light of their past experiences, journalists are skeptical that the initiative will result in any progress.

Many journalist training institutions have been established, with the most important being the University of Antananarivo and Catholic University. The number of formally educated journalists is inadequate, however; often, graduates from these institutions head for careers in communication, development enterprises, or work for international organizations, rather than journalism.

Aside from the coursework provided by universities, very few training options are available. Occasionally, international organizations such as UNDP, the American Cultural Center, the Friedrich Ebert Foundation, or the Embassy of Germany offer training for journalists. But according to Razafimahatratra, these classes are rare, and few journalists can really benefit from them.

A large majority of journalists simply receive on-the-job training, Rajaonarison said. Each media outlet attempts to train its own staff, or find partnerships to do so. Soavinarivo gave the example of the training support that Switzerland Radio provides to Radio Fahazavana staff. The panelists identified a need for more training programs to help journalists develop niche reporting specialties, such as economics and law.

Many newspapers, such as *Midi Madagasikara* and *Tribune*, have their own printing houses. Others, including *La Vérité* or *Malaza*, rely upon the services of other private printing houses. The government no longer owns a printing house for the public media to make use of. Distribution outside major cities varies; generally, newspapers reach remote areas via

rural buses on the same day or the day after, based on the distance and trip frequency. Air travel, via Air Madagascar, is no longer an affordable option for press organizations.

List of Panel Participants

Tiburce Soavinarivo, journalist, Radio Fahazavana, Antananarivo

Rahaga Ramaholimihaso, president and CEO, Societe Malgache d'Édition, Antananarivo

Stephenson Ravoajanahary, journalist, TV Manakara, Manakara

Sidonie Rahaingomalala, journalist, Madagascar Télévision, Antananarivo

Faly Rajaonarison, journalist, *Les Nouvelles*, Antananarivo

Nanou Fiankinana, journalist and communication coordinator, UNDP, Antananarivo

Jean Paul Razafimahatratra, journalist, Radio Madagasikara, Antananarivo

Jean Eric Rakotoarisoa, editorial director, *Dan les Médias de Demain*, Antananarivo

James Ratsimandresy, consultant and former journalist, Radio Nationale Malagasy, Antananarivo

Ruphin Rakotomaharo, chair, Madagascar Journalist Association, Antananarivo

Jemima Rakotoasimbola, journalist, M3TV, Mahajanga

Moderator and Author

Harijaona Andriamoraniaina, executive director, Multi-Service Information Systems, Antananarivo

The Madagascar study was coordinated by, and conducted in partnership with, Multi-Service Information Systems, Antananarivo.

The ruling party members' dominance in parliament proved to be good news for public broadcasters, who managed to get their first national budgetary allocation in five years.



MALAWI

For the first time since the advent of modern democracy in Malawi, one political party, the Democratic Progressive Party (DPP), dominates the parliament. In the presidential and parliamentary elections on May 19, 2009, DPP won 114 of the 193 contested seats. Its leader, President Bingu Wa Mutharicka, was also re-elected, with the highest number of votes that a Malawian president has ever won.

The media played a significant role in the run-up to the election, but at the same time, politicians grossly undermined the public broadcasters. Despite the Malawi Communications Act (1998) requirement that the airwaves be open to all political players during the campaign period, the media gave the ruling party the most positive coverage by far. This was evident in weekly reports published in the local press and provided by the Malawi Communications Regulatory Authority (MACRA) and Malawi Electoral Commission. Any coverage of opposition parties tended to be negative.

The private media also had their shortcomings, but mostly were more responsive to the MACRA and MEC reports, adapting their coverage when they were shown to be favoring one party over another. Radio station MIJ FM is a good example: initial reports found that the ruling party dominated its coverage, but with time, its coverage became more balanced. On the other side was Joy FM, a private station owned by the opposition United Democratic Front leader, which demonstrated a consistent bias in favor of the opposition coalition.

The ruling party members' dominance in parliament proved to be good news for public broadcasters, who managed to get their first national budgetary allocation in five years. The previous opposition-dominated parliament refused continuously to pass the public broadcasting budget, accusing public media of bias towards its political rivals.

The elections provided a welcome boost to media companies, as political parties sought advertising space and other stakeholders placed advertisements for civic education purposes. At the same time, ordinary people consumed more media products to keep up with events. Public broadcasters also benefited by acquiring modern equipment, enabled by the government's interest in beefing up production. While the global financial crisis impacted Malawi, MSI panelists said that the media were not badly affected—despite the demise of a weekly newspaper, *The News*, which closed down during the first half of 2009. Malawi's two newspaper companies, Nation Publications Limited and Blantyre Newspapers Limited, continue to dominate the print market, while no new entries appeared on the broadcast spectrum.

MALAWI AT A GLANCE

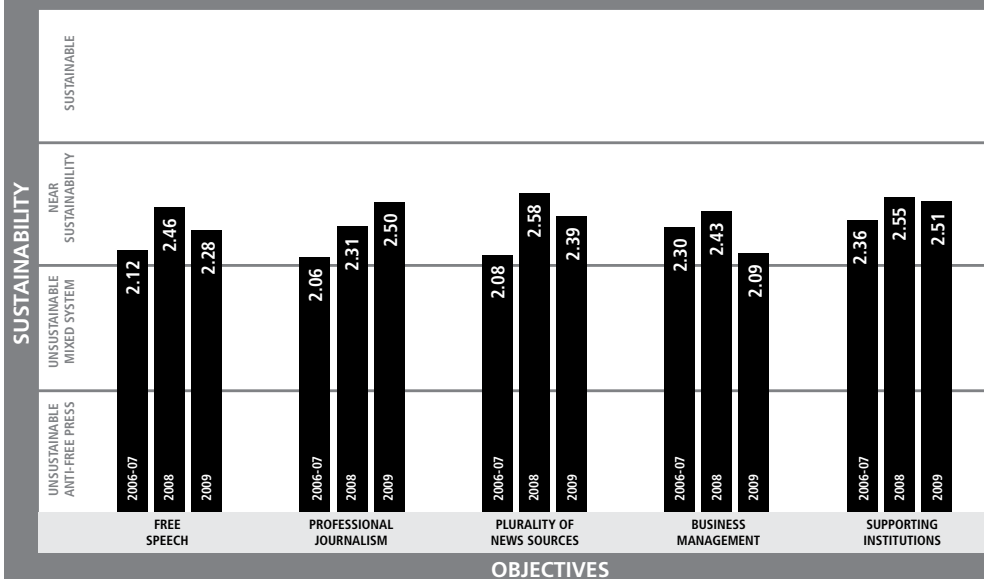
GENERAL

- > **Population:** 15,028,757 (July 2010 est., *CIA World Factbook*)
- > **Capital City:** Lilongwe
- > **Ethnic groups (% of population):** Chewa, Nyanja, Tumbuka, Yao, Lomwe, Sena, Tonga, Ngoni, Ngonde, Asian, European (*CIA World Factbook*)
- > **Religions (% of population):** Christian 79.9%, Muslim 12.8%, other 3%, none 4.3% (1998 census, *CIA World Factbook*)
- > **Languages (% of population):** Chichewa 57.2% (official), Chinyanja 12.8%, Chiyao 10.1%, Chitumbuka 9.5%, Chisena 2.7%, Chilomwe 2.4%, Chitonga 1.7%, other 3.6% (1998 census, *CIA World Factbook*)
- > **GNI (2008-Atlas):** \$4.017 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$830 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 62.7% (male 76.1%, female 49.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Bingu wa Mutharika (since May 24, 2004)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 9 newspapers, including 2 dailies, 2 private weeklies, and 1 state-owned weekly; Radio: 19 stations including 2 public broadcast services and 13 privately owned, and 4 community-owned stations; Television stations: 2, including 1 privately owned, and 1 public broadcaster.
- > **Newspaper circulation statistics:** Top two by circulation: *The Daily Times* (privately-owned), *The Nation* (privately owned)
- > **Broadcast ratings:** N/A
- > **News agencies:** Malawi News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 316,100 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MALAWI



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Malawi Objective Score: 2.28

The Constitution of the Republic of Malawi protects free speech. Providing an example of how the right is generally respected, panelists pointed to the media's freedom to cover all political parties during the April/May elections campaign period. However, panelists also noted that some archaic laws remain on the books that have the potential to limit press freedom, and the panel expressed deep concern about the parliament's failure to enact the Access to Information Bill. Differences such as these account for the wide range of scores within the indicators, and several scored more than half a point ahead of or behind the objective score. Indicators 8 (media access to and use of international news) and 9 (free entry into the journalism profession) both scored about a point higher. Indicators 5 (preferential treatment for state or public media), 6 (libel laws), and 7 (access to information) all received scores more than half a point behind. The public media's failure to meet the stipulation in the Communications Act prohibiting the state media from biased coverage, particularly with regard to political parties, accounts for indicator 5 receiving the lowest score in the objective.

Legal and social protections of free speech are entrenched constitutionally, with Section 35 guaranteeing freedom of expression, Section 36 on freedom of the press, and Section 37 on access to information. However, as Media Council of Malawi (MCM) representative Alfred Banda pointed out,

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.

“Recently, a few radio stations and television stations were denied licenses for poorly explained reasons—it seems as though the reasons have been political,” said Herbert Chandilanga, Chichewa editor for Nation Publications Limited.

Section 37's reach can be limited by acts of parliament that prohibit access to information. Panelists also bemoaned the existence of outdated laws, especially in the penal code, that can be used against the media at any time. They fear these laws could be used to repress media houses that refuse to tow a particular line. Capital Radio Malawi managing director, Alaudin Osman, cited the protected names, emblems, and places law as an example of legislation that should be revoked. While some panelists seemed unconcerned about the archaic laws, which had not been used in the period under study, others felt that as long these laws remain, freedom depends on the goodwill of the current political leadership. In general, though, panelists pointed to significant improvement regarding free speech, compared to the climate in previous elections.

Panelists once again questioned the fairness of the broadcast licensing process. The country's licensing authority, MACRA, is a parastatal body receiving funding from government, and the presidentially appointed executive director can exercise indirect control. Although the Communications Act of 1998 that established MACRA states that the agency should operate openly, transparently, and free from government influence, panelists said that they believe that political leaders do influence licensing decisions. “Recently, a few radio stations and television stations were denied licenses for poorly explained reasons—it seems as though the reasons have been political,” said Herbert Chandilanga, Chichewa editor for Nation Publications Limited.

Media companies operate under the same tax structures as other companies, and panelists reported no restrictions obstructing market entry. However, panelists expressed concerns about the high capital costs of starting a media business. Osman felt this is particularly true regarding print products, while Maria Chidzanja-Nkhoma, Zodiak Broadcasting Station women and children's coordinator, pointed to prohibitive costs for broadcasters.

Again this year, the panel reported very few crimes against journalists and media outlets. Most notably, authorities arrested two journalists (Mary Chande Mhone and Aubry Nazombe), a technician (Abdul Razaq), and a driver (Yusufu Suleman) from Joy Radio and closed the station just before the

Government personnel frequently resist releasing information by claiming information is not meant for public consumption.

election. Allegedly, the station broke the ban on endorsing or ridiculing candidates after the closure of the official election campaign on May 19. The journalists were held for two days, while the technician and driver were released on the same day. The radio station re-opened on July 9. Panelists noted the government's tendency to arrest journalists for flimsy reasons, interrogate them, and then release them without pursuing a formal case. Journalists, associations, civil society organizations, and other stakeholders regularly condemn these tactics.

Weighing whether state or public media receive preferential legal treatment, the panelists could not point to any specific instances. However, they said that editorial independence is severely compromised, and this year's score for that indicator dropped dramatically. Panelists pointed out that there is no statute guaranteeing editorial independence, and noted that different regimes have deliberately neglected to come up with such a law.

Panelists' views regarding the treatment of libel varied widely, reflected in a wide range of scores. Those who gave high scores to this indicator claimed that libel is still treated as a civil case, with the burden of proving falsity and malice carried by the complainant. They also said that they do not believe that corruption plays a role in decisions by judges. However, one panelist assigned a very low score based on the fact that media houses rarely seek accountability from state officials. In practice, the panelists said, the media often opt for self-censorship when threatened with legal action.

Some panelists noted that journalists cannot easily access public information, which at times prevents them from holding public officials accountable. Government personnel frequently resist releasing information by claiming information is not meant for public consumption. This obstacle persists despite Section 37 of the constitution, which states, "...subject to any Act of Parliament, every person shall have the right to access to all information held by the State or any of its organs at any level of government in so far as such information is required for the exercise of his rights." Absent an enforcement mechanism, this law has not helped journalists, and the media and other stakeholders have proven unsuccessful in their attempts to lobby parliament to enact the Access to Information Bill. These shortcomings

led some panelists to assign this indicator the lowest possible score.

The panel agreed that all media outlets are free to access international news and news sources. Some media houses tap the Reuters news feed, while others rely on online news sites for international news. The media can freely rebroadcast or reprint material sourced elsewhere. However, Zeria Banda, a World Bank communications officer, pointed out that print media outlets often repeat information that people have already encountered online or on television. Panelists cited the costs of accessing the news online and relatively slow download speeds as the only limiting factors.

The panelists debated the ease of entry into the profession, with some panelists questioning whether access to the profession is too free. "Becoming a journalist is the easiest thing in Malawi," Banda said. "You can just wake up in the morning and call yourself a journalist." Some panelists said that they see a need to control entry into the profession, while others disagreed. Early in 2009, MCM introduced an accreditation program and asked all practicing journalists to register. However, Alfred Banda described a mixed response to the call, with journalists from big media houses refusing to apply. Panelists favoring accreditation cited the need for controls to stop people claiming to be journalists from harassing news sources. They described accreditation as a form of self-regulation preferable to government-imposed restrictions. Those against accreditation said that the move runs counter to the principles of a liberalized industry. In their view, it would be better to license companies rather than individual journalists. They also said that, at times, "credible" journalists behave unethically as well.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Malawi Objective Score: 2.50

All of this objective's indicators scored in the near-sustainable range, and all scored close to the objective score.

Most panelists agreed that private media news coverage is generally fair, objective, and well-sourced, albeit with room for improvement, while the public media is biased politically. However, panelists said that journalists make too many mistakes, with some problems even visible on the front pages of newspapers. Panel members pointed to excessive corrections and retractions as proof. In addition, some panelists bemoaned that journalists depend heavily on a handful of sources. Illustrating this point, Zeria Banda said, "The two daily papers feed upon the same news sources for political and economic comment. After hearing from the same people on a daily basis, I personally have reached a

point where if I just scan through the story for the source, I do not bother reading it... Surprisingly, journalists do not seem to see this, and continue making their papers a boring read with the same dull sources.”

The MCM developed a code of ethical conduct for journalists in 1994, and awareness appears to be increasing—an improvement over last year’s MSI study. While journalists generally follow the code of conduct, panelists expressed grave concerns about the continuing tendency of journalists to accept gifts—often in the form of cash—when covering news events. Panelists said that politicians are willing to line reporters’ pockets in exchange for positive coverage in the run-up to the elections. This practice has been reported in previous MSI studies and is seemingly gaining acceptance. In a notable exception, Nation Publications Limited was commended for publishing an announcement asking news sources to refrain from giving their employees cash for covering functions.

Panelists’ views on the prevalence of self-censorship did not change dramatically from last year. They said that political pressures still drive state media journalists to censor their stories, and that state journalists write more positively about the government. However, this year, panelists noted that outside of the public media, issues with repercussions for major advertisers pose a bigger concern than interference by political elites.

Panelists said that they believe that the media cover key events and issues, although some panelists labeled the coverage of presidential functions excessive. Zeria Banda said that whenever the government holds a presidential event, public broadcasting reporters hardly ever can be persuaded to

Panelists’ views on the prevalence of self-censorship did not change dramatically from last year... However, this year, panelists noted that outside of the public media, issues with repercussions for major advertisers pose a bigger concern than interference by political elites.

cover other news. The public broadcaster frequently neglects political events organized by opposition parties, citing a lack of resources.

Regarding pay levels for journalists, panelists had divided impressions: some consider pay levels acceptable and others disagreed. “Journalists could be enticed into corruption,” Chandilanga said. Panelists said that journalists in public media earn more than other civil servants with the same level of qualifications. They noted that employees of the major newspaper companies enjoy fairly decent pay, although low pay prevails in most electronic media and some print media houses. Low pay drives media school graduates to work in other fields, such as advertising, public relations, marketing, and management, rather than mainstream journalism. However, panelists did not see an automatic correlation between low pay and the corruption of journalists, and suggested that journalists who earn comparatively high salaries could be more corrupt than those who earn less. Osman proposed that an organization such as the Journalists Union of Malawi determine a pay scale based on qualifications, experience, skills, and other specific factors.

According to the panelists, entertainment does not eclipse news and information programming, either in the print or electronic media. “News [and information] enjoys more time and space, especially in print,” noted Chandilanga. Manda observed, “Even stations that champion themselves as entertainment radios, like Capital FM, have regular times for news bulletins. When it comes to 9 o’clock, everyone knows there will be news on Capital.” Chidzanja-Nkhoma estimated that entertainment programming constitutes 60 percent of airtime, while news represents 40 percent of electronic media content.

The efficiency of technical facilities and media equipment received an average score, with panelists noting that some media outlets use modern equipment and others lag behind. Although cameras, computers, and recorders tend to be relatively modern, other equipment requiring large capital outlays is aging badly. Panelists agreed that daily newspapers

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).

Manda observed, "Even stations that champion themselves as entertainment radios, like Capital FM, have regular times for news bulletins. When it comes to 9 o'clock, everyone knows there will be news on Capital."

are forced to rush their production cycles to give the slow and aging printing presses enough time to print the papers. They also blamed the poor printing quality of some newspapers on old presses.

A notable development since last year's MSI study is the public media's acquisition of modern equipment, such as digital recorders. However, Television Malawi (TVM) still struggles with technical capacity. Zeria Banda commented, "Lack of resources also stands out the most with Television Malawi. News is pre-recorded and not delivered live. Stories on television, except for coverage of the president, are usually stale... TVM badly needs help with equipment."

According to the panelists, niche reporting and programming exist, and various media outlets reflect different subject expertise. Weekly newspapers prove their strength in investigative journalism, while the state media covers a much wider spectrum of news. In the view of the panelists, most journalists are well prepared to cover their respective niches. Although basic journalism education programs do not offer specializations, media professionals receive regular opportunities to attend skill-sharpening workshops relevant to their beats. However, Grace Kadzakumanja, a lecturer at the Polytechnic University of Malawi/Malawi Institute of Journalism, said that reporters and editors need more education and experience to improve. She suggested that many attend workshops and short-term training courses only to tap into the allowances provided by various funders.

OBJECTIVE 3: PLURALITY OF NEWS

Malawi Objective Score: 2.39

Most of the indicators under this objective scored close to the objective score. However, two fell outside this range. Indicator 5 (private media produce their own news) scored about three-quarters of a point higher. Indicator 3 (state media reflect the views of the entire political spectrum) drew the lowest score of any indicator in any objective, with a score about a point-and-a-half behind. However, the panelists indicated that despite its firm grip on the state broadcaster,

the ruling elite continues to allow considerable diversity among the private media.

Panelists agreed that people have access to a variety of news outlets, including radio and newspapers, but noted a lack of plurality of sources informing these outlets. Alaudin Osmond argued that the print media is dominated by two dailies that carry very similar content. Two young publications, one owned by the Malawi Institute of Journalism and another called *The News*, collapsed during the period under review. The MBC has a much wider footprint than any independent radio station, broadcasting in most of the widely spoken languages.

Panelists said that more and more people are beginning to access news on the Internet but penetration remains very low and the cost of going online is prohibitive for many. Malawi has several Internet news sources, but they are accessed by very few people—mostly people with access at their workplace or on their mobile phones. According to the panel, most Internet café customers can rarely afford the luxury of visiting news websites; they go to the cafés primarily for priority services, like checking mail, due to high charges. However, the local sites are a good source of news to many Malawians living outside the country. People in some rural areas can access the Internet at government-established telecenters. Most of the media houses, including radio stations, have established their own websites, which help keep Malawians abroad informed about events at home.

The rural population relies heavily on radios; they have access to MBC Radio 1 and Radio 2, and at least one private radio station. The two public radio stations and almost all

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 private radio stations serve the urban and semi-urban population. They also have access to all the newspapers, though some people cannot afford to buy them. Only 35 percent of the population receives the TVM transmission, while few people can afford international pay television services. Some people can afford to access international television channels through DSTV services, which are offered by MultiChoice Malawi and free-to-air decoders.

Regarding access to domestic or international media, the panel agreed that this indicator deserves a score approaching sustainability, as the country does not restrict access deliberately. All citizens are free to consume the media they can afford, restricted only by poverty or poor infrastructure. For instance, the country's only television station reaches 35 percent of Malawians, while newspapers cannot be distributed in some areas due to poor roads. Additionally, a large number of the population cannot afford to access international media by satellite or the Internet.

Panelist scores showed decidedly that the state and public media do not serve the public interest, with this indicator dropping sharply to well inside the unsustainable range. Panelists said that while the state broadcaster has long displayed bias, the situation worsened in the period under review. According to the panelists, the ruling party treated the broadcaster as its mouthpiece, providing a litany of positive coverage for the DPP and negative reports about opposition parties, especially the Malawi Congress Party. Panelists backed up their charges by pointing to monitoring reports issued by MACRA and the Malawi Electoral Commission.

Panelists reported that the country's sole news agency—the government-owned Malawi News Agency (MANA)—often provides stale reports biased towards the ruling party. Capturing the panel's view, Osman said, "The news agency covers a wide range of issues, but on the political scene, it betrays a bias towards the ruling party." MANA news is distributed freely and is available to anyone interested, but the demand for the service is limited. Malawian news outlets frequently use international news from agencies such as Reuters, AP, and AFP.

The panelists said that independent media tend to produce their own programs and rarely rely on purchased content. However, with the exception of politics programs, most MBC productions are of a higher quality standard than those produced by the independent media, panelists said. They noted also that independent broadcasters tend to duplicate each other's programs.

Panelists said that Malawi has no laws mandating disclosure of ownership, but it is not difficult to determine the owners

According to the panel, most Internet café customers can rarely afford the luxury of visiting news websites; they go to the cafés primarily for priority services, like checking mail, due to high charges.

of major news organizations. Consumers are well equipped to judge the objectivity of the news, they said. Joy FM was cited as a good example; its listeners are well aware that an opposition political figure owns the station. No business conglomerates own media outlets, according to the panel. However, there is some concentration of ownership, as two newspaper companies, Blantyre Newspapers Limited (publishers of *The Daily Times*, *Malawi News*, and *The Sunday Times*), and Nation Publications Limited (publishers of *The Nation*, *Weekend Nation*, and *Nation on Sunday*) still dominate the print industry. Journalism and media studies academic Levi Manda noted that at the time both companies were established, their original owners were high-profile political leaders. Kadzakanja noted that so far, no foreign investors have expressed interest in the media field.

Panelists criticized the dominance of English across the media spectrum, noting that Malawi has five widely spoken languages, and that the MBC is the only media house to use all five. Manda said that most of these languages are used only in news bulletins, which often have little relevance to speakers of these languages—they are simply translations of the English bulletins. No mention was made of vernacular newspapers, although three weekend publications do carry supplements in Chichewa, the national language.

OBJECTIVE 4: BUSINESS MANAGEMENT

Malawi Objective Score: 2.09

All of the indicators for this objective fell within half a point of the objective score. Most of the media firms operate as profit-generating businesses, but not all are managed efficiently, according to some panelists. The private media, both print and electronic, generate the bulk of their revenue from advertising, but their dependence on advertising revenue threatens editorial independence.

Most of the media houses operate as efficient and professional businesses, though some panelists pointed out that the editorial departments typically receive more attention than other departments, such as sales and accounts. Zeria Banda emphasized the difficulty in dealing with the

Poor management continues to plague community media, and panelists said that they see a need for interventions in this respect. The community media houses do not seem sustainable without support from donors.

advertising departments, and shared instances in which she needed to push some media houses to provide quotations and to collect their payments. Whether media houses have or use business plans was unclear to panelists. Some media houses do hire professionals in departments such as accounting and finance, but these departments are harder to staff than the editorial positions. Osman commented, "In one day, I may get 90 applications from journalists, but just one from, for example, a sales representative."

Poor management continues to plague community media, and panelists said that they see a need for interventions in this respect. The community media houses do not seem sustainable without support from donors. However, with poor management of grants, that support may be threatened. For example, Zeria Banda gave an example of an undisclosed community radio station that received funding from the World Bank, but could not account for the money when asked to do so.

In 2009, the government provided direct funding for public media for the first time in five years. In the previous four years, parliament had been denying MBC and TVM their budgetary allocations, after accusing them of biased and

unfair reporting and programming. Incidentally, the approval of their budgetary allocation this year can be explained by the ruling party's majority in parliament, not an improvement in the performance of MBC and TVM.

Newspaper editor James Mphande also noted that advertisers exert unnecessary pressures on newspapers, demanding that papers cover all their functions—even those that are not newsworthy—and that they report nothing negative. "This is a threat because media houses earned their reputations the hard way," Mphande said. "Once the credibility is lost, the same advertisers will not want to be associated with such media houses. This is also because most media houses are led by trained 'business' managers. It would be better if media professionals were at the helm of media houses."

Despite a wide range of scores, panelists generally agreed that media organizations derive the bulk of their income from advertisers (although the state broadcaster also receives a government subvention, and print media make some money from copy sales). Television and radio services are free to consumers, with the exception of those who have contracts with international satellite television providers. Some media houses supplement their incomes by producing advertisements, while radio stations also generate revenues by recording music.

Panelists said that media houses work directly with advertisers, rarely employing advertising agencies. Radio broadcasters in particular have diversified their advertising sources by gaining business from small enterprises and even from individuals. MBC and MIJ Radio are at the forefront of this trend. Zeria Banda noted that advertising agencies still have a lot to learn in coming up with creative ideas that are not offensive, especially to women.

The panelists agreed that it is difficult to gauge whether advertising revenue as a percentage of total revenue is in line with accepted commercial standards, because reliable data is scarce. Panelists based their arguments on observations, for example, of the number of pages of editorial content versus those with advertising content. Advertisements, on average, filled more pages than news stories, and advertisements are present heavily on the airwaves. But as Chidzanja-Nkhoma of ZBS pointed out, not all advertisements are paid. She said that her station is owed more than MWK 17 million (\$110,000) in advertiser debts. Osman also shared that one media manager had to seek legal help just to get payments from some advertisers. However, Manda blamed media managers for tolerating what he called the "Malawian culture" of giving everything on credit.

Scores for the indicator assessing whether the independent media receive government subsidies varied widely. Panelists

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

BUSINESS MANAGEMENT INDICATORS:

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

agreed that the government does not subsidize independent media directly, but some felt that the government's removal of taxes on newsprint, computers, and other items required by the media industry could be seen as subsidies. The panelists had a variety of views as well regarding the appropriateness of government support for private media. Some panelists said that they believe that independent media play an important social role and should be subsidized, while others said that such subsidies would erode editorial independence. As media activist Peter Kumwenda put it, "If government already pressures the media through ad placements, what more if they begin to provide subsidies?" Panelists agreed that if the government was to form a subsidy program, it would need to develop clear procedures to safeguard independence.

The application of market research drew the lowest scores for this objective. Malawi lacks readily available information about demographics, and neither the media nor professional polling companies conduct market research—despite the acknowledged need. Often, media managers and staff members just develop programming and content that they believe their audience needs; many follow trends in other countries in the region without considering the local market. The panelists cited the cost of conducting research as a major limiting factor.

Panelists agreed that broadcast ratings and circulation figures remain a mystery. The country does not have an independent body to produce ratings and circulation assessments, which leaves media houses making claims that cannot be substantiated. The print media rarely disclose their circulation figures, and if they were to disclose figures, the accuracy would be hard to assess. Aside from media houses hiding the size of their audience, it is evident that some simply do not know the size, according to the panelists. Zeria Banda spoke of a newspaper company (whose name she did not disclose) where the advertising manager cannot produce circulation figures, or even list the distribution points of its product. Zeria Banda also pointed out that even when print outlets provide circulation figures, they are given in wide ranges; for example, between 12,000 and 15,000.

The panel noted that advertisers place advertisements based on popular sentiments and advertising rates. For instance, ZBS was voted Namisa Malawi Chapter Radio of the year, and the station enjoyed good business during the year. The print media are complacent because the sector has little competition, with only two newspaper companies dominating the industry.

Osman also shared that one media manager had to seek legal help just to get payments from some advertisers. However, Manda blamed media managers for tolerating what he called the "Malawian culture" of giving everything on credit.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Malawi Objective Score: 2.51

This was the highest scoring objective, with all but one of the indicators scoring very close to the objective score. Panelists shared their impression that media rights organizations and NGOs support journalists, and that training opportunities are available to enable people to enhance their skills. Indicator 1 (trade associations) scored almost a point lower than the objective score, however, as trade associations are largely inactive.

According to the panel, Malawi has only a few trade associations, the Broadcasters' Association being one, and they are largely inactive. Various associations and organizations are working to protect journalists' rights, however, such as the Malawi chapter of the Media Institute of Southern Africa (MISA). Panelists praised MISA's Malawi chapter for its efforts to represent its members. Through World Press Freedom Day celebrations and other opportunities, the association has lobbied for support

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.

For example, the Malawi Human Rights Resource Centre lobbied parliament to table the Access to Information Bill, and the center has added its voice to professional associations decrying questionable government moves against the media.

for journalists and the media. Membership, acquired by application and a payment of a MWK 3,000 (\$22) fee, grew in the past year. MISA represents other practicing non-member journalists as well, although they do not enjoy full benefits. From time to time, MISA condemns infringements of journalists' rights, and reliably provides support to arrested journalists in particular.

Malawi has associations that represent the interests of specific topics of reporting, such as HIV/AIDS and business in the media. In the past year, a corporate organization formed an association for business journalists, but panelists condemned the move, saying it would compromise the objectivity of journalists involved.

MCM works with all practicing journalists, and while some panelists praised its work, others criticized it for applying its powers selectively and compromising its ethics. On March 23, 2009, an online news site, Nyasatimes, published a story that claimed that President Bingu wa Mutharika was seriously ill and that he had canceled events to launch the election campaign for his party. MCM condemned the publication and issued a warning to the publishers, based in Britain. Panelists said that MCM's actions were a positive step, but still problematic because the actions followed government pressure. Rumors floated that even their meeting and related costs to discuss the issue were paid for by a politician.

Panelists agreed that the country's civil society sector supports free speech and independent media. For example, the Malawi Human Rights Resource Centre lobbied parliament to table the Access to Information Bill, and the center has added its voice to professional associations decrying questionable government moves against the media.

Despite its relatively high score, the indicator measuring the existence of quality journalism degree programs sparked much discussion among panelists, who complained that the quality of graduates is declining. Malawi has a number of media programs, with courses offered by the University of Malawi, ShareWorld Open University, and the African Bible College. "As a consumer, when I read stories, I ask

myself, 'Are these journalists going through the lectures we received?'" queried Zeria Banda. "The quality is not very strong, and that shows in the published work and in the questions they send out to news sources."

The panelists attributed the deterioration to several problems: the lack of practically oriented training; an increase in the number of students; limited resources, and; low interest, poor work ethics, and apparent immaturity among graduates. For example, the University of Malawi has adjusted its intake from 15 in the early 2000s to more than 40 today. Despite increasing their class size, the university still suffers from insufficient resources—for instance, during a training session, it only supplied three recorders for the whole class, noted Manda. Some panelists recalled that in the past, the University of Malawi only offered its program to practicing journalists, which boosted the quality. In addition, according to the panel, the institutions have produced too many graduates to be absorbed by the industry. Thus, a lot of graduates opt to work in related industries beyond mainstream media. Osman agreed that the quality of graduates is low, but he also said the industry is partly to blame for not carrying out proper orientation programs and not allowing journalists to work on particular beats.

Short-term trainings earned the highest score for this objective, with panelists noting that journalists in the country upgrade their skills by attending both local and international short-term training programs. Some have also participated in in-service training programs. A good number of journalists were trained on elections reporting through classes conducted by the Malawi Electoral Commission and other stakeholders.

The panelists said that sources of newsprint are apolitical, and deemed most of the printing houses apolitical and unrestricted as well. Newsprint is imported from countries such as South Africa, without restriction from the Malawian government, although affordability may affect some outlets.

Finally, the indicator weighing the independence of media distribution methods received a relatively high score. One panelist differed in her assessment: Chidzanja-Nkhoma explained that "broadcast transmitters are controlled by government and not managed in a non-partisan manner."

Osman said that limited access to transmitters has a significant impact on broadcast media. "Putting up transmitter towers costs a fortune, and as a result, radio stations are forced to co-site—meaning they put their antennae on a tower usually owned by a mobile network company. They charge high fees for putting their antennae on top of the tower, and they also charge high fees for housing the transmitter and for sending out the signal. It

costs quite a lot of money. Unfortunately, the broadcast sector does not have the powers to negotiate the costs; MACRA needs to come in on this point. It is inhibiting the development of the sector.”

List of Panel Participants

Herbert Chichewa Chandilanga, editor, Nation Publications Limited, Blantyre

Angela Mizinga, reporter, Capital FM Radio, Blantyre

Grace Kadzakumanja, lecturer, The Polytechnic, University of Malawi/Malawi Institute of Journalism, Blantyre

Zeria Banda, communications officer, World Bank, Lilongwe

Alfred Banda, program assistant, Media Council of Malawi, Lilongwe

Peter Kumwenda Jegwa, member, Lilongwe Press Club, Lilongwe

Osman Alaudin, managing director, Capital Radio Malawi, Blantyre

Maria Chidzanja-Nkhoma, women and children’s coordinator, Zodiak Broadcasting Station, Lilongwe

James Mphande, editor, *The Sunday Times*, Bantered Newspapers Limited, Blantyre

Levi Z. Manda, deputy head of journalism and media studies, The Polytechnic University of Malawi, Blantyre

Moderator and Author

Peter Jones Mitunda, executive director, Malawi Institute of Journalism, Blantyre

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

With the notable exception of L'Essor, which has national coverage, 90 percent of newspapers are distributed in the Bamako vicinity only. The rural areas where Bambara or other languages are spoken have local newspapers in these languages.



MALI

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Mali lies in the heart of Africa's Sahel zone. The country was led from 1968 to 1991 by Moussa Traoré, who rose to power in a coup that ended the so-called socialist regime of Modibo Keita. After Traoré was overthrown, on March 26, 1991, a democratic regime emerged and free elections have been organized regularly—the latest in April 2009.

The legislation that regulates the media sector is favorable theoretically. Some media observers, however, believe that in reality a favorable freedom of speech environment is subject to changes in political will, which are unpredictable. This potentially leaves the media vulnerable to the whims of the government of the day.

Today, Mali has more than 200 private newspapers, only about 60 of which appear with any regularity. With the notable exception of *L'Essor*, which has national coverage, 90 percent of newspapers are distributed in the Bamako vicinity only. The rural areas where Bambara or other languages are spoken have local newspapers in these languages.

Mali has 224 FM radio stations in operation. The Bamako district alone has 16 radio stations, while the regions of Kayes and Sikasso are the best equipped in terms of radio stations, with 38 and 45 stations, respectively. Seven stations of the Office of Radio-Television Mali (ORTM)—the national channel—broadcast in the regional capitals. Urban Malians also have access to almost 150 cable channels.

Despite the proliferation of media, Mali still has problems with the strained economy and diminishing human resources. Those factors influence greatly the quality of newspapers and radio programs, which tend to favor entertainment over news.

MALI

MALI AT A GLANCE

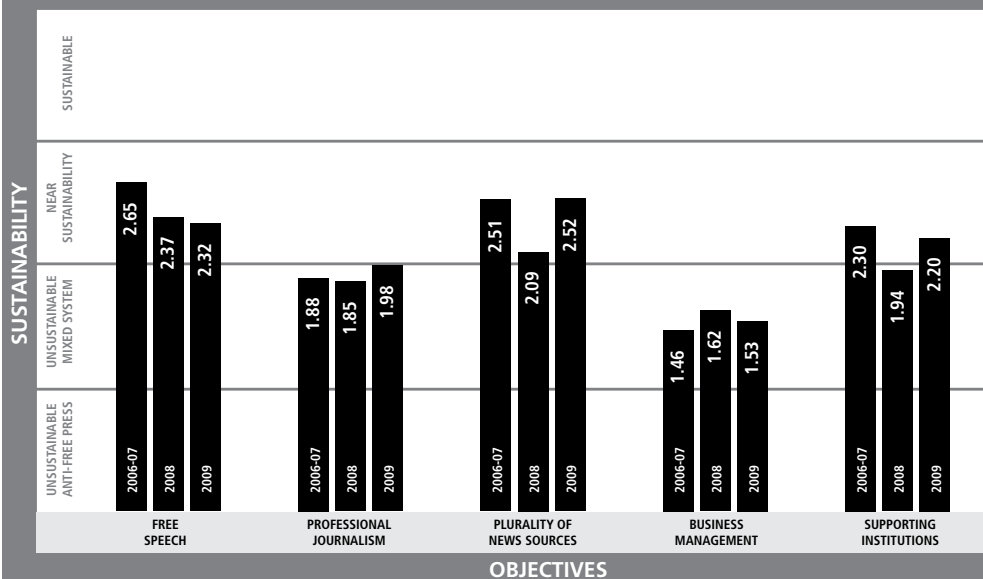
GENERAL

- > **Population:** 13,796,354 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Bamako
- > **Ethnic groups (% of population):** Mande 50% (Bambara, Malinke, Soninke), Peul 17%, Voltaic 12%, Songhai 6%, Tuareg and Moor 10%, other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 90%, Christian 1%, indigenous beliefs 9% (*CIA World Factbook*)
- > **Languages:** French (official), Bambara 80%, numerous African languages (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$8.862 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,190 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 46.4% (male 53.5%, female 39.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Amadou Toumani Toure (since June 8, 2002)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 8 daily newspapers, 50 periodicals; Radio Stations: 233; Television Stations: 2 including the public channel and Africable
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** The Malian Press and Advertisement Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 200,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MALI



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Mali Objective Score: 2.32

Mali's constitution guarantees the freedom of expression, including freedom of the press. According to Article 4, "Every person has the right to freedom of thought, conscience, religion, belief, opinion, speech, and creation within the confines of the law." Additionally, Article 7 stipulates: "The freedom of the press is recognized and guaranteed. It is exercised under the conditions provided by the law. An independent institution regulated by organic law ensures equal access for all to the state media."

Maliens exercise these freedoms within certain limits set by other legislation and regulations. For instance, Law Number 00-46/AN-RM, passed in 2000, limits speech inciting racial, national, or religious hatred or murder.

However, the MSI panelists noted that commitment has dampened regarding ensuring the legal support for freedom of the press. Mahamane Cissé, publication manager of the independent *Le Scorpion*, commented, "The social and legal standards do not go far enough to protect press freedom and access to information—especially when these notions are put into practice, as the independence of the judicial system has wavered on the issue." Social and cultural prohibitions continue to inhibit free speech as well.

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.

"Frequencies are granted according to a planning logic that creates four frequencies for each Malian commune. But everyone wants to be located in the larger cities," according to Isaïe Somboro, executive secretary of the Union of Independent Radio and Television Stations of Mali.

More than 220 radio stations broadcast throughout the country. The commission that grants frequencies has a relatively diverse composition. Among the requirements to receive a frequency, applicants must be Malian nationals and pledge to use the license within the national territory according to a set of terms and conditions. "Frequencies are granted according to a planning logic that creates four frequencies for each Malian commune. But everyone wants to be located in the larger cities," according to Isaïe Somboro, executive secretary of the Union of Independent Radio and Television Stations of Mali (known by its French acronym, URTEL). Last year's MSI found that the committee meets to judge applications only twice a year, leaving many applicants hanging—and encouraging politically well-connected applicants to find alternative routes to approval. Furthermore, many find the terms of the planning logic inscrutable.

Last year's MSI noted that the government had acknowledged that broadcast licensing laws need to be revised. This year's panelists confirmed that the National Assembly is working on a new project concerning the broadcast media, but the changes that might take place are not yet clear.

Officially, the media enjoy no specific tax advantage, but legislation is not restrictive, either. Although the government imposes no tax restrictions on the creation of a press company, importers pass along customs duties and other taxes for equipment to the media outlets that purchase them. Last year's MSI study noted that sometimes, authorities use taxation to penalize newspapers that they consider too critical.

Journalists generally work and live in a safe environment where they can feel relatively confident, but they are not free from aggression. Furthermore, according to Sékouba Samaké, editor-in-chief of the independent daily *Info Matin*, reactions to journalist harassment are not very firm. The publication manager of *Les Echos*, Alexis Kalambry, mentioned the case of one of his journalists, Sidiki Doumbia, whom the police held for questioning at their Kita headquarters for two days, simply because he witnessed security agents bullying the

According to Haby Diallo Touré, director of the Belekan community radio station in Kati, “The press is a mere refuge for young job-seeking degree-holders—just a stop on the way in search of a better tomorrow. As a result, news reporting is unprofessional.”

passengers of a bus. The authorities have yet to explain the matter. However, the panelists acknowledged that to date no one has committed a crime, in the strict sense of the term, against a journalist.

ORTM and the Agence Malienne de Presse et de Publicité (Malian Agency for Press and Publicity, or AMAP) are the two government-created press organizations. The public service media are relatively free from excessive political interference, as their founding statutes allow them some managerial autonomy, but no law guarantees their economic independence. The public media receive government subsidies, and their board of trustees chair is the minister of communications—a defender of certain political interests. Public media directors receive appointments by government decree upon the recommendation of the minister of communications. These media have privileged access to public information.

Libel is a punishable criminal offense. The burden is on the journalist to prove that he or she did not libel the plaintiff. However, it is rare for Malian journalists to go to prison for libel, because they do not usually come before a judge. Even if the case makes it to a judge, normally the parties settle disputes through social conflict appeasement methods.

The government places no official restrictions on access to public information. Documents such as files, reports, studies, statistical reports, guidelines, or fliers that may be interpreted as public documents are accessible freely. Access is granted through a law that regulates relations between the administration and the public. But the law also limits the types of information that can be accessed and certain documents cannot be made public. They include documents that might damage secret governmental proceedings, national defense or foreign policy secrets, state security and public safety, secrets of private individuals, medical files, or information protected by law. According to Cissé, “[The public information] law does not apply to the media, and its enforcement leaves a lot to be desired—even though we should admit that the Institutional Development Program

[a government effort to reform public service] tries to make it operational.”

Journalists are free to access and use international news. The Malian media have access to the Internet, which today has become an important source for news. The Internet remains largely an urban phenomenon, however.

The law regulating the Malian press defines a journalist as “a person who has a university degree in journalism or other field in addition to at least one year of professional experience and whose main paid activity is news gathering, processing and reporting as part of a public or private, written or audio-visual media outlet.” In reality, many practitioners fail to meet these requirements. The government does not influence anyone wishing to become a journalist, and journalists are free to organize themselves to protect their interests.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mali Objective Score: 1.98

In general, journalists do not systematically fact-check the news that they report. “Information is often hard to find. Journalists—even those working in the public media—lack the necessary resources and expertise to process it,” according to Ténèfing Traoré, a journalist with ORTM rural radio.

According to Bréhima Touré, a journalist with *L’Essor*, less than 10 percent of active journalists have graduated from a journalism school, and this affects the quality of their work. Likewise, due to certain affinities, many journalists can be manipulated by politicians and others.

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).

Another detriment to professionalism is that some graduates entering the field consider it merely a starting point for other careers. According to Haby Diallo Touré, director of the Belekan community radio station in Kati, “The press is a mere refuge for young job-seeking degree-holders—just a stop on the way in search of a better tomorrow. As a result, news reporting is unprofessional.”

A budding Malian press created a professional ethics code in 1991, during the first information and communication convention ever organized in Bamako. The Observatory for Deontology and Ethics in the Press was established in 2002 for self-regulating purposes, and the media created a plethora of ethics committees and associations that address the topic, such as URTEL. Nevertheless, many journalists do not observe the professional ethics code mainly because they have no knowledge of it.

Malian journalists practice self-censorship for social, cultural, and economic reasons and therefore avoid publishing certain types of news. Publishers will censor information that they deem to be noncompliant with their editorial policies.

Even though no taboo subjects exist, journalists avoid certain social issues. Some information is protected from publication by law as well. According to Cissé, press coverage still largely depends on politicians and proximity to a large city. “Rural and community radio stations put up a good fight but they lack professionalism,” he said.

With salaries low in comparison to the cost of living, and social and cultural practices as serious as sedition in the balance, journalism has proven fertile ground for corruption. Ibrahim Famakan Coulibaly, president of the Journalists Union of West Africa believes that the solution is unionization. But, according to Haby Diallo Touré, the problem is not merely money. “One can have a large salary and still give in to corruption,” she said.

The balance of entertainment and news is not the same at all Malian radio stations. While community radio stations offer cultural entertainment for 80 percent of their programming schedule, the national radio station offers more diverse programs, with little regard to the requests of listeners. Despite the scarceness of qualified speakers, some media work hard and host political debates and address other topics of public interest.

The Malian media are behind technologically, and often depend upon obsolete equipment. With the exception of the national radio and a handful of private stations in the capital that enjoy state-of-the-art gear, community radio stations continue to work with rudimentary analog equipment, which affects production quality and efficiency.

AMAP is the only existing press agency in Mali. It is a public agency and the main provider of domestic news for various publications, and covers the entire country. “This is the only sector that lacks competition. And the local correspondents are the prefects’ press attachés,” according to Sadou Yattara, coordinator of the Institute for Democracy and Media Education.

The media try to address niche issues. A small number of journalists produce good work in an environment in which the concerns of the minority can be diluted or overshadowed by the majority. Malian journalists tend to work for general news organizations, though the sector has an increasing number of specialized journalists.

OBJECTIVE 3: PLURALITY OF NEWS

Mali Objective Score: 2.52

Mali’s large cities have a variety of news sources. In the rural areas, however, the main news source remains radio. A total of 224 private radio stations, plus national radio with its seven regional stations, blanket the Malian territory. The written press in French is an urban phenomenon with some

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.

No market research guides the creation of press outlets or programming decisions. Founders of media outlets are often attracted by the prestige that comes with media ownership, or simply to a desire to settle scores or peddle influence.

60 newspapers, including the national daily newspaper. Other publications in local languages (Bambara, Peul, Soninke, etc.) target rural areas.

Africable, a private cable television channel, has broken the government television monopoly. Three companies (Canal Plus, Malivision, and Canal Sat) rebroadcast some 150 encrypted foreign television channels. The Internet is used among urban populations mostly, and although it is booming, it remains relatively inaccessible. News sources are freely available and diverse.

Three foreign radio stations (Radio France Internationale, BBC, and Deutsche Welle) are fully or partially relayed. Access to domestic and international media is not limited to the cities; however, lack of electrical power is a major impediment to media penetration in rural areas.

Officially, the public media are open to alternative points of view. The national committee for free access to state-run media is charged with ensuring diversity of opinion. ORTM terms and conditions force the national radio station to fulfill its public service mission. The panelists acknowledged the public media's efforts to broaden its purview to reflect the broad range of social and political issues confronting the nation, but nonetheless accused the public media of favoring governmental information. Coulibaly estimated that 70 percent of the ORTM news bulletin is dedicated to the activities of the president and the government.

AMAP is the only existing press agency in Mali. It is a public agency and the main provider of domestic news for various publications, and covers the entire country. "This is the only sector that lacks competition. And the local correspondents are the prefects' press attachés," according to Sadou Yattara, coordinator of the Institute for Democracy and Media Education.

Newspapers and radio stations can access international news sources—such as Panapress, Agence France-Presse, Reuters, or Associated Press—via the Internet.

Lacking well-qualified personnel, community radio stations have trouble producing local content, but somehow they manage to address the concerns of indigenous populations.

At the opposite end of the spectrum, professionals working with the national radio station produce national programs of relatively good quality.

The press law does not force media owners to reveal their identities, but according to Cissé, generally media owners are known publicly and they do not try to hide. Malian law does not allow media sponsors. The media sector has radio networks or press holdings here and there, but they are not part of larger financial conglomerates.

Malian media cover a large spectrum of public issues, the panelists said. Community radio programming reflects various local social, economic, and cultural realities and often is broadcast in local languages. ORTM programs are broadcast in the local and national languages also. Kassim Traoré, a journalist with Radio Klédu and secretary-general of the Organization of Young Reporters of Mali, pointed out, "In order to meet the needs of the minorities, shows are broadcast in several local languages. The national radio station and television channel have assigned time slots for 13 local languages. The private radio stations of every region use the dominant languages mainly, but they always reserve time slots for the minorities."

OBJECTIVE 4: BUSINESS MANAGEMENT

Mali Objective Score: 1.53

Generally, media outlets are not sustainable, and function more like small-scale, traditional businesses rather than efficient professional companies. For the most part, private individuals with limited resources have created media

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

BUSINESS MANAGEMENT INDICATORS:

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

outlets. Many lack qualified personnel and keep their accounting books poorly. With no external funding and very slim financial power, they can hardly pay even predictable expenses. Underperforming distribution networks are a bottleneck and print runs are insignificant. Printing schedules are in some cases arbitrary, as publishers do not always have the necessary means to pay that expense.

The Malian government provides direct but scant public support to the media. Street sales and advertising provide additional funding, but they are not as profitable as in other countries. Despite contributions from technical and financial partners, revenues remain insufficient.

AMAP is a state institution holding an advertising monopoly. It promotes the functioning of private communication and advertising agencies, though it does not provide consistent support to the media. Today, the Malian advertising market relies on personal contacts. There are cases in which representatives of the government—the richest and most important advertiser—negotiate individually with media outlets to influence their editorial policies. The media seldom employ sales agents to find advertisers.

The national daily *L'Essor* (a subsidiary of AMAP) scoops up most advertising, legal advertisements, and subscription monies. All government offices must subscribe to *L'Essor*, and all their announcements and advertisements are published automatically in the columns of the state-run newspaper. Private outlets get the leanest share of advertising—just 10 percent of their revenues, according to estimates.

Although the panelists did not delve into a discussion of whether this leads to undue influence, the Malian government grants the press direct annual aid of XOF 200 million (\$434,000). To be eligible for this subsidy, media outlets must meet certain legal requirements. The government evaluates all media using the same criteria. Ironically, the public outlets (ORTM and AMAP), with a billion dollars in subscriptions, are entitled to a share of this sum. With outlets increasing in number, each outlet's share is ever more trivial, leading to calls for indirect aid such as tax relief, among other types.

No market research guides the creation of press outlets or programming decisions. Founders of media outlets are often attracted by the prestige that comes with media ownership, or simply to a desire to settle scores or peddle influence.

According to Yattara, "One of the flaws of the Malian media is the lack of suitable management." Official print run claims do not reflect reality and cannot be trusted. Audience ratings have not yet become common practice. The polling institutes, however, will occasionally conduct research by special request

Mali has about 60 specialized associations and professional networks, and it is widely agreed that this is too many. Almost all are based in Bamako, the capital. These associations are part of a federative structure called the Press House.

of a given newspaper, radio, or television outlet. It is not uncommon for several years to pass without a poll.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mali Objective Score: 2.20

Although some supporting institutions uphold the interests of the independent media, their support is of little help, and direct public funding is a drop in the ocean. The existing professional associations are not very efficient, which has led the Malian authorities to consider creating a journalism school to foster professionalism.

Malian media have two owners' associations: the Association of Private Press Editors and URTEL. Considered relatively well-structured, these two groups protect their members' interests by negotiating with authorities and other partners and working to strengthen their capabilities. However, they require more resources to broaden their influence in upholding the interests of the media professionals.

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.

Mali has about 60 specialized associations and professional networks, and it is widely agreed that this is too many. Almost all are based in Bamako, the capital. These associations are part of a federative structure called the Press House. There is a division between the National Union of the Press and Printing Industry, which focuses on the public media, and another union that is being created for the private sector.

Associations and NGOs such as the International Human Rights League and the Malian Human Rights Association have a tentative role as supporters and observers of freedom of speech and independent media. "Even if they are not directly involved in the country's leadership, some international NGOs do contribute to upholding the freedom of the press," Tèninfinfing Traoré said.

Mali has no proper journalism school, but some schools offer communications and marketing programs. The Ministry of Communications is moving forward with plans to create a journalism training institute in the near future to make up for this deficiency.

Created in 1996 as a federal structure to provide advanced media training, Press House is now dysfunctional due to a structural crisis. It has trouble offering continuous training to the various professional categories. Media associations themselves must organize the training sessions, based on

members' specific needs. As Cissé explained, "Everybody is a trainer, and the biggest school is the newsroom."

With the exception of the national daily *L'Essor* and other public newspapers in local languages published by AMAP, most newspapers are private. AMAP is state-funded and has its own printing house, like the daily newspapers *L'Indépendant* and *Les Echos*. There is no political interference in the business of the printing houses—all of which are privately owned—but the government is also the biggest client, and many publishers treat them with kid gloves so as not to lose government business.

Mali's distribution networks are apolitical and free. However, print media distribution is a bottleneck for these enterprises, because they sell exclusively in Bamako. The few newspapers that are distributed beyond Bamako, even the closest cities, have delays. Nonetheless, some regional newspapers, such as the bi-monthly *Le Ségovien*, are distributed far from Bamako. Due to the lack of a distribution system, newspapers are sold in the streets.

At its beginning in Mali, the Internet was subject to a governmental monopoly by way of the now-privatized telecommunications operator, the Société de Téléphone du Mali (SOTELMA). However, now the Internet is open to anyone.

List of Panelists

Alexis Kalambry, journalist; publication manager, independent daily newspaper *Les Echos*, Bamako

Bréhima Touré, journalist, *L'Essor*; the National Union of the Press and Printing Industry, Bamako

Ibrahim Famakan Coulibaly, journalist; president, Journalists Union of West Africa, Bamako

Isaïe Somboro, manager, Union of Free Radio and Television Stations of Mali, Bamako

Kassim Traoré, journalist, Radio Klédu; secretary-general, Organization of Young Reporters of Mali, Bko

Mahamane Cissé, journalist and publication manager, *Le Scorpion*; president, Journalists Union of Francophone Press, Bamako

Haby Diallo Touré, director, Belekan Community Radio, Kati

Tènèfing Traoré, journalist, rural radio of the Office of Radio-Television Mali, Bamako

Moustaph Maïga, founder, *Le Ségovien*, Ségou

Sadou Yattara, journalist, coordinator of the Institute for Democracy and Media Education, Bko

Sékouba Samaké, journalist, editor-in-chief, *Info-Matin*; secretary-general, Journalists Association for the Promotion of Professionalism, Bamako

Moderator and Author

Mahamadou Talata Maïga, journalist and trainer, Bamako

The Mali study was coordinated by, and conducted in partnership with, Media Foundation for West Africa, Accra, Ghana.

A notable change in the landscape of the Mauritanian media is the growing use of the Internet and blogging—there is even a Union of Mauritanian Bloggers. These activities have attracted the attention of the authorities, and in 2009, two cyberjournalists tied to the online news website taqadoumy.com were arrested, and the website was shut down for 24 hours.



MAURITANIA

The Islamic Republic of Mauritania, a former French colony, gained its independence on November 28, 1960. From 1965 to 1978, this country that borders the Arab Maghreb and Sub-Saharan Africa was ruled by a single-party regime controlled by Mokhtar Ould Daddah's Mauritanian People's Party. After Ould Daddah was deposed by the military on July 10, 1978, the country fell into an unprecedented cycle of political turmoil and coups.

In the 1980s, the first multiparty elections were nevertheless held, and with the promulgation of a 1991 law on press freedom, a free press, in Arabic and French, began to blossom. However, freedom of the press proved fleeting, as the regime of the time began to censor the independent press—particularly those titles that balked at accepting the establishment line.

In June 2006, soon after another coup and democratic transition, the 1991 constitution was amended and put to a referendum. Major changes were initiated in the media sector, led by the official establishment of the National Consultative Commission for the Reform of the Press, Radio, and Television. To help the reforms along, the sector was to be regulated from then on by an October 2006 press law, which repealed the extremely controversial ordinance of July 25, 1991. The new law authorized the publication of newspapers based on a simple statement before a court, set forth the principle of state assistance to the press, and created a regulatory media body, the High Authority for the Press, Radio, and Television (HAPA). For the Mauritanian press, it was as if spring had come to the desert.

In March 2007, Mauritians elected Sidi Ould Cheikh Abdallahi as the new president. The elections were judged transparent by observers and by the international community. However, after leading the country for 15 months, Abdallahi's regime was hit by a political and institutional crisis, and internal dissent. On August 6, 2008, Abdallahi was overthrown in a coup d'état led by a sacked former general, Mohamed Ould Abdel Aziz, and two of his fellow officers. He set up the High Council of State to lead the country. However, he was put under strong pressure by the democratic opposition and the international community, which both called for the constitutional order to be restored. Mohamed Ould Abdel Aziz finally gave up some power by accepting the International Contact Group's crisis plan, which had been patched together in Dakar. The crisis plan included presidential elections in July 2009. Aziz won, with more than 52 percent of the vote.

A notable change in the landscape of the Mauritanian media is the growing use of the Internet and blogging—there is even a Union of Mauritanian Bloggers. These activities have attracted the attention of the authorities, and in 2009, two cyberjournalists tied to the online news website taqadoumy.com were arrested, and the website was shut down for 24 hours. The incident exposed a legal vacuum to protect the rights of online journalists.

MAURITANIA AT A GLANCE

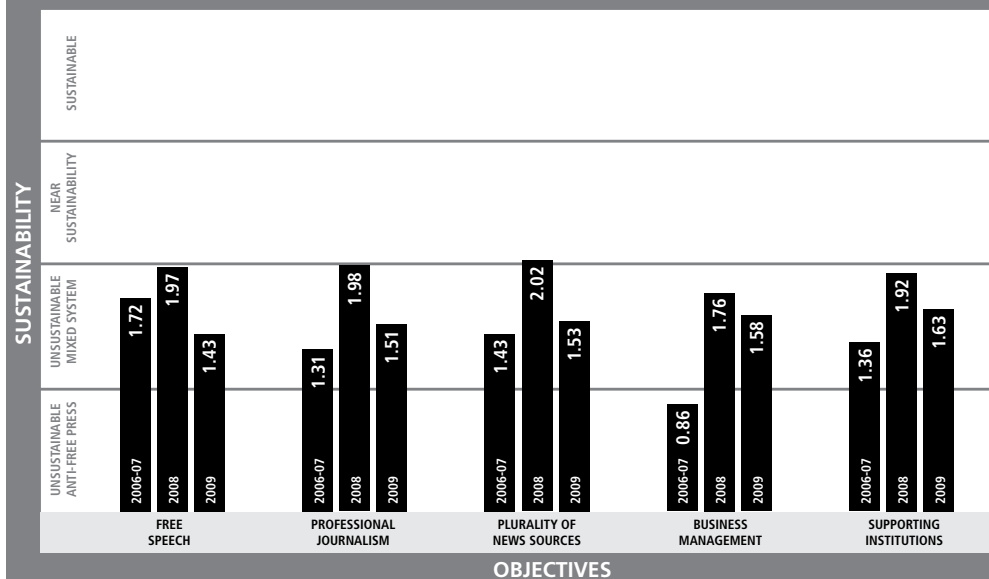
GENERAL

- > **Population:** 3,205,060 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Nouakchott
- > **Ethnic groups (% of population):** N/A
- > **Religions (% of population):** 100% Muslim (*CIA World Factbook*)
- > **Languages:** Arabic (official and national), Pulaar, Soninke, Wolof (all national languages), French, Hassaniya (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$3.159 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,960 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 51.2% (male 59.5%, female 43.4%) (2000 census est., *CIA World Factbook*)
- > **President or top authority:** President Mohamed Ould Abdel Aziz (since August 5, 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 97 (67 in Arabic, 29 in French, 1 in English); Radio Stations: 3; Television: 2 public channels; 1 private
- > **Newspaper circulation statistics:** Top four by circulation: *Le Calame*, *L'Éveil Hebdo*, *La Tribune*, *L'Authentique*
- > **Broadcast ratings:** N/A
- > **News agencies:** Mauritanian News Agency, Agence Nouakchott d'Information
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 45,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MAURITANIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Mauritania Objective Score: 1.43

The score for this objective dropped dramatically from the 2008 MSI. Several components of media freedom suffered as a result of the political turmoil, as evidenced by lower scores for indicators 2 (media licensing), 3 (market entry), 4 (attacks on journalists), 5 (legal guarantees of editorial independence for state media), and 7 (access to information). No indicator scored so badly as to lag behind the objective score by more than half a point, but then no indicator scored more than half a point above the objective score, either.

Freedom of expression is a fundamental right guaranteed by the Mauritanian constitution. Article 10 clearly guarantees all citizens the freedom of opinion and of thought, and the freedom of expression. However, according to the panelists, the legislative and regulatory framework of the information and communication sector in Mauritania proved unable to keep up with the rapid development of the sector, and that enabled the authorities to control it better.

Laws or regulations related to the freedom of speech and communication had been promulgated over the past 20 years. A law passed in 1994 regulates certain public activities in the radio and television field, while a 1999 law governs all telecommunication activities. Some of the current legal and constitutional provisions are harmonized with international law and conventions protecting journalists and the freedom

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.

Seydi Moussa Camara, editor-in-chief at the weekly La Nouvelle Expression, said there is still little public support for free speech and the right to information. The panelists were unanimous that the principles of free speech are not yet well established and accepted in Mauritanian society. Certain taboos persist, making journalists' jobs difficult.

of expression, but a 2006 law criminalized offenses committed by the press. In the view of the panelists, the legal and social protections that journalists and media and communication professionals were supposed to have are inadequate in theory, and in practice hardly applied at all. A law on private radio and television, sketched out between 2006 and 2008, was awaiting promulgation through the National Assembly when the panel discussion was held.

Seydi Moussa Camara, editor-in-chief at the weekly *La Nouvelle Expression*, said there is still little public support for free speech and the right to information. The panelists were unanimous that the principles of free speech are not yet well established and accepted in Mauritanian society. Certain taboos persist, making journalists' jobs difficult.

Mamadou Alassane Thiam, regional correspondent for the monthly *Lumière du Nord*, said that social pressures hamper freedom of speech. Journalists in the public and the private media are subject to pressures from clans, tribes, and ethnic groups. They are rarely able to carry out their work in complete freedom. As an example of the risks of reporting, the panelists cited the case of Mohamed Ould Zeine, editor-in-chief of the independent Arab-language daily *El Watan*—and star presenter of Radio Mauritanie. In May 2009, at about midnight, just after he presented his news bulletin, he was beaten badly by two strangers armed with cudgels. The journalist was wounded seriously, and his attackers were never apprehended. The panelists stressed that although attacks against journalists are not always pursued vigorously, such attacks remain rare in Mauritania. When they occur, only journalists, the independent media, and journalist defense organizations mobilize and show solidarity with the victims.

The panelists also called for better training for Mauritanian jurists in defending media rights. To date, there are no media law specialists in the country, even though the number of journalists taken to court for “procedural misdemeanors” is large. The panelists cited the detention of Abou Abass

Another example of that kind of incongruousness in the justice system was the arrest on June 21, 2009, of the journalist Sidi El Moktar Ould Sidi, without explanation even of the grounds for his arrest. His lawyer was barred from visiting him.

Ould Braham, cyberjournalist and administrative manager of the online news website taqadoumy.com, in May 2009, and the arrest of the site's publication director, Hanevy Ould Dehah, in June 2009. Ould Braham was released after a few days, but Ould Dehah was tried and sentenced to six months imprisonment for defamation. The complaint against him was lodged by a candidate in the presidential election, Ibrahima Moctar Sarr, chair of the opposition party Alliance for Justice and Democracy/Movement for Renewal, who was close to the military junta in power. However, Reporters Sans Frontières (RSF) reported that after serving his sentence, Ould Dehah was held illegally in prison and subjected to another trial because of procedural flaws in the first trial—then sentenced in a second trial to two years' imprisonment for "scandalous conduct, rebellion, and press misdemeanor." He owed his release in February 2010, together with about a hundred inmates of the Dar Naim prison, only to a presidential amnesty.

The panelists noted that the two arrests demonstrate successfully the power of the Internet as a new medium. The case clearly highlighted the legal vacuum surrounding the Internet and the online press in Mauritania. When Ould Braham and Ould Dehah were arrested, there were scarcely any specific legal texts regulating the freedom of expression on the Internet, or which were applicable to violations of the law committed by the electronic press. Nevertheless, the legal system had accused those in charge of the taqadoumy.com site of spreading information that was "false and libelous," contributing to a violation of journalistic ethics, and attacking national unity through "defamation and incitement to hatred." In a communiqué that was made public in the context of this case, RSF warned that the closure of the Internet site and the arrest of those in charge of it were actions without precedent in Mauritania. RSF considered the case to be particularly worrying, as it had been made possible by the legal vacuum surrounding the electronic press.

Another example of that kind of incongruousness in the justice system was the arrest on June 21, 2009, of the journalist Sidi El Moktar Ould Sidi, without explanation even

of the grounds for his arrest. His lawyer was barred from visiting him.

In Camara's view, the judicial system's lack of independence is a core problem in Mauritania. On the question of whether the executive branch pressured the judges to impose a heavy sentence, one panelist revealed that Ould Dehah was arrested by a man in civilian clothing who had turned out to be a gendarme. He had then been taken in handcuffs to a gendarmerie brigade post and from there to a police station, where he had no access to his defense counsel or to his family—rights guaranteed by law.

The heads of the public media (radio and television stations, etc.) and other media-related bodies are appointed by decree of the Council of Ministers—in other words, by the government. The panelists discussed the way in which the chairman of HAPA, the so-called independent regulatory body for the public and private press, radio, and television, was appointed and raised concerns specifically about the degree of independence possible in any HAPA chair appointed by presidential decree and subject to the authority of the president. The panelists also questioned the way in which the nine HAPA members are nominated, as it excludes civil society, and journalists' defense and social and professional bodies and associations. The president appoints three HAPA members, the speaker of the National Assembly (from the opposition) appoints three, and the speaker of the Senate (from the presidential majority) appoints the final three. In Thiam's view, this excessive politicization condemns HAPA to fail to fully play its role of independent regulator.

Furthermore, the panelists said it is not only HAPA: the directors of the three public media bodies, i.e., Radio Mauritanie, Télévision de Mauritanie (TVM), and the Agence Mauritanienne d'Information (AMI) press agency, have little to no independence. According to the panelists, the president has taken over much of the oversight powers of the Ministry of Communication by appointing their directors-general and issuing instructions as to their policies and editorial lines. The panelists also condemned the often arbitrary sackings of the leaders of the public news bodies. Between the seizure of power on August 6, 2008, and the end of 2009, three directors-general of TVM and two directors of Radio Mauritanie had been stripped of their posts.

Under article 2 of the Ordinance on the Press and Press Misdemeanors, journalists have the right to access sources of information and the duty and the right to protect their sources under all circumstances. However, in reality, journalists in the public media receive preferential treatment, including greater access to information than their colleagues in the private press. The panelists said that for some key events, journalists face a dearth of information, or restrictions on it.

Access to sources of public, administrative, or governmental information was also fraught with pitfalls for journalists in the private media. Thiam said that the public authorities keep critical information under lock and key, and investigations run up against a wall of silence. Mohamed Salem Ould Haiba, director of publication of *Le Véridique*, speaking on the subject of the inequitable and very often inexplicable treatment on the part of the public authorities, said that at the National Assembly, journalists from public media enjoy easy access—while private press journalists are blocked at the steps. Only two independent journalists have succeeded in crossing that particular Rubicon, and only after vigorous intervention by some Assembly members.

Libel is defined in article 37 of the Ordinance on the Press and Press Misdemeanors as being any attack on the honor or the reputation of a person or body. In its chapter on the development strategy for the print media sector written in 2006, the National Consultative Commission for the Reform of the Press, Radio, and Television insisted that the principle of decriminalizing press misdemeanors, particularly in respect of defamation, insult, or publication of false information, should be observed to the extent possible. With the promulgation of the ordinance, those offenses are punishable by fines and/or disciplinary or professional sanctions handed down by HAPA, also the only body authorized to rule whether defamation had occurred in the first place, before it became a matter for the court. Defamation against the courts, tribunals, armed forces, security forces, publicly constituted bodies and administrations, and individuals is punishable by fines of between MRO 500,000 and MRO 1 million (approximately \$1,750 to \$3,500). Depending on the seriousness of the misdemeanor, the fine could be accompanied by withdrawal of the journalist's press card for three to six months, and a temporary suspension of the publication.

The development strategy document for the print media sector said that defamation must be shown and proven first before HAPA, and possibly before the courts thereafter, and a defamation finding should not come down only to attacking the image of a public figure, body, or company. The field of what could be considered as defamatory must be interpreted restrictively and, to the extent possible, be restricted to statements of facts and not expressions of opinion. However, despite this guidance, and also despite the international conventions protecting journalists, HAPA is very often short-circuited by the Mauritanian Supreme Court, whose judges are very often eager to get their hands on the cases of journalists who had been cautioned in defamation cases—before they come before HAPA.

The panelists said that there had so far been no reported cases of corruption among judges and prosecutors handling libel cases. In its 2009 annual report on the situation of the

The panelists said that the lack of professionalism is reflected in journalists' output, which reflects a near total lack of investigative journalism and is made up instead of gossip and rumors, called esh'tary in the Hassaniya dialect.

private press, HAPA noted that over the year in question, only three newspapers had been taken to court, a dramatic decline from 18 in 2008. The report added that nevertheless, several titles had been summoned without any sanctions being taken against them.

The government does not restrict Internet access, and journalists, as well as regular citizens, may access national and international news freely on the Internet. Media outlets and their employees received no special price on access.

According to the panelists, entry into the journalism profession remains free. The press law of 2006 defines a professional journalist as anyone whose principal remunerated activity is the collection, handling, and publication of information. The law also stipulates that professional journalists must hold a higher degree in journalism or communication, or a diploma from an institute providing professional training in journalism or communication, or a higher degree with professional experience of at least 12 months to five years in a public or private printed press, radio, or television media organization. However, Camara said that that freedom of access to the profession had unfortunately given rise to sloppy journalism. Currently, almost anyone could set himself up as a journalist and have his own newspaper.

The panelists also discussed hiring procedures for beginning journalists in the public media. They noted that some less qualified people with political connections receive positions at the expense of others with diplomas, experience, and competence.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mauritania Objective Score: 1.51

The overall score for this objective fell significantly from last year's report, and scores for some indicators tumbled nearly a point. The most dramatic dips were seen in indicators 1 (balanced and well-sourced reporting), 5 (pay levels for journalists), 6 (balance between entertainment and news), 7 (modern facilities and equipment), and 8 (niche reporting).

Others, though, felt that journalists in the editorial offices of private newspapers practice self-censorship against their will, as self-censorship was most often imposed by the director of publication, who is often also the paper's owner. Those panelists said that generally, such self-censorship is dictated more by commercial interests than political influence.

Indicator 4 (media cover key events) showed noticeable improvement, but could hardly overcome the losses in other indicators. Most of the indicators scored close to the objective score, although indicator 5 lagged behind by three-quarters of a point and indicators 3 (self-censorship) and 4 exceeded it by about the same magnitude.

Journalism in Mauritania still hardly meets professional quality standards. Thiam expressed the view that the lack of training has led to journalists who are often completely ignorant about professional ethics and standards.

In its 2009 report on the situation of the private press, HAPA pointed to the lack of professionalism, which remained one of the major defects in the sector. Most journalists working in the private sector lacked not only professional training, but often do not have the level of general knowledge required to grasp the issues of the day or to understand and abide by the rules of the profession. The panelists said that the lack

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

of professionalism is reflected in journalists' output, which reflects a near total lack of investigative journalism and is made up instead of gossip and rumors, called *esh'tary* in the Hassaniya dialect.

The panelists pointed to ethical lapses as well. They said that media professionals in both the public and the private sectors, regardless of age and experience, had a tendency to accept, in one way or another, payments or gifts in exchange for favorable coverage. Panelists also described the near-universal practice among correspondents for foreign press organs of claiming per diem expenses after covering certain events.

According to Guèye Birome, a HAPA executive, the practice of accepting payment for coverage is very common among journalists. Although press freedom was of course a right governed by legislation, there was nothing in those laws to guide the journalist in his or her professional activities. Respect for professional ethics and standards must also be taken into account in guiding journalists in their work if the press is to gain credibility, Birome noted. Indeed, in his view the current situation very frequently gives rise to serious ethical problems. Camara agreed, saying that the trend was to ensure that one got paid for writing an article. However, he added that some journalists complain about that practice, which many of their so-called *Peshmerga* colleagues engaged in. In local Mauritanian press jargon, the term "Peshmerga," borrowed from the Kurdish fighters in Iraq, refers to people who hold authorized titles as journalists but who rarely publish and are widely suspected of racketeering and blackmail.

Since May 2001, the print media in Mauritania have had a charter of professional ethics and standards that included five rights and 15 duties of journalists that were aimed at making the press more worthy of its readers' confidence. A committee for the observance of professional ethics and standards (CRED) had also been set up, comprising journalists and representatives of a number of ministries. The panelists said that this charter does not differ in its major outlines from the norms recognized and developed by international professional associations of journalists. The only difference lay in the fact that there are regular and serious violations of those norms by Mauritanian journalists; CRED has proved timid in its responses, as it lacks the power of enforcement to ensure respect for professional ethics and standards on the part of newspapers and journalists.

In 2006, the National Consultative Commission for the Reform of the Press, Radio, and Television adopted another code of professional ethics and standards, which included no fewer than 20 duties and six rights. However, as in the past, the worst practices and the lack of professionalism won out over principles, best practices, and conscientious journalism.

A number of panelists expressed the belief that journalists and editors practiced various forms of self-censorship. Camara said that they did so sometimes for their own safety. Khalilou thought that they did so rather to protect their own interests and their own connections. Others, though, felt that journalists in the editorial offices of private newspapers practice self-censorship against their will, as self-censorship was most often imposed by the director of publication, who is often also the paper's owner. Those panelists said that generally, such self-censorship is dictated more by commercial interests than political influence.

During the August 6, 2008, period when Abdallahi was overthrown by a group of generals, and following the outcome of the political crisis that followed it in June 2009, there were newspapers favorable to the military men who had carried out the putsch and others that favored restoring the overthrown president to power. In the editorial offices, publication directors kept a very close eye on what their journalists wrote and steered the direction according to which camp they were in. One panelist alleged that in return for their editorial support, some publication directors and some journalists received significant sums of money from the military junta in power.

Birome said that in the state media, in contrast to the private media, self-censorship is imposed systematically and journalists are afraid to broach certain subjects. Diagana Khalilou, editor-in-chief of *Quotidien de Nouakchott*, pointed out another source of self-censorship, noting that social, parental, and ethnic affinities often drive journalists into silence to avoid reprisals.

The panelists linked these shortcomings not only to the lack of professionalism and basic observance of professional ethics and standards, but also to the fact that journalists live on the edge in terms of pay and conditions. They said that salary levels for journalists and other communications professionals, in both the public and private media, are so low that bribery and corruption are unavoidable. Journalists are paid a bit less in wages than a primary school teacher and a bit more than a nurse. Wages for independent journalists were in the range of MRO 50,000 (\$175) for a proven journalist and up to MRO 150,000 (\$520) for a director of publication. Khalilou expressed the opinion that journalists often write to please powerful or wealthy patrons or to excoriate those who refuse to pay. Journalists, because of their poverty-level wages, are not only vulnerable to corruption, but worse, are on the way to becoming real professional panhandlers, in his view.

Workers in the state media are no more affluent or less exposed to corruption and poverty-level conditions than their colleagues in the independent press. Since 2007, the

Also, local Internet content is developing. Every year, a dozen or more information sites or blogs in Arabic, French, or both come on the scene.

Coordination of Union Chapters of Workers in the Public Press (AMI, Radio Mauritanie, and TVM) had, through sit-ins, press communiqués, and petitions, unceasingly demanded better conditions for workers in those establishments. In particular, it demanded payment of salary arrears and the right to wage increases of 50 percent and 10 percent, awarded by the state to all public officials and agents.

The private press, in particular, suffers from outdated equipment and facilities. HAPA's 2009 survey of conditions affecting the press showed that equipment is scarce; only the minimum needed to work is available, and none of it is new. Under these conditions, Khalilou said that there is almost no investigative material published, and very little real reportage.

OBJECTIVE 3: PLURALITY OF NEWS

Mauritania Objective Score: 1.53

Like Objectives 1 and 2, the score for Objective 3 fell compared with 2008. Only indicators 1 (plurality of news sources) and 2 (access to domestic and international media) held fairly steady, and the latter was the only indicator to

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

Although Mauritians who live in urban areas frequently use the Internet to obtain news and information, there are few reliable statistics for Internet usage in Mauritania. However, the panelists believe that the Internet is restricted overall by the country's poor electricity supply and widespread illiteracy.

score much differently than the objective score, exceeding it by about a point.

Most panelists agreed that Mauritania now enjoys a plurality of news sources. More and more, Mauritians are exposed to diverse news sources (newspapers, television, radio, Internet, mobile telephones, etc.) at more or less affordable prices. The current radio and television landscape in Mauritania includes three public radio stations—Radio Mauritania and two FM radio stations (one based in Nouakchott and the other in Nouadhibou)—and two public television stations—TVM and TVM 2 Plus—which so far have a complete monopoly over domestic broadcasting. In 2009, during the presidential electoral campaign, Dava TV, a private television channel broadcasting solely by streaming over the web, had been launched. Its promoters were close to the party in power.

The Internet appeared in Mauritania in 1997. There are now at least three Internet service providers in the country, in the hands of Mauritanian private individuals and their foreign partners (Moroccans, Tunisians, Sudanese, etc.). Also, local Internet content is developing. Every year, a dozen or more information sites or blogs in Arabic, French, or both come on the scene. Some, such as taqadoumy.com, cridem.org, and saharamedia.net, have proven really successful. The panelists were of the view that by creating a diversified, modern, and interactive supply side, those sites, which were real goldmines of information, are perhaps pushing the traditional pay-per-copy printed press into the background. In addition to the Internet, other telephonic applications and services are now developing and becoming widespread in Mauritania. A local SMS news alert service for users who had a subscription had been started in 2006 by AMI in partnership with the premier provider in the country, Mauritel mobile. A similar 24-hour service has been started by the same operator with the Al-Jazeera satellite channel.

The private print media mainly cover Nouakchott and a very few other towns, such as Nouadhibou and Rosso. The same is true of the government print media. AMI, which puts out two

dailies, *Al Shaab* in Arabic and *Horizons* in French, has not set up in all Mauritania's 12 regions; it has only two regional bureaus in the whole country, in Nouadhibou and Rosso. Most of its journalists work at its headquarters, in Nouakchott. The only communication support media that are more or less available to rural people are cellular telephones, radio, and to a lesser extent, television. A few community radio stations exist in two regions, Gorgol and Trarza. These provide people not with news per se but with local information on subjects relating to their health, for example, and their immediate environment, and so on.

Thiam said it is difficult to say how objective and reliable news sources are, but the most reliable news sources are international media. Also, he said, local political actors favor those media, because of their reach and penetration. It is not uncommon to see the president, ministers, Mauritanian political leaders, and other high-level public figures choosing to speak or appear on the pan-Arab channels, in particular Al-Jazeera and Al Arabiya, or on French-language channels, such as TV5 or France 24, rather than in the Mauritanian public media or in print in the independent press.

Currently, there is no law governing publications in foreign languages, and the government does not restrict citizens' access to national and international media. Nevertheless, the panelists noted that in rural areas the reach of news is restricted because of economic, technical, and geographical constraints. Because of the high illiteracy rate, around 50 percent according to some statistics, a large part of the Mauritanian population, particularly in the rural areas, cannot yet access all media sources. Foreign print media (essentially in French, Arabic, and English) publications are available, but the cost is prohibitive for many.

Although Mauritians who live in urban areas frequently use the Internet to obtain news and information, there are few reliable statistics for Internet usage in Mauritania. However, the panelists believe that the Internet is restricted overall by the country's poor electricity supply and widespread illiteracy. As a result, over the whole country, access to Internet services remains restricted to the main urban centers, including the 12 regional capitals.

Since the appearance of the web in Mauritania, no local website (or website hosted internationally) had so far been banned, nor had those responsible for any such site been arrested—until the 2009 arrest of Abou Abass Ould Braham, journalist and administrative manager of the online news site taqadoumy.com, along with the site's publication director, Hanevy Ould Dehah, who was arrested and jailed for defamation. The taqadoumy.com site was shut down for 24 hours.

ANI, which is private, is owned by the Mauritanian Press, Publishing, Communication, and Printing Company, and in 2009 it remains the only private press agency in Mauritania. Other than Nouakchott and Nouadhibou, it has no agencies in the country's interior. AMI produces between 150 and 170 stories per day, in French or in Arabic, for its subscribers. It also receives and disseminates the general news feed and the economic news feed from Agence France-Presse. However, only a very small number of independent newspapers subscribe to its newswire, paying a monthly rate of MRO 40,000 (\$140); most of its clients are state enterprises. The types of service available from the two agencies are basically restricted to news copy; there is still no audio or video production. According to the panelists, independent newspapers can pick up stories from AMI and ANI without charge, but within the limits of copyright laws.

The panelists took the view that the public media are characterized by the weakness of their coverage of some areas of the country, and also by a strong feeling among the public that their reputation is poor. They often perceive them as exclusively government mouthpieces because of the way the various political regimes in power make use of them. Awa Traoré, a freelance journalist, said the state media provide very little information on what is going on in the backcountry. Generally, only news about the government's and the president's policy and life is shown on a loop.

The panelists agreed that the same tendentious and selective treatment was a leitmotif of the state media's programs and columns. The panelists said that both TVM channels focus on the activities of the government or elected representatives in the presidential majority than on the opposition. Egyptian soaps also take up a large part of their programming, at the expense of current affairs and reportage, which rarely goes into any depth of coverage. The same is true for the public radio channels, where little broadcasting time is devoted to reportage from journalists in the field.

According to some of the panelists, information on the owners of independent press businesses is available and often known to the public through word of mouth. Khalilou, however, said that there is no transparency concerning the ownership of the private media. While politicians or businesspeople are sometimes rumored to be behind various publications, as a general rule, newspaper publication directors also own and direct the businesses. Birome said that publication directors might wear several other hats: editor, perhaps chief editor, accountant, financial manager, etc. From editing to publishing, they often control all the newspaper's activities—which can detract from its independence and the independence of its journalists.

In addition to scarce equipment, salaries are very low, outlets are inadequately staffed, and newspapers, which depend primarily on advertising, barely make any income. Therefore, newspapers that can be called independent are on thin ice.

In terms of reflecting a broad spectrum of social interests in the media, including minority-language information sources, the panelists saw much room for improvement. TVM broadcasts mostly in Arabic and in the Hassaniya dialect no fewer than 12 hours of programming—reportage, debates, television news—a day, focused solely on Mauritania. Yet the only program in French was the daily news at 21.30 UTC. National languages such as Pular, Soninke, and Wolof air no more than 50 minutes a day in total, which panelists stressed is insufficient. One panelist, speaking on the condition of anonymity, said that public media do not appear to meet the aspirations of all Mauritians, as they are aimed only at those who spoke Arabic, with minority languages sidelined almost completely. The panelists agreed that media in minority languages are almost nonexistent. Currently, there is only one independent minority-language newspaper, Foyere Bamtaré, which prints between 500 and 1,000 copies in Pular. Its limited distribution is restricted to the minority it represents.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mauritania Objective Score: 1.58

The score for this objective received a somewhat lower score compared to 2008, as a few indicators received lower scores. These include indicators 1 (media are well-managed enterprises), 4 (balance of revenue types), and 6 (market research). All indicators scored within a half point of the objective score.

The panelists said that press enterprises in Mauritania are still not professional or profit-generating businesses. The National Consultative Commission for the Reform of the Press, Radio, and Television noted in its 2006 report the absence of any legal text that defines a press enterprise, or describes its collective legal responsibilities or expected commitments to its staff.

According to a survey by HAPA in January 2008, many private press enterprises are on shaky footing because they lack employment contracts for their employees, show

Outside Nouakchott, the capital, there are no real advertising services, agencies, or companies. According to a HAPA document, the advertising sector is severely lacking in competency, organization, and transparency. As a result, publication managers, editors-in-chief, and journalists themselves can end up as door-to-door salesmen—which seriously damages their credibility.

no sign of proper accounting departments, do not have a body of shareholders, work in under-equipped offices, and do not contribute to national social security plans on behalf of their employees. HAPA's 2009 study describes the very gray-economy nature of these businesses. In addition to scarce equipment, salaries are very low, outlets are inadequately staffed, and newspapers, which depend primarily on advertising, barely make any income. Therefore, newspapers that can be called independent are on thin ice.

In the panelists' view, the state media (radio, television, and AMI) do not responsibly use the public funding they receive; their annual budgets are estimated at nearly MRO 1 billion each (approximately \$3.4 million). As evidence, panelists pointed to the many irregularities in the management of those bodies, which are reported on each year by the private press. For example, according to the weekly *Le Divan*, on October 25, 2009, the director of Radio Mauritanie, Hama

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.

Ould Soueilim, was sacked. *Le Divan* had noted also that the last three national public radio directors have been accused of misappropriating public funds and were ordered to pay back on the order of MRO 400 million (\$1.4 million).

The panelists agreed that the financing of the private media, the print media in particular, remains a very complex issue. The sector does not receive any direct subsidy from the state. The fate of the Press Assistance Act, which had been eagerly awaited by the sector, has languished in the hands of the parliamentarians since 2008. Meanwhile, any funding or material assistance to the private press has come in part through a number of partners in development, principally the United Nations, France, Germany, and the European Union. Panelists reported that to date, the only form of subsidy is an indirect subsidy granted by the state to the National Printing House, a publicly owned company. That subsidy is reflected, for the independent press titles that benefited from it, in subsidized printing costs. However, for three years now, the state has struggled, delayed, or balked at paying the subsidy to the National Printing House. The Printing House, running a chronic deficit, threatens every year to increase the newspapers' printing fees. In both December 2008 and December 2009, Mauritanian press directors ceased printing for a day to protest the increases.

The panelists agreed that the advertising sector in Mauritania remains disorganized. Outside Nouakchott, the capital, there are no real advertising services, agencies, or companies. According to a HAPA document, the advertising sector is severely lacking in competency, organization, and transparency. As a result, publication managers, editors-in-chief, and journalists themselves can end up as door-to-door salesmen—which seriously damages their credibility.

The panelists also said that independent press managers often complain that announcements and calls to tender by the state and public enterprises appear exclusively in *Al Shaab* and *Horizons*, the two state dailies put out by AMI, whereas they ought to benefit the country's private newspapers as well.

Panelists found that in the absence of a real advertising market structure, independent press outlets nevertheless manage by many and varied ways and means to find other income sources, such as so-called support subscriptions. However, the panelists said that the private media have become too dependent on such subscriptions to secure revenue and ensure their financial stability year round. However, according to HAPA's 2009 report on the situation of the private press, such support subscriptions are paid out, against all management rules, by public administrations and publicly owned enterprises—sometimes in very large amounts. They are also sometimes paid out for political,

tribal, or family reasons. The same HAPA report noted also that in 2008, the General Inspectorate of State deemed such subsidies to the press a form of misappropriation of public funds. The panelists agreed that if the state did finally decide to start granting subsidies to the private media, such subsidies could affect their independence—as is the case already for the public media.

The panelists found that market-research studies in the media field in Mauritania are still either very few in number or even nonexistent. The panelists were aware only of studies sponsored in the past by international organizations, such as UNICEF, World Vision, and so on. Such studies focused mainly on exposure rates to the public media, principally national radio and television. Since 2008, informal online polls on certain websites that provide news about Mauritania have cropped up, but the panelists cast doubt upon their reliability and said their results were fragmentary.

Research on the media sector is equally thin. Carried out mainly by students or sometimes sponsored by international bodies, it is scarcely used for commercial strategic planning purposes.

The panelists noted the absence of reliable, formal circulation figures, Internet statistics, audience figures, or household penetration rates for the public media. In the print media, print runs vary between 500 and 2,000 copies for dailies, weeklies, monthlies, and other periodicals in Arabic or French. No public or private body is tasked with collecting audience figures for national television or radio.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mauritania Objective Score: 1.63

The lower score for this objective is the result of lower scores in indicators 1 (trade associations), 3 (supporting NGOs), 4 (academic journalism programs), and 5 (short-term training). No indicator scored more than half a point different than the objective score.

Since the emergence of the independent press in 1991, newspaper editors and journalists have expressed keen interest in forming associations. Between 1991 and 2000, several bodies, such as the Mauritanian Union of Independent Press Professionals, the Independent Press Association (API), the Mauritanian Association of Independent Journalists, Independent Press Publishers (EPI), CRED, and the National Independent Press Association (ANPI), were born. However, ill-defined and lacking in vigor, and undermined by enmity and rivalry between groups of newspapers and media

In the panelists' view, the type of support and the services these bodies provide to their members is limited, amounting to little more than organizing protest sit-ins against the government or in support of a colleague, and launching petitions for Mauritanian journalists or illegally detained politicians to be released.

professionals in a media environment lacking organization, these bodies and associations have mostly disappeared.

Among the shortcomings of these associations, said the panelists, membership conditions are often too lax and membership remains more or less static. The effectiveness of the organizations in terms of legal and professional advice or lobbying is, according to the panelists, difficult to pin down. Some of the organizations represent specific sectors of the profession; for example, the Union of Mauritanian Bloggers, which was set up in March 2008 by almost 400 bloggers to protect, in their words, the essential rights of the community of bloggers in Mauritania—including the right to publish their comments without risk of censorship or other form of interference by the authorities.

In the panelists' view, the type of support and the services these bodies provide to their members is limited, amounting to little more than organizing protest sit-ins against the government or in support of a colleague, and launching petitions for Mauritanian journalists or illegally detained

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

The panelists agreed that short-term training in the workplace and in institutions, together with training programs, enables journalists to improve their skills. However, in the panel's view, it is becoming rarer and rarer for journalists to receive such training.

politicians to be released. Like their predecessors, today's professional associations do very little to help protect journalists' rights, generally only on an ad hoc basis in response to specific events. Camara said that their role had turned out to be ineffective or very limited in working for journalists' interests—and often attempted to adversely influence journalists' work. He cited the example of the powerful ANPI, which was set up in 1991. ANPI is both a group of newspaper publishers and an association of journalists, and for a long time it was close to the outlook of the dictatorial regime of President Maouya Ould Sid'Ahmed Taya that held sway over the country from 1984 to 2005.

In 2006, the National Consultative Commission for the Reform of the Press, Radio, and Television, learning the lesson from the failure of ANPI, noted in its report that ANPI had no clear legal status, although it did have a building provided by the Mauritanian State. The same report claimed that the rivalry between groups of newspapers stymied any action by ANPI and gave rise to a profusion of organizations of mutually antagonistic newspapers. ANPI has not been able to set itself up as a legitimate, credible interlocutor, representative of the independent press in Mauritania that could stand up and dialogue with the Mauritanian authorities and/or outside bodies wanting to come to the aid of that independent press.

Diop Mountaga, regional correspondent of *L'Éveil Hebdo* in Boghé, commented that the professional bodies often turn out to be incapable of acting jointly when it comes to standing up for the interests of the profession in the face of the authorities.

The panelists felt that two associations of newspaper publishers and associations of journalists are now the most representative of the profession: the Union of Mauritanian Journalists (SJM) and the Mauritanian Press Group (RPM). Since 2008, SJM has been active principally to ensure that journalists' professional interests, and the independence and professionalism of the media, both public and private, are respected. It held sessions of its first constitutional congress in December 2009. RPM, also set up in 2008, represents newspaper publishers and owners. It had been created out of the merger of pre-existing organizations such as EPI and

API, but it also brought together leading lights of the private press, including, among others, *L'Éveil Hebdo*, *Le Calame*, and *L'Authentique*.

RPM sometimes plays the role of a pressure group with the government and public-media bodies, such as HAPA and the Ministry of Communication. The panelists' said that RPM has proven itself to be active in the discussions with the government for instituting future state subsidies for the private press. RPM helped organize the December 2008 and 2009 days that halted newspaper printings to protest the decision to increase the cost of printing private newspapers.

Thiam also noted that in the absence of an advertising company, HAPA, which was set up in 2006, has so far done nothing to ensure the equitable distribution between the various public and private media of the advertising revenue from government enterprises and institutions.

The panelists said that Mauritania has a few NGOs and international bodies that actively support the freedom of speech. Located mainly in the large cities, these NGOs and international bodies are generally quick to react to reported violations of media freedoms and are often in close contact with international organizations that focus on the freedom of speech. Thiam said that some NGOs and organizations, such as the Forum of National Human Rights Organizations, the anti-slavery organization S.O.S. Esclaves, and the Mauritanian National Order of Attorneys, have a reputation of sparing no effort to help the press be heard.

In 2009, there was still not one institute or public or private school offering training for careers in the press, radio, and television—not even a journalism or communication section at the University of Nouakchott. However, back in 2006, the National Consultative Commission for the Reform of the Press, Radio, and Television advocated that the government set up a national center or institute to provide training for such careers. While Mauritania waits for that project to become reality, basic and advanced training for Mauritanian journalists takes place abroad, in Tunisia, Morocco, Syria, France, and elsewhere—or even on the job locally. Since the end of the 1990s, there have been very few opportunities for Mauritanian students to obtain government scholarships for training in journalism and communication, or to obtain diplomas from journalism colleges abroad.

The panelists agreed that short-term training in the workplace and in institutions, together with training programs, enables journalists to improve their skills. However, in the panel's view, it is becoming rarer and rarer for journalists to receive such training. As a general rule, such programs are put in place by local or international organizations, some offered through distance learning. The training courses are free and offered by the World Bank

Institute (which covers investigative journalism, governance, and information), the French Cooperation Mission (which covers management of a newspaper and reportage techniques), and the US Embassy (which focuses on the electronic press), among others.

There are now 20 or more printing houses in Mauritania. Except for two, they are all located in Nouakchott. Apart from the state-owned National Printing House, the printing houses are in private hands. The National Printing House prints the government dailies *Horizons* and *Al Shaab*, along with 40 or so independent newspapers, which receive preferential rates.

The panelists found that press distribution remains very poorly organized. Three distributors now share the market: the Mauritanian Press, Publishing, Communication, and Printing Company, Librairie 15/21, and Star-media. Print media are on sale only in the central part of Nouakchott city. No kiosk or newspaper sellers can be found in the capital's outer districts. Except for cities such as Nouadhibou, on the northern frontier, and Rosso, on the border with Senegal, press distributors completely neglect the country's interior. Broadcast transmitters are in the private sector hands but are nonetheless controlled—in a nonpartisan manner—by the Regulation Authority, a government institution.

List of Panel Participants

Mamadou Alassane Thiam, regional correspondent, *Lumière du Nord*, Nouadhibou

Mohamed O. Med Lemine, regional correspondent, *Le Quotidien de Nouakchott*, Kaédi

Guèye Birome, executive, High Authority for the Press, Radio and Television, Nouakchott

Seydi Moussa Camara, editor-in-chief and director of publication, *La Nouvelle Expression*, Nouakchott

Ibrahima Dia El Hadj, director-general of the editorial office, *Mauritanies1*, Nouakchott

Awa Traoré, freelance journalist, Nouakchott

Houcein El Middou, chair, Union of Mauritanian Journalists, Nouakchott

Diagana Khalilou, editor-in-chief, *Le Quotidien de Nouakchott*, Nouakchott

Kissima Diagana, editor-in-chief, *La Tribune*, Nouakchott

Mamadou Thiam, journalist, *Le Calame*, Nouakchott

Diop Mountaga, regional correspondent, *L'Éveil Hebdo*, Boghé

Moderator and Author

Mamoudou Sy, director of publication, *Éveil Hebdo*, Nouakchott

Assistant

Dewa Dianifaba, IEC supervisor, Health and Nutrition Support Project of the World Bank, Nouakchott

Although the Internet is almost nonexistent in the districts, cell phone coverage is expanding rapidly, and SMS text messaging is revolutionizing the information sector. Blogging has emerged as a forum to discuss even sensitive topics.



MIOZAMBIQUE

Although the 2009 MSI assessment reflects some improvements in certain aspects of Mozambique's media environment, there are still areas of concern and backsliding. Although the constitution of Mozambique is progressive, legislation not in keeping with that spirit remains in force, and there are critical legal gaps. According to the Media Institute of Southern Africa (MISA) report *So This Is Democracy? 2009*, "The nonexistence of a Right to Information Law is by far the most striking gap in the legal landscape."¹ Many government officials completely ignore nongovernmental media when it comes to information requests. The panelists called for more legal support to the media to draft legislation to ensure that the intent of the constitution is upheld.

Independent press outlets face key challenges and stiff competition from the state media. In addition to greater obstacles in accessing information, the independent media are financially insecure and must compete with publicly funded outlets for limited advertising dollars. This has also proved to be an editorially compromising situation for the independents, which succumb to self-censorship to satisfy demands from their advertisers. The panelists also called for improvements in adherence to professional standards and financial management practices, which they traced to the lack of resources plaguing the press.

Although the government does not block access to news, there are other obstacles, including cost and geography. Independent media are a very urban phenomenon, and it does not extend across the country. Rural residents depend primarily on radio, but there are still too few rural community radio and television stations, and they are plagued by regular equipment breakdowns and low-capacity electrical grids. Although the Internet is almost nonexistent in the districts, cell phone coverage is expanding rapidly, and SMS text messaging is revolutionizing the information sector. Blogging has emerged as a forum to discuss even sensitive topics.

Therefore, despite many positive advances for Mozambique's media in terms of plurality and unrestricted access, serious shortcomings persist, which affect the independent press and rural citizens disproportionately.

¹ Media Institute of Southern Africa. *So This Is Democracy? 2009*. <http://www.misa.org/researchandpublication/democracy/democracy.html> (Accessed October 10, 2010)

MOZAMBIQUE AT A GLANCE

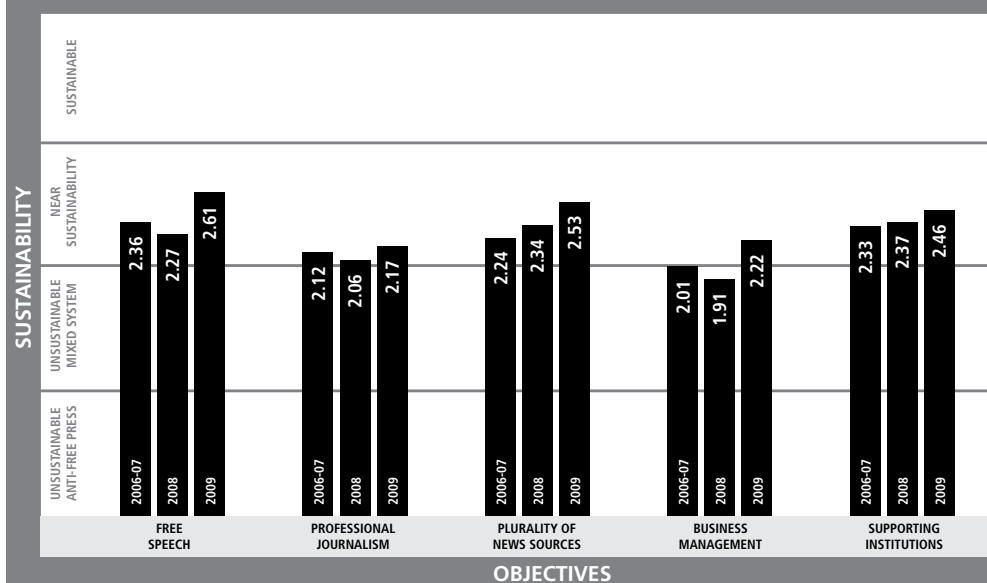
GENERAL

- > **Population:** 22,061,451 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Maputo
- > **Ethnic groups (% of population):** African 99.66% (Makhuwa, Tsonga, Lomwe, Sena, and others), European 0.06%, Euro-African 0.2%, Indian 0.08% (*CIA World Factbook*)
- > **Religions (% of population):** Catholic 23.8%, Muslim 17.8%, Zionist Christian 17.5%, other 17.8%, none 23.1% (1997 census, *CIA World Factbook*)
- > **Languages (% of population):** Emakhuwa 26.1%, Xichangana 11.3%, Portuguese 8.8% (official; spoken by 27% of population as a second language), Elomwe 7.6%, Cisena 6.8%, Echuwabo 5.8%, other Mozambican languages 32%, other foreign languages 0.3%, unspecified 1.3% (1997 census, *CIA World Factbook*)
- > **GNI (2009-Atlas):** \$9.962 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$880 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 47.8% (male 63.5%, female 32.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Armando Guebuza (since February 2, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 263 total; Radio: 88, including community stations; Television Stations: 5
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Mozambican Information Agency (Agência de Informação de Moçambique; state-run); GMGmedia (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 350,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MOZAMBIQUE



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Mozambique Objective Score: 2.61

The constitution of the Republic of Mozambique and Law 18/91 of August 10, 1991 (the Press Law) detail explicit intent to promote and protect free speech and access to public information. The existing laws conform to international standards, particularly those of the African Union² and the Southern African Development Community (SADC).³ Mozambique's High Media Council (*Conselho Superior da Comunicação Social*), a state body, guarantees, among other things, the freedom of expression, the independence of news and information bodies and their professional staff, and also the right to be heard on air and the right of reply. There are other civil-society organizations and professional associations that help protect media freedom and the freedom of expression, opinion, and access to information for all Mozambicans.

Carlos Coelho, a journalist and jurist, and chairman of the board of *Wampula*, a fax newspaper in Nampula, Mozambique's third-largest city, said, "In Mozambique, the constitution and other legislation guarantee and protect free speech and access to public information. Apart from a few cases that may violate these principles, either because of a lack of knowledge on the part of public servants and society in general, or by simple abuse of power by government officials, those laws are applied." However, he noted, "Some press legislation is out of step with current reality; for example, the Press Law has been in existence for almost two decades without being updated."

In one 2009 example, officials leaned on the Law on State Secrets to protect their personal interests in a case brought by a former prime minister against *Zambeze*, an independent Portuguese-language weekly, in a dispute that lasted from 2008 through 2009. Two editors and a reporter were sentenced to prison—later reduced to fines—for raising questions about the prime minister's nationality.

Florentino Escova Chassafar, a member of the High Media Council and director of Radio Terra Verde, expressed the view—backed by other panelists—that the way cases related to crimes of abuse and violation of media freedom had been handled in 2009 revealed ignorance of the law on the part of journalists. Also, many judges did not make the link

² African Charter on Broadcasting (2001) and the (Banjul) Declaration of Principles on Freedom of Expression in Africa (2002).

³ SADC Protocol on Culture, Information and Sport (2000) and the (Blantyre) Declaration on Information and Communications Technology (ICT) (2001), to cite only the most significant.

among the various legal provisions, namely the Press Law, the constitution, etc.

Glória Muianga, a journalist and member of the Board of Radio Mozambique, a state-owned entity, added that although there are few crimes against press freedom in Mozambique, when they occur they are investigated very slowly. Alfredo Libombo, journalist and executive director of MISA-Mozambique in Maputo, commented that journalists often receive death threats. In one of the most widely publicized cases in 2009, the former governor of Tete province made death threats against a journalist at the Portuguese-language daily newspaper *Notícias*, based in Tete city, on three separate occasions. The newspaper made no public statements about the case to show solidarity with its staff member, although the High Media Council produced a resolution condemning the governor's actions.

On the other hand, Coelho described cases when journalists seemed to feel above the law and were either unaware of or chose to ignore basic standards of professional conduct. For example, a Nampula journalist was summoned to court but, without an explanation, failed to appear at his trial. Isaias Natal, a delegate of MISA-Mozambique and journalist at Portuguese-language weekly *O Magazine Independente*, gave another example. He described the case of Vasco da Gama, another journalist from Nampula, which generated great interest in the media. According to Natal, da Gama ended up being found guilty because he had underestimated the court's willingness to consider the case against him. That case

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The panelists agreed that community outlets deserve special treatment but argued that private outlets should be on an equal footing with public-sector outlets in terms of market entry.

also exposed the unfamiliarity of some judges, lawyers, and prosecutors with the Press Law.

Palmira Velasco, journalist and chair of the Association of Mozambican Women in the Media (*Associação das Mulheres Moçambicanas na Comunicação Social* or AMMCS), said the public does protest abuses of the press, as seen with the case of the “Muecate Mechanic,” Aiuba Assane, who faced charges for defamation after speaking his mind about a local administrator.

As found in previous MSI studies, the print media continue to enjoy a much smoother licensing process than broadcast outlets. Various institutions are involved in the licensing process for radio and television stations in Mozambique. The Council of Ministers approves the granting of licenses to radio and television operators, while the Mozambican National Communications Institute (*Instituto Nacional das Comunicações de Moçambique*) controls frequency allocations for radio and television and the technological aspects of frequency utilization, in addition to other powers conferred on it by law. GABINFO (the Information Bureau), tasked with oversight of public-sector operators, coordinates the government’s communications strategy and issues licenses for all mass media operators after they are approved by the Council of Ministers. Meanwhile, the High Media Council monitors media content for compliance with professional standards and ethics; it also responds to abuses of press freedom, breaches of the Press Law, and offenses against social ethics and public morality. Finally, the Ministry of Trade and Industry approves and issues licenses to advertising operators, although it is not considered responsible for content.

There is a specific process for dealing with community and private radio stations. The panelists said that in practice, licenses are never refused, because at every step in the process applicants are given the chance to correct any anomalies. By the time license applications reach the Council of Ministers, they have undergone extensive review. Even so, panelists expressed the view that licensing was not fair, because the public channels (Mozambican Television and Radio Mozambique) let their licenses lapse and were not pressured to comply, whereas private media outlets face stiff requirements for keeping licenses up-to-date.

Chassafar said domestic and foreign media alike encounter no difficulties in obtaining licenses, although he believes that foreign stations with signals that are free to air in Mozambique ought to be licensed separately. However, Coelho said that licensing is a complex process in Mozambique; according to him, it is difficult to open a radio station, especially compared with procedures in print media. Thus, Coop-Norte, owner of two newspapers (one tabloid and one online) reported no difficulties in obtaining either license. However, it ran up against difficulties getting its radio station licensed; it had been waiting over 10 months for a frequency.

In terms of market entry, the panelists were somewhat divided. Some considered the entry requirements no different than for other activities, which they viewed as a positive feature. Others said that while the media are indeed businesses, they ought not to be viewed purely as such: they should be treated in a way that allows people to exercise their right of access to information.

Velasco pointed to the diversity of the existing outlets as evidence that the procedures for opening up a news outlet are fair and competitive, with no preferential treatment for political reasons. She recognized that there are some restrictions that are either invisible or camouflaged but could be seen in the high rates of duty on raw materials such as newsprint, and on radio and television equipment.

In that regard, preferential treatment for the public media is indeed apparent, Velasco said. The panelists said also that the Press Law protects the national public media to ensure they receive the greatest market share. Muianga agreed that there are great disparities in taxation, with the public-sector media receiving better treatment than the private media, explained by its mission to provide a public service. The panelists agreed that community outlets deserve special treatment but argued that private outlets should be on an equal footing with public-sector outlets in terms of market entry.

Libombo argued that it is unfair that media owners are treated no differently under the tax structure than food vendors, when the media perform a public-service function and help to combat Mozambique’s high illiteracy rate. For example, the panelists suggested that the media ought to receive discounts on the rate of duty on imports of paper.

Natal and Muiana, along with Sílvia Afonso, a journalist and provincial delegate of the Media Institute (*Instituto de Comunicação Social*), emphasized that there were no murders of journalists, but journalists have suffered from physical attacks, intimidation, harassment, and threats, which gave rise to the fear that attacks could escalate into something more serious. In 2009, several cases were recorded, including a physical attack in Sofala during a visit by the Mozambican

National Resistance (Resistência Nacional Moçambicana or RENAMO) party leader; beatings in Nampula; imprisonment of a journalist in Dondo; and invasion of a community radio station by the administrator and police commander in Marromeu (in central Mozambique, on the Zambezi River). Natal added that although they were infrequent, the cases that did occur involved threats and intimidation. Generally, powerful people choose to respond with threats when journalists are on the trail of material that could compromise them politically, economically, or socially.

Manuel Matola, a journalist at the Lusa news agency newsroom in Maputo, described many instances of journalists hauled into court but noted that, in almost all cases, their jail sentences were converted into fines.

The panelists agreed unanimously that the law does not provide for preferential treatment for public or state representatives and that the public media's editorial independence is theoretically protected. In practice, however, the panelists said there is no such thing as editorial independence for the public media. Comparing public outlets with the private, the panelists agreed with Matola and Tomás Vieira Mário, journalist, jurist, and media consultant, chairman of the board of MISA-Mozambique, and executive director of Panos Mozambique, Maputo, to the effect that those in power are not treated objectively. In addition, officials are not equally available to the private and public media. In general, they treat private outlets as though they are of secondary importance. Furthermore, the degree of independence varies from outlet to outlet depending on various factors, such as the history of each outlet, its institutional solidity, and the professional competence of its journalists, among other things.

In Mozambique, press libel is not just a civil law issue, but a criminal law issue as well. In some cases, jail sentences are handed down but converted into fines.

Libombo said that defamation charges bring many journalists before the court. In Mozambique, he observed, there is a climate of tension between journalists and the judicial authorities, which he said appears to have realized that the judiciary is the sole entity in Mozambique with the power to silence journalists. Within a single month, three journalists had been tried in the northern province of Nampula on charges of defamation. One of the journalists had been taken to court by the leader of the political opposition, the chairman of the RENAMO party, Afonso Dhlakama. The burden of proof rests on the defendants, as demonstrated by various cases in Nampula. The panelists did note, however, that Internet service providers are not held liable for Internet content.

Afonso concluded that under Mozambican law, libel is indeed treated as a crime. One of the Nampula cases demonstrated this clearly when a journalist was obliged to produce the anonymous source of his article at court. The ruling was clearly against paragraph 1 of article 30 of the Press Law, which recognizes journalists' right to professional secrecy concerning the origins of the information that they publish or transmit, and states that silence on their part cannot be punished in any way.⁴ The panelists also noted that disputes about the concept of anonymous sources and principles of providing evidence in legal proceedings involving journalists proved to be major obstacles; it is evident that neither the journalists nor the courts knew the law.

Regarding access to public information, Vieira Mário observed that although the Press Law stipulates that journalists should be provided with access to official sources of information, access is complicated by the government's culture of secrecy and the lack of a law on access to information held by public entities. Libombo recalled that in 2005, MISA-Mozambique submitted a preliminary draft law on access to information. The document had been put together with broad participation by civil society, but, because of a lack of political will, it had not been tabled and debated by parliament. Libombo concluded that with far-reaching corruption, those in power feared they might be compromised if the text were passed. He further noted that without an access-to-information law, the government is essentially exempt from any obligation to provide the people with any public information.

Even though politicians have paid lip service to providing effective freedom-of-information guarantees,⁵ in practice it is very difficult to obtain public information. Trying to obtain information from official sources, journalists sometimes hear the excuse that higher-ups did not provide authorization to release a particular piece of information. Although several organizations have advocated for greater access to information, including the National Union of Journalists, MISA-Mozambique, and other human-rights organizations, the panelists said that journalists in both the public and the private sectors have rarely shown any real resolve to fight for greater access.

MISA's *So This Is Democracy?* report also noted that a Right to Information survey was conducted in Mozambique, analyzing

⁴ The Press Law is available (in Portuguese) through the government portal at <http://www.portaldogoverno.gov.mz/Legisla/legisSectores/imprensa/>.

⁵ See statement by the deputy minister of education and culture, Luís Covane, that the government of Mozambique "firmly and vehemently condemns all acts that attack press freedom," on the occasion of the launch, March 12, 2009, of the Annual Report on the State of Press Freedom in Mozambique by MISA-Mozambique. In *So This Is Democracy? 2009*, p.76.

the handling of information requests at four ministries and state agencies. "The results bore out the slow pace, or even complete inefficiency in most of these institutions." The report noted that only one of the four "responded to a request within a reasonable period of time."⁶

Coelho concluded that the press culture among agents of state authorities is weak. Many state leaders choose not to divulge information of public interest. Additionally, in some public institutions, ignorance concerning the Press Law and the role of journalists has led to poor relations with journalists. He added that the lack of press spokespersons or consultants also stands in the way of peoples' right to information.

As in previous MSI studies, the panelists agreed unanimously that the government does not restrict access to international news or news sources. Cost, however, is a prohibitive factor; Matola noted that Mozambican outlets lack the financial resources to pay for content published by the news agencies, making it very difficult to obtain foreign news. However, Internet access is growing in Mozambique's newsrooms, as seen with the Lusa News Agency. There is no specific legislation for controlling foreign publications or publications in foreign languages.

In Mozambique, there are no restrictions or licensing requirements for entry into the journalism profession. Similarly, a license is not required to cover events, other than press credentials, which can be obtained without any particular difficulty. The rights and duties of journalists are set forth in the Press Law and are no different from international standards. The government does not control entry onto journalism courses; the requirements for entry into journalism courses are academic in nature. In addition, the government does not use a definition to exclude journalists from reporting; there was no influence by political interests or by the government on the hiring of journalists, and political interests did not play a role in the hiring of journalists.

However, again this year, the panelists expressed regret over the lack of a clear and unequivocal definition of a journalist. In last year's MSI study, José Guerra, chair of Miramar Communication, noted that in Mozambique, journalism is still viewed as a profession for people who could not get jobs in other sectors; he felt that an official system of accrediting journalists could boost the reputation of journalists. Lobão João Mauелеle, journalist and subeditor at *Diário de Moçambique* (a national Portuguese-language daily newspaper headquartered in Beira), expressed the belief that the failure to bring in proper press cards for professional journalists opens up possibilities for press freedom to be abused.

⁶ MISA. *So This Is Democracy?* 2009. p. 70.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Mozambique Objective Score: 2.17

According to the panelists, many reporters fail to check their facts or consult multiple sources. Vieira Mário said that the quality of journalism is generally low, except for the principal newspapers and Radio Mozambique, the public radio channel. Some journalism is apparently based on rumors, and there are only poor attempts at investigative journalism. According to Libombo, basic standards are not followed, such as consulting the parties before publication of an article. Many journalists make excuses, such as, "We are trying to get through to the cell phone number, but they didn't pick up, or it was saying, 'Not within network range.'"

One change in the past year is that more journalists have gained higher academic credentials and solid professional training, but even so the picture has not improved significantly. There has been some progress in the area of community radio broadcasting, with expansion in the network of community radio stations—but without any concomitant increase in the level of professionalism. For example, there are more than 50 community radio stations on the air in Mozambique, but journalism is taught only in public educational institutions in Maputo.

However, Coelho offered a more upbeat assessment, noting improvement in this area; he said that journalists are becoming perceptibly more responsible in Mozambique. Various news outlets strive to put out a high-quality product for their readers, listeners, or viewers. Even so, Coelho accepted that in some cases, the media publish information

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

of a sensationalist stamp, without any investigation whatsoever—attention-grabbing stuff to “sell newspapers.” That very problem also drags down ethical and professional conduct in journalism.

There is a code of ethics that is in line with international standards to guide journalists in Mozambique. Another text on ethics that proved helpful is the Code of Conduct for Covering Elections, approved in 2008 as a self-regulatory instrument. Nevertheless, Escova Chassafar said that journalists do not always follow international ethical and professional standards, precisely because most of them did not receive proper training, and some are not familiar with the Press Law. Others break the Press Law with full awareness, at the behest of their bosses. Natal deplored owners and publishers of various media outlets who accept vast sums of money from powerful business or political players to suppress news that could compromise them. Another ethically compromising issue is that many journalists conduct press consultancy work for companies or political parties, which in principle is not compatible with the profession.

Velasco agreed that recognized ethical standards are not always followed; she believes the problem can be explained in part by a lack of access to information, and also because the code of conduct for journalists has not been sufficiently publicized among media professionals.

Self-censorship is common, particularly in public radio and television. Matola stressed that Mozambique has no official law aimed at imposing censorship. However, there is a general perception among media professionals that media outlets excel at self-censorship, because they are dependent typically on various economic or political interests. Coelho said that self-censorship is a serious problem in Mozambique, not only among journalists but also among editors. Muianga agreed that self-censorship exists: each journalist must assess how far he or she could go in divulging all the information in his or her possession. Libombo said that in his opinion, self-censorship is practiced in many cases to please the authorities or commercial interests. Elisa Martins, journalist and head of the Department of Project and Event Planning for Television Mozambique, said that the truth of the matter is that some journalists avoid certain subjects likely to upset people with business or political clout.

The panelists concluded that by law, journalists may cover any and every type of event without restrictions. Any limitations often have more to do with the lack of technical, human, and financial means. However, journalists tend to prioritize coverage of the government’s activities at all levels (central, provincial, district, etc.). There is little in-depth reporting on subjects of interest to or about the lives of average people, and news coverage generally does not extend to the whole

country, instead focusing on events in Maputo and key cities. Reporters tend to gravitate toward more political and, sometimes, sensationalist subjects that are considered more attractive commercially. There is a heavy preponderance of official sources, such as news from the government, parliament, and the party in power.

The panelists concurred that pay levels for journalists, as for those in other professions, such as teachers, doctors, and lawyers working in the public and state sectors, are extremely low, regardless of the level of training, performance, and/or seniority. In addition, there are wage disparities within the sector—even among public companies. The known exceptions are Television Mozambique, Radio Mozambique, and *Notícias*, but there are even sharp wage disparities among those three. Furthermore, many journalists work without contracts. Escova Chassafar said that because journalists are paid so poorly, many of them sell favorable articles to boost their incomes, or they look for second jobs with companies, political parties, or leaders, which creates conflicts of interest.

Libombo and Martins affirmed resoundingly that such low wages invite corruption, mainly in the independent media. Afonso took a somewhat different stance, postulating that not just salaries, but weak oversight in Mozambique over compliance with the legislation, combined with inadequate training, render journalists vulnerable to acts of corruption, stories lacking journalistic rigor, and sensationalism.

Although she agreed that journalists’ pay is unsatisfactory, Velasco attributes the low salaries, and the disparity in journalists’ salaries in the private and the public sectors, to the state subsidies for public media. Matola said that even though the National Union of Journalists may not agree that low salaries promote corruption, it ought to be more active on this question. There really is a disparity between the salaries paid to public/state media journalists and private/independent media journalists, he said, and that situation must change if journalists want to see the Mozambican media landscape improve.

Coelho noted that some private outlets manage to pay less than the minimum salary set by law in Mozambique. He blamed this on the financial weakness of the media companies in question, with the result that their journalists become easy to corrupt. He cited cases in which journalists accepted bribes to drop an investigative report. In other cases, journalists sought free travel—paid for by parties seeking more news coverage—and supplements to their salaries.

Muianga commented that as a result of the poor pay, many journalists are leaving the profession.

In keeping with the 2008 MSI assessment, the panelists recognized that entertainment programming does in fact

eclipse news and information programming at many media outlets. Libombo said, “There is a growing trend toward sensationalism. The newspapers publish only what they say will sell.” According to the panelists, although there are no reliable research studies or polls on balance in radio or television programming, anyone can see that entertainment is taking up more and more programming space—even in the public media. They blame the quest for advertising, which is supplied by major companies, principally the cellular telephone companies. In fact, some radio and television stations systematically alter their news programming to fit in with entertainment programs and soccer games.

Coelho shared his impression that journalistic responsibility and quality are improving in Mozambique, including efforts to balance news, advertising, and entertainment space, but financial difficulties sometimes lead to breaches of the balance principle.

In terms of facilities and equipment, Escova Chassafar remarked that not all media have the necessary technical resources for their journalists to do their work—particularly private and community stations. Radio transmitters have been installed but stations are not armed with other necessary equipment. Furthermore, what they do have is not maintained, and journalists are not trained properly on the equipment.

Velasco explained to the panel that generally, each media outlet creates its own technical working conditions, from news production to distribution. There is no common printing press that could serve all the private newspapers. The community media lack training, press centers, and proper infrastructure and equipment. Community information outlets, specifically community multimedia centers and community radio and television stations, simply do not have access to professional equipment and accessories that could ensure higher program quality and greater sustainability.

Regarding the media’s access to new technologies, the unanimous position was that there was no way to overcome the existing difficulties or meet the challenge of technological renewal by 2012 without getting rid of the barriers to obtaining foreign capital.

The panelists reported that there is some high-quality investigative niche journalism (e.g., on the economy) and some commercial, local, and political work—but it is not enough to make much impact. Furthermore, the content of journalists’ pieces is predominantly opinion, news at length, and transcriptions of financial reports or texts from the Internet. On the broadcast side, interactive programs continue to dominate—with heavy dependence on commentaries from guests and a notable absence of journalists’ reportage or investigative work.

OBJECTIVE 3: PLURALITY OF NEWS

Mozambique Objective Score: 2.53

All the panelists endorsed the view that in Mozambique, there is a plurality of news sources, from printed newspapers, radio stations, and television stations to electronic media. Muianga commented, “The principal source of news for Mozambicans is Radio Mozambique, which, although it still falls short of the desired degree of coverage, is established throughout the country.” On that point, Velasco said despite unbalanced distribution over the country, it is true that there is a diversity of media—although Martins noted that some of those sources are not reliable and are far from objective. Coelho also questioned whether there are enough news sources to allow people to draw comparisons, and that target rural areas as well as urban. However, freedom of expression is evident, and people are not restricted from sharing their views.

Although the government does not block access to sources, including international news, there are other obstacles to access. Generally speaking, the private press is a very urban phenomenon, and it does not cover the whole country. Although most media outlets are based in the capital, community broadcast stations and multimedia centers in the districts are increasingly adding their voices to the mix. SMS text messaging has revolutionized the information sector, unlocking public participation in the media. Although only a small part of the urban population turns to the Internet for news and information, Internet access is increasing 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.

at least in the capital and other large cities. In blogs, even sensitive topics are discussed, although the panelists said that blogs and text messaging are not yet considered trustworthy ways to obtain information.

Rural areas offer far fewer news options. Rural residents depend primarily on radio—although with technical and financial limitations, rural community media still provide limited coverage. There are still too few rural community radio and television stations, and they are plagued by regular equipment breakdowns and low-capacity electrical grids. The Internet is almost nonexistent in the districts. Cell phone coverage is expanding rapidly, opening the door for SMS text messaging as a means of sharing news.

According to Muianga, while Mozambicans are free to access all types of information, both domestic and international, the percentage of the population that can pay for private media is tiny when the standard of living is taken into account. As Coelho noted, few people would prioritize buying a newspaper rather than food. Muianga commented, “Affordability is generally the greatest obstacle for accessing the media, the Internet, and services via satellite, cable, and other paying support media.” Libombo agreed that access is quite modest, as the overwhelming majority of the population is poor and illiterate. He noted that for a country with a population of a little more than 20 million, all its newspapers combined report sales of under 500,000 copies a week. Television is still considered a luxury. Radio, particularly public radio, is the most accessible medium—because it is relatively cheap, but also because it broadcasts in various Mozambican languages.

The panel agreed that in Mozambique, there is still no true public media. Escova Chassafar said that by law, the state or public media are obligated to serve the public interest, and their journalists must be impartial. In practice, however, public media are influenced by the party in power. For example, public media board chairs are appointed by the prime minister based on his political confidence in them. The panelists agreed that most public-media editors and journalists are aware of their function to serve the public interest, but even so, they sometimes stray from that principle. The public outlets (Radio Mozambique and Television Mozambique) continue to be assessed in terms of financial costs and not in terms of how well they fulfilled their public-service mission. Compared with their coverage of the opposition, the public media spent more time talking about government activities and personalities, the party in power, and its leaders. Muianga said that media consumers have no way to control the public-media bodies, which live on government support, because there are no mechanisms for them to be accountable to the public.

Other panelists tempered this criticism somewhat. Martins argued that state media reflect the view of the whole political spectrum but lean more toward the political powers. Muianga said also that the state-owned media are improving, trying to quietly convey opinions and comments of other parties as well as the ruling party. In addition, Velasco said that the public media are not totally independent but, even so, are still open to various opinions and comments from other parties and the public. As much as space and financing allow, the public media tend to promote educational and cultural programs.

The government does not overtly interfere in the private media. In some districts, community radio stations are controlled by the administrators and other government structures, but as soon as the staff at those radio stations started receiving training on the legislation, they began to stand up for themselves, pointing to the Press Law and the Electoral Law to back up their arguments.

Mozambique has a state news agency, the Mozambican Information Agency (Agência de Informação de Moçambique or AIM), a government body accountable to the prime minister that distributes print information in a nondiscriminatory manner. There is also a private agency, GMGmedia. Velasco added that AIM provides feeds to the public media and, in particular, to Mozambican embassies abroad. However, many media organizations do not have the financial capacity to pay for the services provided by the news agencies. Journalists are aware of the principal international news agencies, but such sources appear to be used or cited only rarely.

Muianga observed that although some media outlets air news bulletins from other radio or television stations (BBC, Voice of America, etc.) on their frequencies, in general all stations, whether large or small, central or local, produce their own news bulletins. The independent media receive news and information from various sources, including government sources. Natal said, however, that independent radio broadcasters rely heavily on news bulletins imported from abroad at the expense of Mozambican cultural, social, and economic material, but conceded that some operators produce their own news bulletins.

The panelists commented that there is no legal means of finding out who owns private media, how much capital is invested in the business, and so on. As mentioned in the 2008 MSI study, “Along with pluralism has come the emergence of conglomerates, which account for a major portion of the private media sector. The Notícias Company has three print publications: a daily, a general-interest weekly, and a sports weekly; the SOICO Group has a daily newspaper, a radio station, and a television station; and Mediacoop has a weekly

paper and daily fax and e-mail newspapers and is preparing to launch a radio station.”⁷ Those three groups—the Notícias Company, the SOICO Group, and Mediacoop—offer three distinct points of view in reporting. Generally, control of the media is not independent, and, as Muianga put it, some media belonging to conglomerates could not be described as impartial. She also raised the concern that because of legislative shortcomings, Mozambicans do not know who the masters of the media are. The panelists also noted that the amount of foreign investment allowed by law (20 percent) is very small, which also limits financing options for the independent media and the number of potential investors from abroad.

Regarding the media’s coverage of social and minority issues, Muianga and Martins agreed that sources of news in minority languages are presented. However, there are no media outlets dedicated especially to minorities. In any case, there is no record of repression against journalists who wrote about minority themes.

According to data shared by Vieira Mário, female sources continue to be under-represented compared with their male counterparts, even though women form 53 percent of the Mozambican population. The voices of elderly people are also neglected, along with residents from remote areas. Muianga said some subjects are not discussed with due openness, such as homosexuality, for various reasons. More socially inclusive media coverage could encounter resistance, not only because of legal provisions but also because of the mentality of the individuals with editorial power who are very often influenced by commercial and governmental forces, but first and foremost as a result of culturally based self-censorship.

OBJECTIVE 4: BUSINESS MANAGEMENT

Mozambique Objective Score: 2.22

Libombo said that although the independent media have profit-generating potential, and might well be the most reliable news source for the public, they are the weakest sector in terms of finances and business management. Coelho noted that most private-sector newspapers and radio stations are owned by former journalists rather than entrepreneurs, and as a result most media enterprises lack professional management or business strategy. Even if media outlets could find someone capable of drawing up a business plan, they probably could not afford to hire them. As further evidence that independent media are not well-managed, Martins noted that some newspapers have had to cut pages, and

⁷ The Mediacoop radio station went on air in 2009.

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.

some radio broadcasters air reruns about half of the time. Furthermore, in the absence of a culture of publishing audit reports in either the private or the public sectors, it is not easy to determine whether private-media financial accounting systems are up to international standards.

Muianga felt that the independent print media have trouble generating profits because Mozambicans simply do not have very much purchasing power—nor the habit of reading newspapers and magazines.

However, Afonso said that the legal environment favoring freedom of expression and freedom of the press in Mozambique is slowly turning the independent media into competitive and well-managed businesses. Escova Chassafar added that prospects for the media to become sustainable depend on their ability to generate profits, not through sales of copies but through advertising.

As for state and community media, Velasco commented that in the state community broadcasting sector, not all management committees have the ability and the knowledge needed to manage the sector. The problem became more acute with the withdrawal of the UNESCO media-support project, which left behind no legacy of sustainability in community radio and television stations.

Subscriptions are the principal sources of revenue for the print media, followed by advertising, and the media do not receive revenue from a multitude of sources. The private media must mobilize the resources they need for themselves, through equity capital, advertising, and donors. Vieira Mário said, “The independent media are facing serious financial problems because the Mozambican market is very small.”

Velasco commented that without a doubt, the private media survive on their own revenues or on international donations.

Escova Chassafar described funding for both the private media and community radio stations as chaotic; he noted that Media Institute managed community radio stations were forced to shut down through lack of funding. Afonso said that community radio stations have no operating capital and base their survival on advertising. The state allocates only a few salaried technical staff to facilitate the work carried out by the voluntary staff. Coupled with the poor professional quality of the community radio stations' human resources, and the scarcity of the sustainable material and financial means, the panelists raised the possibility that a draft radio broadcasting law under study should find ways to accommodate, in depth, the question of the sustainability of community radio stations.

On the public media side, advertising is declining as the principal source of revenue; public outlets, apart from their own equity capital, depend primarily on government subsidies. Radio Mozambique and Television Mozambique also had a program contract with the government, but the funds from that contract were insufficient and did not allow them either to hire capable personnel or to train the managers they already had on board to operate those companies on a profitable business footing. The Mozambican Information Agency and the Media Institute receive their annual budgets from the state's general budget.

Also, with the exception of the businesses under the *Notícias* umbrella, media businesses in general are not flourishing because there is not enough advertising (or rather, distribution of advertising is not balanced). Given the fragility of finances, all the media, without exception, could only make use of free news agency services, although the private media are affected most deeply. However, the panelists concluded that both the public and the private media suffer from influence exerted by their revenue sources.

Martins said that the independent media compromise their principles to survive financially, publishing information to satisfy the interests of certain investors or sponsors. Afonso said that judging by the nature and frequency of advertisements, commercial interests affect editorial independence of the independent media more than political interests. The panelists agreed that over the past few years, there has been an increasing degree of interference in the media by major companies—particularly cellular telephone companies, which supply much of the advertising revenue. Their interference is visible in the growing uniformity of programming; for example, all radio and television stations display singing and dancing competitions, sponsored exclusively by those companies.

At the community level, even though community media appear to be subdivided into different categories based on their source of support (the state, UNESCO, religious institutions, the Danish NGO IBIS, or domestic NGOs), they all experience some degree of government influence.

Muianga said that advertising agencies are not used very much because they are very expensive. Velasco said also that advertising agencies are biased to a certain extent; they work only with the media that had the highest circulations, preferring *Notícias*. In fact, as Libombo put it, advertising is concentrated in the capital, and the highest volume of advertising goes to *Notícias*, believed to have the highest circulation in Mozambique. *Notícias* is considered a public newspaper, although some panelists believe it has a degree of editorial independence. No system has been defined to ensure the equitable distribution of advertising between private and public media. In the provinces, there are no advertising agencies capable of obtaining advertising for the local media.

The volume of advertising in the media is growing in step with businesses, and advertising reflects some agreement on standards among businesses, advertising agencies, and the media. However, the panelists drew attention to the predominance of misleading advertising, promoted by mobile telephone companies, which sponsor all kinds of promotional events camouflaged as entertainment programs. Panelists expressed concern that advertising is eating up more space than information and educational material, especially on television. They surmised that many media outlets are not in a position to assert themselves when negotiating time allotted to advertisements, given that they have no other means of surviving.

Muianga said that advertising revenue is very low and quality is shrinking alongside quantity. However, Velasco clarified that in the outlets with higher circulation or listenership, advertising takes up more than 60 percent of space, whereas the private and lower-circulation media struggle to obtain advertising and do not manage to reach 20 percent advertising space.

Although the government subsidizes the state media, the government does not provide subsidies for the private media. The only publically known exception panelists could think of were cases in which state officials brought private-media journalists along in their travels—principally abroad—and paid all travel, accommodation, and other personal expenses. Velasco noted that during the electoral campaign, public information outlets received subsidies to provide coverage, while the private media had to depend on international NGOs for support.

Panelists expressed concern that advertising is eating up more space than information and educational material, especially on television.

Although some panelists believe that radio and television audience figures are increasing, the panelists generally agreed that market research and studies are very rare and could not be taken seriously. Velasco claimed that there have been no studies released to the public concerning circulation or audience research. Coelho said that the few known pieces of market research were carried out by certain media companies to raise their profiles. The reliability of such research leaves much to be desired, panelists said.

Ranking radio broadcasting networks is the responsibility of the Mozambican National Communications Institute, the government agency that also oversees, among other things, the technical operating conditions for radio broadcasting, mobile telephony and telecommunications in general, and frequency allocations. Print newspapers and magazines are licensed and registered with GABINFO; by law, they must declare their circulations and display them on their covers. However, the panelists said there is no way to prove that the numbers are accurate. Coelho said that for the newspapers, their declared circulations are rarely in keeping with the actual number of copies printed.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Mozambique Objective Score: 2.46

There are few true trade associations. The Community Radio Broadcasting Forum, however, provides training and institutional support to its members. An association representing print media editors, the Forum of Editors, exists in name only. The sole association designed to stand up for the interests of media bosses, the Association of Journalistic Companies, fell silent years ago. Muianga pointed out the existence of advertising associations; the Association of Advertisers provides incentives to improve advertising and awards prizes.

To benefit journalists, there is the National Union of Journalists (known by its Portuguese acronym SNJ), which although not growing, is stable. "Professional associations that represent individual media practitioners do exist, namely the Association of Editors, the National Union of Journalists, and the Association of Mozambican Women in the Media,"

said Velasco, who added that they are not as effective as they might be, for lack of resources. Muianga said the journalists' rights are protected by the SNJ, and given the weakness of the dedicated NGOs, companies defend their professional staff. Muianga characterized SNJ as "practically inactive."

Martins noted that in addition to working to protect journalists' rights, professional associations help journalists by paying for training. Any journalist can join the professional associations, but in practice extremely few media professionals, particularly the independents, join.

Velasco said that associations provide short training courses and legal support, and pitch in with costs. Some of them are independent of the government, while others are to some extent influenced by the state.

In addition to the trade and professional associations, the panelists said that MISA-Mozambique is the most outstanding NGO in the media field.

In the view of the panelists, existing academic institutions do not provide adequate practical training. To date in the public sector, there is an intermediate college and an advanced course in journalism and related areas. Private-sector institutions offer courses in communications, but few students specialize in journalism. As in the intermediate journalism college, the most popular courses are in marketing, public relations, and others that carry a guarantee of a good position in the employment market. Natal expressed regret that journalism courses are offered only in Maputo; the few universities that operate in the provinces are private schools—which are very expensive. That, in his view, hinders the development of journalism.

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.

Escova Chassafar said that as a matter of fact, young people who want to enter the journalism profession through training as journalists are facing the problem of vacancies, which are scarce in public education, and the expense of applying to private schools holds them back from that route. Journalists with opportunities to train abroad tend to leave the profession when they return. It is also evident that many media organizations prefer to hire poorly trained young people so that they can pay them less. Consequently, knowing how poorly paid and insecure conditions are, qualified graduates avoid such organizations.

Velasco noted that there are organizations that promote short-term theoretical and practical courses, including UNESCO, the Nordic Journalism Center (NSJ)⁸, and MISA-Mozambique. MISA and NSJ have both offered exchange programs for journalists between southern Africa and the Nordic countries. These training programs enable participants to acquire new skills, and the most popular courses are on reporting, photo-journalism, gender, HIV-AIDS, radio production and reporting, and training of trainers. Afonso expressed concern about the type of training that being targeted at community media, because it places greater priority on thematic coverage than on the professional rigor that professional and volunteer personnel in those institutions need most.

The panelists recognized that newspaper production and distribution companies alike are de facto free and apolitical, and driven primarily by the goal of making a profit. There are two principal newspaper printers in Mozambique; one is owned by the Notícias Company, the other by SOICO (both private-sector organizations that operate with no governmental restrictions). Despite this context of freedom, Coelho underlined serious problems in printing newspapers. Domestic prices to print a tabloid newspaper in color are prohibitive, and the printing companies effectively constitute a duopoly. Natal noted that only Maputo and Beira offer facilities for newspaper printing. Velasco confirmed that there are private and unrestricted printing companies but said they are extremely expensive.

Also, according to the panelists, with the exception of the Notícias newspaper, the printed press does not have established distribution channels. Natal emphasized that whereas distribution was free from political and governmental interference, it is nonetheless deficient. Coelho said that each newspaper must undertake its own distribution and circulation-boosting work.

⁸ NSJ closed its Maputo secretariat in April 2009 and entered a period of restructuring. See NSJ's press release at <http://www.ngopulse.org/press-release/new-steps-building-new-nsj>.

List of Panel Participants

Palmira Velasco, journalist and chair, Association of Mozambican Women in the Media, Maputo

Alfredo Libombo, journalist; executive director, Media Institute of Southern Africa Mozambique chapter, Maputo

Carlos Coelho, jurist; journalist and chairman of the board, *Wampula*, Nampula

Glória Muianga, journalist and board member, Radio Mozambique, Maputo

Isaias Natal, delegate, Media Institute of Southern Africa Mozambique chapter; journalist, *O Magazine Independente*, Beira

Manuel Matola, journalist, Lusa News Agency, Maputo

Silvia Afonso, journalist; provincial delegate, Media Institute, Nampula

Tomás Vieira Mário, journalist, jurist, and media consultant; chairman of the board, MISA-Mozambique; executive director, Panos Mozambique, Maputo

Lobão João Mauelele, journalist and subeditor, *Diário de Moçambique*, Maputo

Elisa Martins, journalist and chief of project and event planning, Mozambique Television, Maputo

Florentino Escova Chassafar, member, High Media Council; director, Radio Terra Verde, Maputo

Moderator and Author

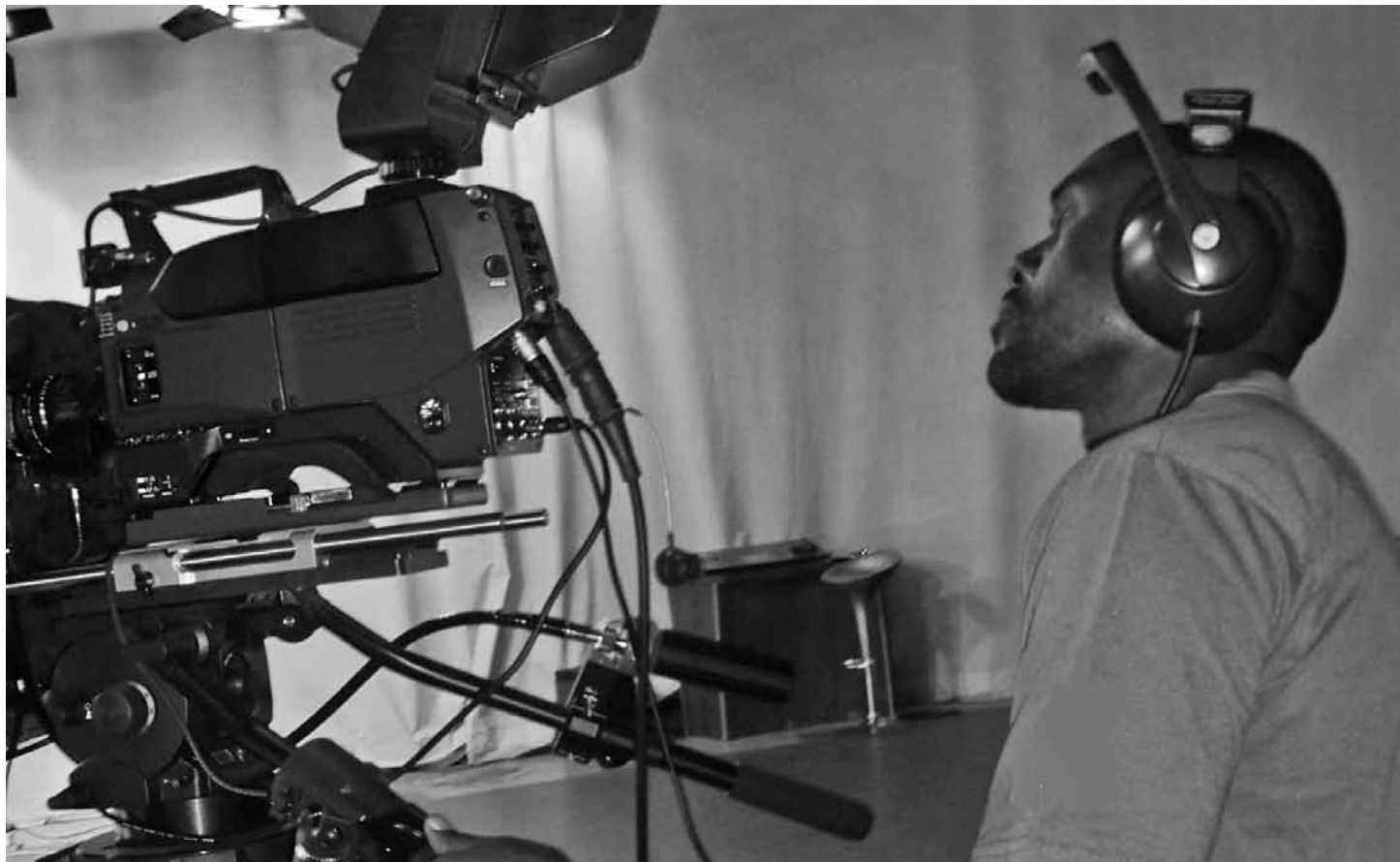
Julieta M. Langa, professor and head of Linguistics Section, Eduardo Mondlane University, Maputo

Logistics and Administrative Support

Aldo Mababy Arlindo Tember, human resources manager, Kulani Investments Ltd., Maputo

Alsácia Óscar dos Reis Cuna, secretary, Kulani investments Ltd., Maputo

Furthermore, the government continues its economic boycotts against the independent media, such as The Namibian, by foregoing advertising and subscriptions. Demands to lift these boycotts remain unheeded.



NAMIBIA

The Namibian media generally enjoy a fair degree of freedom from government interference. However, the 2008 MSI study picked up signals that the government was adopting a more critical posture regarding the media, spurred in part by intensifying political competition. These concerns proved warranted in 2009, an election year, as the government stepped up its threats to the media to tone down critical reporting and accede to intrusive regulations invading privacy and controlling freedom of speech. The South West Africa People's Organization (SWAPO), the country's ruling party, passed resolutions to regulate the media in the country.

As the 2008 MSI panelists feared, the government revealed its true intentions in the final tabling and passing of the 2009 Information Communications Bill. Its drafting appeared to be an open and transparent consultation process, with input from media organizations and various public meetings. But at the last minute, the government dropped in clauses that allow it to intercept electronic communications in the country—under the general banner of “crime prevention and national security.”

In previous years, Namibia had been considered a safe country for journalists, with few reported crimes. But this year, two foreign journalists attempting to cover seal clubbing on a tourist beach were attacked by the seal hunters. When the police arrived, they arrested the journalists, who were later sentenced for trespassing.

Furthermore, the government continues its economic boycotts against the independent media, such as *The Namibian*, by foregoing advertising and subscriptions. Demands to lift these boycotts remain unheeded. Additionally, the government ignores pressure from civil society to introduce pro-media legislation—for example, regarding access to information.

In another blow to free speech, the country's public broadcaster, Namibian Broadcasting Corporation (NBC), removed the famous morning *Chat Show*—one of only two daily phone-in programs, reasoning that callers were “abusing the platform” for political ends. The 2008 panelists also reported a campaign to force out NBC's director general Bob Kandetu; he was removed from his post in 2009 under a cloud of suspicion. He was accused of being a supporter of the newly formed Rally for Democracy and Progress (RDP), a SWAPO splinter party made up of former high-ranking ruling party comrades and led by former minister of trade and industry Hidipo Hamutenya. Eventually Kandetu paid with his job, following allegations that the RDP flag appeared on national television during President Hifikepunye Pohamba's New Year's Eve message to the nation.

Given these setbacks, Namibia's overall score slipped slightly this year, to 2.39. However, this continues a downward trend, as it scored 2.90 in the 2006/2007 study. In 2008, objectives 1 and 2 suffered the most serious setbacks; this year, although no objectives dipped dramatically, all objectives except for Objective 2 slipped at least slightly. Objectives 1 (freedom of speech) and 3 (plurality of news) each lost more than two-tenths of a point.

NAMIBIA AT A GLANCE

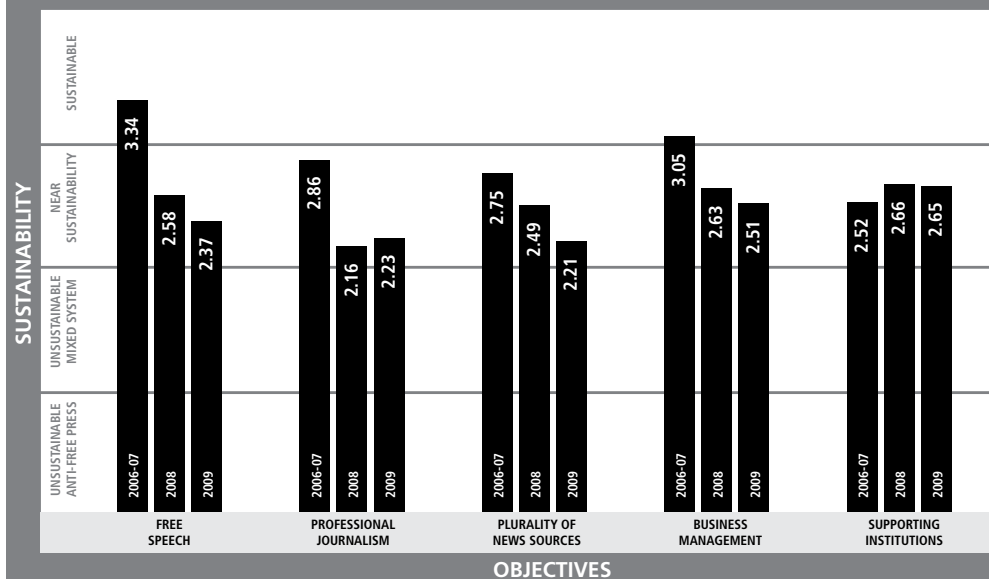
GENERAL

- > **Population:** 2,108,665 (2009 est., *CIA World Factbook*)
- > **Capital City:** Windhoek
- > **Ethnic groups (% of population):** Ovambo about 50%, Kavango 9%, Herero 7%, Damara 7%, Nama 5%, Caprivian 4%, San 3%, Baster 2%, and Tswana 0.5% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 80% to 90% (Lutheran 50% at least), indigenous beliefs 10% to 20% (*CIA World Factbook*)
- > **Languages (% of population):** English 7% (official), Afrikaans common language of most of the population and about 60% of the white population, German 32%, indigenous languages 1% (includes Oshivambo, Herero, Nama) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$9.323 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$6,410 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 85% (male 86.8%, female 83.5%)
- > **President or top authority:** President Hifikepunye Pohamba (since March 21, 2005)

MEDIA-SPECIFIC

- > **Number of active print, radio stations, television stations:** 13 newspapers, including 4 daily; Radio Stations: 28; Television Stations: 3
- > **Newspaper circulation statistics:** Top two by circulation: *The Namibian* (43,000 print run, reaching 420,000 readers), *Informanté* (70,000 weekly). (Source: Nangula Shejavali, *The Namibian*)
- > **Broadcast ratings:** Top three radio stations: NBC National Radio (85%), Radio Energy (25%), NBC Oshiwambo (42.8%) (AC Nielsen Namibia 2001)
- > **News agencies:** Namibia Press Agency (state owned)
- > **Annual advertising revenue in the media sector:** Approximately \$175 million
- > **Internet usage:** 113,500 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NAMIBIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Namibia Objective Score: 2.37

Generally, Namibia enjoys a stable record in terms of freedom of speech, reflected in the country's past scores for Objective 1. However, panelists registered significant drops in scores for four indicators this year: indicator 2 (broadcast licensing), indicator 4 (crimes against journalists), indicator 6 (libel laws), and indicator 9 (freedom of entry into the profession). Indicator score varied rather widely. While five indicators scored rather close to the objective score, three—indicators 2, 5 (legal guarantees of editorial independence for public media), and 7 (access to information)—lagged by more than half a point. Indicator 8 (media access and use of international news reports) exceeded the objective score by more than a point.

According to the panelists Namibia's freedom of speech is under threat. Examples include stringent regulations under the new communications act for government monitoring of electronic communication (voice, Internet, e-mail), as well as NBC's cancellation of the popular *Chat Show*.

On a positive note, the huge public outcry (with numerous letters and SMSs in the local media) regarding the *Chat Show* ban showcased Namibia's strong civil society sector and general high regard for freedom of speech. In addition, the Information Communications Bill is heading from parliament's lower chamber, the National Assembly, to the upper chamber, the National Council, opening a path to further public hearings on bill content. Given the unequal balance of power

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Despite some restrictions, it remains true that "People are free to say what they want," according to Meke Namindo, media officer for the Namibia Premier Soccer League. "Even in the newspapers, people can make sure they are heard, and people call into radio stations—it is encouraged, and the country wants to hear from the public."

in the country, the relatively weak opposition was unable to voice any objections, and could only protest by walking out of parliament.

The panelists said that on paper, Namibia's laws favor the media, but implementation and enforcement are sometimes weak. "Without enforcement and application of the law, and full education of the people regarding the meaning of these laws, we fail," said Ngamane Karuaihe-Upi, community activist and broadcasting officer for the Media Institute of Southern Africa–Namibia Chapter (MISA). Panelists agreed that Namibia's courts and legal system exist to protect citizens and uphold media freedoms. However, although the general public can bring cases to court, filing suit is very expensive, and panelists criticized authorities for failing to make due process more affordable.

Despite some restrictions, it remains true that "People are free to say what they want," according to Meke Namindo, media officer for the Namibia Premier Soccer League. "Even in the newspapers, people can make sure they are heard, and people call into radio stations—it is encouraged, and the country wants to hear from the public."

Although panelists consider courts relatively strong, they questioned whether leaders adequately uphold the freedoms afforded by the law. For example, they cited calls for newspapers to cease SMS service in daily newspapers, where readers, for only NAD 1 (\$0.15), can send comments and opinions, often critical of the government and other public institutions. In addition, the panel debated freedoms and how far they can be applied in the Namibian context. Some panelists said, for instance, that those sending anonymous SMSs for publication in newspapers in the paper should be identified, to prevent people with hidden agendas from abusing these services.

In general, though, the panelists deemed reasonable the restrictions on freedom of speech noted in Article 21(2) of the Constitution of the Republic of Namibia. Media law lecturer Yvonne Dausab said, "The Namibian constitution

Engelbrecht said that community stations frequently find themselves in a catch-22. “Without a frequency, we can’t get the equipment—but without equipment, we can’t get a frequency,” he commented.

is in line with human rights instruments.” The panel noted that the country has officially ratified most of these international instruments.

Broadcast licensing, currently administered by the Namibian Communications Commission (NCC), drew some critique. Andre Engelbrecht, the coordinator of the coastal community radio station Ocean Wave, charged that the NCC “doesn’t know what it is doing.” Although the NCC tells some potential applicants that it has no frequencies to distribute, it has a history of suddenly “finding” frequencies for new radio stations (for Fresh FM and Omulunga Radio, for instance). The panelists said that they sense a political motive behind these decisions, and that investigating the station owners could reveal some political connections. The panelists do not consider the licensing process to be transparent, noting that the selection criteria used for granting licenses is not shared openly. The NCC has an appeals process, but even after an appeal, the commission is not obliged to disclose reasons for refusing new applications. The panel does hope that the new structure (the Communications Authority of Namibia) proposed under the communications act will be better staffed, and offer a more transparent licensing procedure.

However, the panelists expressed concern about the appointment of NCC commissioners, noting strong political affiliations among many commissioners—such as the editor of the ruling party’s newspaper, *Namibia Today*, who serves on the board. Engelbrecht said that community stations frequently find themselves in a catch-22. “Without a frequency, we can’t get the equipment—but without equipment, we can’t get a frequency,” he commented.

Regarding the licensing of community radio stations specifically, one panelist suggested that the concept of provisional licenses could be introduced. Engelbrecht stated his support for this possibility. “This would be very helpful to the community radio sector. People are willing to sponsor us, but we need to be up and running first,” he said.

According to the panel, market entry is fairly free and starting a publication is relatively easy; the government applies no restrictions. However, the media are taxed like any other industry, and although income tax legislation has provisions for exemptions, they do not apply to the media—not even community media.

Previous MSI studies reported a relatively safe environment for journalists in Namibia. However, this year’s panel discussed a disturbing incident. Two foreign journalists were harassed for covering seal hunting along Namibia’s coast—a story that dominated the headlines during the time that the panel convened. A British journalist and a South African photographer were restricted from covering seals being clubbed to death. According to some newspaper accounts, the hunters assaulted the journalists but were not arrested. Instead, the police arrested the journalists for trespassing, and they were given a choice between a one-year prison sentence or a fine of \$1,260 (which their organization, Eco-storm, paid). Later, in July 2009, a government ministry formally banned journalists from covering seal clubbing. The panelists claimed that the two journalists themselves never pressed charges, and thus the state could not protect their rights in this regard. Nevertheless, in the panelists’ opinions, the media covered the issue well, even though the assaults did not prompt any real public outcry.

As for the treatment of the state/public media, the NBC Act remains in place, and the minister of information and communication technology continues to exert a strong influence. For instance, his office appoints the NBC board of directors. Panelists questioned the political independence of NBC, citing, for example, a workshop on election reporting attended almost exclusively by SWAPO members (along with one token opposition member). The acting director general claimed that other parties were invited but failed to arrive.

The impact of dependence on state funding can be seen in the daily running order of news stories, which follow patterns of presidential news identically. Not entirely opposing the notion of state funding of media, some panelists argued that the publicly funded *New Era* newspaper is actually at an advantage if, for instance, a controversial story on a commercial company were to emerge. Public funding, panelists argued, would mean that *New Era* would face less pressure from advertisers to withdraw such a story. Michaela Jaeger of NBC’s German Radio Service argued that NBC needs continuous state funding, because that is the nature of a public broadcaster.

Generally, Namibia’s legal system does not treat public media differently than private media, but according to the panel, the Ministry of Information and Communication Technology has effectively endorsed the notion that state media do receive preferential treatment. One example is the case of a camera operator from the independent One Africa Television who was physically removed from the “state media area” while trying to film the visit of Cuban President Raul Castro to Namibia. An International Freedom of Expression Exchange alert said that ITC Permanent Secretary Mbeuta Ua-Ndjarakana confirmed the incident, and said that it is

normal practice to give preferential access to state-funded media during state visits. MISA strongly opposed his explanation. Panelists cited the seal clubbing issue as another example; state media are allowed to film such activities, but not private media.

Panelists noted that libel and defamation in Namibia are the same, and that defamation is not treated as a criminal case. The onus of proof lies with the person who claims to have been defamed. However, as reported in previous MSI studies, investigative journalists face civil defamation charges frequently.

Panelists agreed that access to official information continues to hinder Namibian journalists. Manfred Isaacks, of the Educational Radio Project, said that journalists have to go through too many channels to get information. Karuaihe-Upi agreed that journalists often get the run-around. The panelists said that some journalists receive preferential treatment in this respect; only those who cultivate strong relationships with ministers seem to get the information they need. Even these favored journalists often struggle, because much of the information they collect is obtained strictly off the record. Still, some journalists, like Risco Lumamezi from *Caprivi Vision Community Newspaper*, said that journalists are free to obtain information in Namibia. "We have that freedom; as long as you have a media accreditation card, you can interview anybody."

Regarding access to the Internet, cost remains an issue, with telephone calls or Internet access remaining expensive at NAD 1 (\$0.12) per megabyte. Subscriptions to news agencies through the Namibian Press Agency (NAMPA) are also expensive, as are subscriptions to international feeds from CNN or BBC. NBC focuses, possibly excessively, on Namibian content.

Regarding ease of entry into the profession, other panelists noted that although the government issues accreditation cards, there are no known incidences of journalists being refused such accreditation. However, previous MSI studies have noted that the application process is cumbersome for foreign journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Namibia Objective Score: 2.23

Namibia's scores for Objective 2 place it in the lower range of near-sustainability, and the score is much the same as last year. However, indicators 7 (modern facilities and equipment) and 8 (niche and investigative reporting) did show improvement. All other indicators remained static, and all indicators scored within a half-point of the objective score.

For instance, although NBC journalists wanted to cover the departing press conference by their ousted director general, Bob Kandetu, managers held them back.

According to the panel, most newspapers are not particularly balanced in their reporting. The panel pointedly critiqued *Informanté*, a free tabloid journal, as pure gossip. The panel stressed that journalists should balance stories in the public interest. Again this year, they cited the need for more news about the community and to move beyond the typical workshop or political stories. Some panelists said that stories in the local media are balanced to an extent. But Namindo, speaking from the perspective of a press officer, said, "Reporters sometimes go out of their way to obtain different views, but other publications do not verify information, and reporters sometimes rely on anonymous sources. They also invent reactions from people, or claim they tried to contact me but I was unavailable—when I know I was reachable! And then they put a quote in the newspaper that I did not provide."

The panel also noted a lack of vigilance about spelling, and the absence of standardized spellings across individual publications. The panel also lamented the lack of fact checking. The panel said that some publications engage in one-sided reporting, with little effort to balance by consulting with respected experts on the issue. The panel cited the reporting of an outbreak of cholera in the country as an

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).

In addition, panelists commented that commercial radio stations apparently pay their presenters well. Jaeger commented, "If journalists become corrupt, it is out of greed—not because of salaries."

example. They believe that the media covered statements by the minister of health extensively while ignoring the views of independent experts in the field. Notably, panelists said that NBC did conduct active field research to get comments from the public.

Panelists confirmed that MISA has a media code of ethics, but noted that not all media houses in the country have endorsed the code. However, the Editors' Forum of Namibia (a body representing senior editors, owners, and producers from print and electronic public, commercial, and community media) took up the initiative. It drafted clear documents on, for example, how newsrooms might discipline journalists who breach the code. The forum officially adopted a revised ethics code in early August 2009 and began the process of forming a media council. The council will outline grievance procedures to enable people with complaints about the media to take up their issues with a media ombudsman. The council will be funded by the media houses themselves, rather than depending upon funding from donors or the government.

The Ministry of Education's Joseph Kawana said that NBC is bound always to the government and constrained by the reality that "you can't bite the hand that feeds you." According to the panelists, self-censorship at NBC is on the increase—possibly in connection with the election season. Some panelists argued that this could be perceived as fear, rather than a tangible threat. Either way, it encourages cautious behavior from NBC journalists, holding them back from writing as frankly and fearlessly as they might otherwise. For instance, although NBC journalists wanted to cover the departing press conference by their ousted director general, Bob Kandetu, managers held them back.

Apart from this incident, the panelists said, the press covers most events across the country, but some areas might be neglected because they are remote and journalists lack the resources required to cover distant events. Panelists agreed that while newspapers such as *The Namibian* posts teams of reporters at the coast (in the country's southern region) and in the regional capital of Oshakati, the stories in between these places might not be covered as regularly. The vastness of the country in terms of area and distance also makes it difficult to provide adequate coverage of regional events.

In general, the panel praised NBC for covering important issues in places as far away from Windhoek as Katima Mulilo and Swakopmund—although other regions, such as the southernmost region of Karas, are neglected. However, Isaacks again said that NBC shows a bias, favoring government issues in its coverage. News conferences and other events organized by certain organizations (such as the National Society for Human Rights) are not covered, and other issues, such as the environment, seem insufficiently covered in general. The panel agreed that stepping up coverage of the environment is crucial to Namibia's sustainability, and thus deserves more attention from the press.

Regarding the payment of journalists, panelists said that NBC salaries, for instance, are adequate to discourage corruption. In addition, panelists commented that commercial radio stations apparently pay their presenters well. Jaeger commented, "If journalists become corrupt, it is out of greed—not because of salaries." Regarding outside work or engagement in activities outside the workplace, NBC's policy is that journalists may engage in activities not related to the corporation, but should avoid activities that present a conflict of interest.

Namindo, on the other hand, said that journalists are suffering deeply financially. She said that some have told her that they can only afford a car every 10 years. She expressed her concern that such unhappiness over money could lead to anger among journalists, and this might then appear in print as "aggressive" reporting and writing.

As for "freebies," or free gifts given to journalists often in return for positive coverage, panelists noted that media always provide good coverage of functions hosted by major cell phone companies, such as MTC or Cell One. One reason could be the promise of free gifts, including cell phones or airtime starter packs. Panelists commented that the same level of coverage would not apply to functions held by other groups—for example, NANGOF (the Namibia Non-Governmental Organization Forum Trust, an umbrella network of NGOs).

Namibian media continue to tilt toward entertainment over news and informative programming. However, there are exceptions. NBC, for example, has increased the duration of its main television news bulletin from 30 minutes to one hour and now includes more regional news. The station also introduced television news bulletins in Afrikaans and German this year. In another development, instead of broadcasting news from CNN or Deutsche Welle, NBC is displaying a new international perspective on the news—broadcasting *Al Jazeera English* each evening after the station closes down.

Although private radio stations in the past focused mainly on music, they show signs of change; they now include regular news headlines and they have introduced live local news material. All NBC radio services introduced hourly news bulletins, although the news, as in the past, needs to be translated from the main English news bulletin. Some panelists said that this is not enough, and suggested that different language stations should have their own editorial processes to ensure that their news suits their target audiences. Panelists noted that NBC radio language services play a vital role in communities; all feature popular programs dedicated to community events, funerals, weddings, and other social events.

NBC radio is also moving toward a digital broadcasting system, with new digital studios completed in Katima Mulilo and Rundu. Currently, equipment at radio stations is not modern or state of the art, but NBC is busy upgrading processes for all language service studios in the country, to offer, for example, universal digital music access through Dalet software. This will allow all radio language services to play current local music, saving them from fighting to obtain the single copy of a CD. There is also a push to upgrade outside broadcast facilities, including the purchase of high-quality recorders for staff. Overall, panelists said, commercial radio stations are fairly well equipped, but newspapers need some additional material support—especially quality recording devices.

This year's score assessing the strength of niche reporting improved modestly. In terms of investigative journalists, the panel praised NBC for bringing attention to the concerns of people on the ground through programs such as *Open File*. This program, broadcast weekly on NBC television, uses strong investigative journalism techniques and allows communities to tell their stories in their own voices. However, panelists noted that social and grassroots issues are not well covered. Similarly, despite the prominence of environmental problems in Namibia recently, the media provide little environmental reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Namibia Objective Score: 2.21

Objective 3 scored the weakest of all the objectives. The lower score this year resulted primarily from panelists awarding lower scores to indicators 3 (objectivity of public media) and 5 (private media produce their own news). Most indicators scored within a half point of the objective score, but indicator 3 lagged by about three-quarters of a point while indicators 1 (plurality of news sources) and 2 (citizen access to news sources) both scored more than half a point higher.

The panel also called for more stories on community projects. Most commercial and community radio stations still get their news from the daily newspapers or from the state news agency, NAMPA. NAMPA does distribute news, but it is not independent.

In addition to state-run media, independent publications exist, such as *Insight*, *The Namibian*, and *Namibia Economist*, demonstrating a pluralistic media environment free of conglomerate or corporate dominance. Panelists said that Namibia can claim a plurality of private and public media sources—but their prices place them out of reach for some citizens. According to the panelists, although NBC covers an extensive swath of the country, it does neglect some parts of the country. Additionally, some areas receive only outdated editions of the daily and weekly newspapers. Citizens in major cities find an abundance of newspapers, but in more remote areas papers often arrive very late, given the long distances over land that carriers must travel. *Informanté*, for instance, hits the streets on Thursday mornings in the capital, but takes until Saturday to reach Katima Mulilo. Some villages in Caprivi do not receive *Informanté* at all.

Panelists also noted that most newspapers include regional supplements intended to address the more localized information needs of specific communities. However, the fact that most newspapers are written in English often means that

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

Again this year, the panel reported a lack of transparency regarding the ownership structure of media houses. Most people in the country would not be able to name a media house owner, and communities continue to lack awareness of who serves on the boards of community radio stations.

older people cannot understand them. In addition, the cost of newspapers remains prohibitive for many. While the Internet is widespread in urban centers, panelists described it as an expensive luxury in rural areas.

Newer technologies, such as SMS news alerts or news blogs, are in use but not yet common. Some object to the new tendency of mobile phone companies to send SMS advertisements to people's phones. Panelists did, however, note the success of an SMS public health campaign targeted at the spread of tuberculosis. In addition, the publication of SMS messages in newspapers remains popular, with a page or more of SMS messages printed every day in *The Namibian*. However, some politicians have criticized this practice, objecting to publication of what they call "disinformation."

Digital satellite television (DSTV), although available throughout the country, is exorbitantly expensive for the average Namibian, at NAD 500 (\$62) per month. DSTV service remains out of reach despite efforts reported last year by a competing British service, GTV, to introduce cheaper packages. In a sign of the economic recession, some satellite owners have changed to the popular free-to-air "Vivid" decoders, which allow viewing of the South African public television channels of SABC—but at a one-off cost for the decoder of NAD 700 (\$86).

State media in particular should understand the difference between "government" and "ruling party," but they come up short, panelists said. The state media are essentially owned by the ruling party, not the public. People and issues are covered according to their party, not based on the strength of their speech. According to the panelists, state issues or ruling party issues take precedence over issues that are in the public interest.

The panel also called for more stories on community projects. Most commercial and community radio stations still get their news from the daily newspapers or from the state news agency, NAMPA. NAMPA does distribute news, but it is not independent. The board is appointed directly

by the authorities, and its budget is propped up by a considerable amount of government funding. In addition, international news agencies, such as Reuters, feed and flow through NAMPA. Although NAMPA effectively distributes such information, the panelists said that there is not much in the way of in-depth or investigative stories. NAMPA also does not distribute any audio or video material for electronic broadcasters.

The independent One Africa Television has a regular evening news bulletin, but most of the radio stations employ the "rip and read" technique, reporting material from NAMPA, local newspapers, or even South African sources. There were, however, some notable exceptions. Panelists praised Base FM, a community radio station in Katutura, for its innovative news coverage, and the commercial radio station Nam FM 99 (now under the ownership of Democratic Media Holdings, an influential and powerful newspaper group), which introduced a live news hour featuring in-depth interviews with leading newsmakers of the day.

Again this year, the panel reported a lack of transparency regarding the ownership structure of media houses. Most people in the country would not be able to name a media house owner, and communities continue to lack awareness of who serves on the boards of community radio stations. However, the panelists noted certain exceptions, such as *Informanté*, saying that the Trustco group obviously owns the publication, given its editorial content and advertising. With other publications or broadcasters, though, ownership is harder to pinpoint.

The panel reported that ownership of two media bodies changed direction dramatically in 2009. Trustco, an organization listed on the Johannesburg Stock Exchange Africa Board, branched into several directions, including the building of a printing press (originally with a 50 percent financial stake by *The Namibian*). Trustco withdrew from the venture, and DMH bought the printing press, leaving Namibians with little choice of printing facilities in the country apart from the dominant player.

Also, the death of veteran journalist Hannes Smith in 2008 opened the path for Paragon Investments, a black empowerment group (led by business owner and local comedian Lazarus Jacobs), to take over the longstanding *Windhoek Observer*. Paragon Investments radically changed the paper's editorial direction, from tabloid sensationalism to serious political and economic material, adopting the slogan, "setting the nation's agenda."

While Namibia has some minority-language information sources, language issues remain a challenge. Some panel members expressed their concerns about the dominance of

one language (SiLozi) in the Caprivi region. The panel would like to see the press make a greater effort to cover other languages there.

OBJECTIVE 4: BUSINESS MANAGEMENT

Namibia Objective Score: 2.51

Scores measuring efficiency and sustainability of the media in Namibia reflected the panel's relative optimism for this objective. The small drop in score came about mostly from a lower score for indicator 3 (the advertising industry). Most indicators scored quite close to the objective score, with two exceptions. Indicator 5 (government subsidy of private media) scored a point higher, while indicator 7 (circulation and audience measurement) scored almost a point lower.

Panelists generally believe that Namibia's independent and commercial media houses follow successful business management principles. Presenters on commercial radio stations (see Objective 2, above) are paid well, and radio stations have expanded their operations over the years, with some sold for considerable profits. Newspapers have settled into a profitable pattern, and the major papers (*The Namibian*, *Allgemeine Zeitung*, *Die Republikein*) have long-running circulations. The "newest" of these three, *The Namibian*, has been published for 23 years without interruption.

Similarly, community media are performing well on the whole, with community radio stations (Base FM, UNAM Radio, etc.) in operation for nearly 10 years. Panelists also pointed to the success of recently launched community stations, such

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.

However, some community print media outlets, such as Caprivi Vision, reported success—despite a lack of equipment, and without reliance on government or the NGO sector. Instead, Caprivi Vision relies upon local business owners and national advertising agencies for support.

as Karas Community Radio in Keetmanshoop. The panel did raise concerns about the board of one community station that appears to be weighed down with government supporters, and panelists worried about some community stations' ongoing dependence upon donor funding.

However, some community print media outlets, such as *Caprivi Vision*, reported success—despite a lack of equipment, and without reliance on government or the NGO sector. Instead, *Caprivi Vision* relies upon local business owners and national advertising agencies for support. In this respect, Lumamezi's remarks were encouraging. He considers the paper well supported by the local community, and noted that advertisements tend to be sold on a one-on-one basis (apart from First National Bank, which uses a national advertising agency).

Magazines are another issue—with few exceptions (*Sister Namibia*, *Namibia Sport*), most have not enjoyed stability. They compete with large South African publications and find it difficult to create a niche among this small population, with an even smaller number of readers. Nangula Shejvali, formerly of the failed *Shambuka Magazine*, said that it folded "because of a lack of support from the advertising market."

The panelists marked their concerns over the recent sale of the printing press (Namibia Free Press Printers) by Trustco and *The Namibian* to the media conglomerate DMH. This company is also responsible for two large daily newspapers (*Die Republikein* and *Allgemeine Zeitung*) as well as ownership of a radio station, Nam FM 99. The dominance of such groups in the printing field has driven smaller publications to look elsewhere for more competitive rates. *Caprivi Vision*, for instance, reported that it used to be printed at Namibia Free Press Printers, but because costs have escalated, is now being printed in neighboring Botswana.

Panelists said that the public media lack the revenue to prevent political interference. NBC, some panelists noted, does not have a guaranteed source of revenue, making it easy for politicians to threaten the station with funding cuts

The presence of large South Africa-based companies operating in Namibia (supermarkets, manufacturers, or distributors) poses another threat. Although they draw large profits from the country, foreign companies typically fail to reinvest in community media through sponsorship or advertising.

if they object to its programming. Generally, NBC is criticized heavily, especially during annual parliamentary debates on the corporation.

The presence of large South Africa-based companies operating in Namibia (supermarkets, manufacturers, or distributors) poses another threat. Although they draw large profits from the country, foreign companies typically fail to reinvest in community media through sponsorship or advertising. Even local initiatives, such as *The Ties That Bind*, the locally written and performed soap opera on NBC Television, ends up on air with no advertising. Instead, a series of blank screens with the words “advertising break” appear during the gaps in the program.

Nangula Shejvali of *The Namibian* stated that the size of the paper depends on the number of advertisements coming in each day. However, she admitted that sometimes advertisers put pressure on editorial content. “Sometimes [certain] people ask for space for ads, and we have to accommodate them,” she said.

The panel also expressed concern that media dependence on advertising might lead journalists to shy away from reporting on some topics. However, Shejvali stated that she personally had “never experienced pressure from advertisers in the newsroom as a reporter.” She also gave the example of a paid-for supplement on a local company, which was then criticized by readers in the newspaper’s SMS pages the next day. However, the panelists commented that SMS comments from readers do not carry the same weight as editorial content.

MTC, the powerful mobile phone operator in the country, constitutes another example. A journalist from *The Namibian* wrote a story that criticized the company for giving out free mobile phones to journalists. The story appeared, despite MTC’s status as a major source of advertising revenue for *The Namibian* and other media outlets. The media also delivered critical reporting on the sale of another cell phone giant and powerful advertiser, Cell One, to an Egyptian conglomerate.

Reports questioned the company’s corporate social responsibility fund, among other issues. The panel concluded that advertisers generally look at the reach and distribution of the media, not necessarily the editorial content, and this approach helps preserve the editorial independence of newspapers.

The government provides no subsidies to independent media outlets. Indeed, panelists again raised concerns over the continued government “boycott” of newspapers such as *The Namibian*, under a policy that has been in effect since 2001. The panelists said that they believe that the government is denying advertising and purchasing revenue in an effort to encourage the newspaper to change its reporting style and report more positively on government activities—thus attempting to exert control over editorial content.

The last major survey of listeners and viewers in Namibia took place in 2001, conducted by AC Nielsen and funded by NBC. Since then, no similar research has taken place—which makes proper program planning very difficult. Some companies (Vision Africa, Survey Warehouse) conduct market research for commercial stations, but such services are very costly. One panelist suggested that stations could possibly pool resources in order to commission this research. Currently, NBC looks at audience feedback via faxes and telephone calls. “If we see trends emerging from these comments, then we look at our programming strategies,” Jaeger said. But as Karuaihe-Upi pointed out, the tendency will be to “change programs based on 10 people who complain, and not the 2,000 who do not comment.”

Regarding audited circulation verification, *The Namibian* is the only newspaper certified by the Audit Bureau of Circulation, an independent U.S. agency. According to Shejvali, an average print run for *The Namibian* is approximately 43,000. However, given that a single copy will be read by numerous readers, the paper reaches an estimated 420,000 readers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Namibia Objective Score: 2.65

Objective 5 is the strongest performing area in the Namibian MSI study and its score is almost identical to last year. There was some offsetting movement within the indicators, however. Indicators 1 (trade associations) and 2 (professional associations) both improved modestly; however indicator 1 remained the lowest scoring indicator and the only one to not score within a half-point of the objective score. Indicators 5 (short-term training) and 7 (apolitical sources of media distribution) both suffered noticeable declines.

Although professional associations exist in Namibia, they are limited in both number and scope. Recently, the Editors' Forum of Namibia has been instrumental in setting up a self-regulatory media council and creating the position of media ombudsman. The forum is engaged also in lobbying and commenting on media issues of the day. However, it enjoys little support from the media houses, and panelists noted the forum's failures in self-marketing.

Namibia has a community radio forum that remains incorporated into MISA. Again, the panel called for the formation of a community print media forum. But MISA has expressed reluctance; Karuaihe-Upi emphasized the need for MISA to focus on its original objectives and ensure success there before moving on to new initiatives.

The possibility of establishing a union for media workers is still alive, but stakeholders have made little movement on this front. Although a MISA fund is available to help protect journalists, some within the organization have questioned spending money to support journalists who are not MISA members. However, panelists praised MISA for its efforts in defending journalists in Namibia, and speaking for those who cannot speak for themselves. According to the panel, MISA maintains a reputation for being independent, and certainly does not seem afraid of the government. It plays an important lobbying role and releases regular statements in condemnation of violations of journalists' rights. For example, MISA issued alerts following the mistreatment of an independent camera operator at the airport and the arrests of the journalists covering seal clubbing.

However, some panelists criticized MISA for failing to come to the aid of the community newspaper *Caprivi Vision* after it was attacked by the government for publishing a message

The possibility of establishing a union for media workers is still alive, but stakeholders have made little movement on this front. Although a MISA fund is available to help protect journalists, some within the organization have questioned spending money to support journalists who are not MISA members.

from exiled Caprivan leader Mishake Muyongo. Lumamezi said that "MISA did not issue any statement on the [event], nor did the incident appear in its annual publication, *So this is Democracy.*"

Panelists said the National Society for Human Rights and the Legal Assistance Centre also come to the defense of the media, while NANGOF is supportive but unwilling to take a public stand.

Other NGOs offer material support to the media. However, the panel raised questions about funding by donors, and the expenditures on certain projects. For example, while the Namibia Institute for Democracy allegedly distributed NAD 700,000 (\$100,000) for equipment purchases, only Karas Community Radio and Ohangwena Community Radio benefited. Panelists suggested that donor organizations should also beware of dumping equipment on community media projects without providing the requisite follow-up training and capacity building. Similar comments were made about community media centers in Omaheke and Rundu, which received a public address system and other equipment without necessary training and support for staff.

Regarding the state of journalism education in Namibia, panelists said that the University of Namibia (UNAM) and the Polytechnic of Namibia are the only two institutions in the country to offer media coursework. Both offer diploma and degree courses, and UNAM now offers journalism studies at a postgraduate level. UNAM provides both practical and academic training, and students from the institution are now employed in various fields. Namindo, a former UNAM student, said that after studying at UNAM, "You are prepared for the real world with the training, but there should be more programs."

Panelists said that many Namibians study in Europe or North America in order to upgrade their qualifications. They could not say with certainty whether the migration of students to Western nations could be explained by the quality of education offered, or the fact that scholarships are more readily available for study in these countries.

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.

MISA offers short-term programs that support journalists and opportunities for students to be placed in internships with media houses. These programs enable journalists to gain practical experience, improving their chances in the job market.

In terms of internships, UNESCO has an arrangement with the Polytechnic of Namibia to take in media students. The Namibian College of Open Learning takes in students from UNAM, the Polytechnic of Namibia, and the College of the Arts. But they noted the difficulties of such an arrangement, as some of the interns will accept job offers and leave before completing their internship. As Isaacks noted, that makes longer-term planning difficult.

MISA offers short-term programs that support journalists and opportunities for students to be placed in internships with media houses. These programs enable journalists to gain practical experience, improving their chances in the job market. The Centre for External Studies and the University Central Consultancy Bureau at the University of Namibia also offer short, tailor-made training programs for media houses. Karas Community Radio staff have benefited from training from Bush Radio in Cape Town, South Africa.

Despite these opportunities, Karuaihe-Upi expressed disappointment at the lack of preparedness of the third-year students that he teaches at the Polytechnic of Namibia. Editors also complain about the quality of students coming out of the tertiary institutions; they noted that some students needed to be "retrained." Kawana said that "most of the institutions are too theoretical," and that the practical training opportunities are not sufficient.

Some newspapers, such as *The Namibian*, also complain about the difficulty of obtaining quality journalists. Although the course content of existing training programs is interesting, it does not have enough focus on the career fields that students plan to enter once they graduate. However, the panelists

pointed out that the success of an institution depends on the quality of the students, not just the curriculum. Jaeger praised UNAM for engaging with NBC to determine its hiring needs and which training programs it should adopt as part of its curriculum development. She also praised the College of the Arts as a very impressive institution.

While considering printing presses, the panel debated whether DMH, now owner of the largest printing presses in the country, is entirely apolitical. The history of this company is linked to political developments, with its main Afrikaans newspaper (*Die Republikein*) named, originally, after the Republican Party—one of the smaller minority parties in the country. Panelists noted that DMH still faces competition with other smaller but well-established Windhoek presses, including John Meinert Printers, Solitaire Press, Prime Press, and Namprint. These print houses are focused mainly on magazine runs, however. The panelists said that most print outlets, and newspapers in particular, do not experience discrimination with DMH. For example, DMH is generally efficient in adhering to a pre-planned printing schedule for *The Namibian*, despite competing publications being printed on the same press.

The panel did note that increasingly, printing is being outsourced to other countries because of the high costs associated with Namibia's monopolized printing market. Examples include *Namibia Sport*, printed in South Africa; and *Caprivi Vision*, printed in Botswana.

Regarding the distribution of newspapers, there is no cooperation whatsoever. Each day, one truck for each of the three main dailies (*The Namibian*, *New Era*, and *Republikein*) leaves Windhoek separately, in order to distribute copies of its newspaper throughout the country.

Broadcast transmitters are still mainly under NBC control, and because of the corporation's structure (noted earlier), the panelists do not see this network as being totally independent from the government. Similarly with Internet access, all traffic (including private ISPs) goes through the state-owned communications monopoly, Telecom Namibia.

List of Panelists

Risco Lumamezi, editor, *Caprivi Vision*, Katima Mulilo

Joseph Kawana, Ministry of Education, Katima Mulilo

Andre Engelbrecht, coordinator, Ocean Wave Community Radio, Swakopmund

Nangula Shejavali, reporter, *The Namibian*, Windhoek

Michaela Jaeger, producer, NBC German Radio Service, Windhoek

Meke Namindo, media officer, Namibia Premier League, Windhoek

Manfred Isaacks, coordinator, Educational Radio Project, Windhoek

Yvonne Dausab, legal lecturer, University of Namibia, Windhoek

Ngamane Karuaihe-Upi, media officer, Media Institute of Southern Africa-Namibia Chapter, Windhoek

Moderator and Author

Robin Tyson, media lecturer, University of Namibia, Windhoek

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

However, according to some panelists, the government has started to monitor e-mail and the online distribution of data. The developers of Tamtaminfo, an informational website on Niger, were pressured to withdraw a number of articles the government considered upsetting.



NIGER

The government's repression of the media persisted over the past year, in response to the rebellion raging in the northern regions since 2007. Cracking down sharply on the press, the Niger authorities showed a continued reluctance to allow journalists to do their job. In this country, violations of the freedom of the press are common and sometimes perpetrated by the nominally independent Higher Communications Council (HCC)—the very agency tasked with protecting the freedom and independence of the media.

Following the government's decision to close down the Press House in June 2008, relations among the media organizations and the authorities have grown even tenser. The media community took this act as proof that the authorities are bent on undermining the ability of media organizations to unite in confronting hardships, including the difficult economic environment, unprofessional conduct, and poor working conditions for journalists and other media professionals.

Additionally, censorship of the public media has grown increasingly overt, especially affecting journalists attempting to cover sensitive topics, such as food insecurity and security issues related to the conflict in the north. It has grown very difficult for political actors and civil-society organizations to access these media; as a result, the pluralism of opinions, essential to any democracy, has been suppressed. The public media have become the mouthpiece of the government, in discordance with the law.

Despite all these deficiencies, access to the Internet is in no way controlled or restricted in Niger; cost is the primary barrier to connectivity. However, according to some panelists, the government has started to monitor e-mail and the online distribution of data. The developers of Tamtaminfo, an informational website on Niger, were pressured to withdraw a number of articles the government considered upsetting.

While the overall score did not change dramatically, for the first time, Objective 1 (freedom of speech) fell below a score of 2 (the threshold of near-sustainability), signifying a setback. Again this year, panelists gave poor scores to Objective 4 (business management), showing that the few efforts made in this field have not paid off and that the true challenge is the need to establish a more favorable economic environment for the media. Objective 5 (supporting institutions) once again received the strongest score.

NIGER AT A GLANCE

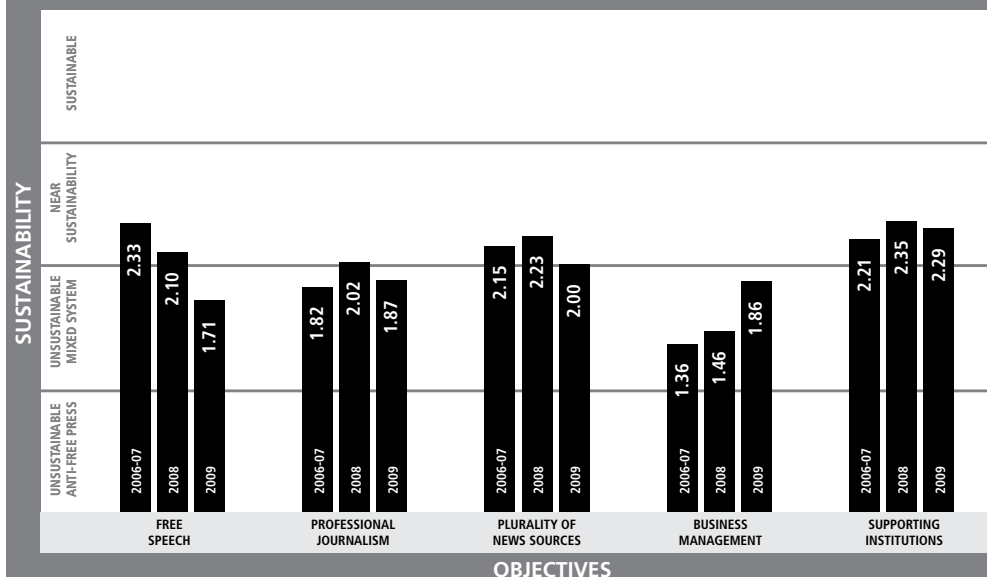
GENERAL

- >> **Population:** 15,878,271 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Niamey
- > **Ethnic groups (% of population):** Haoussa 55.4%, Djerma Sonrai 21%, Tuareg 9.3%, Peuhl 8.5%, Kanouri Manga 4.7%, other 1.2% (2001 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 80%, other (includes indigenous beliefs and Christian) 20% (*CIA World Factbook*)
- > **Languages:** French (official), Hausa, Djerma (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$5.197 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$660 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 28.7% (male 42.9%, female 15.1%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** Prime Minister Mahamadou Danda (since February 19, 2010)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 2 public newspapers and 65 other publications; Radio Stations: 37-8 public and 29 private; Television Stations: 2 public and 5 private channels (source: RJDH, 2007 report)
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Niger Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** (est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NIGER



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Niger Objective Score: 1.71

Until recently, the freedom of speech used to be one of the most inviolable rights secured by the democratization process in Niger, despite multiple attempts to disrupt it. The panelists emphasized that theoretically, there are no major legal restrictions blocking the freedom of the press. However, the panelists unanimously denounced the outrageous discrepancy between the legal provisions and the reality on the ground for journalists. "The Niger constitution guarantees the freedom of speech, but journalists are confronted with enormous difficulties when they attempt to exercise this freedom," said Diaffra Fadimou Moumouni, a journalist and member of the Niger section of the Association of African Communication Professionals.

The former chair of the media regulation agency, Aboubakari Kio Koudizé, commented that the legislation provides "all the universally acknowledged guarantees so that this freedom may be exercised responsibly," but he added that "in reality, it is limited by the intolerance of certain politicians in the ruling party, and the excessive partisan involvement of some journalists who mistake themselves as political actors instead of informers." Abdourhamane Ousmane, chair of the Journalist Network for Human Rights, also believed that the main problem lies in enforcement. According to Albert Chaibou, editor-in-chief of the independent newspaper

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The persistence of this armed conflict serves as an excuse for the political and administrative authorities to further muzzle the media; in this very context the Press House—one of the very few independent institutions that has provided training for journalists—was closed down in June 2008...

Alternative and chair of the Niger office of the Francophone Press Union, "There are countless practical obstacles to freedom of speech"—so much so that, he added, "it continues to be a tireless quest for journalists."

Addressing the question of government abuse, Ousmane pointed HCC's arbitrary closure in April 2008 of Sahara FM (a private radio station broadcasting out of Agadez, a region rife with rebellion). The persistence of this armed conflict serves as an excuse for the political and administrative authorities to further muzzle the media; in this very context the Press House—one of the very few independent institutions that has provided training for journalists—was closed down in June 2008 after being accused, without any merit according to the panelists, of becoming "hostage to some small groups and serving foreign interests."

The HCC is an independent administrative authority tasked with protecting media freedom. As noted in last year's report, independent of the government's executive branch, it issues broadcast licenses, monitors editorial content, makes certain that the media respect their ethical obligations, and ensures that all citizens have access to the media. However, Ousmane pointed out examples of the HCC's apparent scorn for licensing regulations. He said that license applications for the Alternative and Dounia press groups are still pending before the HCC, and he added that the process of issuing licenses to start new radio and television outlets is also scarred by injustice. "License granting has been selective," he said. Ali Idrissa, deputy general manager of the radio station and television channel Dounia, went further, saying, "Licenses are assigned based on political and other affinities."

Regarding the fairness of market entry and the tax structure, the panelists agreed that no outlets are treated preferentially. However, the more solid broadcast media are the most resilient, while newspapers are confronted with serious hardships and are forced to pay a professional tax. The precarious economic situation of the media (especially newspapers) raised questions about the appropriateness of the tax regime.

Although in 2008 no crimes were committed against journalists, verbal threats have become more frequent, according to Oumarou Keita Lalo, editorial manager of the newspaper *Le Républicain* and member of the National Committee for Human Rights and Fundamental Liberties.

While journalists in the public media are undeniably privileged in terms of access to official information, Moumouni pointed out that they are not at all able to report freely. "The freedom of journalists in the public sector has never been so muzzled as in recent years," Moumouni said, adding that the public media (particularly the radio stations and television channels) never release anything that opposes the official line.

According to Boubacar Diallo, journalists in the public media are not free to do their jobs honestly, as "the government dictates what information must be released and indicates who is and who is not allowed to speak in the state-run media." Lalo added that the public media are not open to conflicting views and are known for praising the members of the government and the regime's high priests. The legislation regulating fair access by political and social actors to the public media is not upheld; political opponents do not have the opportunity to freely express their opinions in the public media.

Gazéré Sophie Ledru, a journalist with the National Office for Editing and Publishing, said that the rulers' intolerance is one of the most serious obstacles inhibiting the freedom of the press. Such intolerance is apparent by the obstinate refusal of the Niger authorities to decriminalize press offenses, noted the panelists, whereas many other countries have eliminated prison sentences for journalists committing such offenses. Despite the many other pressures placed upon media organizations, this important issue has not been taken into consideration by the authorities, according to Lalo. Niger journalists continue to be imprisoned for press offenses, and N'Diaye Babacar Ameth, manager of the marketing and advertising agency MultiCom, said that, under these circumstances, journalists enjoy no legal protection—and not for lack of legal instruments.

In the context of legal proceedings, private media operate at a disadvantage, Lalo said, and when a complaint is filed against journalists it is their obligation to prove that their allegations are true to the facts. The chair of the Niger Association of Independent Press Publishers, Mahamadou Boubacar Diallo, commented that it is nonsensical to ask journalists to produce evidence while they are in custody. And herein lies the gap between the principles upheld by the legislation and reality, he concluded. Furthermore, "Niger's judges excel at enforcing prison sentences," Kio Koudizé lamented. Based on his network's annual monitoring, Ousmane noted that in 2008, several journalists were

arrested, questioned, or sentenced to imprisonment after being investigated for libel.

The panel discussions brought out the fact that access to public information by the public and private media, respectively, is unbalanced. Manzo Diallo said that journalists working in the private sector do not always have access to official information sources, in contrast to their public-sector counterparts, who are given all but a red-carpet entrance into administrative buildings. "The doors are closed to journalists in the private media, whom government officials consider to be too fond of scandals," he said.

Nevertheless, in recent years media professionals have started to lobby for equal access to public information; unfortunately, such advocacy efforts have come up against the authorities' refusal to adopt a specific act guaranteeing citizens' and journalists' access to information. The public officials continue to rely on Prime Minister Hama Amadou's administrative order to justify their refusal to share information destined for administrative use, although the very basis of the order is strongly disputed by human rights and media organizations.

Despite all these deficiencies, the panelists pointed out that access to the Internet is in no way controlled or restricted in Niger—although some panelists noted that ever since the resurgence of the armed conflict in the north, the government has started to monitor e-mail and the online distribution of data. Manzo Diallo said that the developers of Tamtaminfo were pressured to withdraw a number of articles considered upsetting. The main problem regarding Internet access is the cost—too steep for many press outlets.

In Niger, just as in many other countries, the international press agencies have local correspondents who are free to do their jobs; however, since the sad saga of the RFI correspondent, Moussa Kaka, who spent many months in prison, and the episode of two French journalists, Pierre Creisson and Thomas Dandois, who were questioned in the North and thrown into Kollo prison, the country has become somewhat inhospitable to foreign journalists seeking to do independent reporting, especially if their reports address topics that the authorities consider sensitive, such as the food crisis and security issues related to the ongoing conflict.

The political authorities have shown increasing intent to limit access to the profession. Narey Oumarou, a teacher and researcher at the University of Niamey, said that recently, access to the profession has tightened. Narey said that before issuing press cards, the HCC runs checks on an applicant's file. On the same topic, Abdourhamane Ousmane said that in 2008 the HCC denied issuance of a press card to some journalists solely due to their critical views of the government—or of the HCC itself.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Niger Objective Score: 1.87

According to the panelists, journalism, as it is practiced in Niger, fails to meet basic ethical standards. In the same vein, Lalo commented, "Some journalists have no qualms about trampling on the basic rules of the trade." He said that these journalists "are not objective and practice self-censorship for various reasons."

While the panel participants unanimously recognized the professional deficiencies of Niger journalists and the hardships they face, their opinions diverge when it comes to the causes of such shortcomings. In Boubacar Diallo's view, professional standards cannot be upheld because government officials refuse to disclose information. Moumouni said the main source of the problem is the proliferation within the media of interns and volunteers, who are easy targets for corruption.

Manzo Diallo placed journalists into two categories: good journalists who do an excellent job because they do not live from hand to mouth, and bad journalists who write mediocre articles because they are struggling with extreme poverty. This publisher believes that the introduction of the press card in 2008 failed to clean up the profession, because the HCC disregarded the card-granting criteria. Thus, he said, many "black sheep" were able to slip through the net.

Nevertheless, according to Idrissa, "Production quality in the private media has improved significantly in recent years." In contrast, Chaibou claimed that only a handful of journalists uphold professional standards; furthermore,

he continued, most of the graduates from the Information and Communication Techniques Training Institute, the only journalism school in Niger, are strikingly incompetent. "This institution must rethink its approach to education if it wants to restore the good name of the trade," he said.

Ousmane emphasized the link between low professionalism and poor access to information sources, as such difficulties inevitably lead to the abandonment of journalistic investigations. "Confronted by the public administration officials' refusal to collaborate, most journalists give up their hunt for information," he said. As a result, editorial production is mediocre, and professional practices are at odds with the basic rules of journalism, even if it is comforting to see that the various training sessions offered in 2008 did contribute to improved respect for professional ethical standards. Kio Koudizé noted that Niger's professional journalists adopted a professional charter in 1992. "This charter essentially covers the same provisions concerning rights and obligations that appear in the French journalists' universal charter," he said, and added that abiding by this charter is key for preserving the credibility and dignity of the profession that has been so greatly put to the test by some practitioners.

The panelists established a direct link between the journalists' working environment and the lack of rigor in reporting. Censorship and self-censorship have become commonplace. For example, Ousmane noted, "Journalists do not dare to report on the armed rebellion in the northern area of Niger since the warning issued in August 2007." After RFI and the private group Dounia were closed down twice, self-censorship has increased in the Niger media, according to Ousmane.

At the same time, the panel participants wanted to appreciate the courage and boldness of the Niger media, for despite the harsh working conditions, some press outlets do work hard to produce quality content. "We acknowledge the media's bravery in addressing issues such as the continuation of the Niger president's term in office or of human-rights violations," Ousmane said. These examples point to a sustained effort to observe professional ethical rules by some journalists.

Journalism is threatened by poverty today more so than ever. The journalists' working conditions are generally pitiful. Professionals often work illegally with little job security. Most of them are reduced to accepting work without a pay slip or social-security contribution, and curiously, the media do not denounce this demeaning treatment. Journalists themselves often torpedo initiatives to put together a collective work contract.

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).

Furthermore, Niger's media face a very harsh economic environment and tough working conditions without competitive equipment. Some newspapers do not even have an office or computers. The printing house monopoly is gone, but the prices continue to be elevated compared with the rest of the sub-region. This also explains the low newspaper print runs and the fact that there is no private daily newspaper in Niger.

OBJECTIVE 3: PLURALITY OF NEWS

Niger Objective Score: 2.00

There are multiple news sources in Niger. The press family includes over 60 private newspapers, two public newspapers, 23 private radio stations, four private and two public television channels, and more than 100 community radio stations. The flourishing of the media facilitates citizen access to varied and diverse news. "These news sources play a decisive role in shaping public opinion and ensuring transparent management of public affairs, by criticizing and exposing everything," according to Oumarou.

Other panel participants believe that private ownership of communication channels limits citizen access to the media. Ousmane, who shares this view, pointed out that the media are increasingly treated as a commodity. "If you have money, you get to speak in the press; if not, you do not," he said. Chaibou added that many citizens have very limited access to information, because of poverty and the fact that they live far from the center of news production. Since electricity

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.

is barely available in some smaller areas of Niger, television is not accessible in many places, including the villages near the capital, noted Chatou Mahamadou, director of the radio station Alternative in Niamey.

Ledru said that the concentration of the media in the capital creates a real asymmetry in terms of how citizens are able to access information. Newspapers are available only in the larger urban centers, and the private radio stations and television channels have a very limited broadcasting radius. Hence, the rural population often finds out what is happening in the country with a delay, unlike the larger-city inhabitants, who receive information in real time.

It is also important to point out that the concentration of the media in the larger cities is not the only source of inequality in terms of the access to information. The main source continues to be the unaffordable nature of the media. Purchasing a newspaper involves a financial sacrifice that many readers are not ready to make. The selling price of weekly newspapers is XOF 300 (\$0.65)—that is to say 100 francs more than a loaf of bread—in a country where households spend more than 80 percent of their income on food. Since the high illiteracy rate in Niger also constitutes a major obstacle, in truth the rural population has only indirect access to the written press—through the press reviews that the private radio stations broadcast in the national languages.

Legally, citizen access to international media is not restricted, but in recent years the foreign media have fallen under tremendous pressure or have received sanctions. RFI, in particular, was suspended twice by the HCC, and its correspondent, Moussa Kaka, was accused of "complicity with the armed rebellion" and jailed. The foreign media are extremely influential in forming public opinion, as many citizens trust them more than those run by the government. Often, the programs in the foreign media are relayed by private outlets.

As a consequence of the democratization process, the public monopoly has abated in all media sub-sectors, except for press agencies. There is no private competition at the national level for the state-owned, long-troubled Niger Press Agency (known by its French acronym, ANP). Its meager annual subsidy does not even cover its current expenses, not to mention the need to replace obsolete equipment. The private press organizations rarely use ANP as a news source and resort instead to foreign press agencies (Reuters, AFP, AP, IPS, etc.) for international news.

As noted in last year's report, broadcast media need to improve their capability to produce their own programs. Nigerian law requires that most media content be produced locally and in the national languages, but most media outlets,

particularly television stations, are not yet able to produce their own news programs.

The panelists recognized that liberalization has led to a decrease in governmental media influence on public opinion. In recent years, the public media have allowed no criticism against the regime, and the private outlets have remained a last resort for the political and social forces opposing the government. The majority of the panelists believe that the government has reduced the public media to utter submission, and said the journalists working in these media are not free at all. "Any idea contrary to the official line is systematically censored in the public media, so they should no longer be called 'public,'" Fadimou Moumouni said. Kio Koudizé added, "The public media are the voice of their masters." Ousmane's view is that "in 2008, the access to the public media was almost exclusively reserved to the proponents of the government."

Fortunately, some believe this serious deficiency is counterbalanced by the existence of a plethora of press outlets producing original content and striving to reflect the diversity of opinions and interests that permeate Niger society. However, Kio Koudizé noted, "The private radio stations produce original shows and try to meet their listeners' expectations by showing an opposing view of the public media." Still, rural residents often depend upon international channels (RFI, BBC, DW, VOA, etc.) to stay informed about their own country and to hear a different side of the story, such as that of the political opposition or civil society.

According to Chaibou, minority groups, in particular, still have a big problem gaining space in the media. "The ethnic minorities do not receive useful information in the weekly timeslots that are assigned to the state-run media," he lamented.

OBJECTIVE 4: BUSINESS MANAGEMENT

Niger Objective Score: 1.86

After two decades of media liberalization, business management continues to be a key weakness of the Niger media. The panelists were unanimous that no significant progress has been made in this area. The press outlets have inextricable hardships and a lot of trouble becoming viable businesses. Most adopt a small-scale approach to management, lacking accounting and sales services. This situation is especially noticeable in the print media. The Niger newspapers are unable to increase their print runs as a result.

Another problem is that private media sponsors often lack entrepreneurship, according to Manzo Diallo and Idrissa—two press owners who recognized that press enterprises are undermined by bad management. Manzo Diallo said, "Managers and investors manage their media as they please, because they lack the desire to create a durable enterprise." Idrissa commented, "In the end, it is profitable only for the owners, while the workers slave away in poverty."

Given this situation, a number of panel participants advocated a separation between financial and editorial management. The managerial ineffectiveness of press enterprises primarily stems from the fact that they are generally run by journalists, not managers, claimed Ousmane, who added, "The inability of written press outlets to manage their outlets better is why they cannot apply for sponsorships with organizations such as the Francophone support fund for the southern press—which makes its selections based on management criteria." Under these circumstances, he pointed out, "Not even the socio-professional organizations of the media offer media management training."

Reacting to these analyses, Lalo indicated that very few Niger outlets can be considered true press enterprises, for an enterprise implies an office, accounting, permanent staff, strategic development plans, etc. According to him, in most cases, the term "press enterprise" is not suitable to describe Niger press outlets. "Very few Niger outlets function as real enterprises," Chaibou confirmed. Moumouni introduced a more nuanced view, however, agreeing that newspapers may lack infrastructure but claiming that broadcast outlets are more or less well-managed enterprises.

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

BUSINESS MANAGEMENT INDICATORS:

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

The economic environment of the media is disconcertingly gloomy, not only because those in charge are bad managers. The panelists were unanimous that the already flimsy advertising market is heavily affected by political factors. The criteria used by public advertisers, in particular, are discriminatory, according to the panelists. Only pro-government media are able to take advantage of this market, and even there, print and broadcasting press are treated differently in terms of advertising. Most Niger advertisers, being illiterate merchants, prefer the broadcast media and hire unofficial agencies to produce commercials—and what happens then is that they promote the seller and not the product—instead of working with legally constituted agencies.

According to the majority of the participants, the public media have privileged access to advertising, while already enjoying a state subsidy that covers most of their expenses. A number of panel participants consider this situation unjust, as the private media are forced to accept the leanest share of advertising. Community radio stations are excluded completely from the advertising market, according to the provisions of the law relative to the broadcasting sector in Niger. In the absence of any kind of government support, this situation provokes considerable hardships at all levels. Most of the radio stations can broadcast only a few hours a day for lack of human, technical, and financial resources.

Addressing the advertising market issue as well, Oumarou mentioned the lack of initiative by the media regulation agency. In his view, the inequalities denounced by media professionals could have been solved by means of appropriate legislation. Ameth added, “The current situation is extremely prejudicial to the communication and marketing agencies.” Before a new legal provision is put in place, the panelists advocated a temporary solution, such as a rate synchronization agreed upon by the media outlets.

The panelists also described the issue of legally provided public aid to the press as crucial. Most of the private media that have applied for it in the past two years have received grants, with the notable exception of the community radio stations. Niger’s publishers consider the criteria as subjective and not very credible. The media organizations denounced the attempt to modify the conditions by which this aid is allocated; furthermore, given the dire needs of the media, the amount of aid available is deemed miniscule.

The panelists did not discuss concerns that government subsidies could lead to greater editorial influence by the state. In fact, Oumarou said there is an urgent need to increase this amount, arguing that this is the only way to guarantee the independence of the media from certain political influences. Moreover, Ousmane specified, “Direct

aid to the press must be doubled by indirect aid, in terms of implementing the Florence agreements on the removal of taxes on the paper and consumables used by the press enterprises.” Mahamadou denounced the exclusion of the community radio stations from public aid to the press, arguing that this is not justifiable when these media cannot depend upon the advertising market.

According to Chaibou, the majority of the Niger media—newspapers or radio stations alike—were launched without prior market research. Furthermore, the circulation numbers published by newspapers are thought to be inflated.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Niger Objective Score: 2.29

In 2008, the Niger authorities closed down the Press House, charging that it served only the interests of a small group. The panel participants unanimously condemned the closing down of this federative structure, which included three categories of media organizations: owner organizations (publishers and private broadcast media investors), media worker organizations (unions, journalist associations), and specialized or thematic organizations and networks.

Most of the panelists agreed that the Press House, now-shuttered by the government, had proven its usefulness for the entire trade, and just last year the MSI noted that its strength was growing. Since its inception, it strived to offer various benefits to Niger journalists, publishers, and media investors. In return, the media community has fought to support this institution, as well; when the government took away its offices at the Ministry of Communications, many

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.

media organizations rallied and helped the Press House find a new location.

In the same vein as Press House, a number of socio-professional media organizations have continued to play a decisive role both in terms of defending the interests of the trade and the freedom of the press. These organizations include unions, associations, and thematic networks, such as the National Information and Communication Workers Union, the National Joint Committee of Community Radio, and the Journalists Network on Questions of Security and Peace. Generally, these organizations work hard to improve professional standards and stand up against attacks on the freedom of the press, showing particularly strong solidarity in legal matters. However, Chaibou lamented the lack of sustained efforts toward the adoption of a collective work contract for journalists.

In addition to the media organizations, there are other structures supporting the freedom of speech in Niger. They are mainly human-rights organizations that often react in cases of attacks on the media.

According to Oumarou, media organizations have also contributed to reinforcing journalists' skills. With the help of certain partners for development, these organizations initiate many training sessions for journalists, helping to enhance their professionalism and their ability to address more specialized issues. Since the training needs of Niger's journalists cannot be met by the Information and Communication Techniques Training Institute, the only specialized school in the country, the initiative of media organizations is crucial.

Addressing the issue of professional training, some panelists said that the Information and Communication Techniques Training Institute fails to provide quality education. Graduates specializing in the written press often need to be retrained, while those trained in the broadcasting field are immediately operational. Professional training remains an important issue in Niger. According to Idrissa, a number of investors are working on this problem.

The owners of printing houses and newspaper stands are generally neutral and apolitical, which is a significant asset for the defense of the freedom of the press—an increasingly appreciated value within Niger society. However, the panelists criticized newspaper distribution, as it is limited to the large urban centers; the panelists underlined the need for press organizations to develop an outreach strategy for secondary markets.

List of Panel Participants

Abdourahamane Ousmane, chair, Journalists Network for Human Rights, Niamey

Mahamadou Boubacar Diallo, founder and publication manager, *Libération*; chair, Niger Association of Independent Press Publishers, Niamey

Chatou Mahamadou, director, community radio station Alternative FM, Niamey

Diaffra Fadimou Moumouni, secretary-general, Niger section of the Association of African Communication Professionals, Niamey

Gazéré Sophie Ledru, journalist and sales manager, National Office for Editing and Publishing, Niamey

Aboubakari Kio Koudizé, lecturer, Institute for Training in Information and Communication, Niamey

Oumarou Keita Lalo, secretary-general, Niger Private Journalists Union; editor-in-chief, *Le Républicain*; member, National Human Rights Commission for the Independent Media, Niamey

Ibrahim Manzo Diallo, publisher, regional private newspapers *Aïr Info* and *Le Damagaram*, Agadez

Narey Oumarou, teacher and researcher, Department of Economic and Legal Sciences, Abdou Moumouni University of Niamey, Niamey

Albert Chaibou, journalist, editor-in-chief, *Alternative*; chair, Francophone Press Union, Niger office, Niamey

N'Diaye Babacar Ameth, manager, MultiCom marketing and advertising agency, Niamey

Ali Idrissa, deputy general manager of Dounia Radio and Television Group, Niamey

Moderator and Author

A.T. Moussa Tchangari, chair, Alternative Communication Group, Niamey

Assistant Moderator

Hamadou Boulama, journalist, Alternative Communication Group, Niamey

Ironically, with no one apparently in charge and in the ensuing political intrigues, the media enjoyed a significant measure of freedom to operate. This air of somewhat unrestrained freedom served to bolster public and media perception of an improved press freedom environment for much of 2009.



NIGERIA

Nigeria experienced a political vacuum for many months in 2009, as the failing health of then-president Umaru Yar'Adua kept him away from his official duties—but with no designated official holding fort in the interim. Rumors of Yar'Adua's ill health had swirled since his candidacy for president in 2007, raising questions about his fitness to lead the country. Senior officials from his party, the People's Democratic Party, dismissed swiftly any speculation that his health was too fragile. But, a few months into his presidency, with frequent trips to Germany and Saudi Arabia for medical treatment, it became apparent that Yar'Adua suffered from a serious, possibly terminal ailment. Media speculation about the nature of his ailment led to various attacks on the media, including raids on media organizations and the closure of broadcast outlets. Journalists were arrested, charged with violating national security, and slapped with civil litigation for defamation.

As the president's health apparently worsened, the media grew bolder in reporting on his health, with fewer repercussions for journalists. Ironically, with no one apparently in charge and in the ensuing political intrigues, the media enjoyed a significant measure of freedom to operate. This air of somewhat unrestrained freedom served to bolster public and media perception of an improved press freedom environment for much of 2009.

Still, the country experienced a heightened sense of general insecurity during the year, which also affected journalists. Criminal gangs engaged in violent robberies, political assassinations, and kidnapping operated with impunity, and one journalist, Bayo Ohu of *The Guardian*, was killed.

The violence touched an MSI panelist as well. A few days before the MSI panel discussion, Adolphus Okonkwo, one of the proposed panelists, was abducted at gunpoint in Aba (in southeastern Nigeria), along with three other journalists. Okonkwo, the secretary of the Lagos State Council of the Nigeria Union of Journalists, also works with the Voice of Nigeria, Nigeria's external radio broadcasting organization. Although the abductors initially demanded a ransom of NGN 250 million (about \$1.66 million), they released the journalists after about a week, after stealing all the cash and equipment they had in their possession. Okonkwo was therefore unable to participate in the panel discussion.

Reflecting these concerns, although the overall score for Objective 1 (freedom of speech) showed robust growth, it retained its place as the lowest-scoring objective for the third year running. Objective 5 (supporting institutions), consistently the highest-scoring objective since 2007, recorded a significant increase of over a third of a point from its 2008 MSI score, to remain the highest-scoring objective. Objective 2 (professional journalism) and Objective 3 (plurality of news) received modest score increases. Objective 4 (business management) was the only objective to lose ground, coming in 0.22 point lower than last year. The net result was a modest increase in the overall score, from 2.04 last year to 2.23 this year.

NIGERIA AT A GLANCE

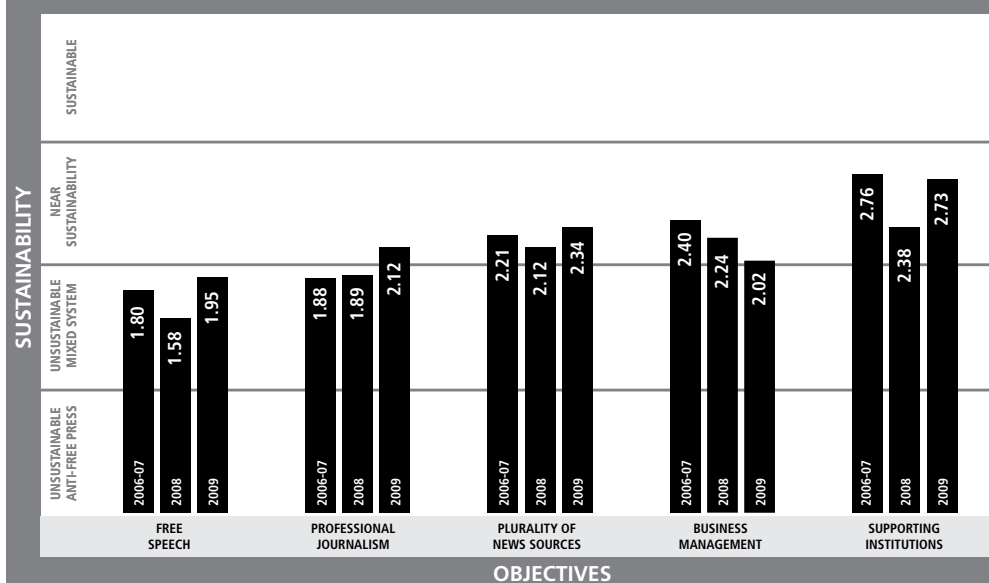
GENERAL

- > **Population:** 152,217,341 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Abuja
- > **Ethnic groups (% of population):** Hausa and Fulani 29%, Yoruba 21%, Igbo (Ibo) 18%, Ijaw 10%, Kanuri 4%, Ibibio 3.5%, Tiv 2.5% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 50%, Christian 40%, indigenous beliefs 10% (*CIA World Factbook*)
- > **Languages:** English (official), Hausa, Yoruba, Igbo (Ibo), Fulani (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$175.8 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,980 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 68% (male 75.7%, female 60.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Goodluck Jonathan (since May 5, 2010)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 95 reasonably regular newspapers (20 national dailies, 23 national weeklies, 10 regional dailies, 19 regional weeklies, 6 provincial or local dailies, and 17 provincial or local weeklies). 100 radio stations (16 privately owned, 1 not-for-profit campus radio station, 45 owned by the federal government, and 38 owned by various state governments). 144 television stations (14 privately owned, 98 owned by the federal government, and 32 are owned by various state governments). (Sources: *Media World Yearbook 2004—A Resource Guide to the Nigerian Media and National Broadcasting Commission: A Handbook*)
- > **Newspaper circulation statistics:** No verifiable statistics exist; anecdotally *The Sun*, *The Punch*, *ThisDay*, and *The Guardian* (all privately owned) are regarded as the widest circulating newspapers
- > **Broadcast ratings:** N/A
- > **News agencies:** News Agency of Nigeria (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 11 million (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NIGERIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Nigeria Objective Score: 1.95

Although the overall average score for this objective registered the highest score for the objective since 2007, it is still the lowest-scoring objective. The ongoing lack of security for journalists is a major reason behind this. In addition, the panelists largely agreed that although there are constitutional guarantees of free speech, they are not enforced. Most of the panelists believed that the lack of effective enforcement of the constitutional protection renders the guarantees virtually useless.

Seember Nyager, a program officer with the Kaduna-based African Radio Drama Association, observed that although the 1999 Nigerian constitution entitles everyone to freedom of expression, there is little or no protection for journalists who are willing to take risks to report on difficult subjects. Sesan Olufowobi, of *The Punch*, noted that despite the existence of legal protections for free speech, the government and its agencies, as well as individual officials, have found various ways to punish journalists over their work without any legal repercussions.

Anastasia Oguegbe, of Hot 98.3 FM radio, noted that Section 39 of Nigeria's 1999 constitution provides specific freedom-of-expression guarantees, but she added that the provision is frequently interpreted subjectively. Legal enforcement depends on the attitude of the government in power. She

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

According to Nyager, "The National Broadcasting Commission is the regulatory body, and it is owned and controlled by the government. Approval of licenses is granted by the president alone, thereby restricting the number of broadcasting outlets."

argued that the disposition of the government toward a given issue often dictates its reaction.

In contrast, Enato Isukul Belo-Olisa, of the government-owned Bayelsa State Television in Yenogoa (in the Niger-Delta region), shared a different view. She said that Nigerian journalists are largely free and able to report without reprisals. As an example, she cited a presenter in a private television station, Gbenga Aruleba, who presents *Focus Nigeria* on Africa Independent Television. Aruleba is widely viewed as fearless in his presentation. She said that there was a time when the program could have been taken off air completely. Other panelists countered that on many occasions, both Aruleba and the program have come under attack from the government—and the program has been suspended several times under pressure from the authorities.

The panelists agreed generally that the licensing process for broadcast media is neither fair, nor competitive, nor apolitical. On the contrary, the licensing process is highly politicized. The National Broadcasting Commission does not have the power to approve or award broadcast licenses. Rather, the Nigerian constitution gives that responsibility to the president, an elected political figure. According to Nyager, "The National Broadcasting Commission is the regulatory body, and it is owned and controlled by the government. Approval of licenses is granted by the president alone, thereby restricting the number of broadcasting outlets."

Furthermore, the licensing process is neither open nor transparent, according to the panelists. Although there are legal requirements and publicly stated criteria to be fulfilled by applicants for broadcast licenses, the fulfillment of these criteria and legal requirements does not automatically guarantee the applicant a license. Other considerations that impact the decision to grant or refuse an applicant a license are neither publicly stated nor revealed to applicants denied licenses. There is also no opportunity for public participation in the licensing process, either as observers or as sources of information about the applicants.

Oguegbe suggested that the Freedom of Information bill, which has been held up in the legislative process since 1999, failed to pass because it lacks any provision to punish journalists who publish false information after gaining access to information with the proposed law.

However, Oguegbe said that despite the inadequacies of the system and processes in place, she disagreed that the law and the process are completely unfair. She noted that some organizations or institutions, such as Eternal TV (owned by the Catholic Church), have been known to obtain their broadcast licenses without political influence. This, however, sparked another debate about the propriety and legality of such a license, as the National Broadcasting Commission Act specifically prohibits the issuance of broadcast licenses to religious or political bodies. Under the prevailing law, the Catholic Church should not have been granted a broadcast license under any circumstance, some panelists charged.

The panelists were unanimous that market entry and the tax structure are generally fair across the board for all sectors, including the media—although in practice, some minor cases contradicted this general perception.

Regarding crimes against journalists, Freedom House reported the assassination of one journalist, Bayo Ohu, in September 2009. Ohu, the assistant news editor of *The Guardian* was investigating fraud in the Customs Department when he was killed by gunmen in front of his children. Freedom House also documented arbitrary arrests, death threats, and other forms of intimidation at the hands of the authorities in 2009.¹ For the most part, the panelists agreed that crimes against journalists are not often investigated vigorously and prosecuted. In the few instances where the authorities have gone through the motions to prosecute crimes against journalists, such cases were never concluded. The panelists also said that with rising attacks on journalists in Nigeria, there is a need for enhanced remuneration, security training, and insurance coverage for journalists. All of these factors led the panelists to give low scores for this indicator.

Although the panelists agreed that the government does not typically interfere directly with the editorial independence of privately owned media organizations, government-owned media cannot be considered editorially independent. Media

organizations owned by the federal government, including radio stations, television stations, and the News Agency of Nigeria, are established by specific legislation, and the laws establishing these government media empower the minister of information to issue specific or general directives that the stations are obliged to comply with. The minister, a political appointee, is granted broad enough power to cover instructions on editorial matters. Thus, it could not be said that state-owned media enjoy editorial independence by law or practice. In fact, government officials, particularly the minister of information at the federal level and the governors and commissioners of information at the state level, frequently interfere in the editorial decision-making processes of the media organizations they own.

But the panelists observed that in the case of privately owned media organizations, there is no law permitting or empowering government officials to interfere with their editorial independence.

For her part, Belo-Olisa said although the government influences editorial matters in state-owned media, the government media do not receive any preferential legal treatment. Other panelists disagreed. They pointed out that the broadcast regulator, the National Broadcasting Commission, is rarely able to sanction the government-owned media when they breach any aspect of the Nigerian Broadcasting Code or other broadcast regulations. In contrast, private stations are more easily sanctioned and face fines and suspension of their broadcast licenses. The government-owned stations also pay far less in fees for their broadcast licenses than the private stations.

In cases of libel, public officials are held to a high standard—although not higher or different from the standards that apply to ordinary citizens. An offended party must prove the falsity of the publication and the presence of malice. However, when libel is proved, public officials tend to receive more substantial damages than ordinary citizens. Additionally, although libel is covered under civil law, there are also provisions in a number of criminal laws at the federal and state levels that call for punishment of “criminal defamation.”

Although public information is reasonably available, the panelists concurred, there is no right of access to information for media and journalists or for ordinary citizens. Oguegbe suggested that the Freedom of Information bill, which has been held up in the legislative process since 1999, failed to pass because it lacks any provision to punish journalists who publish false information after gaining access to information with the proposed law. She argued that such a provision should be included in the bill to encourage passage by the National Assembly. Other panelists countered that the criminal and penal codes of both the federal

¹ Freedom House. *Freedom of the Press: Nigeria (2010)*. <http://www.freedomhouse.org/template.cfm?page=251&year=2010>

and state governments already have provisions on false publication, incitement, sedition, and criminal defamation and argued that including similar provisions in the Freedom of Information Bill would serve no useful purpose. Some panelists expressed the view that in truth, legislators are uncomfortable passing a Freedom of Information law because they do not want citizens and the media to have access to a lot of information about government activities.

The panelists agreed that media outlets have unrestricted access to international news and news sources—although the cost of such access is high.

Entry into the journalism profession is free, the panelists agreed, and in practice, the government imposes no licensing restrictions or special rights for journalists. However, the panelists mentioned the Nigerian Press Council Act No. 82 of 1992, as amended by Act No. 60 of 1999, which imposes licensing requirements and restrictions for journalists—although the provisions are not being enforced, and at the time of the MSI panel the Newspapers Proprietors Association of Nigeria was challenging the constitutionality of the law before the courts.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Nigeria Objective Score: 2.12

The overall score for this objective, which climbed into the near sustainability range this year, reflects the consensus among the panelists that respect for professional standards is about average. Panelists expressed the view that although journalists try to follow recognized and accepted ethical

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).

Michael Jimoh, of the privately owned Daily Sun, raised another issue that he believes hurts professional standards for journalists: the preference for loyalty over competence or professionalism by editors and media managers as a basis for promoting or rewarding reporters.

standards, the environment they work in still poses challenges to fair, objective, and well-sourced reporting.

Emma Maduabuchi, of the *Daily Independent*, expressed his view that “journalism in Nigeria is professional in name rather than in practice. This appears to be the real reason why journalists are not getting a fair deal in the country.” But according to Juliana Francis, chief of the crime desk at *Compass*, it is difficult for journalists to balance their stories because most sources refuse to grant interviews or state their side of the story. In addition, reporters find it difficult to comply with ethical standards and requirements because salaries are too low—and usually paid several months late or not at all. Segun Fatuase, political editor of *The Spectator*, commented, “Journalism in Nigeria has yet to meet universally approved professional standards, due to low wages and a poor working environment. These factors have made fair, balanced reporting impossible, as journalists look for ways to augment their incomes.”

Additional challenges cited by Olufowobi include the pressure of deadlines, which make it difficult for journalists to properly investigate facts, as well as very low levels of awareness of ethical and professional standards among many journalists. Michael Jimoh, of the privately owned *Daily Sun*, raised another issue that he believes hurts professional standards for journalists: the preference for loyalty over competence or professionalism by editors and media managers as a basis for promoting or rewarding reporters. Other panelists corroborated this observation.

Belo-Olisa argued that the situation is not as bad as depicted, because many news reports are quite fair and objective, and, in her view, most interviews are conducted professionally. But she conceded that “most reports lack depth, and investigative reports are on the decline. Adequate background research is not conducted due to financial constraints, time constraints, the interests of the media outlet, competition to be the news breaker, etc.”

The panelists also agreed that the practice of self-censorship is widespread. Journalists in state-owned media feel compelled

“Apart from a few private news-based stations like Channels Television, most stations devote more time to entertainment,” Oguebe commented, adding that entertainment programs are mostly produced by independent producers and bring a lot of income to the stations.

to censor their work to protect their jobs when covering issues that might be unfavorable to the government. For those in the privately owned media, the main reasons behind self-censorship are the perceived need to protect business interests of the owners, or to avoid unpleasant consequences, such as attacks on their persons or media establishment.

In general, the panelists agreed that media in Nigeria cover key events and issues. Belo-Olisa said, “Journalists cover all key events and issues in Nigeria, but reports that expose high-level corruption, abuse of power, etc., may result in undesired consequences. Therefore, if a media outfit cannot use a story, a reporter will be dissuaded from covering such an event. For example, in Bayelsa State, stories involving oil companies and their abuse of our environment are difficult to report, as permits need to be obtained from the companies just to take pictures of their facilities or gas flares.”

All of the panelists pointed to low pay levels for journalists and other media professionals as the single biggest challenge to journalism standards in Nigeria and the greatest contributor to corruption in the media. Justifying this view, Ezeoke said, “Nigerian journalists are poorly paid, but what is even more disheartening is that salaries are paid irregularly. Some media organizations owe their workers for upwards of six months, and because such workers have families to care for, they feel they have no choice but to breach ethical standards and accept bribes. Nonpayment of salaries is common in the private media.” All panelists awarded low scores for this indicator.

The panelists agreed that entertainment programming is eclipsing news and information programming in broadcasting stations, with only a handful of exceptions. “Apart from a few private news-based stations like Channels Television, most stations devote more time to entertainment,” Oguebe commented, adding that entertainment programs are mostly produced by independent producers and bring a lot of income to the stations. The panelists said, however,

that newspapers and news magazines tend to provide more in-depth coverage and have more space for news content.

Regarding facilities and equipment for gathering, producing, and distributing news, Belo-Olisa said that they are often not modern and efficient. She added that the situation is much worse in the state-owned media than the privately owned stations.

The panelists agreed that journalists in Nigeria have a well-established practice of niche reporting in a variety of areas, including economics and business, politics, sports, health, and the environment, but that the quality of reports was generally low. Furthermore, as Belo-Olisa noted above, investigative reporting is on the decline.

OBJECTIVE 3: PLURALITY OF NEWS

Nigeria Objective Score: 2.34

The panelists agreed that Nigeria offers its citizens a plurality of public and private news sources—in print, on the air, and online—especially in urban areas. However, daily newspapers, which sell for between \$1.00 and \$1.50 per copy, are considered expensive for the average citizen, given the relatively low income levels. Internet access is also too costly for many and largely unavailable outside major urban centers. There was general agreement among the panelists that citizens’ access to domestic and international media is not legally restricted in any way, however.

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.

According to Ezeoke, “Nigeria is a multiethnic society with diverse interests. To cover such heterogeneous interests, there are several media outlets established by individuals in addition to the government-owned media. Apart from the national networks, such as the Nigerian Television Authority and the Federal Radio Corporation of Nigeria, every state has its own television and radio stations that broadcast in local languages and also cater to the interests of the local people. All of these stations also bring foreign events to citizens’ doorsteps.”

But Nyager took a different view, arguing that although a variety of news outlets serve urban areas, “people in rural areas cannot afford all of these sources, and in the northern part of Nigeria, rural communities rely more on radio stations—which are few in number and mostly government-owned, with just a few private stations.” She noted that community broadcasting does not really exist in the country, except in some secondary educational institutions where some campus radio stations have been licensed to operate.

Panelists disagreed with the suggestion that state media reflect the views of the broad political spectrum, or that they are nonpartisan and serve the public interest. The panelists said that state-owned media across the country, without exception, lack independence in editorial matters and fail to serve the public interest, tending instead to project the views and activities of the government in power, providing almost exclusive coverage for the ruling party to the exclusion of other opposing views.

Belo-Olisa stressed the vast difference between privately owned and state-owned media: according to her, journalists in private media are largely free, compared with their counterparts in the government media. She added that for journalists in government-owned media, there are issues they cannot air or publish—and when they dare to try, they invariably encounter resistance. In her view, the freedom enjoyed by private media has earned them greater credibility with the population and has relegated government media to the background in comparison. As a result, government media have become more or less irrelevant as a source of information for people. By her account, the media landscape in Nigeria is dominated by privately owned media organizations in terms of their capacity to influence public opinion.

But most of the other panelists agreed that despite the greater credibility and significant influence enjoyed by the privately owned broadcast stations, it would be difficult to state categorically that private stations dominate the media landscape. In terms of sheer numbers, government-owned broadcast media overwhelm private outlets. The federal

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government has several radio and television stations in each of the 36 states in the country, and state governments have established at least one radio and one television station each.

According to Chuku Nwanne, a reporter with the private daily newspaper *The Guardian*, it is true that the government broadcast media clearly outnumber the privately owned stations—but the private stations are more strategically located. He noted that private outlets are concentrated in major cities and urban areas, where major government and corporate news is made. The government, in turn, has a lot of stations located in rural areas, which are not as strategic in terms of influencing policy.

Belo-Olisa added that although state-owned stations have more reach in terms of the areas they are allowed to cover with their broadcasts, the private stations tend to draw larger audiences than their government media counterparts, including patronage from governments and government agencies. She said that anecdotal evidence she has collected about which media people patronize indicates that private broadcast media are more popular. However, Juliana Ezeoke, with the private weekly magazine *TELL*, underscored the absence of reliable statistics on the size of audiences for radio and television stations in the country—noting that only when such statistics are systematically collected will it be possible to know the number of citizens who listen to privately owned stations versus state-owned media. Still, she expressed her preference for private media because they, in her opinion, tend to focus on more relevant issues.

The panelists agreed that independent news agencies gather and distribute news for both print and broadcast media but noted that the costs of the services that they offer are very high—placing an additional burden on the media organizations. Independent broadcast media mostly produce their own news programs, and therefore do not rely significantly on purchased programming—although most

The panelists agreed that a broad spectrum of social interests are reflected and represented in the media, but that minority-language information or information from minority-language sources rarely make the news.

foreign news reports are obtained from foreign news media sources and aired almost entirely as in their original format.

Although the panelists agreed that media concentration is not an issue in Nigeria, opinions on the transparency of media ownership varied. A few panelists said that there is a fair degree of transparency in ownership, as the proprietors of most media organizations are publicly known, while others suggested that people presented as owners of media companies are often not the true owners. According to Belo-Olisa, "media ownership is fairly transparent in Nigeria. Presently, there are no obvious monopolies or oligarchies. People who want to know who owns a particular media outlet can get that information, although media owners are not likely to reveal their profits."

But Francis disagreed. "Media ownership is not transparent, because most of the owners are politicians establishing these institutions with money siphoned or embezzled through public office," she said, adding, "They fear being quizzed by the Economic and Financial Crimes Commission, since they were poor and now suddenly have enough wealth to establish a media house; thus, they use other people as 'fronts' so they can obtain a media license. Through this means, they [politicians] have bought and established several media houses, streamlining and manipulating news content."

Olufowobi agreed, and added that the "real owners are shrouded in mystery." Nwanne, in contrast, took the middle ground. He said, "Although some media owners do not like to be openly associated with the media they fund, some of them still see nothing wrong in being the face of the media. But the truth is that ownership of media in Nigeria influences the operation of the establishment."

The panelists agreed that a broad spectrum of social interests are reflected and represented in the media, but that minority-language information or information from minority-language sources rarely make the news. Most programming is in English or in the three major languages: Hausa, Yoruba, and Ibo. As these majority ethnic groups constitute the largest share of the audience, in sheer numbers, most media programming caters to their interests.

OBJECTIVE 4: BUSINESS MANAGEMENT

Nigeria Objective Score: 2.02

The score for Objective 4 dipped slightly this year, nearly tying Objective 1 for the lowest score and just barely holding onto a place in the near-sustainability range. Media outlets and supporting firms for distribution and printing operate as profit-generating businesses, the panelists agreed, but for the most part, they are not efficient or professional.

Panelists noted that media organizations earn revenue from a limited range of sources. According to Olufowobi, "Sources of revenue for media in Nigeria are limited to advertisements, sales of copies, sponsorships of programs, and advertising inserts. Some media houses also organize awards, lectures, music festivals, etc., to augment their income. While the print media earn revenue from sales and advertisements, the broadcast media are mainly supported by commercials and sponsorships or, in the case of state-owned media, government subsidies.

Belo-Olisa argued that the private media can tap more revenue streams than state-owned media. "Private media are financed from multiple sources, including advertising, government patronage, sponsorships, and bank loans," she said. However, state-owned media, she said, lack adequate, guaranteed sources of revenue to guard against political interference in their operations. But she conceded that private media can be more susceptible to editorial influence than state media when they obtain funds from powerful nongovernmental sources, which can compromise editorial independence.

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

BUSINESS MANAGEMENT INDICATORS:

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

The panelists agreed that advertising agencies support a media advertising market but noted that these agencies frequently fail to pay media houses their shares of revenue. Although advertising companies are well-developed in Nigeria, and the market is not dominated by international agencies, advertising agencies are mostly limited to major towns and cities. Although advertising agencies work with all media, private media organizations are considered more skilled in generating revenue from them.

The panelists agreed that advertising is very often allowed to eclipse news content. Belo-Olisa explained, “Adverts form the bulk of revenue in media outlets. Media managers, particularly in the print media, feel pressured to use more adverts, as subscriptions are slim.”

All the panelists agreed that independent media organizations do not receive any government subsidies, and they could not point to any recent examples of subsidies to independent media from the government.

However, most panelists disagreed with the suggestion that market research is used to formulate strategic plans, enhance advertising revenue, or tailor media products to the needs or interests of audiences. Market research is not a widely established practice in media business, they said. In the few cases where such research is undertaken, media organizations use questionnaires, phone interviews, and other feedback systems to elicit the views of their audiences or targeted populations. But the panelists said that even in such cases, media houses do not typically follow through on the findings.

The panelists agreed that independently produced broadcast ratings, circulation figures, and Internet statistics can be found—but dismissed them as unreliable. They highlighted the dubious qualifications of companies and their personnel engaged in collecting such ratings and circulation figures or statistics. Furthermore, broadcast media houses are not usually informed of the ratings, and sometimes the figures are thought to be influenced by stakeholders.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Nigeria Objective Score: 2.73

The overall score for this objective increased convincingly. As in previous years, the panelists felt strongly that professional bodies in the media and NGOs working in the areas of media development, media assistance, and freedom of expression provide significant support and assistance to independent media.

According to Francis, “The Nigeria Union of Journalists tries its best in fighting for the rights of members, especially in making owners of media institutions pay salaries. However, there is little it can do in some situations, and it remains a toothless bulldog.”

The panelists agreed that there are trade associations that represent the interests of media owners and managers and provide member services. They listed the Newspapers Proprietors Association of Nigeria, Broadcasting Organisations of Nigeria, Independent Broadcasters Association of Nigeria, and the Nigerian Guild of Editors as well-known examples of such associations. An example of the kind of advocacy work they do was mentioned in Objective 1, the Newspapers Proprietors Association of Nigeria challenging the constitutionality of a law that would have imposed a licensing regime on journalists.

The panelists said professional associations exist but disagreed over their commitment to—and effectiveness in—protecting journalists’ rights. Some panelists claimed that they make no effort to project journalists’ rights, while others said such associations do their best. Besides the Nigeria Union of Journalists, which describes itself as both a trade union and a professional association of journalists, other bodies representing media professionals and media workers are the Radio, Television, and Theatre Workers Union and the National Union of Printing, Publishing, and Paper Products Workers.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

The panelists noted that journalism training institutions are increasingly incorporating practical experience into their training programs through various means, including using experienced journalists to deliver some of the trainings using hands-on methodology.

Although these bodies are theoretically independent unions and associations, in practice they have proved susceptible to the influence of federal and state governments. They often rely on governments for cash and gifts, either to implement specific projects, such as building or equipping press centers, or to cover operating costs.

According to Francis, "The Nigeria Union of Journalists tries its best in fighting for the rights of members, especially in making owners of media institutions pay salaries. However, there is little it can do in some situations, and it remains a toothless bulldog." For example, she pointed to a case involving several journalists from *The Guardian* who were sacked for attempting to defend their rights. The Nigeria Union of Journalists hierarchy, from the state to the national level, never stepped up to protest. She concluded, "This often makes a journalist wonder about the essence of a union or association that cannot fight for you."

For Olufowobi, although bodies like the Nigeria Union of Journalists and the Nigerian Guild of Editors protect media practitioners such as editors and journalists, the associations are not really independent because they lobby government for support.

The panelists agreed there are some NGOs working to support free speech and independent media, although only a few. Such NGOs provide a variety of services to the media, including monitoring attacks on the media and campaigning on behalf of media organizations and individual journalists under attack, providing legal assistance, training in editorial

and other matters, and other forms of capacity-building activities. Belo-Olisa said, "Few NGOs work with media outlets to support media independence and freedom of speech. They are found in cities where lots of media houses are established, and they partner with the media in the areas of training, advocacy, and constitutional and legislative reviews. A few work in cooperation with international free-speech organizations." Such organizations given include Media Rights Agenda, the International Press Center, and the Center for Free Speech.

The panelists noted that journalism training institutions are increasingly incorporating practical experience into their training programs through various means, including using experienced journalists to deliver some of the trainings using hands-on methodology. They are also encouraging more newsroom internships and taking advantage of the growing number of campus radio stations to give their students practical training in various aspects of running radio stations or producing campus newspapers or journals.

The panelists agreed that opportunities for short-term, in-service training of journalists exist, but for the most part journalists must pay for their own training. Media managers have shown a lack of receptiveness to such opportunities, therefore depriving journalists of these chances to grow. There are some in-house training programs for journalists.

The panelists gave high scores to the indicator that considers whether newsprint and printing facilities are in private hands, apolitical, and not restricted. These facilities are profit-making businesses, and the government does not interfere with them or impose any legal restrictions. However, the panelists said that tariffs and duties for the importation of newsprint and other materials remain exceedingly high.

The panelists agreed that channels of media distribution, such as kiosks, transmitters, and Internet servers, are in private hands, apolitical, and unrestricted. But they noted that the government controls channels of media distribution for state-owned media houses and that sometimes even facilities managed by private entities are politicized.

List of Panel Participants

Jide Alli-Balogun, senior reporter and editor, Eko FM Radio, Lagos

Emma Maduabuchi, senior correspondent, *Daily Independent*, Lagos

Juliana Ezeoke, staff writer, *TELL*, Lagos

Michael Jimoh, chief correspondent, *The Sun*, Lagos

Chuks Nwanne, reporter, *The Guardian*, Lagos

Segun Fatuase, political editor, *The Spectator*, Lagos

Juliana Francis, chief of the crime desk, *Compass*, Lagos

Tosin Omoniyi, reporter, *Newswatch*, Lagos

Victoria Ibanga, managing editor, *Daily Champion*, Lagos

Sesan Olufowobi, crime reporter, *The Punch*, Lagos

Enato Isukul Belo-Olisa, manager, News Bayelsa State Television, Yenogoa

Seember Nyager, program officer, African Radio Drama Association, Kaduna/Abuja

Anastasia Oguegbe, reporter and presenter, Hot 98.3 FM Radio, Abuja

Moderator and Author

Edetaen Ojo, executive director, Media Rights Agenda, Lagos

Still, the new law is not without controversy. Some members of the media community argue that the new law has been passed to suppress press freedom and it targets the independent media, which is seen as critical to the government.



RWANDA

M

Media development in Rwanda remains haunted by the events of 1994. Government officials frequently argue against giving the media complete freedom, for fear that it may be used irresponsibly and lead to chaos, as when Hutu extremists used *Radio-Television Libre des Mille Collines* to broadcast hate speech. Observers blamed the broadcasts for instigating the genocide 16 years ago in which more than 800,000 Tutsis and moderate Hutus were slaughtered. Therefore, while the authorities have supported new training efforts and improvements in the legal structure underpinning the media, they keep close watch over the media.

Last year's MSI panelists expressed hope that a proposed new media bill would be passed, and in fact, President Paul Kagame signed the bill into law in August 2009. Thanks to participation from journalists, the law includes provisions considered relatively fair compared to its predecessor. The new law amends an article that required journalists to secure official permission prior to publishing government information. Journalists may now collect and disseminate information freely, and need to seek permission only when using copyrighted material. Still, the new law is not without controversy. Some members of the media community argue that the new law has been passed to suppress press freedom and it targets the independent media, which is seen as critical to the government. The state, for its part, rejects these charges.

Many in the Rwanda media community are encouraged by provisions mandating that practicing journalists should possess at least a diploma from a recognized institution. But this also has the effect of stifling citizen journalism and possibly silencing government critics on a technicality. However, the law does put in place a five-year transitional period to allow practicing journalists that do not meet the requirements to upgrade their academic status.

The new law also leaves intact, at least for the time being, the banning of certain media houses from covering state functions. The ban stems from accusations that the outlets in question publish lies and practice irresponsible journalism. The editors of the accused media houses have responded by saying that the only "crime" they have committed is questioning the government and exposing its bad deeds, and they are not willing to compromise on that point.

Another law under consideration is designed to improve journalists' access to public information, and details punishment for government officials that refuse to comply. The panelists hope passage of this law will encourage investigative journalism in the country.

Overall, while the new bill has some positive signs, how the law is enforced remains to be seen. Panelists stressed that total press freedom is a long way from being realized, especially while other laws under the penal code still threaten media freedoms.

RWANDA AT A GLANCE

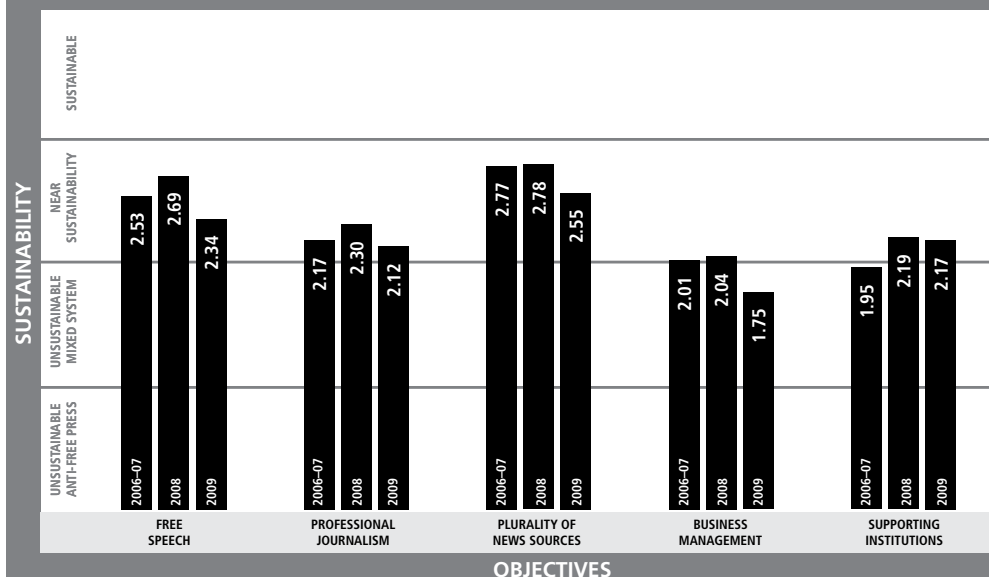
GENERAL

- > **Population:** 10,746,311 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Kigali
- > **Ethnic groups (% of population):** Hutu (Bantu) 84%, Tutsi (Hamitic) 15%, Twa (Pygmy) 1% (*CIA World Factbook*); however, many scholars believe Hutu and Tutsi to be class distinctions rather than actual ethnic groups
- > **Religions (% of population):** Roman Catholic 56.5%, Protestant 26%, Adventist 11.1%, Muslim 4.6%, indigenous beliefs 0.1%, none 1.7% (2001 est., *CIA World Factbook*)
- > **Languages (% of population):** Kinyarwanda (official) universal Bantu vernacular, French (official), English (official), Kiswahili (Swahili) used in commercial centers (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$4.628 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1060 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 70.4% (male 76.3%, female 64.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Paul Kagame (since April 22, 2000)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 39 newspapers (Ministry of Information); Radio Stations: 17; Television Stations: 1 (state-owned)
- > **Newspaper circulation statistics:** Top three by circulation: *Imvaho Nshya* (state-owned bi-weekly), followed by *The New Times* (private English newspaper and the only daily publication), *Umuseso* (privately owned), and *Kinyamateka* (Catholic Church-owned weekly); none has a circulation in excess of 10,000.
- > **Broadcast ratings:** Top radio stations: Radio Rwanda (state-owned), Contact FM (private), BBC (international)
- > **News agencies:** Rwanda News Agency (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 300,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: RWANDA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Rwanda Objective Score: 2.34

Panelists agreed that Rwanda has sound constitutional provisions to guarantee media freedom and freedom of speech, but they live mainly on paper and often the situation on the ground is quite different. Furthermore, other laws remain that contradict the positive constitutional provisions, and state organs continue to use these laws to deprive the media and the general public of their rights to freedom of speech.

As the previous MSI study described, the state continues to oppress some private media. Whenever opposition journalists fight for their freedoms, they are painted as enemies of the government, the panelists noted. “Although the constitutional provisions on freedom of speech cater to all Rwandan citizens, very few Rwandans agitate for their rights when they are violated—mainly because of their natural fears, but also because many of them are not aware of their rights,” noted one panelist.

“There have been several violations of media freedoms recently, and when taken to court, at times they are handled well and independently,” reported one panelist, giving the example of Charles Kabonero, the editor of *Umuseso* (a private newspaper) who was charged of libel and acquitted. However, some panelists said that other court decisions raise questions about the independence of the judiciary. Criminal

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.

“There have been several violations of media freedoms recently, and when taken to court, at times they are handled well and independently,” reported one panelist, giving the example of Charles Kabonero, the editor of Umuseso (a private newspaper) who was charged of libel and acquitted.

penalties may also be assessed for media content deemed to promote genocidal ideology. The law signed in August also provides penalties for media that attack the president or promote “divisionism.” Although the judiciary looks to be independent, they charged that government influence cannot be ruled out based on the past decisions of the courts.

Regarding access to Internet, the panelists agreed that the government places no restrictions at all, and users are not required to register to access Internet facilities.

The Rwanda Utility Regulatory Authority and the Media High Council, with the Ministry of Information as the overseer, handle the licensing of broadcast media. The panelists reported some signs of fairness and transparency in the process. However, they expressed concern over applicants that fail to fulfill their obligations after acquiring these licenses. The panelists noted that some radio stations that were granted licenses years back have never taken off, thus preventing productive use of parts of the frequency spectrum. A similar problem occurs with print media; some newspapers that are registered as daily publications publish only intermittently. Out of Rwanda’s 62 registered newspapers, only 10 adhere to a regular publication schedule.

The panelists noted that the process of launching a media house is unproblematic, given the ease entry into the Rwandan market for media business and the tax structure involved. In addition, the government requires just a small tax, five percent, on all newspapers and magazines printed outside Rwanda then imported for sale in-country. In addition, the government has declared tax exempt all materials used in printing newspapers, and in the new media bill under consideration, the government plans to exempt the importation of printing machinery.

The panelists reported that since last year’s MSI study, the country has seen some crime against journalists, though not very much. The panelists agreed that if such cases do occur, the media reports on them. However, according to the U.S. Department of State’s 2009 human rights report

Libel is a criminal offense in Rwanda, and journalists have been arrested and imprisoned under the code. The panel mentioned specifically Kabonero, the director of Umuseso, who was arrested, charged, and later given a suspended prison sentence of two years.

on Rwanda, “the government continued to intimidate and arrest independent journalists who expressed views that were deemed critical of the government on sensitive topics or who were believed to have violated law or journalistic standards.”¹

The laws governing the media in Rwanda are the same for state and private media, but the panel agreed that state/public media are favored over private media in a number of ways, especially in access to public information. When the government needs to publicize a message, it turns to the state media. Similarly, when journalists are seeking state information, public media journalists have a decisive advantage over those employed by private houses.

Panelists noted that the public media are controlled fully by the government and have no editorial independence. Although public media have seen some improvement in this area, more work remains. Furthermore, the state cabinet appoints the public media top management, who in turn appoint the lower cadres—therefore subjecting all to state influence. In addition to this, the ruling party has significant influence over the appointment of leadership at certain pro-government news media, such as *The New Times*.

Panelists added that some private newspapers, such as *Umuseso* and *Umuwugizi*, are referred to as enemies of the government mainly because of the critical stories they publish; as a result, the Media High Council has banned them from covering state functions. However, despite the Media High Council’s power to do this, in these cases it did so in a way that ignored the steps outlined in the law that must be followed to put such a ban in place.

The panelists commented on the marginalization of print media compared to electronic media. For example, often print media receive fewer invitations to cover certain functions or activities. But at times this can be attributed to an individual civil servant’s preference for particular media houses—not

necessarily an overarching government preference, panelists pointed out.

Libel is a criminal offense in Rwanda, and journalists have been arrested and imprisoned under the code. The panel mentioned specifically Kabonero, the director of *Umuseso*, who was arrested, charged, and later given a suspended prison sentence of two years. Jean Bosco Gasasira, editor-in-chief of the Rwandan bimonthly *Umuwugizi*, was also tried in 2009 under the 2002 press law and is facing a term of up to a year on defamation charges. The Committee to Protect Journalists registered its concern that Gasasira’s prosecution was politicized and the outcome of the court case predetermined.² But in general, the judiciary and prosecution have not displayed corruption in the handling of such cases, according to the panelists. Unlike other types of cases in which the burden of proof is on the prosecution, libel cases drop the burden of proof on journalists, the panelists added.

The panelists also reported that Internet service providers and website hosts have not faced charges; however, the government is drafting a new law that will monitor all Internet users, possibly changing the climate of liability in the near future. Panelists pointed also to the already-drafted Internet bill; at the time the MSI was prepared, they expected to see it presented to the cabinet soon.

According to the panel, journalists generally do not have easy access to public information, although media houses considered to be friendly to the government find no difficulties. The panelists also reported that currently, Rwanda has no law that provides for access to public information—although efforts are being made to address this. The media have been instrumental in this effort by submitting proposals to the government, and are waiting to see whether their suggestions will be accommodated in the final draft.

The panelists agreed that the government places no restrictions on accessing international news, and media houses are free to reprint or rebroadcast foreign material or programs; however, the source must be credited. Although the government does not restrict access to foreign publications, the cost is prohibitive for some. The panel reported that the Internet is not restricted or controlled, by either government or business conglomerates. However, the 2009 state department report on Rwanda’s human rights states that the government monitors e-mail, but not Internet

¹ 2009 Human Rights Report: Rwanda. U.S. Department of State: Bureau of Democracy, Human Rights, and Labor. March 11, 2010. <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135971.htm>

² “In Rwanda, defamation case is politicized.” Committee to Protect Journalists; October 6, 2009. <http://www.cpj.org/2009/10/in-rwanda-defamation-case-is-politicized.php>

chat rooms—noting that citizens can engage in the peaceful expression of views via the Internet, including by e-mail.³

Currently, becoming a journalist is as easy as applying for journalism job. In the view of the panelists, this ease of entry has damaged the public perception of the journalism profession. However, the panelists said that the new media law will end this practice, as it contains a provision mandating academic qualifications to become a journalist. Proof of qualification will be a certificate from a recognized training institution. The new bill also accommodates those who are currently practicing but have no qualifications, giving them a transition period of five years to upgrade.

According to the panelists, entry into journalism training institutions is free from interference; the government has no hand in it. However, the Media High Council has been given the power to police the media and issue national press cards to join the profession. Journalists are legally free to organize as they see fit to protect their rights, provided that they follow existing laws and regulations.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Rwanda Objective Score: 2.12

Professional standards of journalism are declining once again, the panelists reported. A good number of reporters have abandoned ethics, and the profession is losing qualified people as they turn to other sectors for greener pastures. Newer journalists often lack solid qualifications. The panelists drew a connection between this phenomenon and poor reporting, noting that many journalists do not dig deep while sourcing their news because they lack the skills and, in some cases, the resources. Other reasons behind the decline in objective reporting may include poor media house policies that owners craft purposefully to serve their personal interests, and corruption among journalists that take money and gifts from their news sources, resulting in biased reporting.

The panelists agreed that as much as this problem exists, the Rwandan media community still has a few well qualified, skilled journalists that work objectively and consult experts to back up their work. Overall, the panelists agreed, media leaders need to encourage their colleagues to obtain proper training in order to keep the profession alive and improve its image.

³ 2009 Human Rights Report: Rwanda. U.S. Department of State: Bureau of Democracy, Human Rights, and Labor. March 11, 2010. <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135971.htm> (Accessed June 4, 2010.)

Self-censorship continues to present a serious obstacle for journalists in Rwanda, stemming from the country's history, lack of professional confidence in technical skills, safety fears, job insecurity, and business interests. The panelists noted that this problem is more apparent with the public media, which is fully controlled by government.

A code of ethics developed in 2006 remains in place, but it has not been amended, as many panelists recommend it should be. Journalists continue to violate its principles, despite efforts by several professional bodies and associations to protect and enforce it. The panelists noted that organizations including the Association of Rwanda Journalists (now transforming into a union), the Rwanda Media Ethics Commission, and a local Editors Forum are slowly making efforts to improve the code and its enforcement. They have organized several training sessions on the topic, with unremarkable results. However, panelists said that under the new media bill, they believe that the problem will be addressed, and they expect to see some improvement over time.

Self-censorship continues to present a serious obstacle for journalists in Rwanda, stemming from the country's history, lack of professional confidence in technical skills, safety fears, job insecurity, and business interests. The panelists noted that this problem is more apparent with the public media, which is fully controlled by government. They added that media

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

The shortage of modern equipment, panelists said, clearly affects the quality, content, and even reach of news coverage.

associations are trying to address the issue, although with substantial resistance from some sections of the media.

Panelists agreed that the media cover most key events, provided that they learn of the events in time. However, some sections of the media are excluded from certain functions. The panelists gave an example of certain media houses banned from covering state functions, as well as some key event organizers that favor particular media houses and withhold invitations from others. Reporters cover matters related to state security with care, as even factually correct reporting may lead to problems with the authorities.

Panelists noted that low pay levels in journalism, compared to other sectors, contributes to significant levels of corruption within the profession. According to the panel, the practice of journalists sitting on stories in exchange for money and other gifts has become rampant, and panelists agreed on the need to stop the practice. However, panelists reported that even among those who are paid relatively well, a few are corrupt; they attributed this to a question of character more than pay. “We have seen and heard about journalists selling stories to their sources to supplement their incomes, or sometimes as a matter of survival for others who do not receive any pay from the media houses they work for,” one panelist said.

State media outlets pay better than most private media houses, but a major disparity in pay exists between editors and reporters. According to the panelists, state media reporters’ monthly pay ranges from RWF 180,000 to RWF 300,000 (\$330 to \$550), while pay for editors ranges from RWF 400,000 to RWF 800,000 (\$735 to \$1,475). In private media houses, such as the *Times*, the pay ranges from RWF 250,000 to RWF 1,000,000 (\$450 to \$1825). Freelance journalists and other contributors are paid between RWF 3,000 and RWF 15,000 (\$5 to \$25) per story, and some work without pay to build a name.

Another effect of poor compensation is the exodus of journalists from the profession, fleeing to other fields that are more lucrative than reporting or editing. Many qualified journalists take up jobs as public relations officers for the government or in the private sector. According to the panelists, some journalists are also returning to the teaching

profession, which pays better than journalism as well. Even journalists that came to Rwanda from neighboring countries have left and returned to their homes because of the declining working conditions in Rwanda. This phenomenon has seriously impacted print as well as electronic media in terms of the quality of content.

Entertainment programming dominates most private FM radio stations, which are audience-driven and sponsorship-driven, panelists said. They commented that less time is allocated to news, apparently out of the fear that it may drive away the urban-based, youth listenership. In contrast, public radio gives people more news and educational programs than entertainment, panelists said. They noted that print media are dominated by news stories, especially political reports.

Although media outlets have upgraded equipment and facilities used to gather and distribute the news, there is still much need for improvement, and this is attributed to affordability. Private outlets in particular need more computers and digital cameras (both video and still), mostly for news gathering and production. The shortage of modern equipment, panelists said, clearly affects the quality, content, and even reach of news coverage.

The panelists also suggested that any assistance in this area would be channeled best through independent media associations, which may use them to set up centers or press clubs; or even a few private media houses, which are independent. The press centers address the strain on the country’s many freelance journalists, who can pay a small fee to use press centers as a work base. The panel also hinted that the media support fund, put in place by the government in its 2009/2010 national budget for media development, could be a possible source of funding for upgrades. However, journalists approach this possibility with a healthy dose of skepticism, not sure whether there will be any strings attached.

It is clear that some media houses do a better job than others with regard to niche reporting, which the panel attributed to extra investments in training. Investigative reporting is growing, and some journalists have taken up specialized reporting—but still on a small scale. The panelists reported that print media undertake more investigative reporting than electronic outlets. The major obstacle to better niche reporting is the cost involved in training and preparing reporters in various specialties. Additionally, investigative reporting ventures tend to be very expensive and risky, and few journalists are interested in pursuing such stories.

OBJECTIVE 3: PLURALITY OF NEWS

Rwanda Objective Score: 2.55

The panelists agreed that Rwanda has several sources of news, including print, broadcast, and Internet. The public broadcast media is the main source of news for rural as well as urban areas; private media is concentrated in the capital, Kigali, and other big towns. The only media available to rural audiences is radio. People living on borders with neighboring countries also benefit from foreign radio stations.

Plurality of opinions is somewhat limited on radio, however. State-owned Radio Rwanda covers all the country but provide news generally favorable to the ruling party. There are some local FM radio stations, such as those in Huye, Gisenyi, Ruhengiri, Kyangugu, and Nyagatare, but they are also part of the Rwanda Information Office, a government agency. Only Radio Izuba, and to a certain extent student-run Radio Salus, could be considered independent, “community” stations in the sense of being operated by the community and for the community’s benefit.

The panelists agreed also that the Internet is used mainly in cities and big towns, but the cost is still high and prohibitive to the many low-income Rwandans living in these regions. Blogs and SMS services are also available, but at a cost.

The panelists agreed that citizens are free to access both domestic and international media, and the government imposes no restrictions on anyone who wants to listen to foreign broadcasts or read foreign newspapers. The panelists

Plurality of opinions is somewhat limited on radio, however. State-owned Radio Rwanda covers all the country but provide news generally favorable to the ruling party. There are some local FM radio stations, such as those in Huye, Gisenyi, Ruhengiri, Kyangugu, and Nyagatare, but they are also part of the Rwanda Information Office, a government agency.

reported that foreign print editions are available on the Rwandan market; their cost is slightly higher than the local newspapers, but still affordable. Citizens are free to access foreign news sources via the Internet, foreign programs, and papers. According to the panelists, the only newspaper banned from the Rwandan media market is *Red Pepper*, from Uganda, but panelists agreed that it is banned primarily on moral grounds, as it publishes a lot of pornographic material.

Few people subscribe to cable or satellite television because the services are costly. And the panel members noted that many of the news sources described above are available only to the urban residents, to the exclusion of the rural population. Indisputably, people living in the capital and big towns have greater access to media sources than their rural counterparts, the panelists noted.

Panelists agreed that the government fully controls the Rwandan public media, which covers predominantly the government’s political and developmental programs. The government appoints public media editors, who display loyalty to their employer to keep their jobs. However, with regard to campaign periods, public media outlets are mandated by law to give equal coverage to both the ruling party and opposition—though panelists agreed that this is not reflected in practice. Public media journalists end up violating this law by allocating more time to the ruling party than the opposition. On the other hand, panelists commended the public media for going the extra mile in their reporting and coverage of issues and programs that benefit the public—including educational, health, and cultural programs that are neglected by commercial broadcasters.

This year’s panel reported that Rwanda has two private news agencies: the local Rwanda News Agency and the regional Inter Press Service. Both operate independently, selling news to various media houses, which subscribe to them at an average cost of \$1400 per month. Larger media houses

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.

Indisputably, people living in the capital and big towns have greater access to media sources than their rural counterparts, the panelists noted.

can afford this expense, but small media houses depend instead on their stringers reporting from different parts of the country for local news, and the Internet for foreign news. Rwanda's press is served by a handful of foreign news agencies, including Reuters, AFP, AP, Panos, and MENA.

Most media houses in Rwanda produce their own programs, and the panelists reported that the quality continues to improve from year to year. Despite this, panelists agreed, some media houses still purchase foreign programs, mainly entertainment shows and documentaries. Private media houses produce their own news programming, which differs markedly from public media productions. The panelists also noted the role played by community broadcast media, which is also growing and produces programming tailored to local needs.

Media ownership is easily ascertained; most owners are private, and the Ministry of Information is required to reveal owners of any media at registration via publishing the names of owners in newspapers. To date, there has been no published analysis of the diversity of political views held by those who control the major private media.

The panelists reported no major foreign investment in the media in the year under review.

According to the panelists, social issues are covered widely in all media with no restrictions. The issues include those related to the marginalized—youth, people with disabilities, women, and others. Rwanda has no minority language media, as all people speak the same language, Kinyarwanda, in addition to other languages such as French and English. Panelists agreed that community media have been very effective in reaching their audiences, playing an instrumental role in reflecting social issues.

OBJECTIVE 4: BUSINESS MANAGEMENT

Rwanda Objective Score: 1.75

The score for Objective 4 dropped nearly a third of a point from last year's score. Indicators 1 (media are well-managed businesses), 2 (media receive revenue from multiple sources), 4 (ratio of advertising to other revenues), and 5 (government subsidies) all dropped dramatically, and indicator 6 (market research) fell nearly a third of a point. Only indicator 3 (the advertising market) and indicator 7 (broadcast ratings) gained modestly.

Panelists reported that a few independent media outlets run as professional, well managed businesses and turn a profit. The more prosperous media houses are distinguished by their tendency to engage professionals to fill positions in accounting, marketing, and human resources, and using solid business plans for guidance. However, many independent media outlets fail to live up to these management standards, especially as they struggle with the effects of the global financial crisis on the media. Most newspapers have reduced the size of their publications in response to increased production costs combined with low purchasing power. Working journalists live in constant fear of losing their jobs because of the faltering economy. Another serious problem is that many media houses employ unqualified relatives of the owners in management positions; some of these outlets shut down soon after they are launched.

As for community media houses, the panel noted that some are managed well, with sustainable funding from the community and donors, but there are a few insufficiently

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.

funded outlets that struggle to stay afloat. The panel also reported that the public media misuse their allocated funding at times. For example, the state media agency director, Oscar Kimanuka, was indicted on corruption charges in April 2009, and the board dissolved because of the ensuing scandal.

The panelists agreed that private media receive revenue from multiple sources, including sale of copies, advertising, undisclosed sponsorships, and commercial bank loans. The private sector in Rwanda is weak because it is dependent entirely on the government for survival, hence editorial influence cannot be ruled out. The panelists noted that the public media depend on the government as a major source of funding, which in turn dictates their editorial directions. In addition, major advertisers influence the editorial policies of public and independent/private media, through the business they offer directly and through advertising firms.

Last year's panelists characterized the Rwandan advertising sector as underdeveloped, although the panelists noted the emergence of some new firms. This year, the panelists did report some growth, with several new advertising agencies cropping up, including Creative Communications, Data Pro, Creaxio, GR8, and Rusororo. Although they are confined mainly to Kigali, they work actively with all modes of media: online, print, and broadcast. Some media houses have proven successful in developing full-fledged departments to handle advertising business, and employ professionals to solicit new clients.

Again this year, the panelists reported that advertising represents the biggest portion of broadcast programming time—an estimated 70 percent. Print and broadcast editors end up running more advertisements than programming, as they depend on advertisements for funding. Media houses without sufficient advertising struggle to survive.

According to the panelists, the government does not offer direct subsidies to private media. The media have been extended tax exemptions, without effect on editorial independence. However, the panel noted that the Ministry of Finance has included a program in the 2009/2010 national budget aimed at supporting media growth in the country. The Rwanda media community has welcomed this development, in hopes that it will help to expand the sector—provided that the fund has no strings attached.

The panelists agreed that no individual media houses have ever carried out major media research to check on the needs of the audiences they serve. Only a few media houses have tried using informal methods (questionnaires, call-ins during talk show programs) and whether or not the findings were put to use is unclear.

However, the panelists reported that some media houses, such as *The New Times*, recently engaged a Kenyan specialist to carry out research on their newspaper distribution networks, and management is trying to improve on using the findings. The Media High Council also carried out research, but for its own benefit, not for Rwandan media outlets.

The situation with newspaper circulation figures, broadcasting ratings, and Internet statistics has not improved since the last media survey. Rwanda has no clear and reliable sources, stemming from the lack of professional firms to carry out this work, noted the panelists. They agreed that this presents an opportunity for any media house to step forward and carve out a leading position in the sector.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Rwanda Objective Score: 2.17

Again this year, scores for Objective 5 did not change dramatically—with the exception of indicator 7 (channels of distribution), which dropped nearly a third of a point. Indicators 4 (academic journalism programs) and 6 (sources of newsprint and printing facilities) received the strongest scores for this objective.

The panelists reported growth in the number of professional media associations in Rwanda. They now include the Association of Rwanda Journalists (ARJ), the Rwanda Editor's Forum, Press House (set up by PANOS, a regional international development organization), Rwandan Independent Journalists Association, the Association of Rwandans Journalists against HIV/AIDS, Environment Journalists Association of Rwanda, Rwandan Association of Media Women, and many smaller

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 only NGO working directly with the media is a coalition of rights groups called LDGL (the French acronym for Great Lakes Region Human Rights League). A regional organization, LDGL helps journalists in trouble in Rwanda, Burundi, and Congo by sending out alerts reacting to various threats, and works to build the professional capacity of journalists.

organizations representing particular sectors of the media. These associations work to help their members in a number of areas. They offer training, defend the rights of journalists in the country, lobby the government for better media laws, and solicit international support for media development. Becoming a member of any of these associations is very simple; requirements generally include an application to the general secretary, filing a form, and paying the membership fees.

However, the panelists offered mixed reviews of these associations' work to date. They characterized several associations as pro-government. Some activities have been carried out in close coordination with the government. Other organizations are rather inactive and therefore lose members.

The panelists agreed that Press House is finally turning into an association for media owners and publishers, though its members have not seen significant benefits to date. Press House reportedly offers its members services such as advocacy for the rights of the publishers, lobbying the government on problems such as high taxes, and access to free Internet. Left out are broadcasters, who the panelists said are thinking about starting their own association to cater to their interests.

Rwanda has a few NGOs working in the media field; most of them are involved in other development work. The only NGO working directly with the media is a coalition of rights groups called LDGL (the French acronym for Great Lakes Region Human Rights League). A regional organization, LDGL helps journalists in trouble in Rwanda, Burundi, and Congo by sending out alerts reacting to various threats, and works to build the professional capacity of journalists. It also conducts a state of the media survey in the three countries and publishes a report every two years, noted the panelists.

The score for academic institutions held steady compared to last year's score; the panelists agreed that Rwanda has public

and private media training institutions that offer high-quality degree and diploma courses. The two universities in Rwanda offering media studies are the National University of Rwanda, with a journalism and communications school; and the Catholic University of Kabgayi, which produces graduates ready to work with the existing media houses. Journalists can take advantage of training opportunities abroad, but those who travel for their studies tend to leave the media for other sectors upon their return because of the low pay in the media field.

One recent challenge to journalism education has been the government-mandated switch to English in the education system. This has forced many to lecture or learn in a language with which they are uncomfortable. It is likely that this challenge will be mitigated with the passing of time and the increase in English usage.

Media houses also offer free, short-term training opportunities, some of which are organized as workshops and funded by international donors. According to the panelists, the courses most in need include basics of journalism, ethics, and investigative reporting. Training efforts to date have focused on these topics; however, the panelists expressed concern that all the training programs that have been carried out target editorial departments, leaving out other sectors of the media, such as advertising and circulation, which also need strengthening.

Newsprint producers and some printing facilities are held privately and run as profit-generating businesses. However, because of high printing costs, some media houses have decided to turn to companies in Kampala, Uganda, where printing runs are cheaper. The panelists agreed that even the government-owned printing press is too expensive for private media houses. However, the panelists said that a new government printing press is being installed, and once it is completed, the cost of printing is likely to go down. Of course, newspapers with stories seen as critical or "negative" to the state cannot be printed from that facility. Furthermore, the panelists questioned the editorial independence of some of the privately run printing facilities. In some cases, private printing houses reject printing even those papers that can afford the steep printing costs if they are seen to be critical of the government.

Again this year, the panelists reported that media distribution channels (kiosks, supermarkets, and shops) are in private hands and continue to be managed efficiently. Private broadcasters manage their own transmitters, but if they run afoul of the government, the state can switch off transmitters without consulting the owner. The government also has its own transmitters, which are managed properly and in a non-partisan manner, according to the panelists.

List of Panel Participants

Kim Kamasa, managing editor, *Izuba Rirashye*, Kigali City

Bosco Kagaba, correspondent, *East African Business Week*, Kigali City

Jovin Ndayishiniye, director/journalist, *Les Points Focaux*, Kanombe Airport Town

Charles Sengabo Muligande, political analyst, Rwanda News Agency, Kigali City

Eddie Mwerekande, reporter/presenter, City Radio, Kigali City

Nelson Gatsimbazi, editor-in-chief, *Pusingi*, Kigali City

Jeanne d’Arc Umwana, correspondent, Voice of America, Kigali City

Richard Muratankwaya Kayigamba, senior reporter, *Umuseso*, Nyamirambo Town

Mark Akankwatsa Ramba, editor-in-chief, *Umuseke*, Kigali

Beatrice Batamuliza, journalist/media monitor, Africa Press Agency, Kigali City

Moderator and Author

Didas Gasana, editor, *Umuseso*, Kigali City

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda

Nevertheless, the panelists did discern a few rays of hope. In the legislative arena, a new media code came out of the Assises Nationales, a forum for national dialogue.



SENEGAL

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

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

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

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

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

SENEGAL AT A GLANCE

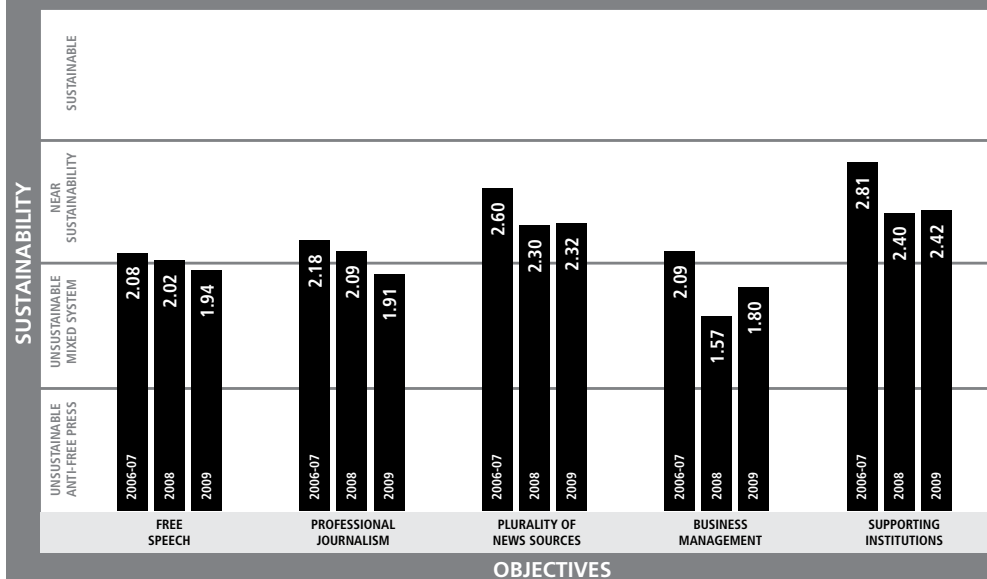
GENERAL

- > **Population:** 12,323,252 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Dakar
- > **Ethnic groups (% of population):** Wolof 43.3%; Pular 23.8%; Serer 14.7%; Jola 3.7%; Mandinka 3%; Soninke 1.1%; Europeans and Lebanese 1%; others 9.4% (*CIA World Factbook*)
- > **Religions (% of population):** Muslims 94%; Christians (predominantly Catholics) 5%; indigenous religions 1% (*CIA World Factbook*)
- > **Languages:** French (official language); Wolof; Pulaar; Jola; Mandinka (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$12.95 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,790 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 39.3% (male 51.1%, female 29.2%) (2002 estimate, *CIA World Factbook*)
- > **President or top authority:** President Abdoulaye Wade (since April 1, 2000)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 18 daily newspapers, including *Le Soleil* (state-owned), 15 periodicals and 5 online newspapers; Radio: 1 state-owned radio channel, 18 private commercial radio stations, 30 community radio stations; Television Stations: 1 state-owned channel, 4 private stations (2008 estimate, Dakar Agency for Strategic and Research Studies (Agence Dakaroise d'Etudes Stratégiques et de Recherche))
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Senegalese Press Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1.02 million (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SENEGAL



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Senegal Objective Score: 1.94

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

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

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

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Senegal Objective Score: 1.91

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

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OBJECTIVE 3: PLURALITY OF NEWS

Senegal Objective Score: 2.32

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

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

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

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

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

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

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

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

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

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

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

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

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

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

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

OBJECTIVE 4: BUSINESS MANAGEMENT

Senegal Objective Score: 1.80

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

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

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

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

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

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

BUSINESS MANAGEMENT INDICATORS:

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

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

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

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

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

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

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

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

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Senegal Objective Score: 2.42

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

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

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

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

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

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

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

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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

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

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

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

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

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

List of Panel Participants

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Moderator and Author

Mor Faye, professor of media and communication sociology, Gaston Berger University, Saint-Louis

Assistant

Khady Ndama Sow, communication specialist, Dakar

The moderator received technical and logistical support from the Mass Media Study and Research Group, Gaston Berger University, Saint-Louis.

International interest in the media as a tool to check government excess has increased support for media development. That created more news sources, and there are now community radio stations and many daily newspapers.



SIERRA LEONE

S

Sierra Leone has undergone profound social, economic, and political changes over the past 15 years. After one-party rule, characterized by tribalism, nepotism, widespread corruption, and political harassment, Sierra Leone was plunged into what the UN described as the most brutal civil war on the continent of Africa. During the war, which started in 1991 and lasted for 11 years, thousands were killed, and many others had their limbs crudely amputated by rebels and renegade soldiers in a bid to spread terror. Many women and girls were raped. Hundreds of thousands more fled into exile in neighboring countries, particularly Guinea and Liberia. The socioeconomic fabric of the country was completely destroyed.

Today, Sierra Leone relies heavily upon donor support, mainly from the British government and the European Union. The nation's productive capacity is destroyed, and direct foreign investment is almost nonexistent. By the time the war ended, the media counted among the casualties. Journalists were divided, with some openly supporting the various sides (the rebels, the government, and the remnants of the defeated Sierra Leone army and their allies in the three military juntas that briefly took power at different times during the war). Some journalists fled abroad. Newspapers were replete with petty infighting among journalists. High school dropouts became journalists and editors overnight on newspapers set up by unscrupulous politicians to settle scores or puff up their images in the hope of obtaining political appointments or lucrative government contracts. The media lost all credibility.

However, in the years following the war, much work has been done to restore the image of journalism in Sierra Leone, ranging from physically rehabilitating media institutions to training personnel. As the MSI shows clearly, the international attention that Sierra Leone received from the UN peacekeeping mission and the support of foreign governments and international organizations led to a commitment by the then-ruling Sierra Leone People's Party (SLPP) to promote free speech and freedom of the media. With a few exceptions, the media gained more freedom to write or say anything about the government. International interest in the media as a tool to check government excess has increased support for media development. That created more news sources, and there are now community radio stations and many daily newspapers. However, professional journalism standards suffered badly, and the nation must now contend with a flood of unskilled people who found their way into journalism to fulfill political agendas.

On the political front, Sierra Leone has recently witnessed a wave of political violence involving the two main political parties, the ruling All People's Congress (APC) and the SLPP. The SLPP office in Freetown was attacked three times within a short time span. To end the violence and intimidation of the opposition, the United Nations Integrated Peacebuilding Office in Sierra Leone organized talks for both parties in Freetown that culminated in both parties signing a communiqué pledging to promote peace and reconciliation.

SIERRA LEONE AT A GLANCE

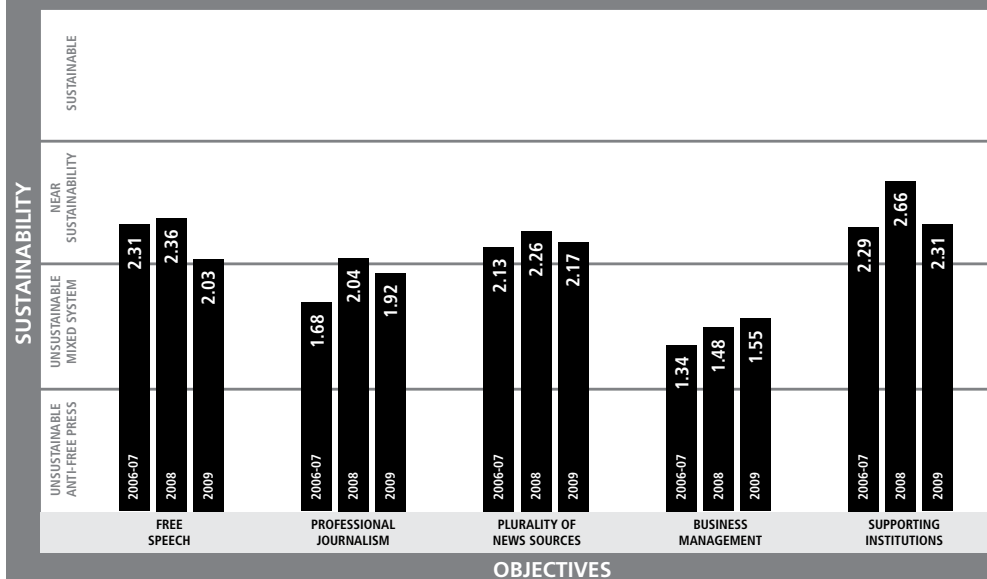
GENERAL

- > **Population:** 5,245,695 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Freetown
- > **Ethnic groups (% of population):** Temne 35%, Mende 31%, Limba 8%, Kono 5%, Krio 2% (descendants of freed Jamaican slaves who were settled in the Freetown area in the late-18th century; also known as Krio), Mandingo 2%, Loko 2%, other 15% (includes refugees from Liberia's recent civil war, and small numbers of Europeans, Lebanese, Pakistanis, and Indians) (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 60%, Christian 10%, indigenous beliefs 30% (*CIA World Factbook*)
- > **Languages:** English (official, regular use limited to literate minority), Mende (principal vernacular in the south), Temne (principal vernacular in the north), Krio (English-based Creole, spoken by the descendants of freed Jamaican slaves who were settled in the Freetown area, a lingua franca and a first language for 10% of the population but understood by 95%) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$1.938 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$790 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 35.1% (male 46.9%, female 24.4%) (2004 est., *CIA World Factbook*)
- > **President or top authority:** President Ernest Bai Koroma (since 17 September 2007)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 39; Radio Stations: 53; Television Stations: 2
- > **Newspaper circulation statistics:** *Awoko* (privately owned), *Concord Times* (privately owned), *Premier News* (privately owned)
- > **Broadcast ratings:** Top three ranked stations: Radio Democracy (privately owned), Capital Radio (privately owned), Radio Mount Aureol (university owned)
- > **News agencies:** Sierra Leone News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 13,900 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SIERRA LEONE



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Sierra Leone Objective Score: 2.03

Sierra Leone's 1991 constitution guarantees the freedom to "express views and impart knowledge." Furthermore, in section 11, it obliges the media to "uphold the fundamental objective contained in this constitution and highlight the responsibility and accountability of the government to the people." Many journalists point to this section to underline the important role the media are expected to play toward the growth of democracy in Sierra Leone. However, Emmanuel Saffa Abdulai, of the Society for Democratic Initiatives, a lawyer by training, said this provision is more aspirational than enforceable.

However, the constitution is conspicuously silent on the issue of access to public information. Additionally, successive governments have invoked a number of common-law provisions contained in part (5) of the Public Order Act of 1965 against the critical press. The panelists said that government functionaries have used these legal provisions in their evidently futile attempts to rein in journalists.

Since 2002, the Sierra Leone Association of Journalists (SLAJ) has pressed the government to expunge the criminal and seditious libel provisions of the Public Order Act of 1965. Lawyers for SLAJ and Ernest Bai Koroma's government have concluded arguments in the Supreme Court of Sierra Leone on the constitutionality of part (5) of the Public Order Act,

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.

Abdulai's opinion differed slightly; he said the judiciary "hasn't proven to be independent... they have refused to ruffle feathers" and noted that most judges are appointed by the government on contract.

in light of Section (25) 1 of the constitution of Sierra Leone. At the time of the MSI panel, judgment was still pending, and in June, SLAJ issued a press release reminding the courts of their obligation to deliver a decision within a reasonable timeframe. SLAJ also stated, "The failure by the Supreme Court therefore to rule in the SLAJ case up to now, after the final arguments had been made on 9 March 2009, leaves much to be desired. This, according to SLAJ, is a violation of the country's constitution by the highest court in the land." Noting that there are no higher courts to appeal to, SLAJ called on the president to make real his campaign promise to repeal this law.

Regarding the independence of the judiciary in free-speech matters, Mansaray noted, "The judiciary is generally independent, but when big guns are involved, lots of other issues are in play, and it cannot be said that they are totally independent." Abdulai's opinion differed slightly; he said the judiciary "hasn't proven to be independent... they have refused to ruffle feathers" and noted that most judges are appointed by the government on contract. Christo Johnson, of Reuters, agreed that the Sierra Leone judiciary will never be independent as long as it involves the authorities.

However, Hindolo Tornya Musa, a media lecturer at Fourah Bay College, said that while journalists must be able to conduct their work as in other democracies, laws must exist to regulate the industry—because if journalists do not behave professionally, it could also undermine democracy.

Over the past two MSI surveys, panelists assigned relatively high scores for Sierra Leone's broadcast licensing system. This year's panelists also agreed generally that broadcast licensing is largely free of political considerations—but warned that is beginning to change.

The panelists accused the IMC of making a political decision by withdrawing licenses from the two radio stations owned by political parties (Unity Radio 94.9 FM, belonging to the SLPP, and Voice of the Rising Sun 88.0 FM) recently. Abu Bakar Joe Sesay, editor of the *Democrat*, claimed that the fairness of the IMC in granting broadcast licenses is "evidenced by the proliferation of community radio stations across the country."

At present, all 14 of the community radio stations are in arrears on license renewal fees for more than three years—in some cases running into millions of leones.

However, he said that he is “of the opinion that the closure of the two radio stations is politically motivated in the sense that the action taken by the vice president initially [to close the radios] was never condemned by anybody.” Abdulai expressed concern that the IMC apparently gave up its jurisdiction on the issue, allowing the vice president to step in and make the call.

Julius Spencer, managing director of a public-relations agency, shared his opinion that in this case, the IMC made “fundamental errors... they violated the IMC Act in the way they went about withdrawing the licenses.” He added, however, “Clearly... my view about the radio stations is a separate matter. I also think that we should not have party radio stations in Sierra Leone; I don’t think they will do us any good.” On the last point, Francis Sowa agreed. “Those two radio stations have no business operating in Sierra Leone,” he said. Steven Mansaray, a lawyer, described the banned radio stations as “a menace to the population” and noted that as far as he is concerned, “the IMC is apolitical.”

The panelists generally agreed that the tax structure for media businesses does not differ from other types of entrepreneurial activities. In fact, Spencer argued, “Media institutions have been generally treated quite leniently in terms of paying taxes.” Betty Alimamy Sesay, of Radio Mankneh, noted that her radio station has already been dragged to court by the National Social Security Scheme (NASSIT) for failure to pay the mandatory social-security contributions for staff. Franklyn Kamara, of the Initiative for the Mobile Training of Community Radio (INFORMOTRAC), argued that the tax structure is skewed against community radio stations that have a large volunteer workforce: “The concern here is that these radio stations have to meet this commitment [NASSIT tax], and they also have to pay licenses and spectrum fees—it is an added burden. Meanwhile, SLBS [the state broadcaster] does not.”

At present, all 14 of the community radio stations are in arrears on license renewal fees for more than three years—in some cases running into millions of leones. Recently, the chairperson of the IMC urged president Koroma to ask local councils to support community radio stations.

Compared with other countries in the region, crimes against journalists in Sierra Leone are rare, according to most of

the panelists. Abu Bakar Joe Sesay noted, however, that when they do occur they are not prosecuted vigorously. He mentioned the case of Sitta Turay, editor of *New People*, who was allegedly attacked and wounded by APC partisans for writing articles critical of the president.

When it comes to prosecuting cases, Spencer said, “Journalists are not treated any better or worse than ordinary citizens. Most people cannot get justice through our court system anyway. The only people who can get justice quickly are the powerful and the rich.” He also said that he is not sure there is a public outcry when crimes against journalists occur. “I think the attitude generally... is that [journalists] are not serious, and it’s their fault.”

State media do receive preferential treatment, according to the panelists. Franklyn Kamara said the IMC gives preferential treatment to government-owned broadcast facilities; they are exempt from paying annual license fees while community radio stations must pay. They gain favored access to the State House to cover the president’s activities. Mustapha Sesay, secretary general of SLAJ, noted that SLBS is “government-controlled and is open to manipulation by the ruling party.” Sowa added that as long as the president appoints both the chair of the board and the director general of the SLBC, there is “no political independence” in the operations of the SLBC.

Shortly before the MSI panel convened, parliament passed the Sierra Leone Broadcasting Corporation bill into law under heavy UN and donor pressure. However, there were complaints that there was no public debate of the bill and that even now, the proposed SLBC is not insulated from government interference and manipulation as the president appoints the head of the institution. A section of the new act specifies that the director general “shall be appointed by the president, subject to such terms and conditions as the president may determine.”

In Sierra Leone, libel is both a civil and criminal matter. Abdulai expressed particular concern that in libel cases, the burden of proof rests with the accused. He noted, “I see a shift in the cardinal principle that says he who asserts must prove.” Regarding the question of judiciary corruption in such cases, Abdulai argued, “I don’t think there is an issue of corruption among the judges; I think it’s more an issue of the patronage system that is operating in the country whereby the judges are all obligated to the politicians.”

Spencer noted that “instead of the public official being held to higher standards... it is even more difficult for the accused if it is a public official.” He continued, “The judges, of course, are scared when it has to do with a government official, and they would have made up their minds even before any evidence is presented... most cases taken to court under

this law have not been prosecuted to conclusion; it is simply used as a means of punishing journalists.” Furthermore, Johnson noted that the government normally argues and gets permission from the court for such trials to be conducted by “judge alone... that is a serious indictment on the system.”

Regarding access to public information, the panelists were unanimous that public information is extremely difficult to get and that there is no law guaranteeing right of access to such information. But Mustapha Sesay also noted that journalists have limited knowledge and skill on how to obtain public information and argued that journalists need proper training.

There is no restriction in Sierra Leone for any media house wanting to access and publish or rebroadcast international news. There are three international broadcasters relaying transmissions into Sierra Leone, which many radio stations carry even without permission—VOA, BBC, and RFI. Accessing the Internet for news, however, is expensive.

Entry into the profession is open; the government does not require licensing of journalists. The only restriction is that to become a newspaper editor, membership in SLAJ is required. The membership process takes about three months.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Sierra Leone Objective Score: 1.92

Panelists were just about evenly divided on the quality of Sierra Leone journalism, but there was general agreement that over the years there has been great improvement—but a lot more work remains. Garrick Olabisi, a producer at

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).

Abdulai recalled a particular experience with journalists his organization took to cover an event in the northern city of Makeni. Only three journalists out of the 20 who covered the event wrote about the story. He noted, “It is no longer whether an item is newsworthy; it is about how much you can give... and then you are depriving the people who are buying the newspapers.”

Radio Democracy 98.1 FM, argued that the real problem with fairness and objectivity rests with some newspapers; he claimed that if they cannot confirm everything, some simply go ahead and publish their story and try to retract it later if necessary.

Many panelists agreed that the main problem is that many journalists fail to carry out adequate background research before embarking on an interview. “Getting experts is difficult, but it pays to be persistent,” according to Olabisi. But, Betty Alimamy Sesay, of Radio Mankneh, a community radio in the northern city of Makeni, described the unique problem confronting her station: “The ministry of education in Makeni will only talk to SLBS and nobody else.”

As far back as 2001, SLAJ developed a media code of practice for its members, but very few journalists knew about it or bothered to follow it. The IMC subsequently developed another media code of practice in collaboration with SLAJ, with support from the PANOS Institute of West Africa. Largely based on the Code of Practice of the Press Complaints Commission in the United Kingdom, it was discussed and presented to parliament in 2007. It is violated regularly; the IMC has a Complaints Committee that meets weekly. In its 2008 annual report, the IMC noted they deliberated on a total of 34 complaints in 2007 and 32 in 2008—a far greater number of complaints than received in previous years. The IMC report noted, “The reason for the increase has been attributed to the fact that some media institutions took sides with one political party or the other during the 2007 presidential and parliamentary elections.”

As to whether media professionals accept payments in exchange for coverage, the panelists said that is a fact of the profession in Sierra Leone, and it cuts across all ages and professional experience. According to Spencer, it is so “ingrained in the mentality of the journalists in Sierra Leone that they think that is natural.”

Abdulai recalled a particular experience with journalists his organization took to cover an event in the northern city of Makeni. Only three journalists out of the 20 who covered the event wrote about the story. He noted, "It is no longer whether an item is newsworthy; it is about how much you can give... and then you are depriving the people who are buying the newspapers."

There was no doubt among the panelists that self-censorship exists in newsrooms across the country, but they blame this on different reasons. Abu Bakar Joe Sesay said he would "attribute that to the one-man business trend... editorial policies that are normally designed by the publisher and not a board. He elaborated, "We have certain individuals or institutions we do not target [report on]... it mostly has do with he who pays the piper calls the tune... the rules are unwritten, but in my own situation the publisher tells you... these are our interests."

Spencer argued that the business interests of media institutions are the most important factor driving self-censorship in Sierra Leone; he cited the example of the biggest mobile-phone operator in Sierra Leone, ZAIN, which rarely gets bad press because of the amount of advertising it provides. However, Mustapha Sesay said he is sure that "the fear of the Public Order Act and of physical attacks" is the most significant factor restraining journalists.

Generally, the media in Sierra Leone cover all events and issues, even though some media outlets face more restricted access than others. State media have more access to the government and its agencies than the private media. However, during the civil war years, reporting on security issues was restricted severely. The participants also noted that reporting on certain societal issues, such as female genital mutilation (FGM), is extremely risky. In February 2009, in the Eastern City of Kenema, three female journalists were abducted by traditional *sowes* (FGM practitioners) and paraded half-naked in the streets and detained for several hours until the police intervened. The journalists had conducted radio interviews on FGM in observance of February 6, 2009, as the fifth anniversary of the international day on zero tolerance for FGM, which angered the *sowes*.

The panelists agreed that in more than 90 percent of media outlets in Sierra Leone, many journalists are not paid a salary, and their organizations do not pay their mandatory social-security contributions to NASSIT. Sowa put it bluntly: "We have more volunteers in the media than paid staff." Compared with other professionals, Mustapha Sesay argued that journalism salaries are dismal, and therefore some journalists have been quitting the profession in search of better pay, such as joining corporations like banking institutions—or abandoning Sierra Leone altogether.

Unfortunately for the profession, many of the best are leaving—particularly those who do not want to compromise their integrity. The participants agreed that the private media pay more than the state broadcaster.

Many radio stations in Sierra Leone operate a fixed news bulletin schedule; no 24-hour news radio exists here. The panel agreed that entertainment programs dominate about 60 percent of broadcast time, as a way of attracting young listeners drawn into the hip-hop and rap culture sweeping Sierra Leone now.

Almost all radio stations have relatively decent on-air digital studio facilities, but the area of greatest need is field equipment to collect materials to help enrich programs. Many radio stations have resorted to cheap phone-ins, studio-based discussions, and syndicated programs produced by NGOs and international production houses to fill airtime. Finding people with expertise in maintenance and repair of broadcast equipment is very challenging.

Niche reporting is still not well-developed in Sierra Leone. The country has a lot of generalist reporting and hardly any history of real specialized reporting. This is not to say that there have not been attempts in the past, and some journalists are beginning to move toward specialization. There is the Parliamentary Journalists Group, and there are journalists specializing in court reporting, mining, and HIV/AIDS.

OBJECTIVE 3: PLURALITY OF NEWS

Sierra Leone Objective Score: 2.17

To date, only the UN radio, 103 FM, has anything close to national coverage. Its signals cover more than half of the country, but in terms of program content, it leans a bit heavily toward Freetown and other major cities. As far as newspapers are concerned, all but one is based in Freetown, and circulation outside the capital is very limited. Out of a total of at least 10 newspapers published daily, fewer than three reach areas outside the main cities. The panelists said that even when they do, it is through the effort of an obliging bus passenger, and the papers are a day or so late.

Rural populations thus rely upon one of the many community radio stations for news and entertainment. Unless something spectacular happens, the news often sounds repetitive. But Sowa said, "Even where the news is the same, two things must be considered... the angle, in most instances, is different... [when] you listen to various broadcasts and read the papers you see the interest of certain media houses, their

editorial policies, their political affiliations—you see a slant or a twist in the way the news is published or broadcast.”

Few ordinary people can afford to use the Internet for news; it is generally restricted to some journalists, business executives, and a growing number of English Premiership Football supporters, who are focused primarily on news about their teams. Mobile-phone companies like ARFICELL provide a news alert service for their subscribers.

According to the panelists, there are absolutely no government restrictions on citizens wanting to access news from any local or international sources. Foreign broadcasts from VOA, BBC, and RFI are relayed to the country in clear FM quality around the clock. Foreign newspapers, particularly from the United Kingdom, are available in some stores in Freetown—but they are very expensive. Satellite news service provided by DSTV is available across the country. In rural areas, it is most popular for sports programming.

The panelists were unanimous that the state broadcaster, SLBS, is not truly independent and has in fact always been controlled by the ruling party; they also agreed that this indicator is a particular weak spot for Sierra Leone. Parliament just passed into law a bill that promises to make the new SLBC a true national broadcaster; however, SLAJ has expressed concern that it will be counter to the media’s interests and has asked the president not to sign the bill into law.

Editorial slant generally depends on the ownership of the radio station. But the greatest problem is with state radio, where self-censorship is rife. For example, Betty Alimamy

Sesay mentioned a meeting for the three main political parties, organized by the Political Parties Registration Commission. She said, “All the three political parties made statements, and the only one aired by SLBS was the statement by the All People’s Congress [the ruling party]... In our station, I made sure I brought everybody’s view.”

There is only one local news agency in Sierra Leone, the Sierra Leone News Agency, which is under-resourced and has lost all of its good reporters to newspapers and radio stations. When it operated at full strength, its stories were picked up mainly by the state broadcaster free of cost. International agencies like Reuters, AP, and AFP have local correspondents based in Freetown.

All radio stations in Sierra Leone produce their own programs, but the quality and volume of programs depend on the availability of equipment and the professional capacity of the journalists. Hindolo Musa pointed to what he thought is a dangerous trend developing among community radio stations that depend heavily on one service for news. He explained, “Cotton Tree News [CTN]—a news service jointly run by Fourah Bay College and the Swiss-based Foundation Hironnelle—dominates the news activity for the independent radio stations... most of the rural community radio stations merely rely on CTN news broadcasts.”

Foreign news agencies have private arrangements with radio stations like Radio Deutsche Welle and Culture Radio in Freetown to rebroadcast their news, and for print media, about four newspapers have arranged with XINHUA to carry its stories.

To some panelists, media ownership in Sierra Leone is not considered a big mystery. Newspapers, in particular, generally publish their owners’ names as the managing editor, executive editor, or publisher. The IMC Act of 2000, amended in 2007, makes it possible for any member of the public to learn the ownership of a given newspaper or radio by reviewing information on file. However, Spencer noted, “The legal owner may not be the real owner; in many cases you have people behind the scenes who finance media institutions.” According to Abdulai, “They all have their interests... we know a couple of newspapers are sponsored by politicians, fronted with more neutral people posing as the owners. They basically want it to look like an independent radio or newspaper... then, when these papers publish something on them or their interests, it has a more persuasive aura of neutrality.” There is no foreign-owned newspaper in Sierra Leone, but British businesspeople co-own Capital Radio. However, significant grants from foundations like the Open Society Institute for West Africa have helped set up community radio stations, and British government aid has flowed to the state broadcaster.

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.

Some panelists claimed there is no resistance to the inclusion of any social interest topics in the media; they said it is only self-censorship that prevents social and minority issues from being addressed in the media. However, the description of the treatment of radio journalists discussing the issue of FGM appears to contradict this impression.

OBJECTIVE 4: BUSINESS MANAGEMENT

Sierra Leone Objective Score: 1.55

Most media institutions, particularly newspapers, are sole proprietorships. Even some newspaper-owned printing facilities are run in the same manner. Abu Bakar Joe Sesay confirmed this, citing an example: "We have the media business owner controlling virtually everything; that is what happens in most newspapers I know, including mine... they operate as profit-generating businesses, but they do not operate as efficiently as they could." For example, only a handful of newspapers and some radio stations hire professionals to operate their institutions. Many community radios are not run on a sustainable basis, panelists said, because of their dependence on foreign grants. Another obstacle to sustainability is the heavy operational overheads that burden many of these stations, given that they are located in poor rural communities with no electricity.

Some panelists charged that the state media are corrupt. The former director general, Kasho Wellington, was recently prosecuted—successfully—by the Anti-Corruption Commission for stealing money from the station. His accountant was also convicted.

Private media outlets are typically financed by advertising revenue, loans from financial institutions, and sponsorships;

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

BUSINESS MANAGEMENT INDICATORS:

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

advertising is typically the key source, however. A one-minute radio jingle costs SLL 3,000 (\$0.75). The cover price of newspapers is SLL 1,000 (\$0.25); newspapers do not profit from the sale of copies.

The state broadcaster is poorly funded, and the process is not insulated from government control. The new SLBC Act is not yet operational; the station budget remains under the ministry of information.

Community media depend on grants and a clutch of agreements with NGOs to advertise their programs in exchange for money or equipment. In a relationship like this, the media are disinclined to broadcast anything negative about such NGOs or advertisers. As a result, the panelists said, editorial policy is definitely affected—particularly in private and community media.

There is a growing advertising industry in Sierra Leone, especially following the recent arrival of about seven banks (mostly from Nigeria) that advertise an array of services. Previously, businesses wanting to advertise contacted the media institution directly. Now, advertising agencies more often occupy that middle ground, producing and distributing material for broadcast or publishing. All the advertising agencies are based in Freetown, and the agencies are largely Sierr Leonean.

The government gives no money to private media by way of subsidies. The IMC has called on the government to support community radio stations in rural areas, but even that has not materialized.

No market research is conducted, nor are broadcast ratings or circulation figures produced officially in Sierra Leone. All media make their own claims about circulation and penetration. Although there are no official circulation figures, the panelists believe that circulation is very low.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Sierra Leone Objective Score: 2.31

Again this year, the panelists reported that there is still no broadcaster's association, despite agreement by the panelists, particularly the broadcasters, that there should be one, perhaps even as an affiliate of SLAJ. The Newspaper Publishers Guild, set up a few years ago, has collapsed.

SLAJ is the legally recognized professional association of journalists, both broadcast and print. According to the panelists, SLAJ's main focus, apart from conducting training for young journalists, is in advocating for legal reforms and providing legal support for members sued for libel and defamation.

At present, there are a few other professional associations representing the interests of journalists, such as Women in the Media of Sierra Leone and the Reporters Union—both trying to further the welfare of their members and affiliated with SLAJ.

There are a few NGOs actively supporting Sierra Leone's media community. The Society for Democratic Initiatives is actively involved in media-rights issues; it paid the legal fees for a law firm that argued the case for the repeal of the seditious and criminal libel laws in Sierra Leone. It is also working with the Media Foundation for West Africa to set up a legal-aid scheme for journalists and is working with SLAJ and other groups to enact the Freedom of Information law.

But the process has not been smooth among the partners, according to Abdulai. He commented that he sees a sense of competition; the partnership is strained. He feels SLAJ considers itself the only organization focused on the media and wants all media advocacy initiatives to go through it, which creates tension.

The West African Media Development Fund is working to help media institutions set themselves up as viable businesses.

The only institution that grants degrees for journalists is the Communication Department of Fourah Bay College at the University of Sierra Leone. The bulk of journalism graduates have gone into public relations with banks and parastatals; only a handful have gone on to work as journalists. The demand for places at the journalism school is high. In 2009, about 200 applied, but after the normal diagnostic English test, only about 60 were admitted. A few journalists have been trained abroad; the panelists estimated that about 30 percent have returned home.

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.

Both local and international groups organize many short-term training courses, mostly in basic journalism and radio program-production. Professionals of varying levels of experience are accepted for such trainings; however, media managers take very little interest in such trainings, almost always sending low-level representatives instead. In Sierra Leone, journalists who attend such training programs are paid per-diem and transport allowances; otherwise attendance would be extremely poor.

According to the panelists, it is very true that sources of newsprint and printing facilities are in private hands, apolitical, and not restricted in Sierra Leone.

List of Panel Participants

Garrick Olabisi, journalist, 98.1 FM, Freetown

Christo Johnson, correspondent, Reuters News Agency, Freetown

Kelvin Lewis, managing editor, *Awoko*, Freetown

Francis Sowa, station manager, Radio Mount Aureol, Freetown

Betty Alimany Sesay, producer, Radio Mankneh, Makeni

Abu Bakar Joe Sesay, managing editor, *Democrat*, Freetown

Emmanuel Saffa Abdulai, director, Society for Democratic Initiative, Freetown

Steven Mansary, legal practitioner, Freetown

Franklin Kamara, media trainer, Initiative for Mobile Training of Community Radio Stations (INFORMOTRAC), Freetown

Mustapha Sesay, secretary general, Sierra Leone Association of Journalists, Freetown

Tonya Musa, lecturer, Mass Communication Unit, Fourah Bay College, University of Sierra Leone, Freetown

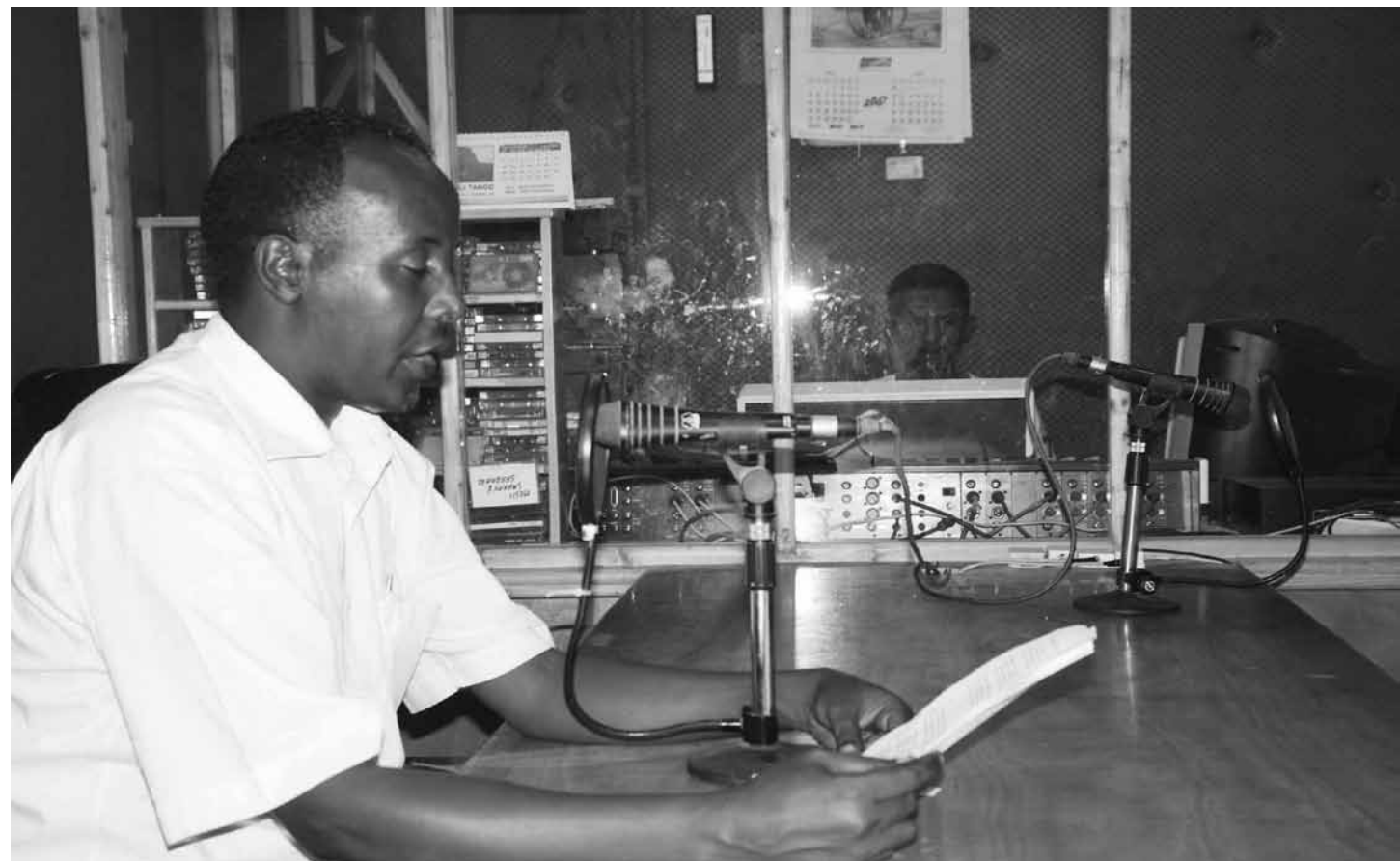
Julius Spencer, managing director, Premier Media Advertising, Public Relations Agency, Freetown

Moderator and Author

Isaac Massaquoi, acting head of the Mass Communication Unit, Fourah Bay College, University of Sierra Leone, Freetown

The Sierra Leone study was coordinated by, and conducted in partnership with, Media Foundation for West Africa, Accra, Ghana.

Still, dedicated journalists courageously continue their efforts, despite the extreme risks of working in Somalia. They are working to elevate professional standards, in part to help show the public the value of media in society.



SOMALIA

Amid continuing conflict between the Transitional Federal Government (TFG) and insurgent groups, Sheikh Sharif Sheikh Ahmed, considered a modern Islamist, was elected president in January. A new government was formed, blending the TFG officials and the Alliance for the Re-liberation of Somalia, and Ethiopian troops withdrew in January.

Yet peace continues to elude Somalia, which consists of the TFG in Mogadishu (covering the south-central region), the self-declared Republic of Somaliland in the northwest, and Puntland, the semiautonomous northeast region. Islamic groups, especially al-Shabaab, have forcefully and violently opposed the new government, murdering and kidnapping TFG officials and civilians.

The media has not been spared; rather, it has emerged as a target and the escalation of violence against the media is pronounced. According to the Committee to Protect Journalists (CPJ), "Somalia was among the world's deadliest countries in 2009, surpassing violent hot spots such as Iraq and Pakistan."¹ The National Union of Somali Journalists (NUSOJ) noted, "In the history of Somalia, the past twelve months stand out as the darkest and deadliest period for journalism in the country. The work and life of journalists have become worthless and dispensable, while attacks against journalists continue unrestrained."² CPJ and NUSOJ documented the death of nine journalists last year, including one of last year's MSI panelists, Mukhtar Mohamed Hirabe, director of Shabelle Radio in Mogadishu. Omar Faruk Osman, secretary general of NUSOJ, said, "The country has been in conflict for nearly 20 years now, but the kind of attacks specifically targeting journalists has never happened before."³

Still, dedicated journalists courageously continue their efforts, despite the extreme risks of working in Somalia. They are working to elevate professional standards, in part to help show the public the value of media in society. There is also access to international news, and there is a fairly wide choice of media given the circumstances. On the new media front, Somali language news websites are adding new voices. According to a U.S. Department of State report, relative to the region, Somalia enjoys some of the least expensive Internet and telecommunications access—and the government does not restrict access. However, opposition actors monitor use and are thought behind anonymous threats delivered to local journalists via email.⁴

Due to the security situation in Somalia, a panel discussion was not held this year. This report reflects research and discussions with those knowledgeable of the situation in Somalia.

¹ *Attacks on the Press 2009: Somalia*. Committee to Protect Journalists: February 16, 2010. <http://cpj.org/2010/02/attacks-on-the-press-2009-somalia.php>

² *War on Journalism in Somalia*, *Ibid*, p. 5.

³ *National Somali Journalists Conference Report: Professional Journalism: Responsibility in a situation of violence and insecurity*. Held in Nairobi, Kenya, July 2009. <http://www.nusoj.org/Docs/NUSOJ%20conference%20Report.pdf>

⁴ *2009 Human Rights Reports: Somalia*. U.S. Department of State: March 11, 2010. <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135976.htm>

SOMALIA AT A GLANCE

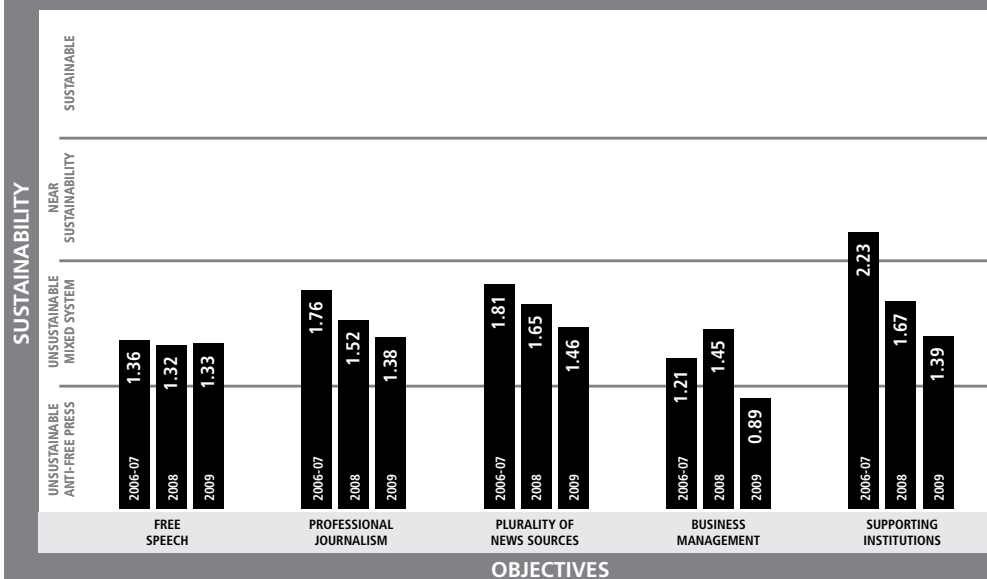
GENERAL

- > **Population:** 10,112,453 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Mogadishu
- > **Ethnic groups (% of population):** Somali 85%, Bantu and other non-Somali 15% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim (*CIA World Factbook*)
- > **Languages (% of population):** Somali (official), Arabic, Italian, English (*CIA World Factbook*)
- > **GNI (2009-Atlas):** N/A (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** N/A (World Bank Development Indicators, 2010)
- > **Literacy rate:** 37.8% (male 49.7%, female 25.8%) (2001 est., *CIA World Factbook*)
- > **President or top authority:** Transitional Federal President Sheikh Sharif Sheikh Ahmed (since 31 January 2009)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 20 print media, 20 radio stations, 3 television stations
- > **Newspaper circulation statistics:** Top newspapers and estimated circulation: *Xog-Ogaal* (800), *Qaran* (500) and *Ayaamaha* (400) in Mogadishu; *Jamhuuriya* (1000) in Hargeisa.
- > **Broadcast ratings:** Top three radio stations: Shabelle Radio, Somali Broadcasting Corporation, and Horn Afrik. Universal TV covers the whole country, Somaliland TV covers an area with an estimated 1,500 television-watching households, and Somali Broadcasting Corporation TV covers an area with an estimated 1000 television-watching households
- > **News agencies:** Somali Independent News Agency
- > **Annual advertising revenue in media sector:** Not available
- > **Internet usage:** 102,000 (2008, *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SOMALIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Somalia Objective Score: 1.33

Again this year, Somalia's freedom of speech MSI scores did not change significantly. Somalia's political situation does not allow for an independent media. On paper, the Transitional Federal Charter guarantees freedom of the media and freedom of information. However, a December 2007 media law imposes restrictive measures on the media, despite several efforts to bring the law up to international standards of freedom of expression. The TFG has not enforced the law, due to power struggles among the top leadership of the government and several attacks by Islamic insurgents.

Licenses are not issued regularly to any print or electronic media. Puntland has its own constitution, though it recognizes the TFG. It has regulations that require media to seek licensing, but they are not enforced on a regular basis. Somalia imposes no taxes or other impediments on the establishment or running of a media outlet.

NUSOJ noted, "The year 2009 opened on an ominous note for journalism in Somalia, with the daylight murder of Hassan Mayow Hassan, a radio Shabelle journalists, who sadly was the first journalist murdered in the world in the year."⁵

⁵ *War on Journalism in Somalia: Death, Displacement and Desolation: NUSOJ Annual Report of Press Freedom in Somalia*. National Union of Somali Journalists: December 31, 2009. http://www.nusoj.org/index.cfm?zone=/unionactive/view_article.cfm&HomeID=148376 p. 5.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

According to NUSOJ, in 2009, Somalia was the deadliest country for journalists in Africa.

According to NUSOJ, in 2009, Somalia was the deadliest country for journalists in Africa. In addition to the nine Somali journalists who lost their lives in 2009, NUSOJ noted, "During the year, 12 journalists were wounded, 15 journalists arrested, 4 media houses closed down, 7 radio stations directly censored, and nearly 100 journalists received death threats, some of them receiving threats on a daily basis." One of the 2008 MSI panelists, Shabelle radio director Mukhtar Mohamed Hirabe, was among those killed; he was shot in Bakaro Market on June 7, 2009.

The media in the central and southern regions continue to face the greatest hardship, with routine intimidations, arrests, attacks, and killings. Crimes committed against journalists and news media organizations are not investigated or punished. Most crimes are politically motivated, and covered up by powerful politicians or armed groups. The judicial system is not independent.

The TFG radio stations, Radio Mogadishu and Radio Bay, do not deviate from reporting the government's perspective. There is no expectation, legal or otherwise, of editorial independence.

Libel is a criminally punishable offense, as demonstrated in March 2009, when the International Freedom of Expression eXchange (IFEX) reported that journalist Jama Ayanle Feyte was sentenced to two years in prison for libel and dissemination of false information. According to IFEX's report, "Bari regional court in Boassasso convicted Jama Ayanle Feyte for libel and insult of Puntland leaders and dissemination of false information on the Somali news websites <http://www.dayniile.com> and <http://www.lassqoray.net>."⁶ The IFEX report added that NUSOJ received information linking the interior minister, Abullahi Jama Ilkajir, to the arrest, claiming that he complained to the police about Ayanle's journalism.⁷

Access to information is an ongoing hardship for journalists. For example, last year's MSI noted that Somalia's new prime minister was accused of ignoring questions from local journalists, only answering inquiries from foreign media.

⁶ "Journalist Jama Ayanle Feyte sentenced to two years in prison for libel and dissemination of false information." IFEX: March 30, 2009. http://www.ifex.org/somalia/2009/03/30/journalist_jama_ayanle_feyte_sentenced/

⁷ IFEX, Ibid.

The media in the central and southern regions continue to face the greatest hardship, with routine intimidations, arrests, attacks, and killings. Crimes committed against journalists and news media organizations are not investigated or punished.

In last year's MSI study, indicator 9 (entry into the profession) improved slightly, as the MSI reported optimism over the enthusiasm of many journalists to join the profession, an important development as so many experienced journalists have fled Somalia. However, some members of the media community have cautioned that there are too many young, inexperienced journalists, and have called for inclusion of entry standards for beginners entering the profession.⁸

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Somalia Objective Score: 1.38

Although there are Somali journalists who strive to follow internationally accepted ethical and professional standards, the vast majority struggle to uphold professional standards. Many journalists lack basic reporting and news writing skills, and accuracy and objectivity are frequently compromised, especially with Internet media outlets. Without decent working conditions for all media workers, and greater

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).

awareness of professional standards, Somalia lacks the foundation to build independent and ethical journalism.⁹

Somali journalists must contend with great physical danger, poor working conditions, and severe forms of censorship. Reporting from a conflict zone also leads to pressure not to report information that could further destabilize the country, and raises a number of questions over the role of journalists in reporting from a conflict zone. Given the difficulties of reporting in Somalia's insecure environment, NUSOJ made professional standards the theme of its July 2009 conference (held in Nairobi, Kenya).

At the NUSOJ conference, Somali journalists discussed the need for a code of conduct—and International Federation of Journalist's secretary-general, Aidan White, mentioned that journalists in Somalia could use the IFJ code of conduct to inform their efforts to develop their own code. NUSOJ noted that it had worked on conduct guidelines for journalists in 2005, but for the most part, media outlets refused them.¹⁰

Censorship is common, including brazen attempts by armed groups to control media coverage. For example, one journalist noted that an armed group demanded to be referred to using a special name; the media complied.¹¹ Less overt self-censorship is pervasive, as well, and numerous instances were discussed at the NUSOJ conference. A Radio Galkayo journalist described his arrest after the station reported weapons transfers involving the Puntland government, and commented that journalists sometimes are silenced into not discussing important issues that affect citizens.¹²

In this context, many topics simply cannot be covered. However, journalists also tend to focus their energies primarily in covering the war, neglecting social topics, for the most part.

Salaries—or the lack thereof—continue to be a sore spot for journalists. At the NUSOJ conference, journalists complained that sometimes journalists are promised payments that never materialize after several months of work, and said that salaries need to be increased if journalists are expected not to take bribes when they are hungry.¹³ A Radio Shabelle journalist added, "We pay journalists as we can, but the international media is a major problem for us. When we pay highest salary of \$300, the international media pays \$1500, which results in our trained and experienced journalist leaving the local media houses for international media."¹⁴

⁹ NUSOJ *Annual Report of Press Freedom in Somalia*, Ibid.

¹⁰ *National Somali Journalists Conference Report*, Ibid, p. 15 and p. 20.

¹¹ *National Somali Journalists Conference Report*, Ibid, p. 19.

¹² *National Somali Journalists Conference Report*, Ibid, p. 14.

¹³ *National Somali Journalists Conference Report*, Ibid, p. 30.

¹⁴ *National Somali Journalists Conference Report*, Ibid, p. 31.

Regarding the balance of entertainment and news, NUSOJ commented that as a result of the increase in violence against journalists "...several media houses have taken refuge in entertainment, steering clear of airing news and current affairs programming."¹⁵

Another professional hardship is the lack of equipment—including safety equipment to cover stories in a war zone. To help address the safety issues, IFJ Africa and the UN political Office of Somalia Human Rights Unit have focused on efforts to provide safety equipment, such as bullet proof vests, along with more training for journalists working in dangerous environments.¹⁶

Little attention is paid to niche issues or investigative reporting.

OBJECTIVE 3: PLURALITY OF NEWS

Somalia Objective Score: 1.46

There is plurality of news sources in Somalia, including about 20 newspapers, a handful of television stations, and about 20 radio stations. However, as underlined by last year's MSI panel, partisanship continues to damage the credibility of media outlets, particularly in Puntland and south-central Somalia.

According to the State Department, the print media consists "...largely of short, photocopied dailies published in the larger cities and often affiliated with one or another of the factions. Several of these dailies were nominally independent

¹⁵ NUSOJ Annual Report of Press Freedom in Somalia, Ibid.

¹⁶ National Somali Journalists Conference Report, Ibid, p. 24.

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.

According to the State Department, in 2009 there were eight FM radio stations and one short-wave station operating in Mogadishu, as well as several small FM stations scattered across the south-central region, at least six independent radio stations in Puntland—and al-Shabaab opened an FM station in Kismayo.

and published criticism of political leaders and other prominent persons."¹⁷ However, last year's MSI panelists said that all newspapers in Mogadishu have stopped operating, mainly due to lack of income to pay staff salaries, utility expenses, and the cost of vendors—and the fact very few people want to, or can afford to, read newspapers. Most Somalis rely on radio for news. According to the State Department, in 2009 there were eight FM radio stations and one short-wave station operating in Mogadishu, as well as several small FM stations scattered across the south-central region, at least six independent radio stations in Puntland—and al-Shabaab opened an FM station in Kismayo.¹⁸ A participant at the NUSOJ conference in July noted that al-Shabaab recruited local journalists to staff the station.

Mareeg Online puts the number of independent radio stations at about a dozen, but noted that they are barred from reporting killings and abuses by al-Shabaab militias, and are largely reduced to reporting al-Shabaab propaganda. Noted Mareeg Online, "A spokesman for the Hizbul Islam rebel group threatened...the remaining journalists in Mogadishu and accused them of siding with the government."¹⁹

The State Department cited 2008 International Telecommunication Union statistics that only about one percent of Somalis use the Internet—but also noted that that this figure may be higher because of Internet café patronage, and because Somalia's country domain was not in use.²⁰

At the NUSOJ conference in July in Nairobi, UN Deputy Special Representative for Somalia Charles Petrie confirmed the abundance of news sources—but also pointed out the hazards, in terms of professional standards. He said, "No one dealing with Somalia can fail to be impressed by the

¹⁷ U.S. Department of State, Ibid.

¹⁸ U.S. Department of State, Ibid.

¹⁹ Mareeg Online, Ibid.

²⁰ U.S. Department of State, Ibid.

Currently, Radio Mogadishu's signal is only strong enough to cover the capital and immediate outskirts, but Mareeg Online noted that the government plans to make Radio Mogadishu strong enough to blanket all of Somalia.

extraordinary number and range of Somali media outlets. This is unusual in a country that has been at war for 20 years. While the BBC and VOA Somali services continue to draw huge audiences, it seems every week a new radio station or website springs up. This thirst for news bodes well for the future—diversity is always healthy. However, this means there are a huge number of new, often young untrained reporters who are on air and on the web. They may not understand the way journalism works or the need to be objective. The time may have come to concentrate more on the quality rather than the quantity.”²¹

Somalis do enjoy access to international and domestic news sources. As reported in last year's MSI, local radio stations rebroadcast programs from BBC, VOA, and RFI, and channels in Arabic and English—including CNN and Al-Jazeera English—are available uncensored via Arab Satellite. The State Department noted, “Most citizens obtained news from foreign radio broadcasts, primarily the BBC's Somali Service and the Voice of America's Somali Service that transmitted daily Somali-language programs.”²²

The government strictly controls the state media. Radio Mogadishu and Radio Bay serve as government mouthpieces, and cannot be considered public-service broadcasting media. Currently, Radio Mogadishu's signal is only strong enough to cover the capital and immediate outskirts, but Mareeg Online noted that the government plans to make Radio Mogadishu strong enough to blanket all of Somalia.²³

Given the risks facing foreign journalists in the country, international news agencies—such as AP, AFP, Reuters, and Xinhua—depend upon local stringers for news. To address the absence of an independent news agency in Somalia, NUSOJ and Reporters without Borders launched the Somali Independent News Agency (SOMINA) in neighboring Djibouti in April 2009. SOMINA, designed to provide independent news about Somalia at no cost to journalists on its website or via email, was expected to employ several journalists in

²¹ NUSOJ, National Somali Journalists Conference, p. 9.

²² U.S. Department of State, *Ibid.*

²³ Mareeg Online, *Ibid.*

Djibouti along with a correspondent based in Mogadishu, and seven stringers in major cities.²⁴

As reported in last year's MSI, local radio stations produce their own news programs. In addition, some radio stations broadcast a half-hour program established by the UN humanitarian news agency, IRIN, produced from Nairobi, which is also broadcast over the Internet.

According to NUSOJ, most of the media are privately owned—but private interests exert a strong influence on the content.²⁵ In last year's study, the MSI panel noted that media in Somalia are owned solely by Somalis, and frequently represent the diaspora, politicians, or business interests. In some cases, media outlets are run by the owner's relatives or close tribal associates.

Although a misconception that Somalia is ethnically and religiously homogenous persists, there are ethnic and religious minorities, including the Bantu, Gaboye, Christians, and occupational groups. Minority Rights Group International noted that little is known about these people, who are excluded from political, economic and social life by majority clans (Darod, Dir, Hawiye, and Rahanweyn). Minorities have especially suffered the consequences of the conflict, with tens of thousands displaced, and many suffering attacks, in particular by al-Shabaab in the south-central party of the country.²⁶ However, awareness may be growing, as several Somali news websites, such as Hiiraan online, post articles about the plight of minorities.

OBJECTIVE 4: BUSINESS MANAGEMENT

Somalia Objective Score: 0.89

After last year's modest increase in business management scores, the scores for this objective fell significantly this year. Private media attempt to operate as profit-making companies, but it is widely known that media managers have little understanding of how to run a successful, profitable business. This lessens their power to remain independent from private, political, and commercial influences. There is also widespread nepotism; at the NUSOJ conference, Mustafe Haji Abdnur, of AFP, noted, “Media owners prefer

²⁴ “Independent news agency launched in Djibouti aims to be reliable source of news about Somali.” Reporters sans Frontières, April 29, 2009. <http://en.rsf.org/somalia-independent-news-agency-launched-29-04-2009,32692.html>

²⁵ NUSOJ, *Ibid.*

²⁶ Hill, Martin. *No redress: Somalia's forgotten minorities*. Minority Rights Group International, November 2010.

to employ people who are their relatives and not based on professional competence.”²⁷

Media are funded by various sources, all of which continue to decline. The financial strain has negatively impacted programming, prompt coverage of important news, and the overall quality of media. Donor-funded projects, such as public-awareness campaigns and training programs for media members, have dried up as well as it has become even more difficult to operate in Somalia.

Somalia has no advertising agencies. Last year’s panelists reported that advertising does not make up the majority of media revenue, and agreed that what little advertising existed has decreased drastically with the ongoing violence in the south-central region. Most commercial companies closed down and fled for the safety of their employees and property. A Radio Shabelle journalist noted that what little income Radio Shabelle pulls from advertising, they use on gas, rent, and maintenance of equipment.²⁸ In the past, media ran advertisements by small-scale industries, retail and wholesale companies, telecommunications enterprises, money-transfer companies, airlines, schools, and UN agencies, among others.

A media outlet’s chance of securing advertisements depends mainly on the relationship between the media owner or manager and the advertiser. Some media houses were previously accused of broadcasting advertisements that were in breach of religious values as well as ethical standards of Somali society. Media managers and owners had been focused on the potential income rather than public consequences. Abdi, editor with the SBC, though, was able

Media are funded by various sources, all of which continue to decline. The financial strain has negatively impacted programming, prompt coverage of important news, and the overall quality of media.

to offer a positive example of professionalism in advertising. “We were offered money for campaigning by presidential candidates, but the owners were hesitant to allow their media directors to have income generated by campaign advertisements,” he said.

The decrease in advertising coupled with the loss of donor funding has increased the number of media houses that receive financial support from politicians from the owner’s clan or in alliance with their clan politicians. Some media owners manage to finance their companies using their own money.

As the TFG itself is dependent on foreign aid, private media outlets are not believed to have received public subsidies. However, some regional administrations, such as Puntland Regional State, provide indirect funding to private media outlets—as do politicians in the south-central regions.

No market research is used to formulate strategic plans, enhance advertising revenue, or tailor products to the needs and interests of audiences.

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

BUSINESS MANAGEMENT INDICATORS:

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

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Somalia Objective Score: 1.39

There are several organizations supporting media development in Somalia, including NUSOJ, Somali Women Journalists’ Association, and East Africa Media Institute – Somalia Chapter. As noted in last year’s MSI, an organization established by newspaper owners, the Somali Independent Newspaper Association, has fallen dormant, given the operational difficulties in Mogadishu. There is still no association for broadcast media owners, despite several failed attempts.

NUSOJ efforts to support journalists, described in its 2009 annual report, focused on addressing the poor working conditions for journalists. Journalists suffer from poor safety standards on the job, a lack of opportunities to upgrade their skills or advance in their profession, and the frequent failure

²⁷ National Somali Journalists Conference Report Ibid, p. 30.

²⁸ National Somali Journalists Conference Report Ibid, p. 31

NUSOJ efforts to support journalists, described in its 2009 annual report, focused on addressing the poor working conditions for journalists. Journalists suffer from poor safety standards on the job, a lack of opportunities to upgrade their skills or advance in their profession, and the frequent failure of media outlets to provide annual or maternity leaves.

of media outlets to provide annual or maternity leaves.²⁹ Although conditions have deteriorated in many respects for journalists in Somalia, NUSOJ believes that efforts to negotiate improved labor rights for journalists with media owners have increased over the past two years,

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.

²⁹ NUSOJ, Ibid.

NUSOJ also documents arrests and acts of violence against journalists, and publishes the information. The 2008 MSI panel confirmed that NUSOJ has developed systematic monitoring of the media freedom situation, reporting attacks on journalists locally, nationally, regionally, and internationally through postings on the union's website, distribution to local media, and through its membership in the International Federation of Journalists and International Freedom of Expression Exchange.

There are some other media NGOs in Somalia, defending freedom of expression and the right to a free press with foreign support. These organizations provide training courses, workshops, and seminars for all media professionals. However, last year's MSI highlighted concerns that aid to the media is not distributed equitably across the country—Puntland, in particular, was underrepresented in capacity building support for media, with most aid going to Mogadishu and Somaliland.

Somalia has no schools of journalism, and lacks a tradition of formal education for journalists. While some Somali journalists were trained outside the country, others managed with on-the-job training, supplemented by occasional seminars and workshops to improve their skills. Such trainings, however, are not universally appreciated: some news organizations view on-the-job training as a drain on time and resources.

Internet service providers, including Global Internet in the southern regions and Golis Telecom Somalia in Puntland, are privately owned. As independent companies, they are neither influenced by politics nor subject to censorship, reported last year's MSI panel. For the print media, printing is considered apolitical, and newspapers either own their own printing facilities or share costs with other newspapers.

List of Panel Participants

Due to the security situation in Somalia, a panel discussion was not held this year. This report reflects research and discussions with those knowledgeable of the situation in Somalia.

In Memoriam: Mukhtar Mohamed Hirabe

Mukhtar Mohamed Hirabe was shot several times and killed on June 7, 2009 in a Mogadishu market. He was Radio Shabelle's station director. Originally Hirabe worked as a teacher in a town south of Mogadishu, but fled to Djibouti at the outset of the Somali Civil War. He began working with Radio-Television Djibouti and Radio Shabelle while in Djibouti, and in 2003 returned to his hometown of Mogadishu to continue working with Shabelle. In 2007 Hirabe was appointed director of the station and is remembered for persevering to keep it operating under intense pressure. Hirabe was 48, and leaves behind two wives and five children.

The elections clearly impacted media licensing, with government restrictions on licenses for the independent broadcast media—all, presumably, to limit the influence of independent television during the elections.



SOMALILAND

Somaliland declared independence from Somalia in 1991 after a decade-long, bloody civil war ended in the separation of the northern parts, originally colonized by the British, from the Italian colonized south. After its collapse in 1991, Somalia disintegrated back to the two parts which existed before 1960: the British Protectorate of Somaliland and the Italian Trusteeship of Somalia. While the latter has since been languishing in chaotic fragmentation, with political power struggles involving extremist ideologies, Somaliland has established itself as a relatively stable and constitutional polity in the Horn of Africa—although its independence has not been recognized. Freedom of expression is enshrined in its constitution, and a relatively free and vibrant media culture has evolved over the last two decades. Considering its high illiteracy rate (around 60 percent), it is remarkable that more than thirty news websites, a dozen daily journals, half a dozen online radio stations, and four local television channels originate from Somaliland—serving not only its people, but a wider audience across the Horn of Africa region. Independent media in Somaliland experienced fast growth in 2009, especially the print media. Daily journals grew by at least 30 percent, reflecting increased activity in anticipation of elections.

The elections, originally slated for 2009, were delayed twice, and eventually put off until 2010. The delays led to political turmoil and protests. In this climate, the broadcast media did not grow as rapidly as the print media—perhaps due to more stringent government licensing restrictions. The elections clearly impacted media licensing, with government restrictions on licenses for the independent broadcast media—all, presumably, to limit the influence of independent television during the elections. Furthermore, in its annual review of media freedom, Freedom House noted that the political upheaval led to “...increased political harassment of journalists and government sensitivity over media reports” in advance of the elections.¹

Still, Somaliland’s media community looked ahead to the 2010 elections with hope that a change in government could ease many points of contention between the authorities and the media. In particular, the media outlets would like to see licensing of private radio stations relaxed, and the government radio and television stations to function more in the spirit of public media, with fair, balanced programming. The overall MSI scores reflect the struggles between the media and the government in 2009, as well as the clear need to elevate weak professional standards and improve business management. However, the strongest scores were given to Objective 1, reflecting that the Somaliland constitution guarantees free speech—and most importantly, that the people of Somaliland strongly support and agitate for free speech.

Somaliland has not been recognized as a sovereign country by any nation or international organization. However, the many differences between it and Somalia, including different legal and regulatory regimes, warrant a separate study of media in Somaliland.

¹ Freedom House. *Freedom of the Press: Somalia (2010)*. <http://www.freedomhouse.org/template.cfm?page=251&year=2010>

SOMALILAND AT A GLANCE

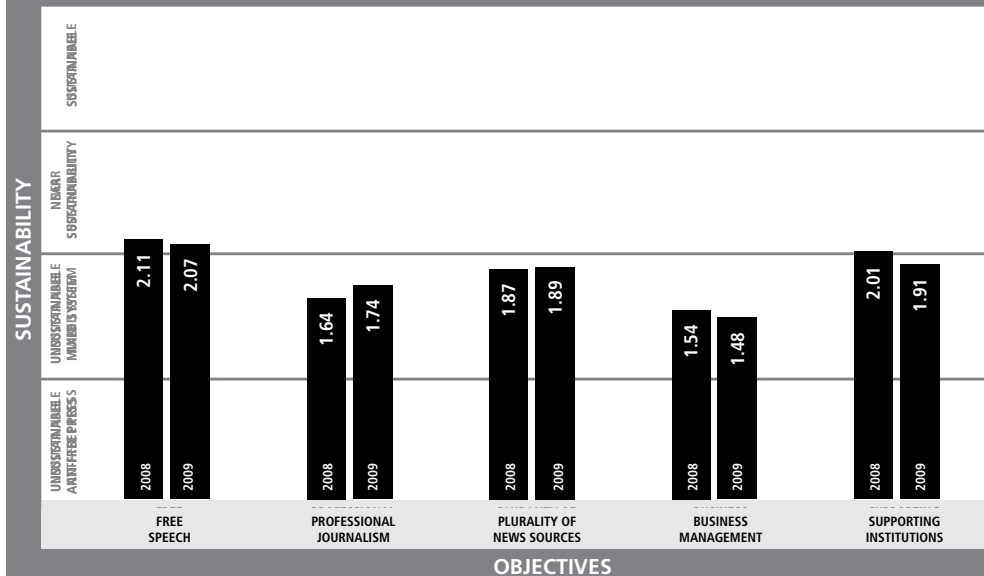
GENERAL

- > **Population:** Estimated at between 2.5 and 3 million
- > **Capital city:** Hargeisa
- > **Ethnic groups (% of population):** 100% Somali, with 3 major clans: Isaaq (majority), Dir, and Harti
- > **Religions:** Sunni Muslim
- > **Languages:** Somali (official), Arabic and English used for business purposes
- > **GNI (2009-Atlas):** N/A
- > **GNI per capita (2009-PPP):** N/A
- > **Literacy rate:** Estimated at 37.8%
- > **President or top authority:** President Ahmed Mohamed Mohamoud (Silanyo) (since June 26, 2010)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 5 daily newspapers; 6 weekly/semi-weekly; 1 monthly magazine; Radio Stations: 1 station in Hargeisa, 2 international FM stations available; Television Stations: 4 local: Somaliland National TV, Horn Cable TV, Somaliland TV, (Somaliland Space Channel); 2 satellite, 1 cable provider, and 1 international (Universal TV)
- > **Newspaper circulation statistics:** Top three by circulation: *Geeska Africa* (private, 1,200 est. circulation), *Haatuf* (private, 1,000 est. circulation), *Jamhuuriya* (private, 950 est. circulation)
- > **Broadcast ratings:** Top radio station: Radio Hargeisa (state-owned); Top three television stations: Universal (private), Somaliland National TV (state-owned), Horn Cable TV (private)
- > **News agencies:** Somaliland National News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** N/A

MEDIA SUSTAINABILITY INDEX: SOMALILAND



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Somaliland Objective Score: 2.07

The score for this objective remained essentially unchanged. However, indicators scores did vary widely. Indicator 3 (market entry) scored three-quarters of a point higher than the objective score, and indicators 8 (media access to other news sources is unrestricted) and 9 (entry into the journalism profession) scored more than a point higher. However, indicators 2 (media licensing) 4 (attacks on journalists) and 6 (libel laws) all scored more than half a point lower than the objective score, with indicator 5 (legal guarantees of editorial independence for public media) coming in more than a point lower.

Somaliland's constitution guarantees free speech, under Article 32. There is also a press law, which is not implemented, but it is hoped that it will be revived after the 2010 elections. Additionally, the panelists agreed that there are strong social norms that protect journalists, especially against excesses from authorities.

However, in 2009, the government continued to heavily restrict licensing of the broadcast media. A ministry of information decree banned radio licensing, and the television stations were also restricted to those already in existence. There were several new applicants, such as RAAD TV, who were refused licenses. During the election season, the authorities

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Libel cases are usually settled outside the courts, through the clan system of arbitration, which often kicks in if compensation payments will result from the case. Compensatory payments are settled collectively by the clan of the accused.

attempted to shut down HCTV, allegedly for its independent broadcasting. Its head office was closed for a while, but the government could not control the satellite broadcasting and later accepted mediation. The government also banned a representative of an international satellite channel from operating.

Market entry, on the other hand, is relatively free in other respects—especially for the print media. Taxation on media products is virtually non-existent, and it is even more favorable than other industries.

Freedom House reported that at least 10 journalists were arrested during the year—generally on charges of spreading false information or inciting violence, and that in August 2009, a freelance journalist, Ali Adan Dahir, was beaten badly—and four men arrested in connection with the attack were released without charge. Freedom House also noted that reporters for the online news services Baadiyenews and Berberanews were detained, and that, “In August, Yasin Jama Ali of the Berberanews website was banned from practicing journalism for 10 years for committing a ‘crime against the Somaliland nation.’ The site’s editor-in-chief was sentenced to three years in prison, and the outlet was barred from operating in Somaliland.”² Crimes against journalists are not prosecuted vigorously; in fact, they tend to go unpunished, especially when the involvement of government officials is suspected. Journalists often see little point in bringing cases to court, as such bids rarely succeed.

While state and public officials do not receive preferential treatment, there is still no culture of editorial independence—to the contrary, owners often influence editorial content. There are no official censorship laws or practices in place in Somaliland, but the government-owned radio and television tend to follow government directions strictly.

Libel cases are usually settled outside the courts, through the clan system of arbitration, which often kicks in

² *Freedom in the World: Somaliland (Somalia) 2010*, Ibid.

According to Saeed Ahmed Mohamoud, a media development representative for Interpeace, "Reporting and opinions get mixed up in Somaliland journalism."

if compensation payments will result from the case. Compensatory payments are settled collectively by the clan of the accused. There is no formal insurance system in Somaliland to provide coverage against legal damages from journalists (or for that matter, in any other industry).

Somaliland journalists usually obtain print information through interviews and telephone confirmation from public officials, but the panelists agreed that public officials generally only divulge information favorable to the government. Otherwise, it is still not easy for independent media to get information from government departments. The panelists attributed this to the lingering culture of censorship developed under Siad Barre's two decades of dictatorship, from 1979-1991, which still influences the attitudes of public officials—especially the older generation. The lack of a freedom of information act in Somaliland further compounds access.

On the other hand, media outlets have unrestricted access to international news and sources, especially through the Internet and from international news networks. There are no restrictions on the entry into the journalism profession. In fact, the saying goes in Somaliland that anybody who can get a cheap digital camera can operate as a journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Somaliland Objective Score: 1.74

The score for this objective inched up this year, and individual indicators showed both relative strengths and weaknesses. Indicators 4 (journalists cover key events) and 6 (entertainment news balance) both received scores that placed them highest in this objective, coming in three-quarters and more than a point higher than the objective score, respectively. However, indicators 5 (pay levels for journalists), 7 (modern facilities and equipment), and 8 (niche and investigative journalism) all scored about three quarters of a point lower.

Professional and ethical standards are still evolving in Somaliland. According to Saeed Ahmed Mohamoud, a media development representative for Interpeace, "Reporting

and opinions get mixed up in Somaliland journalism. In spite of the fact that journalists received a lot of training from international agencies and experts, the tendency in many parts of the media outlets is to advance one's own opinion at the expense of objective reporting." The panelists agreed that while improvements are underway, fair and objective reporting is a distant goal. The independent media outlets provide more objective reporting than the government-owned radio and television, which are known to toe the government line.

The panelists acknowledged that there are no clear ethical rules and recognized standards to guide Somaliland journalism. In spite of that, many journalists try to report responsibly in this clan society, where one can easily incite conflict. They also respect their own codes of conduct, especially in covering elections.

As reported in last year's MSI, no formal censorship laws or practices are imposed on the media outlets in Somaliland, and journalists do not work in an atmosphere of fear or external pressure. However, journalists working for private media outlets have more freedom than their counterparts in the government-owned press, who work in a more restrictive atmosphere. Furthermore, business interests frequently drive self-censorship more than official sources of pressure.

Regarding coverage of key events and issues, the panelists agreed that journalists cover a limited range of issues. Politics receives disproportionate attention, while social, economic and cultural development issues are neglected. Issues of interest to the majority rural population, consisting largely of pastoralists and farmers, receive little attention from the

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

media. As Abdi Ahmed Nur, an educator with the Forum for Peace and Governance observed, “Eighty percent of the media work is limited to the urban areas, while people in the villages and rural areas get just limited news sources from the BBC Somali Services and only recently from the VOA Somali service.” Yet last year’s MSI panelists pointed out that there is little justification for neglecting rural issues, given the cheap and ubiquitous mobile telephone coverage provided by telecommunication companies across Somaliland.

The panelists agreed that both public and independent journalists are severely underpaid, and thus vulnerable to corruption. Most of the young journalists—especially reporters—operate as freelancers, with little job security, and thus might be especially tempted to accept bribes or gifts for favorable coverage. Although some claim that media outlets do not turn enough profit to provide decent wages, some journalists believe that media owners need to improve their hiring practices and provide merit-based rewards.

News and information programming continue to dominate content in both print and broadcast media. Television stations and Radio Hargeisa broadcast entertainment programs, but this is driven more by a need to fill programming space than by the profitability of entertainment. In the print media, sports and advertisements sometimes crowd out news articles in newspapers.

The media continue to work with very basic equipment, especially in terms of technology. While many of the satellite television and online radio stations use modern technology, the Internet, and advanced software, the print media lags behind. Last year’s MSI noted that the poor technology is reflected in the low quality of print products on the market. For example, layout techniques and use of graphics and color have not improved since antiquated printing machines were reintroduced to Somaliland in the post-war years.

The level of investigative reporting is low, largely explained by the poor professional capacity of most journalists. Quality niche reporting on important topics, such as economics, is rare. The panelists suggested that improved training offerings and exchanges could prove beneficial in this respect, by offering exposure to more advanced journalistic environments.

OBJECTIVE 3: PLURALITY OF NEWS

Somaliland Objective Score: 1.89

This objective remained static, and most indicators scored close to the objective score. The exceptions are indicator 2 (citizen access to media), which scored about a point higher than the objective score, and indicators 3 (state media are nonpartisan) and 4 (news agencies), which scored a point and half a point lower, respectively.

There are a number of sources of news for Somaliland’s people. As Mohamoud observed, “The level of literacy of Somaliland people is low, therefore, the print media mainly serves the elite and the urban population. By far, the radio is the most widespread source of news and is accessible to more people—but, unfortunately, the national radio reach is limited to the environs of the capital city.” The panelists said that the Somaliland people are savvy news consumers, and hence there is strong demand for plurality of sources of news. Broadcast media choices include international radio services such as the BBC Somali Service, which has been around since the early 1950s, and can claim to have become ingrained in the Somali culture and psyche. Newer to the scene, but also strong, is the VOA Somali Service. There are also several online radio stations to choose from. Popular television channels include Somaliland National TV and Somaliland TV (both state-owned), the Somaliland Space Channel and Horn Cable TV, which are all owned locally. The international Universal TV channel has also acquired a wide audience in

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

As Mohamoud observed, “The level of literacy of Somaliland people is low, therefore, the print media mainly serves the elite and the urban population. By far, the radio is the most widespread source of news and is accessible to more people—but, unfortunately, the national radio reach is limited to the environs of the capital city.”

the local television market. There are no community radio or television stations, however.

On the new media front, use of the Internet remains largely unrestricted, evidenced by the common sight of Internet cafés in Somaliland cities. As Freedom House noted, “The Internet is widely available at competitive prices and serves as an active forum through which the diaspora contributes to the local media environment.”³

Print media offerings include over a dozen daily Somali language papers, and several English language sister papers. The main local daily or semi-daily papers include: *Ogaal*, *Haatuf*, *Jamhuuriya*, and *Geeska Africa*. All but the first have weekly English language sister papers. Other English language weekly or bi-weekly publications are appearing rapidly on the market. To date, there is only one monthly magazine on the market. However, all print media is concentrated in the capital city of Hargeisa. Even the regional capitals lack established publications. There are also more than twenty news websites, all focusing on Somaliland news and targeting an audience in Somaliland.

The media outlets usually reflect the opinion of their owners, but there are ample choices for audiences to obtain alternative viewpoints. There are established papers and websites that are considered mainstream. There are also new entrants into the market that take fringe views but tend to move to the center eventually.

Citizens’ access to all these media sources is not typically restricted by the authorities or any other actors. However, in addition to the difficulty that rural citizens experience accessing news, cost is an obstacle for an overwhelming majority—as noted in last year’s MSI, 40 percent of households in the capital city are dependent upon

³ *Freedom in the World: Somaliland (Somalia) 2009*, Ibid.

remittances from abroad. The price of a newspaper, around 2,000 shillings (or \$.30) is out of reach for many.

There are no independent news agencies, and media outlets depend on their in-house news gathering capacities from international or from local sources. Papers usually share news—and invariably cite the same sources. Independent broadcast media, such as the television stations and Internet radio stations, all produce their own news programs.

The government-owned media has demonstrated partisan tendencies for the last decade, but the media community remains hopeful that this could change after the election, as the opposition campaigned to restore objectivity in the public media. In particular, journalists would like to see an independent public media commission instated to regulate the field, which could ensure media independence from the government.

As reported in last year’s MSI, media ownership is generally considered transparent, and no conglomerates monopolize the media in Somaliland. They do not attract the interest of serious investors, as they are generally not operated as profitable businesses.

As was mentioned earlier, the Somaliland media is mainly urban based and is fixated on politics at the expense of social, economic, or cultural issues. It is also focused mainly on Hargeisa, and therefore, issues important for the rural people, especially development issues, are barely addressed. Even more marginalized are the interests of the minorities and peripheral communities. Journalists also experience pressure from clans in this regard; the rule of the clan trumps the rule of law, and sometimes journalists feel compelled to back away from covering minority issues that go against the wishes of a powerful clan. Language is not considered problematic, as everybody speaks Somali, and Somaliland does not have the dialect variations experienced in Somalia.

OBJECTIVE 4: BUSINESS MANAGEMENT

Somaliland Objective Score: 1.48

Indicator scores varied to a great degree in this objective. On the low side, indicator 1 (media are well-managed businesses) scored slightly more than half a point behind the objective score. Indicators 6 (market research) and 7 (audience and circulation measurement) both scored a point lower. However, indicators 4 (balance of advertising revenue with other sources of income) and 5 (government subsidies for private media) both scored a point higher.

The panelists assigned their weakest score to Objective 4. Overall, the panelists do not believe that media outlets are managed as professional businesses, despite the fact that the bulk of them are privately owned. Media outlets are not perceived as profit-generating enterprises.

There are no major investors in the sector, which is run on shoestring budgets, and the motivations for opening media outlets in Somaliland are not often business-driven. There is no access to bank credit for entrepreneurs, whether they are in the media sector or in other industries. Therefore, businesses are established mostly through individual savings, or, in some cases, through a group of partners pooling their personal money. Many of the outlets are established to provide politicians, groups, or even clans with greater political influence. As a result, owners often do not feel bound by laws or norms of respecting editorial independence for the benefit of their audience. As noted in last year's MSI, the beginnings of the media in war-devastated Somaliland in the early 1990s can be traced mainly to amateur journalists and diaspora groups driven more by patriotic goals than profit-seeking motives.

Advertising is growing more relevant as a source of revenue for the media houses—but the market is still rudimentary. A few advertising agencies are being launched, including SAGAL Jet, ASAL, Code Media Centre, and the Madar Advertising Center, and they cater mostly to the television channels. Media outlets solicit advertising contracts directly from companies, and often develop the content and layout themselves. That is true of both the broadcast and print media.

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

BUSINESS MANAGEMENT INDICATORS:

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

Many of the outlets are established to provide politicians, groups, or even clans with greater political influence.

The main sources of revenue fueling the media include advertising from both public and private sources, election campaign messages, and educational programs paid for by non-profit organizations. In Nur's opinion, "The advertising market is gradually picking up, and is the main source of revenue for the independent media. However, it is of lesser significance for the government media outlets, which depend more on direct financing from the public coffers." There are no subscription fees for news websites and radios—they are still free services for the news consumer.

Somaliland media outlets still lack the resources to undertake market research to enhance their advertising revenue and to tailor their products to the needs and preferences of their audiences. Furthermore, no reliable circulation figures are available, and there are no independent agencies to provide such services. Newspaper sales are weak; rough estimates suggest circulation in the range of 1,000 copies for the most popular dailies. For the broadcast sector, no listenership and viewership statistics—or even rough estimates—are available.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Somaliland Objective Score: 1.91

This objective scored a bit less than it did last year. Indicators 1 and 4 lagged behind the objective score by more than a point. Indicators 5 and 6 exceeded the objective score by about three-quarters of a point.

There are no true trade associations to speak of. Somaliland does, however, have various professional associations that represent journalists in the independent media; they include the Somaliland Journalists Association, Somaliland Women Journalists' Association, Union of Somaliland Journalists, Media Monitoring Group, and the Somaliland Online Association. These associations usually advocate on behalf of journalists when they run afoul of the authorities; they also advocate for or against legislation that might affect journalists' work. They successfully lobbied parliament to scrap debate of draft Law No. 27, which would allegedly clamp down on free speech—as the prior government viewed press law No. 17 as too lenient and toothless to regulate or control the media sector. The media professional associations

Also, journalists complain that the same basic trainings are offered over and over; they would like to receive training on the business management side of media instead, for example.

also uphold the existing press codes of conducts, especially those guiding election coverage.

The panelists were divided over whether the NGOs support free speech. While most panelists view NGOs positively, there is a prevailing view that NGOs do not focus sufficiently on important issues such as legislation supporting the media. Suad Ibrahim Abdi, a researcher at the Academy for Peace and Development, explained, "There is some

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.

advocacy collaboration between the media and individuals representing NGOs. However, there is little advocacy involving legislative reviews and advocacy on media laws by NGO as institutions."

There are no journalism degree programs in Somaliland. As Abdi explained, "As far as training journalists is concerned, there is not a single training institution in the country. There was a one-time online training course offered at Hargeisa University, from which some of our panelists benefited, but it has since been discontinued."

However, journalists and media workers receive short-term training, both locally and in the neighboring countries, from international institutional arrangements. Somaliland journalists are often invited to attend training programs run in Nairobi, Addis Ababa, and Kampala. High-caliber journalists also interact with international journalist institutions in the UK (such as the BBC) and in other EU countries to participate in short courses, seminars, and conferences.

One shortcoming of training offered to date is that journalists often receive training on upgraded equipment, which they have no access to in their jobs. Also, journalists complain that the same basic trainings are offered over and over; they would like to receive training on the business management side of media instead, for example.

Somaliland has both government and private printing facilities, and newspapers have a choice. Although printing facilities are generally considered private, apolitical, and unrestricted, even private owners have been known to interfere in content if controversial topics are broached.

While print media distribution channels are also private, apolitical, and unrestricted, the radio transmitters are in the hands of the government, and subject to their control.

List of Panel Participants

Yusuf Gabobe, editor and owner, Haatuf Media Network, Hargeisa

Abdi-weli Jambir, editor and owner, *Ogaal*, Hargeisa

Kaise Digaale, editor and owner, Togdheer website, Burao

Abokor Hassan Caafi, reporter, Somaliland TV/Radio, Borame

Ibrahim Jama, lawyer and member of parliament, Erigavo

Abdi Ahmed Nur, educator, Forum for Peace and Governance, Hargeisa

Hodan Abdi Elmi, civil society representative, NAGAAD, Hargeisa

Suad Ibrahim Abdi, researcher, Academy of Peace and Development, Hargeisa

Khadar Akule, media associate, Universal TV, Hargeisa

Saeed Ahmed Mohamoud, media development representative, Interpeace, Hargeisa

Mohamoud Abdi Ilig, reporter, Horn Cable TV, Hargeisa

Mustafe Mohamed Abdi, editor and owner, Hadhwanaagnews website and online radio, Hargeisa

Moderator and Author

Mohamed Osman Fadal, director, Social Research and Development Institute, Hargeisa

Observer

Khadar Abdillahi, assistant, Hargeisa

The Somaliland study was coordinated by, and conducted in partnership with, the Social Research and Development Institute, Hargeisa.

While much media freedom is apparent in South Africa, work remains, especially in closing geographic and economic gaps in access. New media options may help close these divides.



Photo by Paul Greenway

SOUTH AFRICA

South Africa has experienced a great deal of uncertainty in the year under review, with the global economic crisis resulting in thousands of job losses across all sectors, including the media. The economic crisis, dubbed the “Triple F” (food, fuel, and finance) crisis, appeared in the first half of 2008 and was followed by the global financial crisis in the latter half of the year. Numerous strikes occurred during this period.

The country also experienced what could arguably be called its most hotly contested election since the dawn of democracy in the country in 1994. The African National Congress (ANC) retained its dominant position following the April 22, 2009, vote, and ANC president Jacob Zuma became the new president of South Africa. However, the party did lose the two-thirds majority in parliament it needs to unilaterally alter the constitution. The ANC now holds 264 of the 400 seats in the National Assembly, but a new party, the Congress of the People (COPE), made inroads into ANC’s support base, despite launching less than five months before the election. COPE draws most of its support from ANC defectors who left the party after it recalled former president Thabo Mbeki from office. COPE came in third in the election, winning 30 seats, behind the Democratic Alliance’s 67 seats.

Despite having had a difficult relationship with the media in recent years, President Zuma began his term by extending an olive branch to his critics. Addressing a South African National Editors Forum awards dinner in June, he said: “Today, we look to these journalists, and to the media in general, as a vital partner in strengthening our democracy and promoting the rights for which our people fought... As a country, we need journalists who are dedicated to their craft and to their audience. We seek reporting that is credible and honest and informative. We seek comment and analysis that challenges us and provides fresh insight into our world and the challenges we face. This is a challenge that is seemingly difficult in an ever-changing world, and in an industry that is undergoing major changes.”

While much media freedom is apparent in South Africa, work remains, especially in closing geographic and economic gaps in access. New media options may help close these divides. Freedom House’s *Freedom on the Net* report hailed the fairly high degree of digital media freedom in South Africa and noted that more South Africans access the Internet with the help of their mobile phones rather than computers. The key obstacles outlined by Freedom House remain cost, and the fact that much of the content is offered in English.¹

In this year’s MSI scores, South Africa gained enough ground to nearly cross over into the sustainable category. Three of the five objectives achieved sustainable scores: Objective 5 (supporting institutions) scored the highest, followed by Objective 1 (freedom of speech) and Objective 4 (business management). Objective 2 (professional journalism) and Objective 3 (plurality of news sources) scored within the near sustainable range.

¹ Freedom House. *Freedom on the Net: A Global Assessment of Internet and Digital Media-South Africa*. April 1, 2009: p. 91. <http://www.freedomhouse.org/template.cfm?page=384&key=203&parent=19&report=79>

SOUTH AFRICA AT A GLANCE

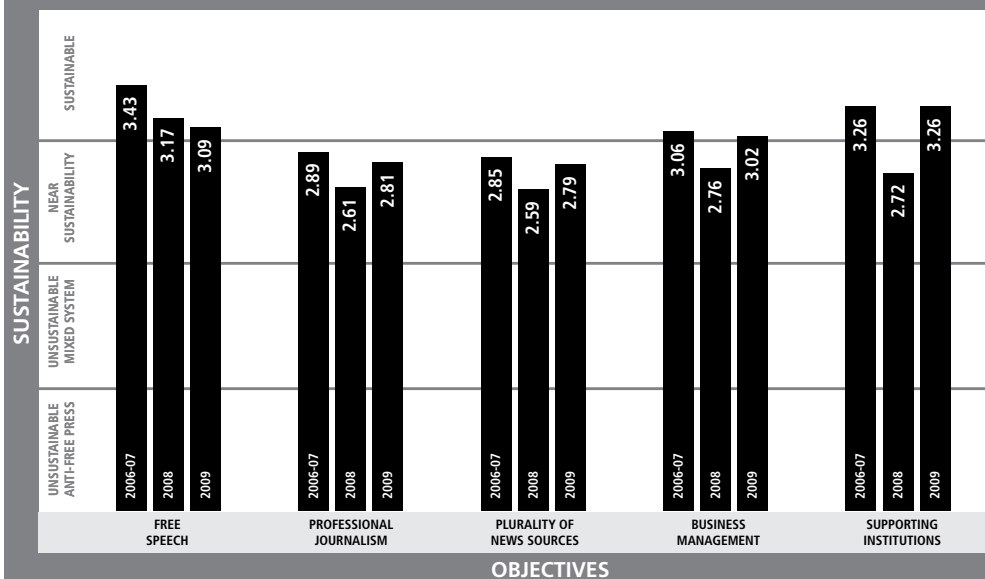
GENERAL

- > **Population:** 49,052,489 (July, 2010 est., *CIA World Factbook*)
- > **Capital cities:** Pretoria (administrative capital), Cape Town (legislative capital), Bloemfontein (judicial capital)
- > **Ethnic groups (% of population):** black African 79.5%, white 9.2%, colored 8.9%, Indian/Asian 2.5% (2001 census, *CIA World Factbook*)
- > **Religions (% of population):** Zion Christian 11.1%, Pentecostal/Charismatic 8.2%, Catholic 7.1%, Methodist 6.8%, Dutch Reformed 6.7%, Anglican 3.8%, Muslim 1.5%, other Christian 36%, other 2.3%, unspecified 1.4%, none 15.1% (2001 census, *CIA World Factbook*)
- > **Languages (% of population):** IsiZulu 23.8%, IsiXhosa 17.6%, Afrikaans 13.3%, Sepedi 9.4%, English 8.2%, Setswana 8.2%, Sesotho 7.9%, Xitsonga 4.4%, other 7.2% (2001 census, *CIA World Factbook*)
- > **GNI (2009-Atlas):** \$284.5 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$10,060 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 86.4% (male: 87%, female: 85.7%) (2003 est., OMD Media Facts 2009)
- > **President or top authority:** President Jacob Zuma (since May 9, 2009)

MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 1000+; Radio Stations: 100+; Television Stations: 50+
- > **Newspaper circulation statistics:** Top three dailies by circulation: *Daily Sun* (508,512), *The Star* (177,899), and *The Sowetan* (143,167), all private. Top three weekly/weekend newspapers: *Sunday Times* (499,033), *Rapport* (318,359) and *Sunday Sun* (209,474) (Audit Bureau of Circulation)
- > **Broadcast ratings:** Top three radio and television channels are all publicly owned. Radio: Ukhozi FM, Umhlobo Wenene FM, and Lesedi FM. Television: SABC 1, SABC 2, SABC 3 (AC Nielsen)
- > **News Agencies:** South African Press Agency (non-governmental), Health-e (private), ASP (private), I-Net (private)
- > **Annual advertising revenue in media sector:** Total: ZAR 20.1 billion, Radio: 13.5%, Print: 39.8%, Television: 37.7%
- > **Internet usage:** 4.187 million (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SOUTH AFRICA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

South Africa Objective Score: 3.09

The objective weighing freedom of speech attracted both the highest and lowest indicator scores among all objectives, indicative of the dynamic interplay between the media and the law in South Africa during the period under review.

Overall, however, the objective scored much the same as last year. Indicator 8 (media access to and use of other news sources) scored about a half point higher than the objective score; indicator 9 (entry into the journalism profession) received a near-perfect score. In contrast, indicator 5 (state or public media do not receive preferential legal treatment, and the law guarantees editorial independence) drew the lowest scores from panelists, and lagged the objective score by nearly three-quarters of a point.

Panelists unanimously praised the constitution for affording much-needed protection to the media sector. Section 16 of the constitution expressly affords the right to freedom of expression to the press, while Section 32 enshrines the right to access information (supported by the Promotion of Administrative Justice Act). However, while panelists celebrated the existence of these provisions, they emphasized the vast divide between theory and practice, stressing that many people cannot afford the legal costs of enforcing their constitutionally enshrined rights. As such, they felt that socioeconomic inequalities across South Africa meant that

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.

Panelists also expressed concern about the Film and Publications Amendment Bill, which media activists warn has the potential to impinge on media freedom by allowing for pre-publication censorship of certain materials.

some people are unable to access the benefits that should accrue from these rights.

There was a flurry of legislative activity in 2009. The *Mail & Guardian* reported that the incoming justice minister, Jeff Radebe, will actively push for the enactment of the Superior Courts Bill—which has been 13 years in the making. Although the minister reassured the media community that members of the judiciary, legal academics, and interested parties will have an opportunity to comment, critics of the draft believe some provisions violate the constitution, threaten judicial independence, and limit access to courts. According to William Bird, director of the Media Monitoring Project, how this transformation will impact other aspects of the judiciary, and ultimately media freedom, remains to be seen.

Panelists also expressed concern about the Film and Publications Amendment Bill, which media activists warn has the potential to impinge on media freedom by allowing for pre-publication censorship of certain materials. The bill requires publishers—who are not recognized by the Press Ombudsman—and film and game distributors to submit publications, films, and games to the Film and Publications Board for approval if they contain sexual content that violates human dignity, incites people to cause harm, or advocates hatred toward a group.² The Act became law in September 2009. The Freedom of Expression Institute (FXI) reacted sharply, noting: “The Amendment Act constitutes a grave intrusion of the right to freedom of expression [and]... offends against the letter and spirit of the Constitution of the Republic of South Africa.”³

Tasked with the licensing of network operators, radio broadcasters, television channels, related service providers, and other players within the sector, the Independent Communications Authority of South Africa (ICASA) is the regulatory body for the IT and telecommunications industry. ICASA also investigates and adjudicates complaints internally (among licensees) and externally (from members of the public

² IFEX Alert, September 9, 2009 http://www.ifex.org/south_africa/2009/09/09/films_and_publications_amendment_act/

³ “FXI deeply disappointed by the signing into law of the Films & Publications Amendment Act.” Freedom of Expression Institute (FXI), September 4, 2009. <http://www.fxiproject.org/content/view/full/212/1/>

On the whole, the panelists agreed that when crimes have been committed against journalists, the perpetrators are more than likely ordinary civilians—thus the ordinary process for prosecution and sanctions applies. The panelists considered the likelihood for successful resolution on par, generally, with the investigation and prosecution of any crime.

against licensees). Panelists agreed that although licensing frameworks are sound, ICASA is failing to meet some of its other obligations. Bird cited an example where ICASA failed to act against the South African Broadcasting Corporation (SABC) when the public broadcaster declined to release a report dealing with the alleged blacklisting of critical political commentators, or to show how it had responded to the report.

Panelists agreed that there are no significant obstacles to licensees in the sector and that the licensing procedures are transparent and rational. They did, however, feel that the regulator is failing to police its own license conditions. Lumko Mtimde, CEO of the Media Development and Diversity Agency (MDDA), said, “Although licensing frameworks are sound, the investigation and monitoring of licensees by the regulator is failing.”

According to the panelists, entry into the media sector and the tax structure for media are fair and comparable to other industries. Referring to smaller media operations, Bird felt that the “lack of guidance and collective lobbying means smaller media operations struggle and do not receive tax breaks in comparison to other sectors.” Panelists said that the requirements for starting a small, medium, or microenterprise, such as a small-town newspaper, are simple and straightforward—companies only need to complete a registration process in accordance with the Companies Act.

On the whole, the panelists agreed that when crimes have been committed against journalists, the perpetrators are more than likely ordinary civilians—thus the ordinary process for prosecution and sanctions applies. The panelists considered the likelihood for successful resolution on par, generally, with the investigation and prosecution of any crime. Panelists were not aware of any criminal acts or violence directed at journalists by the state or state emissaries.

The panelists were not aware of any reported or pending cases that would either support or disprove the statement in

Indicator 5; there was further consensus that the absence of evidence either way was not irrevocable proof of editorial independence. A panelist related an anecdote in which a senior SABC manager criticized an employee for reporting on an event truthfully. The manager then pointed to the Editorial Code of Conduct, posted on the newsroom wall, and declared, “This means nothing; I will do what I must, so as not to lose my job.” Panelists were concerned about the fact that senior positions at the SABC tend to be held by people with political allegiances.

Public officials are not shielded by special laws, the panelists agreed, and journalists are generally free to report and follow up on matters of public interest. A prominent case heard by the Supreme Court of Appeal, *National Media LTD v. Bogoshi*, upheld the notion that greater latitude is usually allowed in respect of political discussion and that, in fact, “Even false defamatory statements of fact must be regarded as lawful if, in all circumstances of the case, it is found to be reasonable to publish the particular facts in the particular way and the particular time they were published... Protection is only afforded to the publication of material in which the public has an interest.”

The court also stressed, however, that notwithstanding the rich legal protection afforded members of the media, “There can be no justification for the publication of untruths; and members of the press should not be left with the impression that they have license to lower the standards of care which must be observed.”

Panelists seemed satisfied that when journalists have a legitimate need to obtain public information, they can approach the courts and other institutions and organizations for assistance. The Promotion of Access to Information Act 2 of 2000 (PAIA) provides the framework and procedures to exercise the constitutional right to information. The constitution also protects human rights, and the South African Human Rights Commission (SAHRC) plays a key role in the implementation of PAIA. Furthermore, SAHRC functions as a Chapter 9 institution—which, in South Africa, is a statutory body supporting constitutional democracy and facilitating the enforcement of protected rights when they are infringed upon.

According to the panelists, there are no restrictions on international news and news sources, beyond those relating to general copyright and other legal provisions. Amina Frense, of the South African National Editor’s Forum, cited the example of photographers, who are compelled to sign away any rights they may have to images snapped up during the Confederations Cup as a condition of their employment. Panelists did comment that access to international news resources is tempered by access to funds.

Entry into the journalism profession is generally free; hence, this indicator achieved nearly a perfect score. The government imposes no licensing requirements or other restrictions on journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

South Africa Objective Score: 2.81

The overall score for this objective improved compared with last year even if it did not change dramatically. Scores for indicator 1 (reporting is fair, objective, and well-sourced), Indicator 6 (balance of news and entertainment), and Indicator 8 improved significantly. All indicators scored very close to the objective score.

Assessing the strength of professional standards, the panelists concluded that reporting in the South African media ranges from excellent to “gutter journalism.” A number of award-winning documentaries and current-affairs programs focusing on investigative reporting were cited, such as *Carte Blanche* on MNET and *Special Assignment* on SABC 3. However, Bird argued that the use of the term “objective” is misleading, since all reporting is contextual and can never be truly objective. Yet, according to Frense, “Very few sources are used to verify facts for stories, and the lack of editorial control in newsrooms has eroded the general public’s trust in journalists.”

The panelists concurred that there are recognized and accepted ethical standards in the media sector. The Press Code of Professional Practice, which was established by the print media industry, captures the most basic and universal

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).

Freebies (such as cash, cell phones, or free travel) from the motor, sports, and entertainment industries are quite common and readily accepted by many journalists.

principles for journalists—namely, “to report news truthfully, accurately, and fairly; and to present news in context and in a balanced manner, without an intentional or negligent departure from the facts.” Despite these safeguards, Jeanette Minnie, a Pretoria freedom-of-expression expert, lamented the lack of a rational, regular approach to formal enforcement of codes, while other panelists noted that journalists need to be more careful regarding questions of accuracy. They stressed their perception that journalists appear to print corrections too frequently.

Panelists also raised concerns that some journalists use the public exposure they have gained from their work to leverage additional commercial benefits for themselves. While such activities may not violate the code, panelists deemed such behavior distasteful and warned that it could compromise professional standards. According to Frense, this practice is evident among motoring and television sports journalists.

Panelists viewed journalists’ lack of resources in covering stories as the biggest ethical problem facing journalists. Financial pressure has prompted some journalists to accept financial help, accommodations, and help with travel expenses to cover political stories and government activities. This practice is also common among journalists covering travel, sports, motoring, entertainment, arts, and culture. Portia Kobue, SABC executive producer, felt this practice “constitutes a serious threat to journalistic independence, as journalists feel indebted to their sponsors and under pressure not to be too critical. It also results in editorial choices being made not because of news value, but because of the generosity (or otherwise) of the organizers of events.” Freebies (such as cash, cell phones, or free travel) from the motor, sports, and entertainment industries are quite common and readily accepted by many journalists.

The indicator considering self-censorship received the lowest score within Objective 2. As Kobue explained, “There is a lot of self-censorship; often members of government question who gave the go-ahead for certain interviews.” Minnie added, “Censorship has been the most severe from commissioning editors. The SABC is unique in its ability to reach many in Africa; no broadcaster or other form of media comes close. It is just a pity that this kind of power is not used

Minnie added, "Censorship has been the most severe from commissioning editors. The SABC is unique in its ability to reach many in Africa; no broadcaster or other form of media comes close. It is just a pity that this kind of power is not used beyond petty agenda-setting."

beyond petty agenda-setting." The public broadcaster, in particular, came under fire for self-censorship when it came to critiquing politically powerful people. Panelists also described how, during protests over wages, SABC staff members did not cover the marches and demonstrations.

Regarding how well journalists cover key events and issues, the panelists had a lukewarm reaction. There was general agreement that key events are covered; however, Bird brought up revealing statistics on the subjects that receive the most coverage—indicating that race, gender, and environmental issues received scant regard. He cited the example of *50/50*, an environmental-issues program on SABC 2, which has been cut.

Manana Stone, a media advocacy officer for the Media Institute for Southern Africa, stressed the importance of distinguishing between events and issues. He said events such as hospital openings and project launches are covered, but issues requiring ongoing awareness-raising, such as gender violence and poverty, are often addressed marginally or neglected altogether.

The question of whether pay levels for journalists are sufficiently high to discourage corruption drew mixed responses. Some panelists believe that although journalists are poorly paid in both the private and public sector, their salaries are high enough to discourage corruption. An SABC survey showed journalists' salaries to be market-related or better. However, in a bid to save money and increase profits, media companies are increasingly hiring nonpermanent staff as reporters or sub-editors, and the panelists noted that such people might be more vulnerable to temptations.

According to ICASA license conditions for broadcasters, there are quotas for a fair balance of exposure between entertainment and current affairs, education, and social issues. However, panelists noted that the budget allocation or distribution of resources to entertainment programming is much higher than that allocated to news and information programming.

The impending digitalization of television featured prominently in the panelists' consideration of the adequacy of facilities and equipment. Panelists agreed that, in terms of the availability and use of facilities and equipment, the South African media sector is on par with the world's most developed nations. Both private and public media houses invest heavily in equipment to build state-of-the-art facilities, which account for a large portion of their annual budget.

Regarding niche reporting, Frense suggested that niche reporting ranges from good to under-resourced. Generally, it was agreed that between the public broadcaster and private media, quality niche reporting and programming exists; however, Bird again questioned the commitment in practice—referring again to the great loss of programs like *50/50*.

In conclusion, panelists indicated that the playing field is not equal and expressed the hope that influential institutions and organizations will dedicate far more resources to the improvement of the media sector as a whole. The benefits, they said, would translate to elevated professional standards and the recognition of journalism as a credible profession.

OBJECTIVE 3: PLURALITY OF NEWS

South Africa Objective Score: 2.79

This objective also experienced modest improvement, led by improvements in indicators 1 (plurality of viewpoints and sources) and 6 (transparency of ownership and presence of conglomerates). All indicators scored very close to the objective score.

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.

Panelists agreed that South Africa has a range of public and private news sources, but they tend to be concentrated in larger urban, more affluent areas. Poorer townships and remote rural villages are often underserved. "There is still a problem with respect to the absence of community-based news," Kobue added, describing how riots broke out in the informal settlement of Diepsloot, north of Johannesburg, due to a lack of information. She described the violence that erupted following a rumor that the township was to be placed under the administration of the worst-performing municipality in the Gauteng province. Municipal representatives had to be dispatched to convince the community that these rumors were unfounded; there were no plans to revise the municipal demarcations. Kobue believed these riots could have been avoided if the community had access to reliable sources of information provided by community media. Frense cited the case of a rural teenager who could not access her exam results in her town; she had to travel by bus to a neighboring town just to buy a newspaper.

According to Freedom House's Freedom on the Net report, "Print outlets, television, and radio continue to be the main sources of news and information for most South Africans, but there are increasing efforts to extend mainstream news to online platforms—for example, by the *Times* and *Mail and Guardian* newspapers, which operate affiliated websites."⁴

Panelists agreed strongly that there are no legal restrictions to domestic or international media, and that access comes down to affordability.

A general distinction was highlighted with respect to media coverage during the pre- and post-election periods. Bird indicated that during the election period, there were up to 15,000 news items across different media, which delivered nonpartisan political coverage; however, since the publication of election results, there has been a steady decline—not only in the range of topics but also the quality of the coverage. The panelists conceded that post-election coverage is lacking and that little or no monitoring is done within media institutions.

South African media have access to a range of independent news agencies, panelists agreed, including the South Africa Press Association, I-net Bridge, Eye News Service, SACSIS, East Cape News Agency, Touchline, Health E-News Agency, Mpumalanga African Eye, Gender Links, and Sangonet. International agencies, such as Reuters and the Associated Press, are also available. However, the panelists said that

⁴ Freedom House. *Freedom on the Net: A Global Assessment of Internet and Digital Media-South Africa*. April 1, 2009: p. 93. <http://www.freedomhouse.org/template.cfm?page=384&key=203&parent=19&report=79>

"There is still a problem with respect to the absence of community-based news," Kobue added, describing how riots broke out in the informal settlement of Diepsloot, north of Johannesburg, due to a lack of information.

some of these news sources are underutilized, and there is a need for more variety among media houses.

While independent broadcast media produce their own domestic news programs, high production costs limit their ability to produce international news. For the most part, private media houses source their international content from international news agencies.

Panelists said that ownership is fairly transparent; however, a few large conglomerates dominate the media landscape. The media sector is run as a monopoly, and panelists conceded that the absence of competition is the hallmark of South African business. In other sectors, this has cost consumers dearly, owing to collusion and price fixing by businesses operating as cartels. For example, wheat and flour prices have dropped since June 2008, but the price of bread has stayed constant. Research from the FXI also revealed, "While two major groups controlled most newspapers in the past, ownership is now shared by six major groups, with independent newspapers emerging as a major owner."⁵

Panelists split over how well the media reflect a broad spectrum of social interests, including minority-language sources. Bird indicated that while coverage of social-interest issues is better during the pre-election phase than at any other time, the main focus of the coverage was political campaigning and political in-fighting among parties. Furthermore, racism and xenophobia, gender-based violence, education and development issues, and poverty together accounted for less than one percent of total coverage during this time. On the other hand, the Internet may help change these patterns; Freedom House reported, "The South African blogosphere has been highly active in promotion of AIDS awareness and the discussion of environmental issues, in addition to more general political coverage."⁶

⁵ Haffajee, Ferial. "Presentation of Research on the South Africa Press and the MDA." Freedom of Expression Institute; January 3, 2008. <http://www.fxiproject.org.za/content/view/165/>

⁶ Freedom House. *Freedom on the Net: A Global Assessment of Internet and Digital Media-South Africa*. April 1, 2009: p. 92. <http://www.freedomhouse.org/template.cfm?page=384&key=203&parent=19&report=79> (Accessed October 3, 2010)

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Frense argued that variety is more evident on the radio, as the SABC channels cater to various minority languages. Citing the example of the Nu/Khmu language programs, she said that minority languages are indebted to radio for their new lease on life.

Panelists were ever-mindful of the paradox regarding the term "minority" in the South African context; the term is applied to the demographic majority, which is the indigenous African population. Furthermore, the benefits of reporting in minority languages are undermined by low-quality translations, bad grammar, and a lack of coherent subtitles in television broadcasts, Kobue argued. It was noted that Zulu-language dailies are doing well, especially in Kwazulu-Natal. Isolezwe's average daily sales topped 100,000 for the first time since its 2002 launch. At 102,454, sales are encouragingly up from 99,095 for the comparative 2008 period.

OBJECTIVE 4: BUSINESS MANAGEMENT

South Africa Objective Score: 3.02

Panelists improved their scores in three indicators to push the score for this objective higher this year compared with last year. These indicators are 4 (balance of advertising to other revenue sources), 6 (market research) and 7 (audience and circulation statistics). Indicator 4 (government subsidy of private media) fell, however. All indicators scored within a half-point of the objective score.

Panelists agreed that most media outlets and supporting firms in South Africa operate as professionally run businesses, but they were quick to note that the same could not be said for the SABC. The public broadcaster is deeply in the red and has been the subject of several very critical news reports highlighting different forms of mismanagement. Panelists attributed the success of commercial media houses to the employment of dedicated business-development executives tasked with meeting commercial targets.

However, the panelists raised a concern that newsrooms, especially in private print media houses, have made drastic cuts in the wake of the global financial crisis. They also described the worrying trend of the "juniorization of newsrooms," with relatively inexperienced journalists taking on important positions. Rookies require lower pay packages, while taking on heavier workloads.

Kobue recalled reading three articles in a well-respected business daily, all compiled by the same journalist. All three articles were replete with spelling and grammatical errors. "Private media houses may meet bottom-line targets by cutting costs in terms of personnel, but it is at the expense of quality," Kobue said.

Panelists expressed concern that the SABC's heavy reliance on commercial revenues affected the public broadcaster's programming. The SABC derives 85 to 87 percent of its revenue from commercial sales, 13 percent from license fees, and the remaining 2 percent from direct government grants. This funding model suggests that the SABC needs to pursue a commercial, rather than developmental, agenda, panelists said.

Advertising agencies and related industries support an advertising market, and panelists said that South Africa's advertising sector is very well developed. However, some panelists called on advertisers to show more responsibility. Stone also commented that advertisers show reluctance to advertise in community media, although Minnie countered that "advertising is a business and cannot be expected to support small mediums, like community media, for free."

Regarding the balance of advertising revenue as a percentage of total revenue, ICASA guidelines stipulate 12 minutes per

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.

hour for television advertisements, and past MSI panels have charged that SABC clearly and regularly exceeds this standard. However, advertisers are subject to scrutiny; the marketing communications industry created and funds the Advertising Standards Authority (ASA) to regulate advertising in the public interest. ASA works closely with the government, statutory bodies, consumer organizations, and the media to ensure that advertising content meets its Code of Advertising Practice requirements.

Independent media do not receive government subsidies, although, as last year's MSI panel reported, community media do receive large government grants—though some panelists reported that little money reached the stations. Furthermore, the government is one of the country's largest advertisers, and sometimes this financial clout can be abused to make editorial demands on the media. Minnie said that the MDDA, a statutory body set up to ensure a plurality of voices in South Africa, funds some private and community media organizations. The MDDA gets funding from both government and industry sources and uses these funds to support independent media initiatives.

According to the panelists, market research accounts for a large portion of media house budgets—both public and private. For large media companies, the South African Advertising Research Foundation (SAARF), a tripartite organization consisting of marketers, advertising agencies, and media owners, conducts research to help inform programming decisions. SAARF conducts the All Media and Products Survey, the Radio Audience Measurement, and the Television Audience Measurement. However, past MSI studies noted a key weakness: market research is costly and focuses primarily on urban areas and larger organizations—neglecting the smaller media houses that need the research the most.

As reported in last year's MSI study, broadcast ratings are produced by SAARF, and the SABC also produces ratings for its television programs, using standard audience research software. The Audit Bureau of Circulations produces newspaper circulation data.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

South Africa Objective Score: 3.26

Objective 5 sustained strong improvement, with panelists awarding higher scores for all indicators. All indicators scored within a half-point of the objective score except for indicator 7 (channels of media distribution are private, apolitical, and unrestricted), which fell just outside that range.

As a young democracy, South Africa has a plethora of NGOs that function to check state power and generally offer debate on topical issues affecting freedom of speech. Panelists gave examples of various NGOs, including FXI, the Media Monitoring Project, and the Media Advocacy Project.

A number of trade associations safeguard the interests of media owners and provide member services in South Africa. The National Community Radio Forum brings together operators of community radio. Print Media South Africa (PMSA) serves as an umbrella body to constituent members: the Newspaper Association of South Africa, the Magazine Publishers Association of South Africa, and the Association of Independent Publishers. Taken together, PMSA represents more than 700 newspaper and magazine titles. New media organizations include the Internet Service Providers Association, Wireless Application Service Providers Association, the Website Association of South Africa, and the Online Publishers Association.

In terms of professional associations, SANEF, a professional organization for editors and senior journalists, is active; most editors are members. In addition, the Media Institute of Southern Africa has an operational South African chapter. Other organizations include the Forum of Black Journalists, which was revived in early 2008.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

As reported in last year's MSI, online media continue to be tied down by monopolies like Telkom, as well as ludicrous Internet fees—and the government seemingly lacks political will and strategy to address these obstacles.

Despite these organizations, panelists indicated that journalists are suffering, especially in light of the economic climate, and conceded that the South African media workforce is not adequately protected. Only one union, the Media Workers Association of South Africa, represents media workers' rights; however, there are no associations that specifically protect the rights of journalists.

As a young democracy, South Africa has a plethora of NGOs that function to check state power and generally offer debate on topical issues affecting freedom of speech. Panelists gave examples of various NGOs, including FXI, the Media Monitoring Project, and the Media Advocacy Project. "Free Our SABC" is a coalition of NGOs that acts as a lobbying group in instances when freedom of speech is undermined by the public broadcaster. While acknowledging the work of these NGOs, Bird suggested they are overly concentrated in large urban centers and called for more NGOs to spread out across the country. He also felt that these NGOs could enhance their ability to protect media freedom if they cooperated more and presented a united front. Minnie indicated that a strong alliance among journalists, media owners, and NGOs could be very beneficial for the media community.

Some panelists were aware only of the journalism and media studies program offered by the School of Journalism and Media Studies at Rhodes University, while others acknowledged that the University of the Witwatersrand also offers a journalism program. While it is difficult, in some cases, to specify whether a program should be called a journalism course, it is estimated that there are about 15 journalism-related courses taught at a tertiary level in South Africa. However, panelists agreed that students do not bring enough practical knowledge with them when they enter the newsroom; they end up developing some critical skills on the job.

To address these shortcomings, Frense suggested the establishment of cadet schools, which would offer practical training. She went on to indicate that in her experience, rookies "cannot write one sentence without making a mistake." The panelists attributed this problem to different reasons, including the poor quality of schooling, undiagnosed deficiencies in linguistic skills, and ineffective teaching methods.

Short-term training programs do exist to help journalists upgrade their skills. Panelists highlighted the Institute for the Advancement of Journalism as a good institution offering short courses and tuition for non-degree purposes. However, the panelists generally agreed that unless the government gets involved with media owners and mandates continuing education for the media workforce, standards will continue to drop. Furthermore, as noted in last year's MSI study, the cost of short-term trainings can be prohibitive, and the majority of training institutions are based in the urban centers—factors that have kept a large and growing pool of freelance journalists outside of the circle of formal training, education, and knowledge.

Although printing facilities are in private hands, panelists agreed that ownership could never be truly apolitical. In addition, as newsprint is costly, community and small media outlets find access difficult.

Broadcast transmitters are divided between state and private hands, and Frense indicated that the tight control of broadband and its pricing is restrictive. The public sector is in full control of the various features of the national communications economy. For example, the regulator is ICASA, while broadcasting and transmitters are under Sentech, and the broadband monopoly is dictated to by Telkom—all state-funded or parastatal institutions. As reported in last year's MSI, online media continue to be tied down by monopolies like Telkom, as well as ludicrous Internet fees—and the government seemingly lacks political will and strategy to address these obstacles. As for print distribution, the panelists agreed that private hands control the infrastructure and that there are a number of different distribution companies who deliver papers to large retail outlets.

List of Panel Participants

Jeanette Minnie, freedom-of-expression expert, Pretoria

Lumko Mtinde, CEO, Media Development and Diversity Agency, Johannesburg

William Bird, director, Media Monitoring Project, Johannesburg

Amina Frense, project manager, Southern African Broadcasters Association; South African National Editors Forum council member; Media Institute of Southern Africa-South Africa Governing Council member, Johannesburg

Manana Stone, media advocacy officer, Media Institute of Southern Africa, Johannesburg

Portia Kobue, senior executive producer, South African Broadcasting Corporation, Johannesburg

Moderator and Author

Shehnaaz Bulbulia, executive director, Institute for the Advancement of Journalism, Johannesburg

Observer

Johann Mavhungu, researcher, Sol Plaatje Institute for Media Leadership, Rhodes University, Grahamstown

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

The Khartoum government and the rebels have not spared the media from the conflict. The state controls both the public media and most private media in the north, but journalists in both the north and the south continue to labor under difficult conditions—including persistent harassment, torture, censorship, and denial of civil liberties.



SUDAN

S

Sudan is still essentially one country with two governments, divided between the north and the south under a fragile peace agreement. Although the Comprehensive Peace Agreement (CPA) signed between the Sudan People's Liberation Army (SPLA) and the Khartoum government in 2005 ushered in a period of relative peace and contributed to reshaping the constitutions of the country, it has not yet translated into greater stability for the Sudanese—or the media.

The Government of South Sudan retains its semi-autonomous status under the leadership of President Salva Kiir and the SPLA's political wing, the Sudan People's Liberation Movement (SPLM), while General Omar Bashir governs the north. Widespread human-rights abuses persist, especially in the Darfur region, where killings and displacement of innocent people—especially non-Arabs—by pro-government Arab militias continue with impunity. Stemming from this violence, an International Criminal Court arrest warrant stands against General Bashir, restricting his travel outside Sudan. Meanwhile, South Sudan, with support from external donors and Khartoum, continues an economic and infrastructural recovery slowed by widespread corruption. In 2011, under terms set out in the CPA, the people of South Sudan will vote in a referendum on independence.

The Khartoum government and the rebels have not spared the media from the conflict. The state controls both the public media and most private media in the north, but journalists in both the north and the south continue to labor under difficult conditions—including persistent harassment, torture, censorship, and denial of civil liberties. In the north, the government continues to apply a strict form of *Sharia* law to suppress media freedom, and only a few truly independent newspapers have survived. Furthermore, the government continues to draft new laws aimed at controlling the media. Although Sudan has more than 30 newspapers, both in English and Arabic, the approximately eight totally independent newspapers in the country stand to be most affected under this new law. On a positive note, the Khartoum government recently repeated its commitment to strike the law on censorship. However, the panelists attributed this move to external pressure against the state and expressed skepticism that it will be enforced.

South Sudan's 2005 interim constitution mentions freedom of speech, but absent a specific media law, South Sudanese journalists know that the freedoms they currently enjoy are not guaranteed. The SPLM government continues to work on laws to govern the media and journalists. The media deemed a draft bill oppressive, and the government took it back for amendments. Although some media associations believe that once their views are accommodated, the laws will be favorable, others charge that South Sudan will not be any better off. Additionally, while South Sudan's media have far more freedom, the northern media outlets enjoy far better facilities, pay levels, and training. Noted the panel moderator, David Aruai de Dau, "The only solution is to not only pass the media law, but to also train journalists, security forces, and the general public on the importance of the media."

SUDAN AT A GLANCE

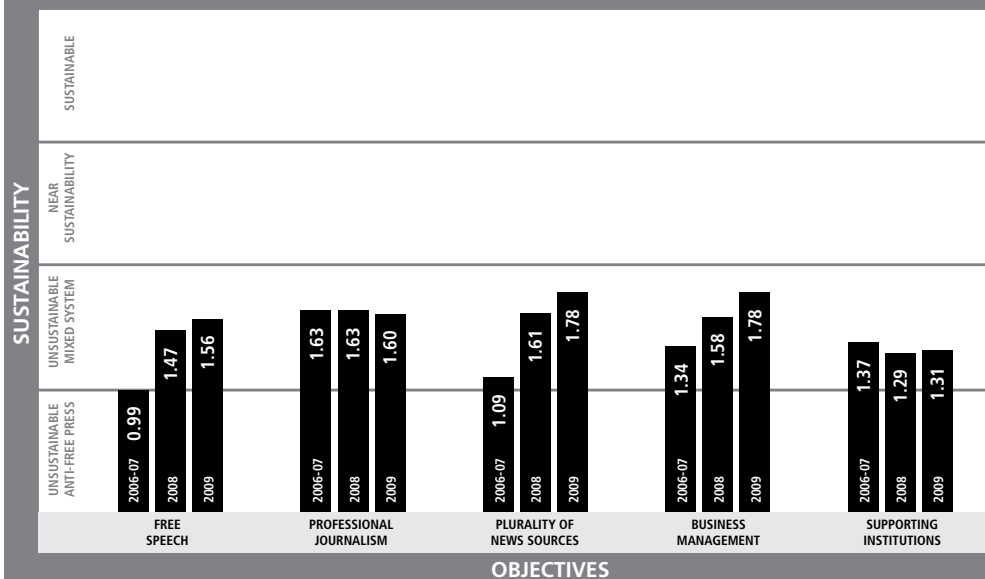
GENERAL

- > **Population:** 41,087,825 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Khartoum
- > **Ethnic groups (% of population):** black [scores of ethnic groups of African origin] 52%, Arab 39%, Beja 6%, foreigners 2%, other 1% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 70% (in north), Christian 5% (mostly in south and Khartoum), indigenous beliefs 25% (*CIA World Factbook*)
- > **Languages (% of population):** Arabic (official), English (official), Nubian, Ta Bedawie, diverse dialects of Nilotic, Nilo-Hamitic, Sudanic languages (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$51.63 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$2,000 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 61.1% (male 71.8%, female 50.5%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Umar Hassan Ahmad al-Bashir (since October 16, 1993)

MEDIA-SPECIFIC

- > **Media-Specific**
- > **Number of active print outlets, radio stations, television stations:**
Print: 7 daily newspapers; Radio Stations: 5 main stations; Television Stations: 2 main stations
- > **Newspaper circulation statistics:** Top three by circulation: *The Citizen Paper* (private), *The Sudan Tribune* (private), *The Juba Post* (private).
- > **Broadcast ratings:** Top radio stations: Miraya FM (UN-run, south), Bakhita FM (Catholic Church-run, south), Sudan National Radio Corporation (state-run, north), Mango 96 FM (private, north), Radio Juba (state-run, south); Television: Sudan National Broadcasting Corporation (state-run, north), Southern Sudan TV (state-run, south)
- > **News agencies:** Sudan News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 4,200,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SUDAN



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Sudan Objective Score Score: 1.56

The panelists said that changes have been made to the Sudanese constitution, lending support for freedom of speech and freedom of the press; however, in practice, they are frequently ignored by those in power—especially in the north. Furthermore, the panelists reported that these constitutional changes are contradicted by many other oppressive laws that authorities still invoke to repress freedom of expression, and the government has passed new laws giving the National Press Council even greater power. The council is composed of eight members appointed by the president and the vice-president, and another eight are elected by the state-controlled journalists' union. Just five additional members come from publishers and owners of printing presses, which are not always completely independent. The new law empowers the National Press Council to oversee all licensing of journalists and media houses, and impose stiff fines and suspend news operations at will. The media community fears that the law will be a big blow to what little press freedom exists, potentially contravening the press guarantees contained in the new Sudanese constitution adopted as part of the CPA.

Still, in the south, panelists agreed, there are promising signs that the new constitution and laws under draft will provide for freedom of the press, and that the authorities will not be

There are laws in place governing the licensing process in Sudan, but in practice they are not followed properly. The licensing process is politicized, and ruling-party politicians—or those in their favor—find it easier to acquire licenses than those with ties to the opposition.

tempted to violate them, as their counterparts in the north have. For now, absent a proper legal framework in the south, the panelists still see violations of press freedom rights, but they can generally be attributed to individuals in government rather than a widespread pattern. In fact, the authorities sometimes respond to reports of violations.

According to the panelists, the judiciary lacks independence, especially in cases involving human-rights violations and media freedom. The government influences many judicial decisions in the north. However, in the south, the authorities continue to work on a legal framework to help establish proper judicial structures.

Regarding Internet use, officially, there are no restrictions in the north. However, the government, through its security organs, monitors Internet service consumers and providers. In the south, in contrast, the government has not shown an interest in monitoring Internet use.

The panelists agreed that in general, there is nothing fair about the broadcast licensing process in Sudan. In the north, it remains fully in the hands of the Ministry of Information, while in South Sudan, it is the responsibility of the Ministry of Information with assistance from the Ministry of Telecommunications and Postal Services. There are laws in place governing the licensing process in Sudan, but in practice they are not followed properly. The licensing process is politicized, and ruling-party politicians—or those in their favor—find it easier to acquire licenses than those with ties to the opposition. In the south, tribal sentiments sometimes come into play in licensing decisions. However, Emmanuel Alfred Levai, a producer for the Juba bureau of the Sudan Radio Service, said that he considers the licensing of broadcast media in Southern Sudan fair and noted that some outlets believed to be community-based, like the Radio of the Catholic Church/Bakhita FM Radio, are licensed free of charge.

A number of media houses that have criticized the government, both in the north and the south, have been threatened with closure, the panelists said. The Central

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.

Surprisingly, said the panelists, mostly local and foreign black journalists are mistreated, while white journalists are always spared.

Region governor once threatened the *Juba Post* with closure for publishing a story considered to be “negative.” In the south, government officials warned, and later shut down temporarily, Bakhita FM (a radio station founded by the Catholic Church) for discussing political issues. In southern Sudan, the government also classifies the types of licenses it distributes to the electronic media, restricting certain media houses on particular issues. One panelist noted, “There is a lot of political interference and lack of understanding for those in power about the importance and role of the media in good governance and development.”

Media taxes remain high in Sudan, starting with the license. Different states are also devising new taxes, which the panelists deemed unfair. On top of taxes for media houses, individual journalists also pay indirect taxes deducted from their salaries.

Recently, the government of Sudan, through its security agencies, has been cracking down on human-rights activists. Many are arrested or detained, while others are harassed and intimidated. Rampant crimes against journalists take place out in the open while authorities are watching and without taking any action against the perpetrators, according to the panelists. Paul Jimbo, editor-in-chief of *Southern Eye*, commented, “Journalists are treated with lots of suspicion, as authorities still do not understand the role of the media. In parts of Sudan, especially in Khartoum, journalists face a lot of harassment. In South Sudan, there are also cases where authorities have rubbed shoulders with the media for publishing information they feel undermines official operations. Such cases are never well publicized in the media, for fear of consequences from the authorities.” Another panelist noted, “Three times, I have been nabbed at official functions by security personnel trying to stop me from doing my work,” and added that security operatives frequently confiscate—and sometimes destroy—equipment like cameras, recorders, and mobile phones. Female journalists are attacked and beaten in the same way as male journalists; one female journalist, Marvis Byeza (also a MSI panelist) was beaten by military police while on an assignment during the celebration of the 26th anniversary of the SPLA/M in May 2009; she was rushed to Kampala, Uganda, for treatment.

Surprisingly, said the panelists, mostly local and foreign black journalists are mistreated, while white journalists are

always spared. The situation is worse outside of Juba and other town centers. The perpetrators of these violations are never prosecuted, leading journalists to suspect government involvement. Recent cases include Isaac Vuny, who was arrested from parliament for publishing an accident story involving the president’s motorcade, as well as a piece on the *Sudan Tribune* website about the Nile Bank running out of cash.

However, some panelists said some of these problems would have been avoided if journalists followed professional ethics. Although most of these crimes are publicized well by the media, they do not cause public outcry. Jeremiah Otieno Siera, assistant finance officer for the Sudanese Agency for Independent Media (AIM), commented, “Our legal instruments are trying to harmonize with international standards, but society is not well educated on their rights and freedoms.”

There is no editorial independence in the state media, according to the panelists, as the government appoints the top editors and managers. As part of the government structure, state media receive preferential treatment all around, said the panelists. They added that state media enjoy easy access to official information, as the government in the north uses state media as a channel for propaganda.

The panelists said, however, that in the south, state media behave in the same way; the only difference is that security operatives harass journalists from private and state media outlets equally. The panelists noted that powerful businesses interfere with editorial content as well; stories that criticize businesses are sometimes dropped upon request.

Libel is a criminal offense in the north, while in the south, it is supposed to be both criminal and civil—but the government generally treats it as a criminal issue. Several journalists have been arrested, charged, and handed prison sentences as a result of libel-related offenses in the north. However, in the south at the moment, there are no clear laws. Journalists who annoy government or security operatives are sometimes arrested, detained in secret locations, and intimidated—then released without being charged. The burden of proof in such cases lies with the state. Levai said, “Libel is a civil and criminal issue in South Sudan, but so far there have been no reports of any journalists put behind bars for libel—except for the case of *Juba Post* and an SPLA major general who sued the paper for publishing a press statement by the Madi community that claimed the SPLA had grabbed their land in Nimule.” According to the panelists, Internet service providers are not legally responsible for the content of individual website owners.

Access to information is not easy in Sudan, especially from government circles. Sources tend to treat the media as an enemy. There is no proper system in government to release information in the south, but in the north, the Sudan News Agency coordinates the dissemination of information. However, it is mainly propaganda.

The panelists added that in South Sudan, journalists, through an organization called the Association of Media Development in Southern Sudan, are trying to coordinate with the SPLA to develop a communications policy for the media. It will require journalists to come together, discuss, and agree on the new policy, and they will need some funding to organize meetings.

Public information is not readily available to journalists, and in the absence of an access to public information law, journalists must navigate many hurdles. Even if they know where to turn for a given piece of information, journalists are likely to be treated as enemies. The panelists reported cases of journalists who manage to obtain official information. But if they use it in a way the government considers critical, journalists are pressured to explain how they obtained the information and apologize.

The government does not officially restrict access to foreign news, but the panelists reported that the government blocks some websites, especially in the north. In Khartoum, some Internet blogs are restricted. At times, foreign news is also screened. In the south, the situation is different; Southern Sudan Television holds agreements with foreign television stations. In general, panelist Melania Celestino Suleiman Itto, presenter for Bakhita FM Radio, said that the government does not interfere with foreign news because it fears the international community.

The National Press Council still controls and determines who enters the journalism profession in Sudan; it also sets tests for all prospective journalists to earn a professional license. Journalists face this step after graduating from a media training institution—which are numerous in the north but nonexistent in the south, the panelists noted. In addition, the government does sometimes require accreditation of journalists, but typically only for large, Sudan-wide state functions. However, the panelists said that the National Press Council's mandate now stops in the northern part of the country. In absence of the qualifications and standards in South Sudan, entry into the profession remains relatively free. Levai noted, in fact, that it is the easiest field in which to find employment, barring any language barriers.

Another panelist noted that in South Sudan, some journalists are slightly biased toward the southern cause, and thus patriotism also leads to censorship.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Sudan Objective Score: 1.60

Although the panelists debated the media's adherence to professional standards, many panelists said that journalists who are trained well conduct their work professionally, report objectively and cross-check their sources. This is mainly true in the northern part of the country, where all the training institutions are concentrated. In South Sudan, according to the panelists, very few journalists and editors follow all the procedures while doing their work. The panelists admitted that they have run into problems because of their unfamiliarity with professional standards, and they believe that proper training, even in the basics of journalism, would be a great help. Levai added that another problem stems from the lack of sources; he said, "What is lacking is the presence of independent relevant sources to comment on a variety of topics. The few health experts, economists, and even civil-society members have been pulled into the government." Jimbo also commented that some media houses tend to sensationalize certain issues, due to partisan interests, and that most journalists report the news at face value rather than digging deeper.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

The panelists said that some journalists remain in the profession despite the poor pay because they love the work. However, the situation is getting worse, and the panelists link the low pay at least partially to corruption within the media.

As previous MSI studies reported, two separate ethical codes exist: one for the whole of Sudan and another for South Sudan's journalists. However, panelists reported that although the older code of ethics was intended for the whole country, journalists from the south no longer recognize it. Instead, they have endorsed their own code of ethics, developed in consultation with AIM. The panel added that beyond these two codes, some media houses have their own code of ethics and editorial policies, which their managers enforce. Despite these guidelines, though, some journalists have been seen accepting bribes and payments from their sources in exchange for stories and coverage, which affects the professionalism of the trade.

Self-censorship exists at all levels and for different reasons, including the fear of losing jobs or offending society, safety concerns, the threat of prison, and political influence. Media owners and their business friends also drive journalists and editors to censor their work. Another panelist noted that in South Sudan, some journalists are slightly biased toward the southern cause, and thus patriotism also leads to censorship.

Many key events, especially those organized by the government, are not covered because reporters are blocked from accessing them. Itto noted that insecurity throughout much of South Sudan, lack of movement in some places, and the difficulty of finding proper equipment and transportation also inhibit coverage. For the most part, only events in open or public places, such as memorial celebrations, are covered. The panel noted that there are also cases where editors stop reporters from covering certain key events because of editorial policies of their media houses. Throughout the country, issues related to security are especially difficult to cover, and reporters who dare to may encounter resistance.

For government media, pay levels have gradually improved, but they remain low for freelancers and those working for private media outlets. State media journalists are paid according to their grade, which also depends on their level of education. State media journalists earn between SDG 450 and 2,400 (\$200 and \$1,000) per month, editors and reporters respectively. On average, reporters pull in about SDG 930 per month (\$400). Panelists also commented that there is a large

pay disparity between reporters and editors. Most freelancers scrape by with about SDG 100 to 250 (\$50 to \$100) per month, too little compared with the cost of living. According to the panelists, only the United Nations radio station, Mirror FM, pays its journalists fair salaries (between \$500 and \$3,000 per month).

The panelists said that some journalists remain in the profession despite the poor pay because they love the work. However, the situation is getting worse, and the panelists link the low pay at least partially to corruption within the media. One panelist said that some journalists sell stories to politicians and other sources to supplement their incomes. However, panelists noted, even some well-paid journalists, including editors, have been cited in cases of corruption. Furthermore, the panel agreed that although journalists are poorly paid, among civil servants teachers suffer from the lowest pay.

The panel noted that training carried out in some media houses has led to improvements in broadcast programming, compared with previous years. Media houses have tried to balance entertainment with news; however, research has shown that youth prefer music to news. Levai said that news and entertainment are better balanced in the print media than in broadcast.

News-gathering equipment and production and printing facilities are fairly modern in the northern part of the country but still lacking in the south. One panelist commented, "Apart from lack of training, we also do not have basic facilities, which also affects the quality of our work." In South Sudan, journalists working for the electronic media lack equipment, including recorders, video cameras, computers, and editing facilities, while their counterparts in print have no printing press. Printing operates very efficiently in the northern part of the country, where facilities are readily available. Private media outlets in the south face more challenges; media owners travel either to Khartoum or Kampala, Uganda, to print their newspapers—which affects their bottom line as well as their delivery schedules. In contrast, the state-owned media in the south have acquired modern equipment, but they lack professionals to operate it.

Along with equipment, Sudanese journalists are most in need of assistance in capacity building and training—especially for journalists working in the south. The panelists recommend that donors channel any assistance through AIM, which has shown interest in developing the media in South Sudan. AIM can also identify media houses with critical needs for potential donors. One panelist added that aid might be channeled to provide scholarship opportunities to help practicing journalists complete their studies.

Niche reporting exists in the northern part of the country in some media houses, but most journalists in the south are not trained adequately to conduct specialized reporting. The panel underlined the need to persuade and encourage journalists to take up specialized reporting. However, investigative journalism is a particularly risky endeavor in the current postwar environment.

OBJECTIVE 3: PLURALITY OF NEWS

Sudan Objective Score: 1.78

The panel noted that Sudanese citizens have access to multiple sources of electronic and print news, both local and international. In South Sudan, there are 12 newspapers, 18 radio stations, eight regularly printed magazines, and two television stations. Internet access is mainly affordable and accessible only in cities and towns. Mobile-phone news alerts exist, but not many can afford to subscribe. Similarly, satellite news services exist, but few can afford the expense. Siera added, "We are trying to maintain the plurality of our news sources, and we have several newspapers, broadcast, and Internet providers. Citizens' access to these products is not restricted, though they are not cheap, and there are also places where they are not available due to poor infrastructure."

Northern Sudanese, especially Khartoum residents, have access to more news sources, as the media are concentrated there. In contrast, in the south, it is harder to find newspapers outside of big cities like Juba, said the panelists. Most rural

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.

State media are fully controlled by government in both the north and south, and they primarily serve official interests, said the panelists. They added that the government spends a lot of time promoting its own programs.

residents depend on radio stations as their major source of news and information—not just because of access and cost, but because most rural residents cannot read or write. However, the panelists reported that a community media presence is slowly growing in the north, but it mainly dispenses government propaganda. Community media outlets also are difficult to sustain in Sudan. To date, the following community radio stations have been established in the southern part of Sudan: Internews radio, Nhomlaau FM (Freedom), and Spirit FM. There is also *Juba Post*, a community newspaper.

The panelists concluded that those who live in cities have more access to the media than those who live in villages, and thus they have more opportunities to compare different news sources.

Panelists agreed that access to both domestic and international media is free throughout the country, but the government in Khartoum indirectly regulates its citizens' accessibility to media from Western countries. Still, the major obstacle may be the cost.

State media are fully controlled by government in both the north and south, and they primarily serve official interests, said the panelists. They added that the government spends a lot of time promoting its own programs. The only advantage of state media is that they also promote a number of programs that benefit society in education, health, cultural, and peace-building in conflict-affected areas.

The oldest local news agency, the Sudanese News Agency (SUNA), is state-owned and continues to distribute government-sanctioned news to all media houses that want it at no cost, noted the panelists. However, this news agency is not independent, and most of its news is government propaganda. A replica has been established in the southern part of the country called the Southern Sudan News agency, established by the government there, but it operates in the same way as SUNA. The panel noted that, both in the north and the south, media houses selectively use news from foreign news agencies like AFP, AP, and Reuters as well.

Media owners hide to avoid compliance with tax codes and also to avoid attacks from those who may not be happy with things published or aired out.

Media houses continue to produce their own news programs, and the quality is improving gradually. According to the panelists, about three quarters of the programs are produced locally.

Most media house owners are unknown, and it is not easy to obtain this information. That is partly because no laws facilitate the release of information about owners, but the panelists also said that citizens are simply not interested in this information. Media owners hide to avoid compliance with tax codes and also to avoid attacks from those who may not be happy with things published or aired out. Still, some media proprietors have come out openly to acknowledge ownership, which the panelists considered healthy.

Several panelists reported no resistance to the inclusion of social issues in the media and noted that the government has also delivered radio programs to improve coverage of local issues in all the regions. They said that minority-language media are not an issue in Sudan; however, the electronic media tend to cover social issues more than their counterparts in print. However, Levai commented, "Private media do cover issues of public interest, but when it comes to cultural and linguistic issues, only those concerning the media owner's tribe are reported, especially in print media. Journalists writing about issues affecting minorities are sometimes harassed indirectly."

OBJECTIVE 4: BUSINESS MANAGEMENT

Sudan Objective Score: 1.78

According to the panelists, most media houses operate as profit-making businesses, hiring professionals to manage different positions within these companies, and some prepare and adhere to business plans and follow international accounting and finance practices. Other outlets are more mission-focused. Across the board, hiring professional human-resources, marketing, and accounting staff is not a common practice. The panelists said that there are also a few media houses run as family businesses, with the owners juggling more than one role and the remaining positions managed by relatives. Such businesses tend to close within a few months of opening.

Media houses in Sudan receive revenue from several sources, including the sale of copies, advertising, commercial printing, and sponsorship from donors and the state, as well as bank loans. Some of these funding sources attempt to leverage their support to gain editorial influence, affecting the independence of their beneficiaries. In addition, the panelists commented that although some media houses bring in a fair amount of revenue, they need to train their employees how to manage these funds. However, both the independent private media outlets and community media continue to suffer from a crippling lack of funding.

The advertising sector is flourishing in big towns and cities in northern Sudan, with several advertising firms active, both local and international. These firms work well with all types of media, some on a commission basis, reported the panel. However, the panelists expressed concern about the situation in the south, where there are no advertising firms. To compete in the tighter market, some media owners there employ professional marketers to solicit advertisements.

There are no specific formulas on the proportion of advertisements compared with programming time; rather, this varies according to the number of advertisements received on a given day. Whenever a media house gets more advertisements, it is accommodated, and even the percentage of revenue from advertisements compared with the total revenue is in flux depending on the volume of business.

Independent media do not receive direct subsidies from the government; however, the panelists said that the government secretly funds select private media houses considered friendly to government interests. With such funding, the 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.

manages to influence some of these media houses, hence affecting their editorial independence.

Big media houses carry out market research through hired companies, groups, and at times in house by using the call-in method and distributing questionnaires. In most cases, such information is used to promote their products and uncover and address their weaknesses. The panel said, however, that in the south, there are few—if any—media houses carrying out such research. Siera noted, “We need a professional polling company to come and give us a boost in this sector.”

In northern Sudan, professional companies generate broadcast ratings and circulation figures, but for the most part media houses reject these figures. Furthermore, the south completely lacks such a process; some media houses just issue claims that they are leading in the market or, in the case of electronic media, that they draw the widest listenership.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Sudan Objective Score: 1.31

There are associations for media owners and publishers in the northern part of Sudan that represent their members, but there are no trade associations in the south.

The oldest professional association is the Sudan Journalists Association, which is open to all journalists. It helps train journalists, supports development projects for its members, and works with the government. According to the panelists, although members help to run this association, it is mainly funded by the state. There are also other small media associations handling specific sectors of the profession, like the Women Journalists Association. The panelists added that

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.

All the journalists from the south who used to belong to the Sudan Journalists Association have deserted it and formed their own associations, as the media's freedom to organize has improved there.

in the north, most of the existing media associations are either melded to the government or sympathetic to the ruling party, and therefore not independent.

All the journalists from the south who used to belong to the Sudan Journalists Association have deserted it and formed their own associations, as the media's freedom to organize has improved there. There are more than 10 journalists' associations formed independently of the state—but they still suffer from low membership interest. These include the Association for Media Development in Southern Sudan, the Union of Journalists of Southern Sudan, the Association for Media Women in Southern Sudan, and some smaller associations. These associations lobby the government to halt threatening media laws, advocate for journalists' rights, support capacity training, and boost media development efforts.

Panelists said that becoming a member in all these associations is easy; the only requirements are filling out an application form and paying membership fees. All these associations are independent of government, but few members are in a position to pay dues, because of widespread low pay across the media industry.

There are several NGOs in Sudan involved in press freedom defense and media development. Most, including the German Development Organization, Norwegian Church Aid, and Norwegian People's Aid, are concentrated in the south. These organizations contributed toward development of the media bill. In addition to defending media freedom, many of these NGOs assist in media training and provide facilities to some media houses (especially in the south, where few other options exist).

AIM, formerly known as the Association of Inter-Media, has developed into an NGO. It now focuses primarily on training journalists, building a media database, supporting media development initiatives, and protecting human rights.

The panel noted that there are many media training facilities in the north, ranging from universities that offer degree courses to tertiary institutions offering high-quality language diploma and certificate courses in Arabic. However, in the south, the situation is quite different, with only one university

The panel noted that there are many media training facilities in the north, ranging from universities that offer degree courses to tertiary institutions offering high-quality language diploma and certificate courses in Arabic. However, in the south, the situation is quite different, with only one university offering a related degree course (in mass communication).

offering a related degree course (in mass communication). Many working journalists in the south have not benefited from this university, because they lack the required entry qualifications. Opportunities for practicing journalists to get degree programs abroad are very rare.

About 90 percent of the journalists working in the south received only on-the-job training. “We were affected by the long civil war in our country, and many of us never had a chance at a formal education. Instead, we have been receiving training on the job—but we need a (formal) program that can accommodate us while continuing with our work,” said one of the panelists. Earlier plans by UNDP to establish a media training school at the *Juba Post* were thwarted by the people involved who embezzled funds, forcing donors to pull out and abandon the project. This has left journalists in the south without any training facility; prospective journalists must travel to Khartoum or neighboring countries. The panelists expressed their hope that a donor might step forward to help them mobilize funding through AIM to create an institute.

Some of Sudan’s larger media houses conduct in-house trainings. Some humanitarian agencies conduct trainings, mostly on covering children, women, and human-rights

abuses. However, there is little training in basic journalism skills or how to cover events in a war zone. Additionally, according to the panel, although some journalists have taken advantage of opportunities to train abroad, typically when they return they do not apply their skills to boost media development. The lack of training institutions and skilled journalists to facilitate training sessions constitute the major constraints to improving training opportunities, noted the panelists. They concluded that the need for serious investment in South Sudan’s media sector is great, both in infrastructure and human resources by putting up training facilities.

The government maintains its grip over some printing facilities, while others are privately owned—but all of them are monitored by the state, which deploys security personnel at every printing press. The panel said that no newspaper can be printed inside Sudan without close scrutiny from the security forces, but there is more freedom in the south. However, the panelists said that in the south, the media are waiting for a new government printing press to see whether the existing freedom is maintained. For now, only papers printed from neighboring countries get away with running stories critical of the government. The panelists also reported that newspaper printing and distribution is not subsidized by the state throughout Sudan.

The panel said that media distribution channels are in private hands, and about 75 percent of the media produced are consumed within cities and towns like Khartoum and Juba. Media houses employ vendors on a commission basis and also have outlets and agents in small towns who sell their products.

The panel noted that, in the past, broadcast transmitters were controlled and owned by the government, but the situation is changing slowly. Today, some transmitters are in private hands (but monitored by the state). The panel added that the government still limits areas of coverage for all transmitters.

List of Panel Participants

Esther Muwombi, journalist, *Juba Post*, Juba

Melania Celestino Suleiman Itto, radio presenter, Bakhita FM Radio, New Site

Puot Kang Chol, civil-society representative, Juba

Jeremiah Otieno Siera, finance assistant officer, Agency for Independent Media, Juba

Veronica Lucy Gordon, executive member, Association for Media Women in Southern Sudan, Juba

Emmaneul Levai, sub-editor with SRS Media, Juba

Marvis Byezza, journalist, Bakhita Radio, Kaya

Paul Jimbo, editor-in-chief, *Southern Eye*, Juba

Moderator and Author

David Aruai de Dau, chairman, Agency for Independent Media, Juba

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda

All the growth has created more jobs for graduating journalists, while others are leaving their trades to join the media sector—in sharp contrast to the trend in many other countries.



TANZANIA

Tanzania, one of the five countries composing the East African Community, has enjoyed relative stability upon winning independence from Great Britain on December 10, 1963. That stability and a culture of respect for freedom of speech have enabled Tanzania to serve as a regional leader, championing human rights and helping other African countries in their struggles for independence.

Currently, Tanzania is headed by Jakaya Mrisho Kikwete, who is also the flag bearer for the ruling Chama Cha Mapinduzi (CCM) political party. CCM has won all three general elections organized since the death of Tanzania's first president, Mwalimu Julius Kambarage Nyerere, who introduced a multi-party political system after his landslide victory in 1999. CCM is set to maintain its leadership in Tanzania until the next round of multi-party general elections in 2010. Political analysts in Tanzania report that despite CCM's lead, its popularity has declined—mainly because of a faltering economy compared to other East African countries and a high degree of governmental corruption. Some of Tanzania's past leaders stand accused of draining the country's wealth and investing the money in foreign countries—information that the opposition has deployed to discredit the CCM government.

Despite these setbacks, democracy continues to grow, with new political parties and organizations emerging in preparation for the 2010 general elections. Adding to the voices, the media sector in Tanzania continues to expand as well, drawing more and more interest from investors. All the growth has created more jobs for graduating journalists, while others are leaving their trades to join the media sector—in sharp contrast to the trend in many other countries. The 2009 Tanzania MSI panel noted several encouraging signs: the increasing ranks of the media, the growth in training facilities, and the overall expansion of the media sector.

Despite these reasons for optimism, the Tanzanian media sector has issues that hold it back from moving up the sustainability scale. A core problem is that many of the country's journalists are centered in cities and larger towns. Media infrastructure (reliable power sources, Internet access, computers, etc.) are also concentrated in urban areas. In addition, the plurality of media voices has not always equaled balance or professionalism. Further, a majority of journalists remain vulnerable professionally, whether because of their work as freelancers, their poor pay, or their exploitation by media house owners and managers.

Pressure and protests from local and international journalists have continued to stave off passage of the government's proposed new media bill, which the media community views as a major threat to press freedom. By the time the MSI went to press, consultations with all bill stakeholders had concluded, with the expectation that soon the bill would be reintroduced to parliament for consideration. Even without this bill, harsh laws from the colonial era remain on the books, all with the potential to suppress freedom of speech.

TANZANIA AT A GLANCE

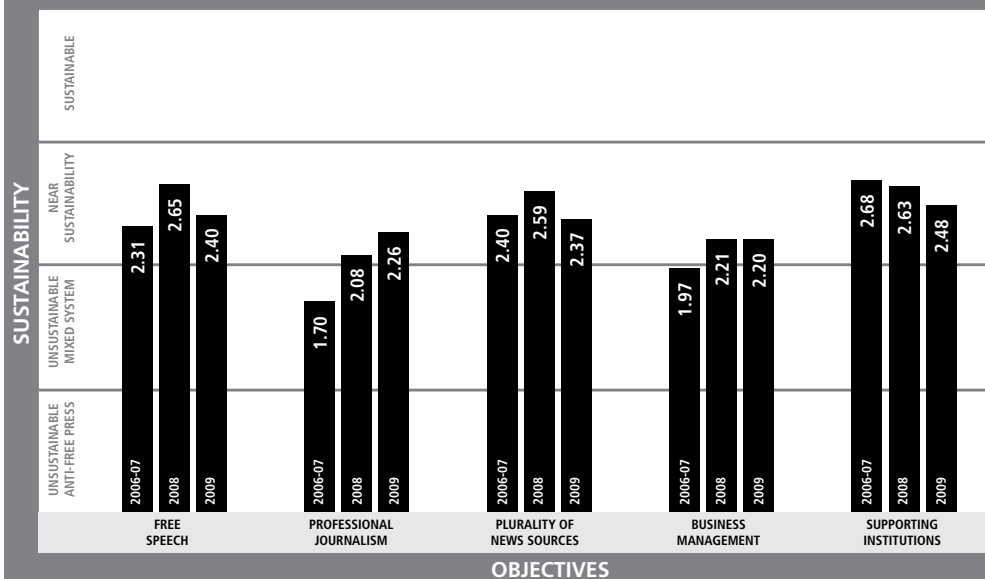
GENERAL

- > **Population:** 41,892,895 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Dar-es-Salaam
- > **Ethnic groups (% of population):** Mainland: African 99% (of which 95% are Bantu consisting of more than 130 tribes), other 1% (consisting of Asian, European, and Arab); Zanzibar: Arab, African, mixed Arab and African (*CIA World Factbook*)
- > **Religions (% of population):** Mainland: Christian 30%, Muslim 35%, indigenous beliefs 35%; Zanzibar: more than 99% Muslim (*CIA World Factbook*)
- > **Languages:** Kiswahili or Swahili (official), Kiunguja (name for Swahili in Zanzibar), English (official, primary language of commerce, administration, and higher education), Arabic (widely spoken in Zanzibar), many local languages (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$21.34 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,350 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 69.4% (male 77.5%, female 62.2%) (2002 est., *CIA World Factbook*)
- > **President or top authority:** President Jakaya Kikwete (since 21 December 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 150+ (10 defined by panelists as 'serious papers'); Radio Stations: 50+; Television Stations: 10
- > **Newspaper circulation statistics:** Top three by circulation: *Mwananchi* (private, circulation 45,000); *Tanzania Daima* (private, circulation 31,000); *Nipashe* (private, circulation 29,000)
- > **Broadcast ratings:** Top three radio stations: Radio Free Africa, Tanzania Broadcasting Corporation Radio, Radio One
- > **News agencies:** Tanzania News Agency (state-owned), Press Services of Tanzania (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 520,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: TANZANIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Tanzania Objective Score: 2.40

The panel agreed that freedom of speech in Tanzania is established widely, respected highly, and protected well by the nation's constitution. The panelists agreed Tanzania has relatively high freedom compared to other countries in the region, but cautioned that Tanzanians must exercise their freedom responsibly if the country is to maintain its leadership position.

Basil Msonga, acting news editor of Tanzania Standard Newspapers, noted the provisions that cater to this freedom are in line with international human rights instruments. For example, Article 18 of the constitution states clearly, "People are free to say anything they want and access public information." A shortcoming is that the law does not task any specific state or government official with releasing official information.

But according to the panelists, the government tries to protect and promote these freedoms, and generally violations can be traced to individual government officials rather than state policy. In fact, Hamid Yassin Rassaulta, news editor of *Hoja*, charged that it is the citizens—and especially politicians—who have abused these freedoms and escaped legal action by the state. However, the panelists expressed that some laws, which they termed unrealistic and contradictory to the provisions of the constitution, need to

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.

Regarding public support for the media, Mrutu noted, "Compared to several years ago, freedom of speech is valued by our society more now; people are now free to search for information, in any media—and society seems to trust the media."

be scrapped. They singled out laws dealing with libel and defamation, the Newspapers Act of 1976 (which limits public access to some information), the Police and Prisons Act of 1963 (which restricts freedom of the press), the Security Act of 1970, the Broadcasting Act 1993, and the Anti-Terrorism Act 2003, among many others.

Msonga pointed out one positive aspect of the legal environment in relation to the press: The judiciary has continued to function independently, and journalists tend to benefit from its services.

The Internet is accessed freely and easily, according to the panelists. The government does not restrict its use or require any form of registration.

Building on the 2008 panel's sense that the broadcast licensing process continues to improve, the 2009 panelists characterized the broadcast licensing process as relatively fair. However, Boniface Luhanga, chief sub-editor of *Nipash*, commented that government owned outlets are favored in the process, noting, "The licensing body or agency is not independent, since the boss is a presidential appointee and the whole body is under the government's umbrella." The Tanzania Communications Regulatory Authority controls broadcast licensing, and some panelists said that they are highly skeptical that the authority is independent. Other panelists said that although the minister of information appoints it, the authority must have an independent streak, as many private FM stations have secured licenses. Alpha Isaya Nuhu, sub-editor of *This Day* in Zanzibar, commented that some people have been granted licenses and allocated more than one frequency, but are not utilizing them.

Entry into the media market remains free and open to everyone. However, limitations exist in the form of the high taxes charged on newsprint and other supplies. In addition, the value-added tax on advertising remains high and is viewed as a hindrance to the growth of the media industry.

Regarding public support for the media, Mrutu noted, "Compared to several years ago, freedom of speech is valued by our society more now; people are now free to search for information, in any media—and society seems to trust the

media.” Despite this widespread support, Mrutu noted, a few rare cases persist of crimes against journalists. The panelists cited the case of a group of machete-wielding youths who attacked five journalists working on a corruption story in Njombe village. “Like many other cases, police intervened and instituted some investigations, which are ongoing, but we don’t expect much out of it,” noted one panelist. The panelists said that some of the crimes and cases against the media have attracted public outcry. For example, when the government closed down one of the newspapers in the country, the media and public organized and participated in a demonstration. Mrutu added that the media covers and publicizes all such cases well.

Media laws are the same across the board for all media, public or private. Although in theory this legal framework guarantees editorial independence, the particular editor in office at a given time determines whether an outlet is editorially independent. Political and business influence on both public and private media also cannot be ruled out. The panelists said that the president appoints the public media’s editor-in-chief, and the minister of information appoints the board, which in turn appoints the other editors—potentially compromising public media impartiality. As reported in last year’s MSI, access to public information is one area in which the government reveals its preference for public media.

The panelists noted that libel is treated as a civil, not criminal, matter in Tanzania. They added that a review of court fines is underway, raising the hope for a reduction. Although many libel cases are filed, most of them end up dying in courts due to lack of evidence (and at times, the petitioner’s loss of interest). For the handful of cases that are prosecuted, the burden of proof beyond a reasonable doubt falls to the journalist. When journalists are found guilty, they must apologize and pay a small fine to the offended party. However, the panelists commended the judiciary’s lack of corruption in judging these cases. In addition, as the 2008 panelists predicted, the Independent Media Council of Tanzania has taken root—steering many would-be libel and defamation cases toward an amicable settlement between the offended parties.

Apparently, President Kikwete has instructed his officials to release information to the media, but they have not implemented the mandate, panelists said. The panelists agreed that while Tanzania has no specific law addressing this problem, the new media bill contains a clause providing for access to information. Also, sometimes government officers simply lack the material journalists need, said Lugano Uli Mbina, online editor of Mwananchi Communications. Luhanga noted also that the government hampers access by

levying what he termed “unfair” charges of TZS 1,500 (close to \$2) for court information and files.

The panelists said that generally the government does not restrict international news and news sources directly, but the government has started blocking some blogs, such as Zeutam, and other sites from newspapers printed in foreign languages. Big media houses can easily afford Internet access so that their journalists may access other news and information, but often freelancers (who constitute the profession’s majority) find access difficult.

Generally, entry into the journalism profession is free. Although regulations require practicing journalists to have a license from the Ministry of Information, that rule is not enforced. However, the panelists expressed concern that the journalism field is open to anyone, saying that Tanzania needs a law to define membership in the profession in order to prevent unqualified people from posing as journalists. In part, the panelists blame media owners that have resorted to cheap labor and employing unskilled people.

But as the panelists noted, the new media bill is set to outline academic qualifications for journalists according to their levels of education. Once the bill is enacted into law, all journalists who have been working for a period of five years will be given an opportunity to upgrade.

The panel noted that the government does not control entry into journalism training institutions, and currently journalists enjoy the freedom to organize, as Tanzania’s many media associations illustrate.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Tanzania Objective Score: 2.26

There was some debate over the fairness and objectivity of journalism among the panelists. Some panelists said that most journalists adhere to principles of objectivity, cross-checking their stories and following professional procedures. However, Neema Mbuja, business editor of Independent Television Limited, said, “Journalists do not meet professional standards, because they are too close to the stories they write, and they are not balanced.” The panelists agreed that some journalists succumb to corruption or violate professional ethics by writing biased stories.

The panelists also expressed concern over media owners and editors who influence junior reporters on how to approach certain stories. Some journalists have the best intentions to work objectively, but lack the necessary training, skills, and experience to deliver. “To have quality reporting we need

a newsroom set up to standard, with a subbing desk and all other requirements, and some media houses lack such structures and facilities,” noted Godfrey Kambega, general secretary of the Tanzania Union of Journalists (TUJ) and the MSI panel moderator. On the other hand, some journalists are in the pockets of politicians—sometimes even on their payrolls—and essentially are incapable of objectivity.

The panelists said that the Media Council of Tanzania has developed a code of ethics, but implementation remains complicated. Mbuja believes the major obstacle remains journalists’ low pay rates, which encourages a culture of corruption. Struggling journalists feel compelled to accept money in exchange for covering or killing certain stories. “I was forced to take a bribe from a source because of poor pay and went ahead and filed a public relations story, which [normally] would not have run,” said Finnigan wa Simbeye, a senior journalist with Media Solutions Ltd.

Regarding self-censorship, the panelists confirmed that it is a common practice. The reasons behind it include corruption, editors sitting on stories, fear of losing jobs, business interests, and media house policies.

Panelists said that many events and key issues are covered well in the media, albeit mostly in urban areas with easy transportation access. Journalists cannot effectively cover events that take place in rural areas lacking infrastructure.

Panel members also noted that Tanzanian media are concentrated in the capital city and other big towns with good facilities, which enables journalists to carry out their work effectively. Although journalists have the freedom to cover issues related to security, some lingering restrictions limit the extent to which journalists can delve into the topic.

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).

“I was forced to take a bribe from a source because of poor pay and went ahead and filed a public relations story, which [normally] would not have run,” said Finnigan wa Simbeye, a senior journalist with Media Solutions Ltd.

Still, Nuhu said, “Many of our friends have ignored [the restrictions] and filed stories without fear, and nothing has happened to them.”

Earlier in their discussion, many panelists said that insufficient pay across the media industry fuels widespread corruption. Other panelists contested this, noting that some of the most highly paid people are the most corrupt in the business. Shani Kibwasali, gender coordinator for TUJ, said that poor pay has nothing to do with corruption and that it is a question of personal morals. Among private media outlets, salaries depend upon who you know, some panelists said.

But while this year’s panelists agreed that journalists are poorly paid, they also argued that journalists are better off compared to other sectors. According to Luhanga, editors earn an estimated TZS 500,000 to TZS 5 million (\$350 - \$3,575). A college-educated reporter can earn about TZS 500,000 (\$350), while a graduate teacher or doctor earns TZS 380,000 (\$270).

Entertainment programming overshadows news in the electronic media, agreed the panelists. However, a few radio stations are committed to providing more news than entertainment. In contrast, print media allow more space for news, devoting little to entertainment.

Electronic media still lack much-needed modern equipment and facilities. This may be the digital era, panelists said, but many media houses cannot afford the cost of even simple modern equipment and must manage with outdated computers and cameras. It is not unheard of to find three journalists using one recorder and video camera. Equipment problems are often a contributing factor when journalists file poor stories or fail to meet deadlines, or when newspapers and magazines are distributed late. Journalists need assistance especially in obtaining news-gathering equipment. The panelists noted that any assistance (video and still cameras, laptops, recorders) might best be channeled through TUJ.

Niche reporting is still in its infancy but is being developed slowly. According to the panelists, the major hindrances are the lack of resources, skills, and commitment from journalists.

OBJECTIVE 3: PLURALITY OF NEWS

Tanzania Objective Score: 2.37

Political preparations for the 2010 general elections fueled growth in the media industry. Currently, Tanzania boasts more than 50 radio stations (national, regional, and community FM), 10 television stations, more than 20 cable television providers, and more than 200 publications (newspapers and magazines). During 2009, the number of daily newspapers declined from 24 to 18. Other publications are weekly, monthly, and seasonal. Mbuja said that other information sources, including Internet, blogs, satellite television, and SMS news alerts help to fill the gap and provide supplemental news.

Although clearly the country has a variety of news sources to inform citizens, unsurprisingly, information complimenting the state is easier to come by than potentially critical facts.

People living in cities and towns benefit most from the plurality of media. The panelists noted that rural residents depend heavily on radio, which is cheaper and easier to access than print media. Low income levels keep newspapers and magazines out of reach for about 97 percent of the population, and according to the panelists, the culture of reading is declining as a result.

Community media outlets serve some parts of the country, including rural areas, and the local radio presence continues to grow steadily. By the time of the MSI panel, operational community radio stations included Tabora, Mbeya, Kirimanjaro, Morogoro, and Radio Maria (in Songea).

Additionally, the government has moved ahead with its program designed to benefit the rural poor by sprinkling more radio stations in rural areas throughout Tanzania. The panelists questioned whether community outlets are sustainable, though.

In towns with electrical power, generally Internet services are available and affordable. However, a few panelists claimed that many use the Internet primarily for communication and only a few use it for information and news purposes.

The government does not restrict citizen access to foreign or domestic news sources. The panelists agreed that citizens make the most use of foreign radio or television broadcasts rather than foreign print media; affordability is the principle drawback. Those with Internet access, mainly in cities and towns, also can read foreign news websites. Although Internet access is not restricted, the panelists said that service is expensive; charges range from TZS 500 to TZS 1,000 per minute (almost \$1).

Panelists remarked that they have noticed an improvement in the state media's reporting and coverage. Unlike in years past, the state media is now granting airtime to many opposition media reports—though the panelists cautioned that it remains to be seen whether the state media will maintain the relative balance during the 2010 elections. The panelists also commended Radio Tanzania and the government newspaper, *Abari Leo*, for adopting a more professional and objective approach.

According to the panelists, the only private news agency, Press Service of Tanzania (established by IPP Media Group), is crumbling and may be closed at any time, which would leave Tanzania without an independent news agency. Tanzania News Agency is government-owned and controlled fully by the state. However, the panelists noted that local media subscribe to several foreign news agencies (which offer fair rates, in the view of the panelists). These agencies include Reuters, AFP, AP, and many others, and according to the panelists, journalists always credit the agency when citing a story.

Most broadcast media houses produce their own news programs, but this practice is increasingly more expensive to sustain. This is true for entertainment programs as well: outlets are moving away from local productions and toward greater reliance on foreign programs. The panelists agreed that in general, Tanzanians prefer foreign programs to local shows—especially for television. Advertisers tend to prefer sponsoring foreign programs as well.

Media ownership is known to be concentrated in a few hands in Tanzania. Although this reality is troubling for the panelists, they said that anybody interested in the ownership of a media house can obtain that information from a registry.

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.

Some of the powerful media groups mentioned during the panel discussion include the IPP Group of companies (owned by Reginald Mengi); New Habari Corporation 2006 Ltd. (owned by Rostam Aziz); Mwananchi Communications (owned by Agkhan), Saharah Communications (owned by Anthony Diallo), and Africa Media Group (owned by Shabil Abdi).

Tanzanian media cover a variety of social issues. The panelists said that minority language press is a non-issue, given that Tanzanians generally speak one language, Swahili, with English considered the nation's second language.

OBJECTIVE 4: BUSINESS MANAGEMENT

Tanzania Objective Score: 2.20

Tanzania's business management scores held steady this year, virtually unchanged from last year's MSI. Still, indicator 3 (advertising agencies support an advertising market) gained nearly a third of a point, and indicator 4 (percentage of advertising revenue in line with accepted standards) climbed a half a point. Those gains were offset by indicator 5 (government subsidies to independent media) and indicator 6 (market research), which tumbled nearly a half a point each.

The panelists agreed that most private media houses, and all supporting institutions, are managed well and operate as profit-making businesses. Typically, owners hire professionals to manage different departments, and they make and implement proper business plans. However, there are some poorly-managed exceptions, especially among media houses owned by individuals. Such businesses lack

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.

Typically, owners hire professionals to manage different departments, and they make and implement proper business plans. However, there are some poorly-managed exceptions, especially among media houses owned by individuals.

proper management structures, and some owners employ unqualified relatives in vital positions.

The panelists agreed that private media are funded through different sources of revenue, which include advertisements; sales of copies; donor funds; sales of shares; and for those with print shops, printing revenue. The panelists noted that government-owned media operate using taxpayer funds, which sometimes managers lose or misappropriate. Community media, meanwhile, depend mainly on the goodwill of donors.

Some of Tanzania's media houses work with advertising agencies, and most have departments that specifically solicit and handle advertising accounts. Balancing the need for income against the public's need for information is a daily newsroom struggle. Advertising supplies the major source of revenue for big media houses, and electronic media outlets depend mostly on advertising revenue to survive.

In print media, there is a war between advertising and editorials for space. Major advertising clients have influence on editorial policies, and at times they leverage their financial support to dictate editorial content. "We have seen critical stories on certain companies dropped by the media because of business interests. You either run the story and lose the money or suppress the story in exchange for revenue from adverts," one panelist said. Similarly, editors have been known to place an advertisement at the expense of a news story, noted the panelists.

The advertising sector has seen many improvements and is growing fast compared to previous years, as reflected in the MSI scores. Local and international advertising agencies alike support Tanzania's advertising market and they work actively with various electronic, print, and online media houses. However, the panelists noted that the growth is concentrated mainly in big cities and towns.

The government does not provide subsidies to private media. However, it does run advertisements in media houses considered friendly to the state, reported Mrutu. The government is not shy about announcing its expectations,

On the one hand, some editors show favoritism and repeatedly send their friends to training programs, rather than give everyone a chance to improve. On the other hand, some editors refuse to release journalists to attend, even though donors pay for most courses.

either: Minister of Information George Mkuchika once warned in parliament that all media houses that report negatively on the government will not receive government business.

Market research is not yet commonplace; only a few media houses hire researchers and apply the results to improve their products. Common methods include call-ins, focus groups, independent researchers, and sampling user questionnaires. Several independent firms, such as Synovate Pan Africa (formerly The Steadman Group) and ABC, are engaged in media ratings research. However, according to the panelists, some media owners bribe market research organizations in exchange for top rankings. Sometimes media houses challenge the results, after carrying out their own research and comparing their findings with the external results. But the panelists claimed that every media house that carries out its own research comes up with unrealistic figures in an attempt to lure advertisers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Tanzania Objective Score: 2.48

Tanzania has two national trade associations, the Media Owners Association of Tanzania and the Tanzania Editors Forum, that represent media owner interests. The major function of the associations is to lobby the government regarding their members' issues, such as better media policies and a reduction on taxes levied on newsprint and all media inputs.

The panelists noted that several professional associations advocate for the interests of individual journalists; however, only TUJ and the Tanzania Media Women's Association are recognized nationally. The Journalists Environmental Association of Tanzania, the Association of Journalists Against AIDS in Tanzania, the Parliamentary Press Association, and the Tanzania Sports Writers Association are among the smaller associations that represent particular sectors of the media; panelists noted that the membership of these niche organizations is subject to fluctuations.

In theory, these associations are involved in organizing training programs for journalists, defending press freedom, improving working conditions (TUJ's major objective), and general lobbying to improve media laws and policies. However, the panelists reported that most of these associations exist in name only and no longer support journalists actively. The few that are active and growing accept membership applications, but as they depend mainly on donors, they face funding shortages. Most of the journalists who claim membership status with these associations do not pay their fees—yet they continue to demand services.

The panelists agreed that Tanzania has NGOs working with media outlets and associations, and that they play a very strong advocacy role, lobbying the government for better media policies and laws. NGOs also help fund media training programs and serve in watchdog capacities, condemning violations when they occur. Some of the most active NGOs include the Tanzania Gender Networking Program, the International Organization for Standardization, the Legal and Human Rights Centre, and many more. But echoing an across-the-board problem for the media, most NGOs are based in the capital city and limit their offices and branches to large towns.

The number of universities offering mass communications and journalism courses has grown from three to six: the University of Dar es Salaam, St. Augustine University-Mwanza (founded by the Catholic Church), Tumaini University-Iringa (founded by the Christian Lutheran Church), Mzumbe University-Morogoro (government-sponsored), the Muslim University of Morogoro, and Dodoma University (government-sponsored). The quality of courses they offer has improved also with government intervention, noted the panelists. The existing media houses

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.

absorb many of the graduating journalists. Several other institutions in the country offer certificates and diplomas, with a few training opportunities available abroad. According to the panelists, nearly all students who train abroad return home but typically join other industries. In terms of the content offered by formal training programs, the panelists agreed that the curricula cry out for an overhaul, with an emphasis on practical applications rather than the theoretical base offered currently.

Opportunities abound for short-term training, both locally and beyond, but practicing journalists show little interest in tapping them, said the panelists. On the one hand, some editors show favoritism and repeatedly send their friends to training programs, rather than give everyone a chance to improve. On the other hand, some editors refuse to release journalists to attend, even though donors pay for most courses.

Private individuals and companies import newsprint into the country, and they conduct printing as profit-generating businesses, the panelists said. They added that generally printing facilities are held privately, with most media houses operating their own printing facilities. However, the panelists noted that excessive taxes on newsprint have driven up prices to the point that newspapers are out of reach for ordinary readers. Efforts by media owners to lobby the government to lower the taxes on newsprint have fallen on deaf ears, said the panelists.

Regarding distribution channels for private media, they are entirely in the hands of private individuals, and the government has no control or influence over them, according to the panelists. Distributors use their own or hired vehicles to deliver newspapers to agents or directly to kiosks. In areas that private distributors have difficulty accessing, media owners pay the Tanzania Posts Corporation a fair fee to do this work, as its reach extends across most of the country. Under the same arrangement, papers are also sold in supermarkets in the cities and larger towns, and in small towns and villages, newspapers can be purchased from shops or kiosks. Even though many facilities are in private hands, owners tend to politicize them according to their personal sympathies, the panelists admitted.

The government controls broadcasting transmitters, but the panelists reported that it is very easy for any applicant to obtain a license.

List of Panel Participants

Finnigan Simbeye, senior journalist, Media Solutions Ltd, Mwanza

Sebastian Sanga, senior communication officer, Planning and Finance, Dar-es-Salaam

Shani Kibwasali, gender coordinator, Tanzania Union of Journalists, Dar-es-Salaam

Salvatory Mayani, editor, Channel 10 TV, Dar-es-Salaam

Nuhu Alpha, sub-editor, *This Day*, Zanzibar Port

Lugan Mbwina, online editor, Mwananchi Communications, Dar-es-Salaam

Latifa Ganzel, journalist, Uhuru Publications, Dar-es-Salaam

Lily Lucas, freelance journalist, Bukoba

Boniface Luhanga, chief sub, *Nipashe*, Dar-es-Salaam

Simon Kivamwo, executive director, Association of Journalists against AIDS in Tanzania

Agnes Kabigi, editor, *Femina*, Dar-es-Salaam

Angela Matiku, online journalist, Dodoma

Samuel Kamndaya, senior journalist, Citizen, Arusha

Moderator and Author

Godfrey Kambenga, journalist and general secretary, Tanzania Union of Journalists, Dar-es-Salaam

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala, Uganda, in cooperation with the Tanzania Union of Journalists

Low salaries, outmoded equipment, and poor working conditions further render media professionals vulnerable to all types of pressures, especially political and financial.



TOGO

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Since the beginning of Togo's bumpy attempts to transition to democracy in the 1990s, its media sector has experienced a boom. Today, 98 radio stations and 12 television channels pepper the tiny West African country, and it has more than 40 publications, including three daily newspapers (one governmental and two private).

However, the abundance has not been matched in quality. With just a few exceptions, journalists have become mouthpieces of political parties. Insufficient training, minimal adherence to professional standards, and disregard for ethical rules are partly to blame. Low salaries, outmoded equipment, and poor working conditions further render media professionals vulnerable to all types of pressures, especially political and financial.

Togo has a legal framework in place to protect the interests of journalists, and the media does enjoy some freedom of expression. The government does not restrict access to news, and has not criminalized press offenses since 2004. However, the government does create obstacles for the private media, and enforcement of pro-media legislation remains a key challenge. Attacks on journalists, while rare, are seldom investigated, beyond half-hearted attempts. The governmental body created to uphold the freedom of the press, the Higher Communications and Broadcasting Authority (known by its French acronym, HAAC), censors the independent media, suspending publications that challenge the government.

This year's MSI study showed clearly that in Togo, despite legislation protecting the freedom of speech, the government's lack of appropriate enforcement remains a great obstacle to the press. Another weakness of the Togolese media is that many journalists fail to observe ethics standards. Although the overall scores did not change significantly in the period under review, the score for Objective 1 (legal and social protections for freedom of speech) did dip rather dramatically, dragging the score into the unsustainable, mixed-system range. Scores increased for Objective 3 (plurality of news), and combined with steady or slightly higher ratings for the other objectives, the scores evened out—resulting in a total very close to last year's score.

TOGO AT A GLANCE

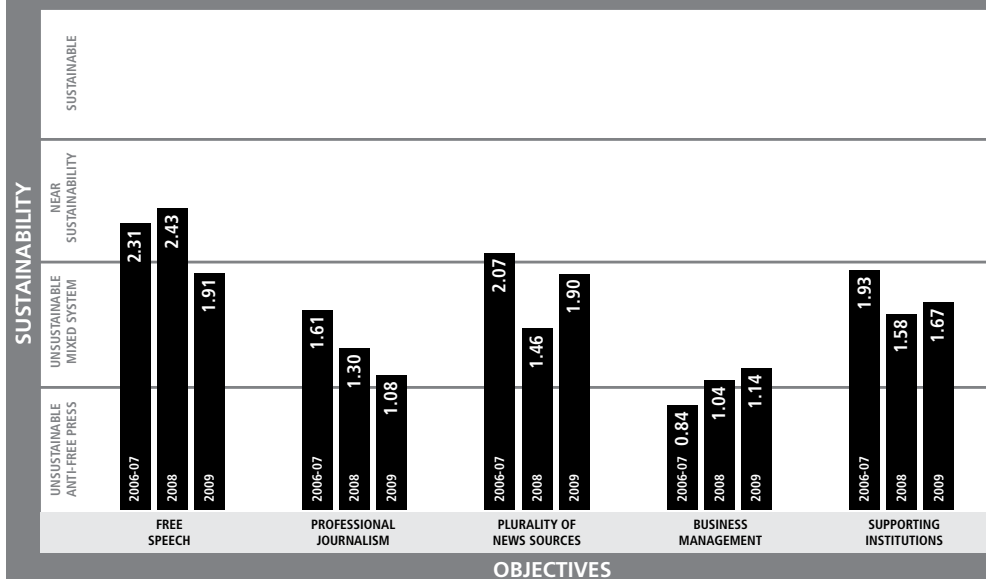
GENERAL

- > **Population:** 6,587,239 (est., *CIA World Factbook*)
- > **Capital city:** Lomé
- > **Ethnic groups (% of population):** African (37 tribes; largest and most important are Ewe, Mina, and Kabre) 99%, European and Syrian-Lebanese less than 1% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 29%, Muslim 20%, indigenous beliefs 51% (*CIA World Factbook*)
- > **Languages:** French (official and the language of commerce), Ewe and Mina (the two major African languages in the south), Kabye (sometimes spelled Kabiye) and Dagomba (the two major African languages in the north) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$2.883 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$850 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 60.9% (male 75.4%, female 46.9%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Faure Gnassingbe (since May 4, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 400 regularly registered publications, out of which 45 are currently operational; Radio Stations: 98 registered radio stations, 96 operational countrywide; Television Stations: 8 registered television stations, 6 fully operational, 2 on test transmission
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** The Togo News Agency (state-owned) ACP-Inter and Savoir-news (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 350,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: TOGO



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Togo Objective Score: 1.91

The score for Objective 1 slipped more than a half a point from last year. According to the panelists, the Objective 1 score is an indication that the country does meet the basic tenets of freedom of speech, but its evolution is still dependent on public authorities. Driving this loss were poorer scores for indicators 1 (legal protections), 2, (media licensing), 3 (market entry), 4 (attacks on journalists), 5 (legal protections for public media's editorial independence), and 9 (entry into the profession). A modest improvement in indicator 6 (libel) was not nearly enough to balance these losses. Most indicators scored close to the objective score, with some exceptions. Indicators 8 (the media's access to news) and 9 scored three-quarters of a point and a point higher than the objective score, respectively. Indicators 4 and 5, on the other hand, scored below the objective score, also by three-quarters of a point and a point, respectively.

The panelists emphasized that legislation exists that regulates and protects the freedom of speech. In 2004, Togo adopted a decriminalized press code and an organic law implementing HAAC as a regulating agency, and panelists pointed out that the decriminalization of press offenses should lead to an increase in journalists' professionalism and sense of responsibility.

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.

"Investigating and punishing attackers of journalists remains an unsolved problem, given that as a general rule, opened investigations are never completed," said Kossi Dodzi Adigbo, an attorney with the Lomé Bar Association.

Despite these protections, the press is not immune from hardships. HAAC is tasked with protecting the freedom of the press but censors the media instead, according to the panelists. "Often the HAAC itself obstructs the law by banning multiple newspapers and shows under false pretexts," said Valentin Komla Nyatika, a journalist and chair of the Togolese League of Voters. For example, as of now, editorials are banned from being broadcast on Nana FM radio station. Also, HAAC suspended the publications *Forum de la Semaine* and *Combat du Peuple* for 15 days and one month, respectively, even though HAAC failed to file a request with the prosecutor's office, as stipulated by law.

The panelists said that the authorities do not always grant broadcast licenses according to regulations. According to the law, the license process should be fair and competitive—but in reality, it is still subject to political manipulation. There is a real dysfunction, bordering on duality, between the two institutes involved in licensing: the HAAC, which grants licenses; and the Public Telecommunications Regulating Authority, which grants frequencies. When the latter announced that it would deny frequencies in the media-saturated capital of Lomé, City FM and LCF television channel—both owned by a member of the government—still managed to secure broadcasting frequencies. According to Ebénézer Latévi Lawson, a journalist and head of a communications training school in Lomé, "The fact that broadcasting licenses are somewhat restricted compromises the fair competition of licenses." Furthermore, the panelists noted that politics drives the hiring for the license-granting and media-regulating institutions and agencies, and the authorities appoint the chiefs of these bodies.

Like any enterprise based in Togo, the private press is subject to ordinary taxation—in general, the government does not grant preferential treatment to the media (such as tax relief for new companies, paper, or other equipment). The broadcast media pay annual fees for using frequencies, but the government imposes no special fees on print media.

Attacks and crimes against journalists and photographers are increasingly rare. In the few cases that occur, the perpetrators are never identified or punished. Normally, the authorities

announce the opening up of investigations to find and punish the attackers, but never seem to follow through with the investigations, panelists said. They gave several examples, including the manager of *Forum de la Semaine*, Jean-Baptiste Djilan (also known as Dimas Dikodo), who was fatally wounded three years ago. The case has never seen justice, even though authorities initiated an investigation. More recently, Gilles Gbagba, a journalist with the Metropolis radio station in Lomé, was beaten in the street by military personnel on July 15, 2009. The Ministry of Safety and Civil Protection announced an investigation, which has revealed nothing to date. On July 23, 2009, Journalists for Human Rights organized a protest march in response, but police officers blocked the demonstration.

The media community—and the wider Togolese public—continue to believe that journalists are not safe from violence of any kind. “Investigating and punishing attackers of journalists remains an unsolved problem, given that as a general rule, opened investigations are never completed,” said Kossi Dodzi Adigbo, an attorney with the Lomé Bar Association. “This leads us to believe that the authors of such heinous acts enjoy a certain amount of impunity, which can only encourage new aggressive outbreaks, pressures, and threats against journalists.”

The state-owned/public media are almost exclusively in the service of the authorities. It is widely known that state media are not truly independent and they distort the news to please the government. The panelists debated extensively the widespread impression that state-owned media are packed with the most seasoned journalists—yet they practice self-censorship and devote themselves to singing the praises of the authorities. “It is regrettable to see just how much humiliation the state-owned media can endure,” said Kodjo Ayi Mamavi, a producer with the national television channel. “Granted, they generally have the best-trained journalists, but they are not always allowed to fully and freely express themselves.” In fact, politicians appoint the managers of these media (Radio Lomé, Radio Kara, Télévision Togolaise, and Agence Togolaise de Presse).

Libel is a criminal offense in Togo, punishable under the criminal code, article 58. However, amendments to the criminal code in 2004 struck down prison sentences for libel as part of a deal with the European Union to end sanctions. Today, the press and communication code punishes libel by leveling fines from XOF 100,000 to XOF 5 million. According to Toyitom Amelete, a journalism instructor with the Ministry of Communication and Culture, “The court seems to be the only solution. But given the state of our legal system, justice is never certain to prevail.”

Today, however, journalists are rarely prosecuted or sentenced for libel. When cases occur, conflicts are usually mediated and settled by the Observatoire Togolais des Médias (OTM), a self-regulating agency, and HAAC.

In discussing access to public information, the panelists were unanimous that journalists face great obstacles in accessing public information. F. Akpédjé Kouassi, head of programming of La Légende radio station in Lomé, pointed out, “In terms of accessing public information, the state-owned media are obviously favored over the private media.” However, most of the panelists said that they believe that journalists do not work hard enough to gather and cross-check information—which, in turn, makes public authorities more likely to distrust the private media and withhold public information.

Togolese media have access to multiple news sources. Major sources include RFI, BBC, Africa 1, AFP, Panapresse, Reuters, the Internet, and cellular and fixed telephony. The Internet is still too expensive and is unavailable within the entire national territory.

The government places no restrictions on becoming a journalist. However, HAAC requires journalists to hold HAAC-issued press cards. Togo has no real school of journalism—only communication training centers open to anyone. The government does not control the centers. Neither government nor political interests influence journalist-recruiting policies in the private sector. Moreover, journalists are free to organize themselves to protect their rights.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Togo Objective Score: 1.08

Again this year, Objective 2 received the lowest score—and the score even dipped nearly a quarter of a point from last year’s study. Much of this loss of score came from lower scores in indicators 1 (objective and well-sourced reporting), 2 (journalism ethics), and 7 (modern facilities and equipment). All indicator scores fell within a half-point of the objective score.

The panelists noted that the low professional level of the Togolese press, and its general disregard for ethical rules, is apparent in the poor quality of programs and content. Panelists gave indicators 2 and indicator 5 (pay levels) their lowest scores, and noted their beliefs that the two indicators are linked—low salaries make Togolese journalists more vulnerable to corruption and manipulation. Furthermore, the lack of training and awareness of ethical rules, journalists’ precarious living conditions, and the lack of suitable

equipment all contribute to the pervasive professional deficiencies that plague Togolese media.

Most reports show a disregard for professional practices. Often reporting is biased, and frequently Togolese media are blamed for spreading false news and unfounded rumors. Amelete said, "Reports are not well documented, and journalists focus on sensational issues that sell papers, rather than important topics." Nyatika added, "Reporting painfully lacks professionalism, as well as a sense of fairness and objectivity. There is no documentation to speak of. Self-censorship is a constant reality."

Back in 1999, OTM drew up a code of ethics, which almost all public-sector and private-sector journalists signed. The code details the ethical standards that journalists must meet when performing their jobs, and reflects international press ethics standards. Disappointingly, though, journalists often violate the code's provisions. OTM and HAAC respond in cases of multiple violations of ethical rules.

Event organizers often complain about reporters who harass them by asking to be paid or offered gifts (known as "final releases" in Togolese media jargon) in exchange for favorable media coverage. Mathilde Sant-Anna, head of communications with Women in Law and Development in Africa, pointed out, "Media managers only go to work if transportation and accommodations are covered. They will not hesitate to abandon an activity for a more profitable one."

Often, Togolese journalists fail to address many major events and key issues, and especially avoid national security and defense topics, corruption, and any news concerning public affairs management.

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).

Nyatika added, "Reporting painfully lacks professionalism, as well as a sense of fairness and objectivity. There is no documentation to speak of. Self-censorship is a constant reality."

Across the sector, salaries are extremely low—when they are paid at all. According to the panelists, such poor wages leave journalists vulnerable to corruption and pressure. Generally, Togolese journalists rank among the lowest-paid citizens. Salaries are particularly poor in the private sector; most journalists collect only a sort of gratuity for their articles and productions. While journalists working for the state-owned media are paid based on a public servant salary scale, their living conditions indicate that apparently they fare little better than their private sector counterparts.

Togolese media continue to have trouble balancing news and entertainment. The panelists were unanimous that entertainment prevails over news and reporting, while real news is presented only minimally. Most outlets have no specialized programs, with the possible exception of some shows on health, education, and the economy that often lack consistency, objectivity, and fairness. Nyatika noted, "Religious shows and entertainment on television and the radio take up almost 80 percent of the airtime. Pastors and sect leaders are frequently solicited because they pay for their own airtime, thus helping the management to cover operational charges."

In the age of booming new information and communication technologies, Togolese media still grapple with rudimentary technical installations and equipment. The broadcast media in particular sorely lack proper newsgathering and processing equipment such as cameras, microphones, tape recorders, and computers. At Radio Lomé, for example, journalists have no digital recording devices and still carry clunky old Nagra tape recorders when they are out reporting. As for the written press, they have no real modern printing houses. Old offset machines still are used to print papers.

OBJECTIVE 3: PLURALITY OF NEWS

Togo Objective Score: 1.90

Nearly all indicators showed improvement to help Objective 3 increase by nearly half a point compared to last year. Only indicator 3 (state media are nonpartisan) did not improve; in fact it fell to a score even lower than last year, more than

Private broadcast media produce few news programs of their own. Nyatika noted, "Television channels lack the resources to produce original content."

three-quarters of a point behind the objective score. All other indicators scored within a half-point of the objective score except for indicator 2 (citizen access to media).

News sources are relatively numerous and diverse, according to the panelists. At least one radio station can be found in every town, and the country has a small community radio station presence: just three rural stations, funded by the Organisation Internationale de la Francophonie. Despite Togo's small size, the Lomé and Kara radio stations and National Television do not cover the entire national territory.

As indicated in last year's MSI, the government does not restrict access to national or international media. However, residents in more rural areas that lack basic infrastructure, such as electricity and telephones, do not enjoy the same access to broadcast media, and have no access to the Internet. Where the Internet is available, frequently it is too expensive for many residents. Kodjo Agbotse Mawuli, general manager of the African Cultural Entrepreneurs Network, noted, "The lack of financial resources is a crucial impediment in accessing news sources, but other than that, there are no legal restrictions."

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

As for the print media, most outlets are clustered in the capital of Lomé, and only a few cities in the rest of the territory receive copies of print media. Although the national daily *Togo Presse* distributes in all cities, it does not reach every part of the country.

Indicator 3, concerning the public service nature of the state-owned media, obtained the lowest score for this objective—indicating that Togo's state media fail to satisfy the minimum conditions of reflecting the entire spectrum of political opinions. According to the panelists, the public media's approach to covering the government and opposition activities is very unbalanced. The public or state-owned media often fail to show alternative viewpoints, dedicating the bulk of newscasts to the government. Furthermore, public media outlets feature few cultural or educational programs.

Since 2008, two national independent press agencies (ACP-Inter and Savoir-news) have served Togo press outlets. They supplement the news issued from the state-owned Agence Togolaise de Presse. Additionally, all Togolese media use the productions of international independent agencies such as AP, AFP, Panapress, and Reuters—and sometimes, the panelists noted, they do so without paying or properly crediting the source.

Private broadcast media produce few news programs of their own. Nyatika noted, "Television channels lack the resources to produce original content." Instead, broadcast outlets frequently rebroadcast programs of foreign channels such as TV5-Monde, France 24, Africa 24, RFI, Deutsche-Welle, VOA, BBC, and others.

Except for a few rare cases, the real media owners in Togo are not well-known. However, Kouassi noted, "We do not officially know who is behind the media, but it is not a big secret; those who want to know more can find out." Other panelists pointed out that the lack of transparency in media ownership helps feed public suspicion that the media are political tools. On the question of foreign investment, the panelists noted that Togo's press laws specify that at least 51 percent of the capital of a media enterprise must be in domestic hands.

The Togolese media do address social issues, albeit with limited diversity. Togo's population of an estimated six million is made up of several ethnic groups, and the dominant ethnic groups are the Ewe, Kabye, Kotokoli, and Moba. Apart from French, Togo's official language, Ewe and Kabye are the two national languages taught in schools. The amount of broadcast media programming in national languages is acceptable. The private newspapers do not appear in the national languages; only the government-run daily, *Togo Presse*, has news pages in Ewe and Kabye.

In general, the news appearing in the media does not meet citizens' expectations in terms of coverage of minorities. Moreover, the panelists pointed out that almost all the community radio stations, which would normally be managed and run by their community members, operate just like commercial stations and do not suitably meet the needs of local populations.

OBJECTIVE 4: BUSINESS MANAGEMENT

Togo Objective Score: 1.14

Togo has practically no media enterprise; most of the media operate informally. This is reflected in the low score for this objective. Indicator 6 (market research) and indicator 7 (broadcast ratings and print circulation) again lagged behind the objective score by more than half a point despite showing notable improvement compared with last year. Indicator 2 (multiple sources of revenue) also showed improvement. Indicator 5 (government subsidies for private media) lost ground, but still scored more than a point higher than the objective score.

The panelists emphasized that newspapers and radio stations are not true press enterprises with suitable management to ensure their independence; in fact, they said, almost all media owners do not have the slightest knowledge about business management. They operate without a business plan, and managers do not disclose their funding sources or spending. Several panelists commented on the problems related to shortcomings in business management. Lawson said, "Under these circumstances, the financial and political powers have an enormous influence over journalists." For Amelete, "In

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

BUSINESS MANAGEMENT INDICATORS:

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

According to Jean Agbati, director of the Citadelle community radio station, "The lack of responsible marketing and management does not help to raise suitable resources. As a result, the media are adrift in a state of precariousness, which makes them vulnerable to manipulation."

Togo, the media often identify with their founders. They are not real enterprises. If the owners get in trouble, the media have problems." According to Jean Agbati, director of the Citadelle community radio station, "The lack of responsible marketing and management does not help to raise suitable resources. As a result, the media are adrift in a state of precariousness, which makes them vulnerable to manipulation."

The funding sources of the independent media are uncertain. It is public knowledge that with little or no advertising, the press cannot survive on sales of copies, especially when sales are poor or insignificant. For example, most newspapers print 500 to 2000 copies per issue, but 50 percent of copies do not sell. This is why their very survival seems shady to the public eye, according to the panelists. Victor Toulassi pointed out, "Sometimes the media feel obligated to exchange overzealously favorable coverage for gifts and funding," as a matter of survival.

The panelists described Togo's advertising agencies as mediocre production studios or advertisement and commercial distribution boxes. The advertising market is not organized, which is a real loss for the media. Most of the time, state-owned companies distribute advertising to politically friendly outlets, with no respect for the rules of competition. Since the advertising market is slim, the best that most media outlets can hope for are charitable gestures here and there, panelists said. The panelists also faulted the poor management of many outlets, noting that they almost never compose strategic plans to enhance their revenue or attract more advertising.

The law provides for state subsidies to the private press, but subsidies still are not available consistently. Many media professionals have been requesting subsidies for a long time, arguing that several press and communication code provisions set forth terms for such support. However, others fear that the gesture is tantamount to buying off journalists with public money. In 2009, the government decided to grant the

The panelists said that the domestic human rights NGOs, which defend the freedom and independence of the media, are not dynamic enough. On the other hand, they are happy to report that they have attorneys taking individual initiatives to help journalists facing the courts.

independent private media financial aid in the amount of XOF 350 million (\$640,000), although, at the time of the MSI panel, it had not been spent entirely. Previous subsidies were far smaller: XOF 50 million (\$90,000) to the private press in 2006; XOF 37 million (\$68,000) in 2007; and; XOF 75 million (\$138,000) in 2008. In the past, the government granted funds to the press in an informal, unregulated manner.

The panelists noted also that even the state-run media cannot depend upon receiving the full amount of payment that they are allocated, although the law mandates subsidies for state media.

The media do not conduct market research; according to the panelists, Togolese press outlets have never estimated effectively how much information the public consumes. At this time, no agency or market research is available to measure ratings or print runs; reliable statistics on the Togolese press are hard to find. The panelists lamented that the media fail to develop strategies destined to guarantee their financial independence.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Togo Objective Score: 1.67

The score for Objective 5 remained more or less unchanged compared with last year, although some movement in indicator scores occurred. Indicators 1 (trade associations) and 4 (academic journalism programs) improved while indicators 6 (access to printing) and 7 (apolitical channels of distribution) both received worse scores. Most indicators scored within a half-point of the objective score, with two exceptions. Indicator 3 (NGOs support free speech and independent media) scored almost a point higher than the objective score, demonstrating that NGOs do attempt to defend the rights of journalists. However, despite its improvement, indicator 1 still lagged behind the objective score by about two-thirds of a point.

Trade associations that represent the interests of private media owners are an especially weak area. Business ventures are not very supportive of the media, and do not perform a lobbying role on the media's behalf. In the eyes of the public—and even journalists—media owners and managers lack credibility, rendering them unsuitable to be involved in the protection of the media. Togo has many supporting associations, but their lobbying is not strong enough to help the press develop normally.

Almost two years ago, the existing press owners' associations merged to create a new body, called the National Council of Patrons of the Press. So far, however, this board has not demonstrated progress in upholding the professional interests of the media.

Professional associations, including the Independent Journalists Union of Togo; the Free Union of Communication; and the Union of Information Agents, Technicians, and Journalists from the Public Media, have demonstrated more commitment to protecting and defending journalists' rights. Some of these associations also offer training seminars and workshops to their members. Neither the government nor any of these associations have implemented a journalist training policy.

The panelists said that the domestic human rights NGOs, which defend the freedom and independence of the media, are not dynamic enough. On the other hand, they are happy to report that they have attorneys taking individual initiatives to help journalists facing the courts.

Togo still lacks a journalism school; it has only centers and institutions offering business communication programs as part of a communication training curriculum. All of the true professional degree-holding journalists have retired, and all

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.

worked for the state-run media. Nyatika commented that all journalists working in the private media today received only on-the-job training. As noted in last year's MSI, many poorly trained journalists resist the idea of obtaining professional training to upgrade their skills.

Private newspapers do not own their own printing presses; instead, newspapers are published typically in privately owned printing houses. Print media have no distribution network to speak of. Togo does not have news kiosks. Instead, newspapers are sold in the open air, or, very rarely, in bookstores and grocery stores—or by itinerant salespeople.

List of Panel Participants

Ebénézer Latévi Lawson, director, Center for Practical Training in Communications, Lomé

Victor K. Toulassi, journalist; communication consultant; member, Group for Reflective Action for Democracy and Development, Lomé

Kodjo Agbotse Mawuli, general manager, African Cultural Entrepreneurs Network, Lomé

Kossi Dodzi Adigbo, attorney, Lomé

Donko Balogou, journalist and director, School of Technology and Communication Arts, Lomé

F. Akpédjé Kouassi, programming manager, Radio la Legende, Lomé

Etsri H Clumson-Eklu, president, Togolese Association of Human Rights, Lomé

Kodjo Ayi Mamavi, journalist and producer, National Television, Lomé

Jean M. Agbati, director of Radio Citadelle, Vogan

Mathilde R. Sant-Anna, head of communication, Discussion and Action Group for Women, Democracy, and Development (GF2D), Lomé

Amelete Toyitom, journalism instructor, Ministry of Communication and Culture, Lomé

Valentin Komla Nyatika, journalist and chair of the Togolese League of Voters, Lomé

Moderator and Author

Francis Pedro Amuzun Assiongbon, publication manager, *Journal Crocodile*; secretary-general of the Togolese League of Electors, Lomé

Observer

Franck Ayaw Assah, correspondent, *Panapresse* and Media Foundation for West Africa, Lomé

Reporter

Ahlin Papou Kponton, journalist, webmaster, Lomé

The Togo study was coordinated by, and conducted in partnership with, Media Foundation for West Africa, Accra, Ghana.

At the World Press Freedom Day celebration in Uganda, the president appeared as the keynote speaker and verbally attacked the media, accusing them of behaving irresponsibly.



UGANDA

Although Uganda's constitution is among the strongest on the African continent, with provisions that guarantee press freedom and freedom of speech, undemocratic media laws contradict these freedoms. Laws on sedition, anti-terrorism, criminal libel, and others that hinder freedom of expression remain on the books, despite calls from media organizations, local and international human rights groups, and civil society to scrap or amend them to meet modern standards.

Furthermore, as the National Resistance Movement (NRM) government continues to consolidate its power, press freedom and freedom of speech in Uganda seem likely to remain under threat. The government moved ahead with plans to review the constitutional provisions that guarantee press freedom and freedom of speech, arousing suspicion among the journalism community and the opposition. In 2008, the president formed a cabinet committee to look into the existing media laws, possibly to make them more biting. The Uganda MSI panelists said that they expect the committee to present a report to the national parliament.

Journalists work under the threat of violence, with reports on the rise of journalists being beaten, harassed, interrogated, and tortured. The government continues to harass and intimidate the media through its security organs—including a special police unit set up to deal with negative media reports. Many journalists and some opposition politicians have been summoned to appear at the Criminal Investigation Department headquarters, where they are grilled for their stories that criticize the ruling NRM Party. According to the MSI panelists, some of these journalists are never the same after appearing before the police desk, and they give up writing critical stories. Government officials, including the president, continue attacking the media for their work to expose corruption. At the World Press Freedom Day celebration in Uganda, the president appeared as the keynote speaker and verbally attacked the media, accusing them of behaving irresponsibly.

In addition, big advertisers and businesses interfere with editorial independence, especially with private media, to the extent that some funders have threatened to withdraw business from media houses that criticize their companies. The global downturn has impacted many media houses also, leading to layoffs and pay cuts for staff members and freelancers. The mounting economic pressure threatens some media houses with closure.

Despite all of these problems, the vibrancy of the media comes through, with its coverage provided to all sectors and its wide geographic reach. Since the last MSI, a number of FM stations have come on the air; to date, more than 150 radio companies have been granted licenses, and about 130 are operational. In combination with Uganda's new television stations, this growth in electronic media has particularly benefited the rural poor, increasing their access to news.

UGANDA AT A GLANCE

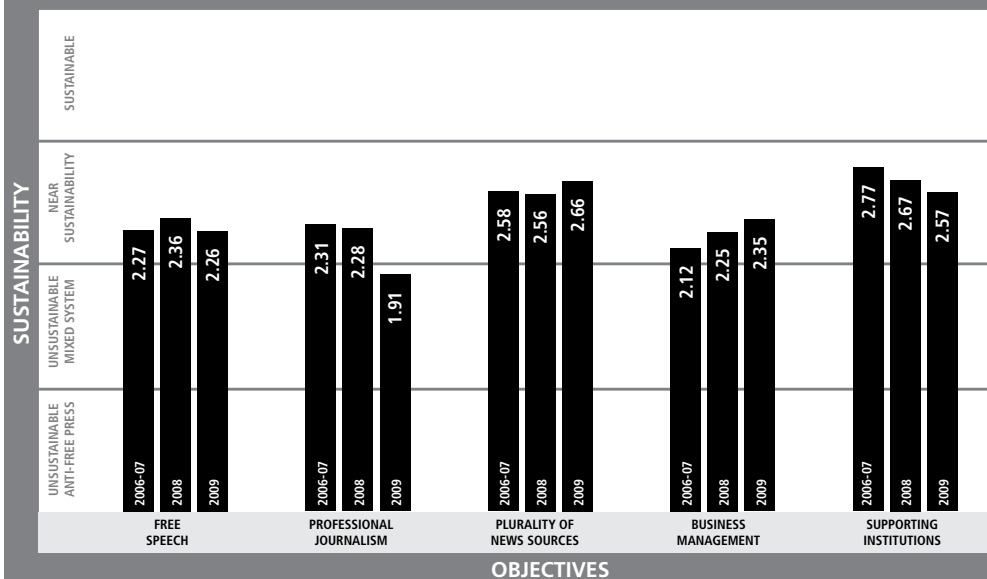
GENERAL

- > **Population:** 32,369,558 (2010 est., *CIA World Factbook*)
- > **Capital city:** Kampala
- > **Ethnic groups (% of population):** Baganda 16.9%, Banyakole 9.5%, Basoga 8.4%, Bakiga 6.9%, Iteso 6.4%, Langi 6.1%, Acholi 4.7%, Bagisu 4.6%, Lugbara 4.2%, Bunyoro 2.7%, other 29.6% (2002 census, *CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic 41.9%, Protestant 42%, Muslim 12.1%, other 3.1%, none 0.9% (2002 census, *CIA World Factbook*)
- > **Languages (% of population):** English (official national language), Ganda or Luganda (most widely used of the Niger-Congo languages), other Niger-Congo languages, Nilo-Saharan languages, Swahili, Arabic (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$15.04 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,190 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 66.8% (male 76.8%, female 57.7%) (2002 census, *CIA World Factbook*)
- > **President or top authority:** President Lt. Gen. Yoweri Kaguta Museveni (since January 26, 1986)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers, 5 weekly newspapers, several magazines; Radio Stations: 165; Television Stations: 45
- > **Newspaper circulation statistics:** Top three by circulation: *The New Vision* (60% state-owned, 40% public share holders; 35,000 circulation); *The Monitor* (privately owned, 27,000 circulation); *Bukedde* (60% state-owned, 40% public share holders)
- > **Broadcast ratings:** Top three radio stations: Central Broadcasting Service FM (private), Simba FM (private) and Bukedde FM (60% state-owned, 40% share holders)
- > **News agencies:** Uganda Radio Network (private), Ultimate Media (private)
- > **Annual advertising revenue in media sector:** \$10 million (2007)
- > **Internet usage:** 2.5 million (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: UGANDA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Uganda Objective Score: 2.26

Uganda's 1995 constitution guarantees the right to freedom of expression and the media. However, noted Geoffrey Wokulira Ssebagala, program coordinator for the Human Rights Network for Journalists, "there are subordinate laws on the books which contravene the national constitution and regional and international treaties to which Uganda is party. Such laws include the Anti-terrorism Act, which criminalizes news likely to promote terrorism and sets death as a penalty; the Law on Sedition, which limits the media's ability to audit government performance, and; the Press and Journalists' Statute, which requires every journalist to be licensed. The government has drafted another controversial communication bill [the Communications, Internet, and Computer Misuse Bill] to intercept all communications, including Internet, telephone, and mail boxes, among others. If passed in its current form, the sources of information which the media relies on most will be threatened."

In addition, the Police Act prohibits any Ugandan from holding a rally or public meeting without permission from the police inspector general. The police use these laws and regulations to deny Ugandans—especially those linked to the opposition—their right to associate and hold assemblies. On several occasions, plainclothes officers have dispersed nonviolent political assemblies, including those organized by

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.

parliament members, under the guise of maintaining law and order. "Ugandans have been stopped from holding peaceful demonstrations, arrested, beaten, and sometimes released without being charged. Others at times are charged, and with time, cases against them are dropped," said one panelist.

Other panelists disagreed, and credit the current government with promoting freedom of speech and the press, pointing to progress in comparison to previous governments' treatment of the press. "People have been allowed to organize freely under different political parties, professional associations, trade unions of their choice—which was not the case before," said one panelist. This panelist also noted that rallies or public meetings are held in designated areas in cities and towns to avoid disrupting other businesses, but are free to take place anywhere in rural areas.

Journalists continue their struggle to abolish laws that obstruct the freedom of the press, petitioning parliament and presenting their views to the cabinet committee and the new information minister, Winnie Kabakumba Matsiko. However, panelists said that journalists remain skeptical that their views will be accommodated in the amendment process.

Access to information is still obstructed, despite being guaranteed by Article 41 of the constitution and a supporting act for free access to public information. David Malinga Doya, senior writer for *The East African*, said that many departments ignore the law and do not release information, or they make it very difficult for journalists to navigate the dense bureaucracy to obtain information—to the point that journalists miss their deadlines. The panelists said that the government has disregarded the law further by refusing to appoint information officers in most ministries and departments, which have the responsibility of giving information to any requestor, according to the information act.

The media law reform process continues, albeit sluggishly. A good number of journalists, through their leaders in different media associations, have submitted their views on the cause; whether they will be accommodated remains to be seen.

The panelists said that the judiciary acts independently in cases involving the media, but this independence is put to the test in political cases. Media associations have tried to challenge these laws in the courts, helped by civil society groups and human rights organizations, but without much success. Cases stall frequently in court, and whether state influence is involved is unclear. Furthermore, many state cases against the media die in the initial stages. Panelists expressed concern that the government has started appointing its cadres in the judiciary ranks—possibly compromising its independence in the future.

Internet access is free, and the government does not place official restrictions or require website registration, except for pornographic sites. This may change, however, with the Communications, Internet, and Computer Misuse Bill.

The Uganda Broadcasting Council and the Uganda Communications Commission handle broadcast licensing. The state-appointed minister of information appoints members of these bodies, hence they are not independent from government. The fairness of the broadcasting process generated some debate among panelists. One commented that the large number of FM radio stations in the country reflects the level of fairness. Other panelists countered that the process may appear fair, but some applications are blocked for political reasons. For example, the major opposition political party, Forum for Democratic Change, was denied a radio station license. Applications for those sympathetic to the ruling party are given more attention than others. "Though in the near past many media outlets have entered the market without undue restrictions, recently it has not been all that easy to license newcomers," noted Robert Mugagga, special correspondent for *The Observer*. "The experience of NTV, one of the top television stations in the country, proves the point. It took the intervention of the president, high-level talks, and much pleading from the owners [Nation Media Group] before it was allowed to operate." The panelists suggested that media laws should be amended to streamline the licensing process, and the government should charge one body with issuing radio and television station licenses.

Julian Amutuhaire, acting editor of KFM, Monitor Publications Limited, said that market entry is fairly easy, as evidenced by the large number of emerging radio stations and mushrooming newspapers. Dianah Nalunkuuma, a lecturer at Kampala University, had a different perspective. "Politics in granting media licenses have pushed many out of the media business, in addition to the high taxes," she said. "Some stations operate for a few months and then close because of the burden."

The tax regime is the same across the board in Uganda, but a few big investors in other sectors are given tax holidays—a benefit not commonly extended to media investors. In an effort to attract investors, the government granted a tax exemption on all video and digital still cameras in the new fiscal year, which started on July 1, 2009. However, the panelists said that this may not have much impact on the growth of the media; they said that the government should have abolished or reduced the heavy VAT charged on newsprint and advertisements.

The panelists noted rampant crimes against journalists and widespread impunity for the perpetrators. Ssebagala

said, "Journalism is currently one of the most dangerous professions in Uganda, as the media is attacked by seemingly all sectors of society—including the private sector, religious groups, the military, and political and cultural groups." Recent cases include a Catholic priest of St. Balikuddembe Mitara-Maria assaulting Ben Ssentongo, a correspondent of the leading daily *Bukedde*, who was covering an incident at the school. Police beat the WBS television crew of Timothy Thibas and Francis Tumukwasize and confiscated their cameras while they covered an eviction of police constables from Namboole National Stadium. In addition, forces from the Joint Anti-Terrorism squad arrested Tonny Kizito of *Red Pepper* and Katende Maribu of WBS Television while they pursued a story about victims of torture. The Press Freedom Index for 2009 published by the Human Rights Network for Journalists-Uganda (HRNJ) lists 35 instances of journalists attacked or threatened in the course of their work in Uganda in 2009.¹

Jane Nakyondwa Matovu, senior journalist at Mama FM, commented, "Crimes against media houses rarely occur, but those committed against journalists have started to increase in number in recent years...and when they occur, authorities do not take them seriously." Muwanga Kakooza, senior reporter for *New Vision*, agreed. "Many times, crimes against journalists are not vigorously prosecuted," he said. "The most common crime against journalists is being beaten or manhandled while taking photographs. Though some journalists have reported these cases to police, little is done to have the culprits prosecuted. For example, *Bukedde* photographer Henry Nsubuga was recently beaten while covering a fire. He reported the incident to the police, but no one has been apprehended yet."

All these abuses are carried out in broad daylight, without discrimination between journalists working for private and state/public media. Media associations have taken legal action against the perpetrators of some of these crimes, but the cases are unresolved, added a panel member. The HRNJ 2009 report also lists 18 Ugandan journalists fired under state duress.

Some panelists said that violence against journalists causes public outrage and draws condemnation from local and international human rights groups, but Amutuhaire disagreed: "There is very limited public outcry when journalists are harassed or treated unfairly," he said. "For instance, when stations like KFM and NTV were closed down by the state, there was limited interest and response by civil society." Sometimes, journalists protest police harassment with media coverage blackouts.

¹ Human Rights Network for Journalists-Uganda. Press Freedom Index—2009; p. 6.

The state/public broadcast media outlets have no editorial independence, although their independence is mandated by law. The state minister appoints all top editors and managers. "Public media do receive preferential treatment," Matovu said. "Although they are supposed to be independent, this is not the case. Even top managers of the state media are appointed by the government." Amutuhaire added, "There have been reports of people being fired from state-owned media because they accorded the opposition airtime." However, with print state media, the situation is different; many run stories that criticize the government and the president.

Regarding legal preferences for state media, on paper the media laws are the same across the board. In practice, state-sponsored media enjoy favoritism in several capacities, including access to public information.

Libel is addressed with both criminal and civil penalties. Journalists convicted of libel receive prison sentences, and then the aggrieved party may sue for damages as well—but at least the complainant or the state must provide proof of guilt. Matovu said that although journalists are prosecuted frequently for libel cases, they are imprisoned only rarely. The panelists were not aware of corruption in the judiciary in libel cases, but they said that political influence cannot be ruled out in cases involving the state. Currently, Internet service providers and website hosts are not held legally responsible for content, but that may change when the new communications bill is passed into law.

Article 41 of the constitution guarantees citizens the right to access official information, except where the release of the information is likely to compromise the security or sovereignty of the state or interfere with the right to the privacy of any other person. Parliament's Access to Information Act also improved access somewhat for the media and citizens. However, the government still has not appointed spokespersons charged with providing this information in some ministries and departments, inhibiting information flow. The panelists said that laws are in place to facilitate access, but hurdles exist and removing them will take a collective effort between the media and government. Furthermore, Matovu noted, women are viewed as second-class citizens in Uganda and often face greater obstacles in access, despite legal and social norms promoting free access to public information.

The government places no restrictions on access to foreign media sources, according to Amutuhaire, and journalists and editors use the Internet freely to access these sources where it is affordable. Ugandan media outlets are free to reprint any foreign news, and some press houses are affiliated with news agencies such as AP, Reuters, and AFP. Doya noted that CNN,

Al Jazeera, and the BBC are available to electronic media outlets, which relay the programs for Ugandans. However, the cost is prohibitively expensive, and not just for citizens; even some small media houses cannot afford access.

Entry into the journalism profession is not restricted politically. However, the existing media law, the Press and Journalists Statute of 1995, sets academic standards for journalists. To qualify, journalists must earn a diploma and be enrolled with the National Institute of Journalists of Uganda (NIJU)—a body put in place by the government to control the media. Journalists must renew their licenses annually, but the panelists said that this rule has not been enforced. Ugandan journalists are free to organize as they wish, which has given rise to the more than 20 professional associations in the country (although only a few are national in scope). During the media law reform process, the media community proposed that the government replace NIJU with the Uganda Journalists Association and empower it to regulate the media.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Uganda Objective Score: 1.91

Most panelists agreed that the quality of stories in print and electronic media has deteriorated. The trend is due to a number of factors, but especially because of financial pressure and stiff competition among media houses that result in compromised press objectivity. However, some panelists offered a more positive perspective. "Days have gone when journalists would publish stories without verifying or cross-checking their facts," Mugagga said. "Today, most journalists try their level best to get all sides of a story, 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).

almost all editors demand this.” Amutuhaire also said that reporting is generally fair, noting that “some leading outlets, such as the Nation Media Group and the Vision Group, have policies that demand fair coverage and consultation of numerous sources.” He agreed, however, that not all outlets uphold the same standards.

Other members of the media community interviewed in Uganda commended the media’s work, especially in the area of fighting corruption, but singled out a few media houses and journalists as unprofessional and corrupt. For example, some journalists wake up and listen to the radio to lift stories and run them verbatim—without any further cross-checking of facts or additions. This practice is seen mostly in up-country media outlets with limited facilities and reporters. But the panelists said that even some moderately-sized media houses in the cities are guilty of the practice, under the guise of saving money—but at great expense to professional standards. Matovu added, “In the past, journalists in Uganda used to follow accepted professional standards, but recently, journalists seem to prefer money to their careers, and they end up taking bribes to drop a good story—especially those stories that involve public officials embezzling the taxpayers’ money.”

Other media houses, especially electronic outlets, air direct views from call-in listeners, which some panelists deem improper. However, the panelists said that big media houses have clear policies in place on objectivity, and their journalists conduct their work properly.

All the journalists’ associations cooperatively developed and agreed to a code of ethics aligned with international standards, and Nalunkuuma noted that the code is taught in schools. However, some journalists violate the ethics code by taking gifts for coverage and accepting bribes to kill stories. According to the panelists, this is more common in broadcast media and in freelancing. “Among journalists, accepting gifts and payments from their sources in exchange for coverage is a daily occurrence... Some journalists are given money; others a lift and other gifts,” said Stephen Ouma, the general secretary of the Uganda Journalists Union. Kakooza added, “The press and media statue of 1995 criminalized breaches of media ethics, but no journalist has been apprehended yet.”

The newly established independent media council amended the current code of ethics, but because journalists were not consulted widely during the process, few of them accept and respect the changes. The panelists said that although enforcement of the new ethics code at the national level has failed, they have confidence in the new leadership of the Uganda Journalists Association, their professional body, which has agreed to develop collaboratively a new code of ethics. Additionally, some media houses have their own ethical

codes, and journalists caught violating them are either sacked or suspended.

Self-censorship remains a serious problem at all levels, attributable to house style, editorial policy, political pressure, business interests, fear of persecution or arrest, or job insecurity. Powerful businesses interfere with state and private media editorial content, as its advertisements provide the major sustenance for the press. The panelists noted cases in which big advertisers threatened to cancel advertising deals following critical stories about their companies. Kakooza said, “Editors and reporters censor the news for fear of losing their jobs. Some media houses have business and political interests and may not publish some news for fear of annoying their owners or advertisers.” Other panelists said that some stories are dropped by the media on orders from the government or advertisers threatening legal action. Matovu said, “Editors and journalists are sometimes forced to practice self-censorship—especially those working in the state media, like *The New Vision*, where the managing director of the company is appointed by the president. In this case, the editors also restrict the journalists from reporting objectively, and stories about certain companies engaged in dirty deals may be dropped out of fear of losing potential advertising accounts.”

Some panelists said that journalists cover most key events without any restrictions, but for journalists to cover the president’s functions, the first family, and all visiting heads of state, they must acquire security clearance or accreditation. Other panelists disagreed, adding that not all key issues are covered—but they view this as a weakness of the media, not state influence, noting that the military restricts only war zone coverage. On several occasions, the government has threatened to arrest those who cross the red line while reporting on “sensitive” issues, and those who have taken the risk have been summoned before the media offenses desk at police headquarters. Furthermore, Amutuhaire noted, journalists are not allowed in key meetings for the ruling party—especially the parliamentary caucus, which makes key decisions for the country.

Panelists were divided regarding journalist pay. Kakooza said, “there’s a general outcry about the poor pay of journalists. However, journalists in leading media houses are paid better than teachers, policemen, soldiers, and the lower civil service ranks.” Amutuhaire and other panelists disagreed, claiming that Uganda’s journalists are among the most poorly paid professionals in the country, leading to rampant corruption in the media. The situation is worse for freelance journalists, especially those working for FM radio stations. Some receive no pay or professional papers because they are working to build a name, and generally are paid by their sources.

Ssebagala noted, "Last year, the East African Media Institute conducted a survey on remuneration of journalists in the country and found that journalists are paid as little as UGX 500 [\$0.25] per story... this makes journalists more prone to corruption and easier to manipulate." The panelists suggested that a survey on working conditions of journalists in Uganda, especially freelancers, could help the media community find a solution to this persistent problem.

The pay disparity between editors and journalists has increased steadily; editors of big media houses might bring in UGX 10 million and above (\$4,250), while a highly paid reporter in the same media house gets UGX 2 million (\$850) per month. On average, reporters earn between UGX 100,000 and UGX 300,000 (\$40 to \$125) per month, not to mention those who work without any pay to build a portfolio. The panelists concluded that a few well-established media houses do pay reasonable salaries to their staff members and fair rates to freelance journalists. Despite pressure from the trade union movement, the government has failed to come up with a minimum wage act that would encourage fair pay all around. The Uganda Journalists' Union has been unable to conclude any collective bargain agreement for any of its members.

Amutuhaire noted that electronic media outlets devote more time to entertainment (especially music) than news, because the market demands it and such programming is less costly. Nalunkuuma commented, "Indeed, entertainment has surpassed news content in most of the media houses, driven by the urge to generate more advertising revenue." Panelists gave the example of Monitor FM, which had a heavy news focus but nearly closed down until it changed its policy and name to KFM and began to play a lot of music. Now, it is one of the most popular radio stations in terms of listenership. On average, 70 to 80 percent of radio airtime is entertainment programming, and news 20 to 30 percent. For television, the ratio of entertainment to news is about 60:40. However, the panelists said that print media carry more news than entertainment.

The facilities and equipment for gathering, producing, and distributing news are improving and can be attributed to inexpensive imported secondhand equipment, including still and video digital cameras. Some journalists have managed to buy their own secondhand laptop computers at fair prices in this way. Doya noted that *The New Vision* recently bought a new state-of-the-art color printer. More prominent media houses have modern equipment and facilities for their full-time staff journalists, and they often extend loans to their freelance journalists to help them acquire equipment. Still, a majority of journalists continue to work without adequate facilities and even the most basic equipment.

Ssebagala noted, "Most newsrooms have no telephone services to cross-check the accuracy of stories, and journalists are not given field transport." Freelance journalists also suffer disproportionately; some media houses charge freelance journalists a monthly fee to use company computers and cover other supplies.

Panelists said that to reverse this situation, outside assistance is needed, especially in obtaining more computers, still digital cameras, video cameras, and digital recorders. They suggested that any assistance would be channeled best through the Uganda Journalists Association.

Specialized journalism is still in its infancy, according to the panelists. "There is very little niche reporting," Doya said, "and when it occurs, the journalists often lack proper technical backgrounds." Bukedde Political Editor Ahmed Kateregga Musaaazi agreed. "There is a need for specialization, especially in investigative journalism, business analysis, legal and political reporting, environmental reporting, and war reporting," he said.

Some media houses have invested in training some of their reporters. Professional associations, such as the Uganda Journalists Association, the Uganda Journalists Union, and smaller sector-specific associations have also tried to encourage their members to take up specialized training—though the expense is an obstacle. The panelists said that the print media has made more of an effort to build investigative reporting capacity than their counterparts in the electronic media.

OBJECTIVE 3: PLURALITY OF NEWS

Uganda Objective Score: 2.66

Since the last MSI study, a number of FM stations have gone on the air; to date, more than 150 radio owners have been granted licenses, and about 130 are operational. These include mainly private stations, along with some owned by politicians subscribing to the ruling NRM political party and a handful of community radio stations. More television stations, including some pay channels, went on the air in 2009.

At least 20 newspapers and 15 magazines are published in Uganda; of these, only four are daily papers. Some newspapers are state-owned, while others are held privately. The panelists said that Uganda has several objective and reliable news sources, but these sources are costly, especially newspapers. Kakooza noted, "Only a very small segment of the population can afford to buy newspapers. Less than 50,000 people out of a population of over 30 million can afford to buy private newspapers daily." Amutuhaire

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.

commented that teachers are among those who cannot afford to buy newspapers.

In addition, urban Ugandans have more access than rural Ugandans to alternative news sources, such as the Internet, and those who earn enough use the Internet on their mobile phones. SMS media is used also, and companies including Monitor Publications Limited and True African disseminate news through SMS, but the method has not yet picked up great momentum. Many Ugandans therefore depend mainly on radio—both commercial and community—for information. Matovu commented that buying a small radio and batteries that last a month is more affordable than buying newspapers daily. In other areas, public address systems are being used as local radio stations. Sometimes these systems are used to relay news and programs from major radio stations.

Access to domestic and international media is free; the government imposes no restrictions at all. Foreign publications are sold in Uganda, including the capital city, without any fear. Satellite television is also accessible, though many Ugandans cannot afford the subscription fee, which is about UGX 50,000 (\$23). Internet access is fairly easy, but the cost is still very high compared to other countries in the region. The panelists agreed that the number of Internet users has gone up, as facilities fan out beyond towns. They said also that Ugandans are beginning to appreciate the importance of the Internet as a source of information. Furthermore, the state's ICT ministry has begun a program to supply computers to all schools—even in rural areas—and connect them to Internet facilities. Also, the government has started installing tele-centers to open up Internet access for rural communities. There are also hints that the

cost of Internet service in Uganda could drop drastically in the future, as regional governments plan to install a fiber optic cable.

The panelists said that public media outlets are relatively independent from the state/ruling party—especially the print media, which covers opposition views widely. Matovu noted that the government owns only two newspapers, *New Vision* and *Bukedde*. With electronic media, however, the situation is different. According to the panelists, electronic media still behave as though they are fully government-controlled, allotting excessive time to government propaganda and programs. The panelists commented that the Uganda Broadcasting Corporation television and radio is supposed to run independently of the government, but it fails to uphold that principle.

Uganda has two local news agencies, Uganda Radio Network and Ultimate Media, but they are inefficient—forcing media houses to depend more on networks of correspondents and stringers, foreign news agencies, and other Internet sources. Major media houses can afford the foreign news services, but small media houses mainly depend on news websites for free information. Some journalists credit their sources and others do not.

The panelists noted that private broadcasters have improved the quantity and quality of the programs they produce locally, thereby reducing the number of foreign programs that they must purchase. Matovu said that independent media produce their own news and programs, and in most cases, their products are far superior to the news that the government produces. Private media target a broader audience, while state news covers mostly government officials and programs.

Regarding television programming, stations are now tending to rely more on locally produced programs, because their viewers prefer local shows over foreign options. The most popular foreign television programs include a teleplay called "Another Life" and films from Nigeria commonly known as "Ekinigeria."

With regard to media ownership, Uganda has no law addressing ownership disclosure, but those interested can obtain ownership information easily. According to Amutuhaire, people generally know who owns major media houses. For example, Aga Khan owns the Nation Media Group, state and private shareholders own New Vision Media Group, and the Buganda Kingdom and many others own the Central Broadcasting Service. The panelists estimated that 80 percent of FM radio stations are owned by politicians, mostly NRM supporters and sympathizers. These owners interfere at times with the editorial process and limit time for opposition views. The reverse is true for FM radio stations that opposition politicians own, panelists said: they promote

activities of opposition political figures and devote little time to the activities and initiatives of ruling party officials.

The panelists agreed that the media fail to take minority issues seriously, placing minority-language speakers at a disadvantage. With 56 ethnic groups in Uganda, this is a significant problem, and in response, some regions are developing radio stations and small publications published in minority languages. Musaazi elaborated, “Other than the deaf, as a section of people with disabilities, no other minorities are catered to by Uganda’s media. The Ugandan media are predominantly in English and Luganda, and a few in Kiswahili, Runyakitara, Luo, and Iteso. The media do not cater to the rest of Uganda’s languages. However, with mushrooming FM radio stations in every district, some minority languages are slowly but steadily being included. The state-owned Uganda Broadcasting Corporation has a Gujarati [Indian] and French talk show every weekend, while Voice of Africa has Arabic and Nuabian.” Kakooza added that community radios are located in almost all districts, covering minority communities.

The media tend to cover social issues without government restrictions. However, Doya commented that sexual minorities are not always represented fairly; he noted that a presenter on Capital FM, a private radio station, was suspended following pressure from the government after he spoke in favor of gay rights.

OBJECTIVE 4: BUSINESS MANAGEMENT

Uganda Objective Score: 2.35

The panelists were divided on the sustainability of Ugandan media business management practices. Some said that public and private media operate as profit-generating businesses, and generally are run in an efficient manner. Those media companies hire competent finance professionals to ensure that businesses remain profitable, panelists said, and even the state broadcast media have improved their management, generating revenue to supplement what they receive from government to stay competitive. Other panelists were less positive. Davis commented, “Media houses, particularly radio, are not managed professionally with accounting and management principles,” often because they were launched by individual businessmen, politicians, or faith-based institutions. Uganda has a few small media houses that are run like family businesses, employing relatives of owners or friends—but many of these outlets wind up collapsing. Many community media outlets struggle as well; they are largely dependent on donor funding, and once the donors pull out, they fail.

Private media have multiple sources of revenue: the sale of copies, advertisements, sponsored programs, donations, and commercial printing services to outsiders (for outlets such as the *New Vision* and *The Monitor*, which have their own printing presses). Most revenue comes from the advertising sector, however.

Amutuhaire said that advertising is fairly developed in the country. Some media houses have sales executives assigned to work with agencies, and top companies in the country rely on agencies, both local and international, for their advertisements. Doya noted, “To a significant extent, advertising agencies support the media, and there are a number of these, such as Saatchi & Saatchi, Lowe Scanad, Moringa Ogilvy, ZK Advertising, etc. Advertising firms work with all media formats, but mainly in urban areas. However, some advertising agencies are very selective about the outlets they will work with, and they sometimes exert editorial pressure on their clients.”

Kakooza said that the advertising agencies are not well developed compared to other countries, and most radio stations produce the advertisements they run. Furthermore, Mugagga commented that advertisers influence greatly the editorial policies of media outlets. “Mobile telephone networks like MTN supply massive amounts of advertising for private media outlets. Consequently, no negative stories about MTN appear in their publications or are aired on such stations,” he said.

Many panelists agreed that media managers feel pressed to run more commercials in their programs, given that advertising is the only substantial source of revenue. Mugagga said, “At the *Daily Monitor*, where I once worked,

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.

news pages could be withdrawn at the eleventh hour and be replaced with ads—however late they came. This would anger reporters, who saw all their day’s effort wasted. But the editors would always remind them that it was the revenue from such ads that paid their salaries.”

The government only rarely extends direct subsidies to the independent media. But as the government supplies the biggest stream of advertising, it does end up fueling some independent media houses as well—therefore, editorial interference cannot be ruled out. The panel noted that at times the government threatens to withdraw its business from media houses that run stories criticizing the ruling party.

A few media outlets carry out market research to evaluate their performance in terms of sales, listenership, program quality, area of coverage, and audience needs. Preferred methods include call-ins, questionnaires, and hiring outside firms. Survey results are used in the design of business plans—but only in the larger companies that can afford to hire expert advice, according to Amutuhaire.

Two companies produce circulation figures and broadcast ratings. The South Africa office of the Audit Bureau of Circulations conducts circulation surveys for *New Vision* and its sister papers, such as *Bukedde*; and Steadman conducts research for some FM radio stations. Anybody may easily access their findings for a fee. The panel agreed that media outlets generally accept these figures, but that does not prevent some radio stations from claiming falsely to have the widest listenership. Many FM radio stations rely on the number of callers into their station to get an estimate of their reach.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Uganda Objective Score: 2.57

Uganda has four national-level media owner associations: the National Association of Broadcasters, the Uganda Newspaper Editors and Proprietors Association, the Uganda Publishers Association, and the Editors Forum. They lobby the government on behalf of their members on tax and policy issues, and on many occasions they have succeeded. However, according to the panelists, they are driven more by business interests than professional standards. Furthermore, not all media houses belong to these bodies; the panelists attributed declining association membership to a duplication of roles and duties.

Many associations represent working journalists as well. They include the Uganda Journalists Association, which specializes in professional issues; the Uganda Journalists Union, and;

small associations focused on specific sectors (such as the environment, education, health, and parliamentary issues). The Journalists Safety Committee handles press freedom and media rights issues. Some panelists said that professional associations and human rights groups step up to defend the media and condemn acts of violence against journalists, other panelists qualified their success. Amutuhaire commented that although these associations do try to advocate for journalism rights, “their activities are... on a limited scale, and have not created a force that is respected by employers and state agencies.”

Membership is determined by application and payment of membership dues. The panelists expressed concern over the fact that many members fail to pay their dues, yet still have high expectations in terms of services. Without reliable payment of dues, many associations have been forced to close. To help address these concerns, the Uganda Journalists Association is working to form a national coalition body for all media associations. Talks are underway, with assistance from the Danish International Development Agency.

Several NGOs in Uganda work with the media to defend press freedom. The Foundation for Human Rights Initiative, Human Rights Network Uganda, and Action for Development are among the groups that support advocacy initiatives, fund lawyers to represent journalists, support media interests in legal reforms, write reports underlining violations of journalists’ rights, and sponsor human rights training. International NGOs and organizations that support the media include the Foundation for African Development, Friedrich Ebert Stiftung, the Konrad Adenauer Foundation, and the Danish International Development Agency. Kakooza commented, “NGOs, like the Human Rights Initiative, do support freedom of speech. At times, these organizations

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.

march with journalists during demonstrations, and actively speak out about press freedom. NGOs come out to fight for journalists who are in trouble, especially with the state.” Matovu pointed out that NGOs are based primarily in cities, though, leaving rural journalists without protection. “Journalists in rural areas are frequently abused, and crimes against them go unreported,” she noted.

Uganda has many journalism study options available. Media training institutions offer quality degrees and journalism courses, and Uganda has more than 30 private and public universities, with 20 offering a degree in journalism and mass communications. In 1988, Makerere University (a public institution) offered the nation’s first degree program in journalism and mass communication. “Makerere University’s department of mass communication, in partnership with the International Labour Organization’s Small Enterprise Media in Africa, has done a great job in training journalists, especially in audience research and environmental journalism,” said Rose Kigongo, a freelance journalist from Masaka.

Panelists did point to some issues regarding journalism education. According to Nalunkuuma, many upcoming media institutes are profit-oriented rather than focused on the quality of the journalists they train. Apart from Makerere, the quality of some university programs is questionable, and schools tend to focus on theoretical instruction because of the lack of practical training equipment, according to the panelists. In addition, the Ugandan media sector does not offer enough opportunities to absorb all graduating journalists.

Journalism students who have the chance to train abroad tend to abandon the profession upon their return to Uganda, disillusioned by the poor pay. Some media houses offer short-term in-house training programs, and many of their journalists have benefited. The training courses most in need are investigative journalism and specialized training in the various media sectors.

Newsprint and printing facilities are held privately and run as profit-making businesses without any government interference. The panelists agreed that even with government-held printing facilities, private media are serviced typically without any restrictions. However, Doya pointed out isolated incidents of printers shunning certain publications. For example, *The Independent’s* maiden issue was delayed because the government threatened to withhold official business from the newspaper’s printer. Otherwise, the panelists said, the media’s biggest burden is the high taxes on newsprint. The government is the majority shareholder of the New Vision Printing and Publishing company, but this press helps other newspapers from within and beyond Uganda to print at reasonable rates.

Media distribution channels are in private hands and are managed efficiently, but the government controls the transmitters, which can be switched off at any time in case of disagreements between the state and media outlets.

List of Panel Participants

Stephen Ouma, general secretary, Uganda Journalists Union, Kampala

Jane Nakyondwa, senior journalist, Mama FM, Kampala

Ahmed Kateregga Musaaazi, political editor, *Bukedde*; former president, Uganda Journalists Association, Jinja

Saulo Wokulira Ssebaggala, Jr., program coordinator, Human Rights Network for Journalists, Kampala

David Muwanga, business writer, *The New Vision*, Kampala

David Malinga Doya, senior writer, *The East African*, Entebbe

Julian Amutuhairwe, acting editor, KFM radio station, Mbale

Rose Kigongo, freelance journalist, Masaka

Diana Nalunkuuma, lecturer, Kampala University, Kansanga

Robert Mugagga, journalist, *Weekly Observer*, Kampala

Isaac Ssenabulya, parliamentary correspondent for Top TV, Kampala

Moses Lutaaya, editor, Bunyoro FM, Hoima

Moderator and Author

Muwanga Kakooza, journalist, *The New Vision*, Kampala

Coordinator

Herbert Mukasa Lumansi, vice president, Uganda Journalists Association, Kampala

The government still has not implemented the Independent Broadcasting Authority (IBA) Act of 2002 because parliament has not appointed or ratified IBA board members, despite the late president Levy Patrick Mwanawasa's promises during his official opening of parliament on January 11, 2008.



ZAMBIA

With a score virtually unchanged from the 2008 MSI, apparently Zambia has been unable to regain the ground lost from the more optimistic 2006-2007 MSI, which portrayed the country's media sector as approaching sustainability.

The hard-fought 2008 election of Rupiah Bwezani Banda, of the Movement for Multi-party Democracy (MMD), marked the shift toward a difficult time for journalists, who suffered from intimidation and attacks throughout the election season. Since then, the new ruling elite have demonstrated a lack of tolerance for public criticism. A Media Institute of Southern Africa (MISA) Zambia alert said that on February 26, 2009, President Banda verbally attacked *The Post*, a leading privately-owned tabloid, accusing the newspaper of publishing provocative stories against him. According to the alert, the president informed MMD members at the State House, "*The Post* has attacked me from the time you chose me as your presidential candidate until you elected me as president. I have refused to close them down. They will close down because of their debt."

On other fronts, the Zambian media landscape has remained remarkably unchanged, with little or no progress made to advance long-promised reforms. The 2008 MSI noted particular concern over the government's failure to put in place a board of directors for the Zambia National Broadcasting Corporation (ZNBC), in line with the ZNBC Amendment Act of 2002. The government still has not implemented the Independent Broadcasting Authority (IBA) Act of 2002 because parliament has not appointed or ratified IBA board members, despite the late president Levy Patrick Mwanawasa's promises during his official opening of parliament on January 11, 2008. Mwanawasa's promise to reintroduce a freedom of information bill to the parliament has also not been honored.

In addition to pointing out much-needed legal reforms, the MSI panel for 2009 highlighted ongoing problems in terms of professionalism and improving the business management aspect of media health. The media community agrees widely that self-regulation is paramount in setting and upholding standards of professionalism and ethics, but the Media Council of Zambia (MECOZ), the body established to implement and manage the self-regulatory model, is undermined by the media community's lack of respect and material support. In turn, MECOZ's failure to progress has invited the government to flirt with attempts to exercise more control over standards, along with its activities compromising editorial independence.

These are some of the issues preventing Zambia from reclaiming its previous strides toward a more sustainable media climate. The overall country score remained essentially the same (last year's score was a 1.89), and the rank ordering of the objectives did not change. Objectives 5 (supporting institutions) and 3 (plurality of news sources) remain the highest-scoring, narrowly reaching the near-sustainability category, while the remaining three objectives are categorized as unsustainable mixed systems. Business management (Objective 4) improved noticeably but still scored lowest, while professional journalism (Objective 2) and freedom of speech (Objective 1) remained about the same.

ZAMBIA AT A GLANCE

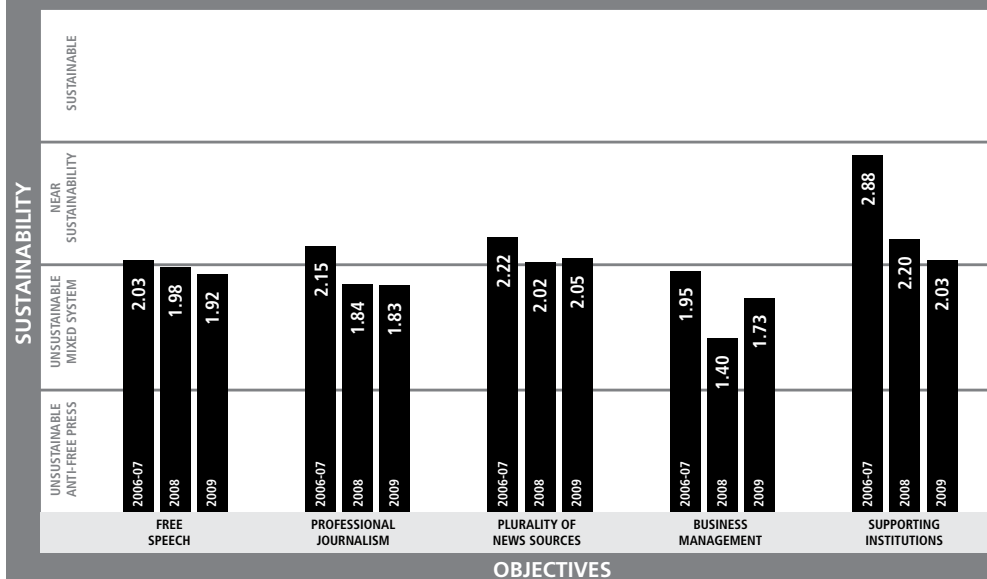
GENERAL

- > **Population:** 11,862,740 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Lusaka
- > **Ethnic groups (% of population):** African 99.5% (includes Bemba, Tonga, Chewa, Lozi, Nsenga, Tumbuka, Ngoni, Lala, Kaonde, Lunda, and other African groups), other 0.5% (includes Europeans, Asians, and Americans) (2000 Census)
- > **Religions (% of population):** Christian 50%-75%, Muslim and Hindu 24%-49%, indigenous beliefs 1% (*CIA World Factbook*)
- > **Languages (% of population):** Bemba 30.1% (official), Nyanja 10.7% (official), Tonga 10.6% (official), Lozi 5.7% (official), Chewa 4.9%, Nsenga 3.4%, Tumbuka 2.5%, Lunda 2.2% (official), Kaonde 2% (official), Lala 2%, Luvale 1.7% (official), English 1.7% (official), other 22.5% (2000 Census)
- > **GNI (2009-Atlas):** \$12.56 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$1,280 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 80.6% (male 86.8%, female 74.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Rupiah Banda (since August 19, 2008)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 14 newspapers; Radio Stations: 18; Television Stations: 3
- > **Newspaper circulation statistics:** Top three by circulation: *The Post* (circulation 27,500, privately-owned), *Zambia Daily Mail* (circulation 10,000, state-owned), *Times of Zambia* (circulation 14,000, state-owned)
- > **Broadcast ratings:** Top radio station: Radio Phoenix FM
- > **News agencies:** Zambia News and Information Service (state-owned), Palesa (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 700,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ZAMBIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Zambia Objective Score: 1.92

The most dramatic drops were seen in indicators 3 (market entry and taxation) and 4 (crimes against journalists). Indicators 8 (access to international news and information) and 9 (entry into the journalism profession) achieved the highest scores, about three-quarters of a point higher than the overall objective score. Indicator 7 (freedom of information) scored about three-quarters of a point behind. The remaining indicators scored within a half-point of the overall score.

Regarding the legal and social protections of free speech, panelists noted that Zambia's constitution guarantees freedom of speech, expression, and assembly, and that Article 20(2) of the constitution provides that no law shall be passed which derogates the freedom of the press. *The Post* news editor, Chansa Kabwela, said that, "Over the years, Zambia has continued to enjoy relative freedom of the press. People are able to express themselves through the various platforms available, but there is still room for reforms to guarantee more freedom." She added, however, that media freedom has its limits. "The opposition political parties, for instance, do not enjoy favorable coverage in the state media," she said. Masautso Phiri, a media consultant, observed, "Constitutional provisions can't reverse the trends. Privately owned media

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Another media consultant, Edem Djokotoe, observed that the government is now showing more pervasive signs of intolerance, with "the Republican president verbally attacking [The Post]... while his minions declare publicly that they will sort out The Post if it continues to insult their president."

oppose government, while the state-owned media is pro-government."

MISA Zambia chairperson Henry Kabwe said that "apart from provisions in the constitution, which are themselves null and void in practice, laws on defamation, sedition, and obscenity impede freedom of speech and access to information. There is no law obliging information holders in public offices to divulge [information], no matter how important the information is to the safety and development of concerned people." Kabwela echoed these sentiments, adding, "There are so many laws that hinder the work of journalists... such as the [official] Secrets Act, criminal libel, and the law on defamation."

Another media consultant, Edem Djokotoe, observed that the government is now showing more pervasive signs of intolerance, with "the Republican president verbally attacking [*The Post*]...while his minions declare publicly that they will sort out *The Post* if it continues to insult their president. Threats of treason have also been bandied about, and that doesn't create an environment conducive for the promotion of free speech and access to public information—especially considering the ruling party's garrison mentality."

Djokotoe argued that social protection of free speech does not exist in the country. However, Hot FM news editor, Changwe Kabwe, had a slightly different opinion. "The Zambian constitution does guarantee freedom of speech. That freedom is valued by members of society...however, the same freedom is sometimes abused by both journalists and ordinary citizens." Caristo Chitamfya said that while he was head of productions and operations at ZNBC, he felt that free speech is limited. "Private media are still viewed as an opposition party by the government," he said. Media freedom violations do provoke public outcry, he claimed, but public objections are usually only covered by the independent media. Media lawyer Patrick Matibini observed, "There are prospects that the landscape of freedom of expression and the press will improve after the review of the current constitution is concluded."

Mwase also noted that church-owned radio stations are limited in what they can say. "It's very difficult to speak out against the church, and easier to point at government," she said.

Further evidence of state interference in press coverage surfaced when *The Post* was criticized for the limited distribution of photographs taken of a woman giving birth unaided while health personnel were on strike. Kabwela said that she was accused of circulating obscene material when she sent copies of the photographs to government ministers and NGOs, in an attempt to focus attention on hospital conditions.

Mining Mirror managing editor Patricia Mwase commented that the government is not the only institution that interferes with free speech. She pins some of the blame on the advertising sector as well, citing the influence of large companies that sponsor news bulletins and flex their financial muscle to ensure that media broadcast nothing negative about them. Mwase also noted that church-owned radio stations are limited in what they can say. "It's very difficult to speak out against the church, and easier to point at government," she said.

Regarding the fairness of the broadcast licensing system, panelists said that the ZNBC Amendment Act of 2002 transferred the licensing function from ZNBC to the IBA, but the government has yet to implement the act fully. The ministry suspended issuance of new broadcast licenses on February 27, 2009, announcing that it is working towards establishing IBA's capacity to take over the licensing function. At present, the Ministry of Information and Broadcasting Services still manages the licensing process. "The net effect of all this is that we have an illegal body performing [the functions of the board]," Matibini said. Radio Mazabuka station manager Albert Mwiinga agreed. "The minister of information and broadcasting can [refuse to] issue a broadcast license at his discretion," he said. "The licensing agency is not free and independent; rather, it is under the influence of the government of the day."

Mwiinga said that financial roadblocks hamper the fair allocation of licenses as well. "The ministry currently requires that those wishing to open radio stations have, as minimum capital, an [initial] ZMK 60 million [\$12,800]. This is a hardship, and too high for those intending to open up community radio stations," he said. In addition, stations have to pay the communications authority for the frequency, and the government for a license. "[This] makes it difficult to

encourage the growth of more community radio stations," he added.

As for the indicator covering the fairness of market entry and tax structure for media, panelists said that the media pays the same taxes as other industries. These taxes raise the prices of broadcast equipment and newsprint, and serve effectively as barriers to entry. Many panelists said that they believe that media houses should be given tax incentives, because of the important role of the media in society. Mwase commented, "What is needed is for the media to lobby, like farmers, for fewer taxes." Changwe Kabwe suggested that "the taxes imposed on such businesses should be relaxed further, in order to help especially the emerging private media." Radio Lyambayi station manager Mukeya Liwena agreed, saying that media plays a special role in national development. He leveled criticism at a district council's \$400 annual fee to use the district's airwaves. "In other countries, councils help to construct community radio stations," he said. There are signals of possible changes ahead, though; according to an undated MISA Zambia communiqué, the Minister of Information indicated a willingness to consider lowering taxes on newsprint. Liwena said that cheaper newspapers could help promote literacy and combat Zambia's falling literacy levels.

In general, crimes against journalists and media outlets are on the increase, according to the panelists—but no perpetrators were prosecuted in the past year. Kabwe gave an overview of the situation. "Journalists, especially from the private media, are sometimes harassed by cadres from political parties, especially the ruling party. They are beaten, their equipment is destroyed, and they are prevented from covering certain functions. The journalists from the government media likewise are harassed by the opposition political parties, and are sometimes referred to as spies. The crimes against journalists in Zambia, including physical and verbal abuse, are increasing, and both the public and private media journalists are targeted."

MISA Zambia regularly publicizes acts of violence against media members. A May 11, 2009 MISA Zambia alert reported that alleged MDD operatives beat a newspaper vendor from *The Post* in the North Western province's capital, Solwezi. The vendor, Deaven Mwanamwale, was cornered by attackers who first pretended to buy newspapers from him—then pounced on him, kicked him, and robbed him of some of the papers. MISA Zambia also reported that on May 25, 2009, cadres of the ruling MMD roughed up a Radio Phoenix reporter after mistaking her for a reporter from *The Post*. Phiri added that recently, journalists from *The Post* and Muvi TV "have been harassed and beaten, and no one has been prosecuted [for these crimes]."

According to another MISA Zambia alert, "On February 6, 2009, 11 plainclothes police officers beat up and pepper-sprayed *The Post* photojournalist Abel Mambwe and detained him, together with reporter Mutuna Chanda, after he photographed them assaulting a pirate taxi driver. "Mambwe was pepper-sprayed in the left eye, lifted by the trousers, handcuffed on the left arm and bundled into a plainclothes police minibus when he [refused] to hand over his camera. When Chanda tried to rescue the camera from the police officers, they kicked and punched him until he fell to the floor," the alert stated. On February 9, 2009, MISA Zambia reported on the demotion of 11 officers, and their transfer to various police stations within the Copperbelt province. Notably, Acting Inspector General of Police Francis Kabonde expressed disappointment that the two journalists declined to institute legal proceedings against officers.

In considering whether or not public officials receive preferential legal treatment, the panel agreed that they do to an extent, and in practice, the public media are subject to editorial constraints. Changwe Kabwe commented, "It is common knowledge that editorial independence in the public media is not guaranteed. We have instances where the strong arm of government exerts control over public media content." Kabwe continued to note that political appointments in the public media greatly influence the editorial stance that appointees take on certain issues. Henry Kabwe said this was evident in the public media's coverage of a health sector strike. While the private media covered both sides, the public media only featured government statements. Journalism lecturer Mutemwa Makomani cited an incident in which journalists from *The Post* were barred from attending a presidential press conference, which he said speaks "volumes about the political environment in which reporters have been subjected to work."

In considering how Zambia treats libel cases, panelists noted that Zambia performed poorly on this indicator primarily because it has not been tested recently. Several panelists singled out Zambia's libel laws as an area of weakness. Last year's MSI reported that libel could be treated as either a civil or criminal case, and public officials are not held to a higher standard for having to prove falsity or malice.

Most of the panelists agreed that the right of access to public information for all journalists is not secure, and that the absence of a freedom of information law continues to affect access to public records. Kabwela underlined the media's efforts to fight for this bill and other reforms, saying, "Promises to enact an access to information law have hit a snag once too often, and the present promises haven't been reassuring." He said that some political leaders have issued

public statements suggesting that these changes are on the way, but other panelists were skeptical.

Zambia scored fairly high on the indicator assessing access to international news and news sources; the government does not restrict those sources or regulate the Internet. However, panelists noted with regret that both the private and public media rely too heavily on the same news sources for information.

Journalists working in Zambia are required to register with Zambia News and Information Services (ZANIS), which issues press cards. As evidence of state control in this respect, Djokotoe described an incident in which journalists were told that they would need ZANIS accreditation to attend a presidential press conference. He added that the softball questioning at the conference showed that journalists had been intimidated.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Zambia Objective Score: 1.83

The overall objective score remained virtually unchanged from compared to the 2008 score of 1.84. All indicators scored within a half point of the overall score, and few showed any real change. Indicator 3 (self-censorship) improved somewhat while indicator 6 (balance of entertainment and news) slipped by about the same magnitude.

Zambia has a self-regulatory system for maintaining professional journalism standards, but the media sector has not implemented this model successfully. MECOZ was established to implement and manage the self-regulatory

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).

Matibini observed that the failure of MECOZ to provide a model to promote and maintain standards tempts politicians to propose an alternative. "The proposal should be a warning to journalists," he said, and stressed that "self-regulation is supposed to be a mechanism of defense against statutory regulation."

model, but the council is undermined by the impression that it has failed to effectively address ethical concerns raised by the public, and not all media houses have embraced the council. Panelists, however, remain convinced that self-regulation and peer review are the only options to enhance and maintain journalistic standards in the country.

When discussing the indicator regarding fair, objective, and well-sourced reporting, the panel agreed that Zambian media fall short. Poor fact checking, one-sided stories, a lack of follow-up, and sensationalism were all cited as areas in need of improvement. Changwe Kabwe said, "Some reporters don't bother to verify the facts they put in their stories... most stories have no background information, and follow-up reporting is rare." Djokotoe agreed, saying, "News reports tend to be single-sourced, and where they are multi-sourced, you have different people saying the same thing to endorse an organization's agenda." He has seen little improvement in professional standards over the years, he said, which does not "bode well for the nation." Many participants argued that these problems cannot be traced to inadequate training of reporters, but rather are reflective of the failure of editors and managers to set and demand professional standards.

These views were not unanimously held, however. Kabwela argued that "The profession of journalism in Zambia has continued to grow and improve for the better over the years. The country's training institutions have continued to train good journalists, who have managed to operate professionally in various media organizations." While investigative journalism needs to be cultivated, journalists do provide quality information, she said.

Panelists agreed, however, that the lack of unanimous support for MECOZ has caused problems related to setting and following ethical standards. As noted last year, MECOZ still has no real power to enforce ethical practice. Matibini observed that the failure of MECOZ to provide a model to promote and maintain standards tempts politicians to propose an alternative. "The proposal should be a warning to journalists," he said, and stressed that "self-regulation

is supposed to be a mechanism of defense against statutory regulation."

In 2008, Minister of Information and Broadcasting Services General Ronnie Shikapwasha warned of some parliamentarians calling for statutory regulation of the media; this year, he registered the government's concern over declining levels of professional conduct in some sectors of the industry. In May this year, media bodies such as the University of Zambia's Department of Mass Communication, MISA Zambia, Catholic Media Services, Zambia Union of Journalists, *The Post*, The Zambia Media Women Association, and MECOZ reported to the Parliamentary Committee on Information and Broadcasting. In their submissions, they agreed that media self-regulation is essential, but MECOZ needs an overhaul to make it effective. The submissions were made under the joint theme: "The role of the media in national stability and the efficiency of the Media Ethics Council in protecting and promoting media ethics."

As for the indicator gauging whether journalists and editors are practicing self-censorship, the panel agreed that this practice is prevalent, particularly among the state-owned media. According to Changwe Kabwe, "Self-censorship exists especially for journalists and media managers who work in government institutions." Makomani agreed: "The fear of losing one's job if one does not 'toe the line' leads to great self-censorship," he said. For Djokotoe, the issue of self-censorship is unlikely to change, "given that journalists seem more willing to keep their jobs at all costs than to do what is professionally right."

In discussing the indicator dealing with journalists covering key events and issues, the panel agreed that Zambian journalists perform very badly. "News must enhance development, but journalists have no passion for their jobs," observed Makomani. Djokotoe said that one problem is that "The sense of what's 'key' remains warped. For instance, maize, the national staple, is a key issue that is never reported as such. But food security is inextricably linked to national security, though it is not perceived as such." Djokotoe also said that media content is a problem because "there is too much opinion masquerading as news."

Media salaries are low, the panel agreed. Some panelists find that low pay does contribute to corruption, with reporters and editors actively soliciting gifts to cover certain stories or feature them more prominently. However, Pat Mwase argued that salary levels have nothing to do with corruption because "being corrupt is a cancer...and greed is the central issue around corruption." Phiri pointed out that in May, Shikapwasha challenged media owners to pay journalists better. Phiri also decried what he called "institutional corruption," through which organizations

or institutions such as mobile phone service provider Zain sponsor news bulletins on both radio and television stations. Djokotoe agreed, saying that “allowing a bank to sponsor news is reasonable.”

As for the balance between news and entertainment programming, panelists agreed that for print, advertising takes up too much space, while radio has too much music and not enough news and information programming. Phiri said, “The media, especially broadcast media, tends to be overly entertainment biased, while print tends to be more politically biased.”

In terms of technical facilities and equipment for gathering, producing, and distributing news, the panel agreed that Zambia is far behind the rest of the world. Mwiinga noted that the media industry’s failure to invest in technology causes many problems, such as distribution delays that particularly affect people living outside the capital. However, he noted, “People watch foreign stations, which give them up-to-date news.” Echoing Mwiinga’s sentiments, Phiri called for increased investment in both print and broadcast media. Newspapers need to replace aging presses, while broadcasters need to shift to digital technology, he said.

The indicator measuring niche reporting in Zambia did not change significantly from last year’s MSI; the panelists agreed that their country has little niche reporting. Henry Kabwe observed that niche reporting happens only after sponsored workshops, and it seldom lasts for very long. Mwiinga agreed, arguing that there is no quality niche reporting, and “no analysis of issues and events, just [reporting of] what people say.” He attributed the shortcoming to a lack of high-caliber training.

OBJECTIVE 3: PLURALITY OF NEWS

Zambia Objective Score: 2.05

This objective, though bringing in the second highest score, did not change significantly from the 2008 MSI. Indicator 2 (citizen access to domestic or international media) scored the highest within this objective, about two-thirds of a point higher than the overall score. Indicators 3 (state media are non-partisan and serve the public interest) performed the poorest, lagging behind the objective score by nearly a full point.

In terms of the plurality of affordable public and private sources, the panel agreed generally that news sources in Zambia have proliferated over the last 10 years. “From just one television/radio channel (ZNBC), we now have more than five television channels, and 10 radio stations in the

“From just one television/radio channel (ZNBC), we now have more than five television channels, and 10 radio stations in the city (Lusaka), in addition to community radio stations across the country,” Chitamfya said.

city (Lusaka), in addition to community radio stations across the country,” Chitamfya said. “It is a trend that is likely to be sustained, going by the growing number of new applications for broadcasting licenses. Community news channels are increasingly gaining popularity, as they address issues closer to the community.”

Despite the blossoming of radio stations, panelists agreed that access to a variety of news sources depends upon people’s economic status, which helps to explain why the score for this indicator dropped significantly. Changwe Kabwe observed that the Internet reaches most parts of the country, but is limited typically to people who have access from their offices or who can afford to visit Internet cafés—where rates are high and download times frustratingly slow. Newspapers are relatively expensive, compared to prices in more developed countries. Newspapers can cost as much as \$0.58 in a country where 70 percent of the people are poor, Changwe Kabwe noted. He also observed that “Coverage is mainly local, not national. A few media houses do attempt nationwide coverage. People in the larger cities and some small towns enjoy greater access than villagers, because

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

As Phiri said, "Ownership of private media is not overly transparent, and very few people know who owns what."

they can afford to buy a newspaper and to own a radio or a television set."

The panelists said that citizens' access to domestic or international media is generally unrestricted. Except for cost, Internet access is not restricted, and with the powerful radio receivers and satellite television in the country, international access can be characterized as virtually unlimited.

As for whether or not the state or public media reflect the views of the entire political spectrum, are non-partisan, and serve the public interest, panelists said that the country is too centralized, resulting in greater coverage of people at the center. Phiri observed that the state-owned media tend to be overly biased toward the government and the ruling party, while private media betrays a bias in favor of the opposition.

The panelists noted that Zambia does not have independent news agencies to gather and distribute news for print and broadcast media. The one private news agency identified, Palesa, deals almost exclusively with agricultural news. Panelists agreed that ZANIS, the country's only news agency, is government-owned and cannot be regarded as independent.

Panelists said that independent broadcast media do produce their own news programs, although the quality is poor. Stations also tend to lack distinguishing characteristics, often mirroring each other. Liwena argued that community media do not even cover the local communities they purport to serve, because they want to sound like the mainstream media—displaying a lack of confidence in their own voices.

Zambian media ownership information is not made public. As Phiri said, "Ownership of private media is not overly transparent, and very few people know who owns what." He argued that although one could go to the Registrar of Companies to determine ownership, this is not adequate. Mwase said that "most media houses don't even have a company profile," and emphasized the need for even for small houses to have one.

Additionally, the panelists said that the media fail to cover a broad spectrum of social interests, and Zambia has no minority-language information sources. Henry Kabwe said, "There has not been a deliberate effort to seek out issues pertaining to minority groups. The political environment also restricts coverage of certain issues, thus suppressing minority views." Additionally, Edem Djokotoe pointed out

that the uneducated are typically ignored as sources. "The view of who is a source is narrowed. There is a misconception that when people talk about politics, it is party politics. But politics is a very broad topic. This narrow definition will result in one-dimensional news." Mwase said that Zambia has a diversity of voices—but the media serves up the same voices repeatedly. She said even independent media depend heavily upon the same sources, and the same handful of guests is repeatedly given platforms to speak on radio talk show programs such as "Face the Media" and "Good Governance."

OBJECTIVE 4: BUSINESS MANAGEMENT

Zambia Objective Score: 1.73

Although the score for this objective went up significantly from last year's 1.40, it is still Zambia's weakest objective. Almost all of the indicators scored below the threshold of near-sustainability, except for indicators 3 (advertising agencies support an advertising market) and 5 (independent media do not receive government subsidies). All indicators scored within a half-point of the overall objective score, save indicator 7 (audience and circulation research), which was the lowest-scoring indicator in the entire Zambia study, coming in nearly a point behind the objective score.

Panelists agreed that most media outlets are not run efficiently and have failed to find ways to reduce production costs. The panelists also bemoaned widespread poor management skills, and the lack of research available to improve planning. Djokotoe said that "There is a tendency to over-employ, and management is top-heavy," and Mwase pointed to the lack of financial management skills

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

BUSINESS MANAGEMENT INDICATORS:

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

in particular. Furthermore, most community media outlets have not even begun to view their operations as businesses. Solwezi FCC Radio station manager John Kamwanga observed, “Community media is failing to hire professionals to manage accounting, marketing, and human resource functions, because of limited resources.” He cited these as the major factors preventing community media outlets from operating as efficiently and sustainably as possible. Agreeing that most outlets do not run efficiently and profitably, Mwiinga pointed out that Mazabuka Community Radio is only now coming up with a business plan, although it has been operating for about five years.

According to Changwe Kabwe, “The management of most independent media outlets leaves much to be desired, and the editorial independence of most media outlets is questionable. This is largely because business interests sometimes become more important than telling a good story. In situations where a certain story may damage the corporate image of a company which also runs adverts on that media outlet, sponsors sometimes ask editors to understand the implications of running such a story on the relationship between the advertiser and the media company—and it is clear that in most cases the story will be withdrawn.”

In considering whether media receive revenue from a multitude of sources, panelists noted that print media receive revenue from advertising and circulation sales, while the electronic media receive revenue from advertising and program sponsorships. The panelists also commented that the imperative to generate revenue causes many media managers to throw advertising standards to the wind. “Anything goes,” Mwiinga said, referring to the fact that managers, desperate for revenue, face continuous pressure to accept all manner of advertisements.

As for the indicator dealing with advertising agencies and related industries supporting an advertising market, panelists noted that advertising agencies exist only in Lusaka, and media outside the capital benefit very little—if any—from their business. These media houses tend to approach clients directly because they do not feel well represented by agencies, according to the panelists. Djokotoe noted that all newspapers knock on the same doors for advertisements, and yet a lot of businesses do not advertise or understand why they should. He wondered why these companies are seemingly never approached.

According to the panel, advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets. The panel cited the example of print media, which draws about 60 percent of its revenue from advertising and 40 percent from copies sold.

Changwe Kabwe dismissed the research results provided by some of the research companies, saying, “It works well for such companies and advertisers, but not the media.”

The panel confirmed that the government does not subsidize independent media. However, as noted in last year’s MSI, some firms do benefit from preferential treatment in terms of the placement of government advertising.

Once again, the panel reported that no media outlet has commissioned meaningful market research recently to formulate strategic plans, enhance advertising revenue, or tailor products to the needs and interests of audiences. Mwiinga noted that programming is simply not based on research. This is especially true in community media, where, according to Liwena, “Market research is very difficult.” Changwe Kabwe dismissed the research results provided by some of the research companies, saying, “It works well for such companies and advertisers, but not the media.” He questioned the methodology used by some research firms, and observed that many of these firms are critically understaffed.

The panel also agreed that trustworthy broadcast ratings and circulation figures are not available to guide the media or advertisers. Phiri pointed out that existing circulation figures are highly unreliable. Mwase agreed, noting, “We don’t really have a rating system. A rating system is based on independent auditors, which we don’t have.”

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Zambia Objective Score: 2.03

Along with Objective 3, this was the only objective to score in the near-sustainable category—although just barely—and the overall score declined from last year’s 2.20. Indicator 1 (trade associations) scored about three-quarters of a point lower than the overall objective score; all other indicators scored within a half-point.

As for trade associations representing the interests of private media owners and providing member services, the panel agreed this is not happening. “There are no trade associations in Zambia as of now. There used to be the Master Printers and Publisher’s Association, but it died out. An attempt to revive it did not succeed,” Phiri said.

“There are no trade associations in Zambia as of now. There used to be the Master Printers and Publisher’s Association, but it died out. An attempt to revive it did not succeed,” Phiri said.

Panelists said that Zambia does have a number of professional associations that have helped improve the lot of journalists in the country. “Professional associations have done their best to protect the rights of journalists,” Djokotoe argued, “but they need to do a lot more to raise the technical pedigree of professionals, as seen with lawyers.”

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

The panelists also pointed to specific areas in which NGOs have supported the media, although Phiri pointed out that the country’s polarizing politics define which NGOs support the media. He cited the example of the Transparency International Zambia Chapter, which supports the media in confronting corruption. According to Changwe Kabwe, “Civil society in Zambia largely supports the media, and the ongoing media law reforms have been embraced by the civil society. In situations where a journalist’s rights are violated, there is always a huge uproar from civil society, denouncing such violations. Most of the activities aimed at raising public opinion in the fight for media law reforms have been supported by the most vocal members of civil society.”

The panel agreed that Zambia offers quality journalism degree programs that provide substantial practical experience. However, Djokotoe was quick to point out that “graduates are in transit,” and most do not work for long for the mainstream media. Instead, they tend to move on to jobs with public relations firms, embassies, and NGOs.

Zambia does have short-term training and in-service training programs allowing journalists to upgrade skills or acquire new skills, but panelists agreed that the programs are not very effective. Many are sponsored by donors with particular agendas that are not necessarily aligned with the media industry’s needs. Liwena bemoaned the lack of broadcaster short-training programs, which he said has contributed to sub-par standards in the field.

The panel agreed that sources of newsprint and printing facilities are private, apolitical, and unrestricted. Similarly, panelists consider channels of media distribution (kiosks, transmitters, Internet) generally private, apolitical, and unrestricted. However, they stressed that the distribution infrastructure is not well established. Changwe Kabwe said that in many cases, a distribution company’s ability “to deliver on time is questionable, and its accounting systems leave much to be desired.”

List of Panel Participants

Changwe Kabwe, news editor, HotFM, Lusaka

Chansa Kabwela, news editor, *The Post*, Lusaka

Edem Djokotoe, managing consultant, Primus Media, Lusaka

Henry Kabwe, chairperson, Media Institute of Southern Africa-Zambia, Lusaka

Mukaya Livena, station manager, Radio Lyambai, Mongu

Masautso Phiri, freelance media consultant, Lusaka

Patrick Matibini, managing partner, Pat Mat Legal Practitioners, Lusaka

Albert Mwiinga, station manager, Radio Mazabuka, Mazabuka

Mutemwa Makomani, journalism lecturer, Evelyn Hone College, Lusaka

John Kamwanga, station manager, Solwezi FCC Radio, Solwezi

Pat Mwase, managing editor, *The Mining Mirror*, Copperbelt

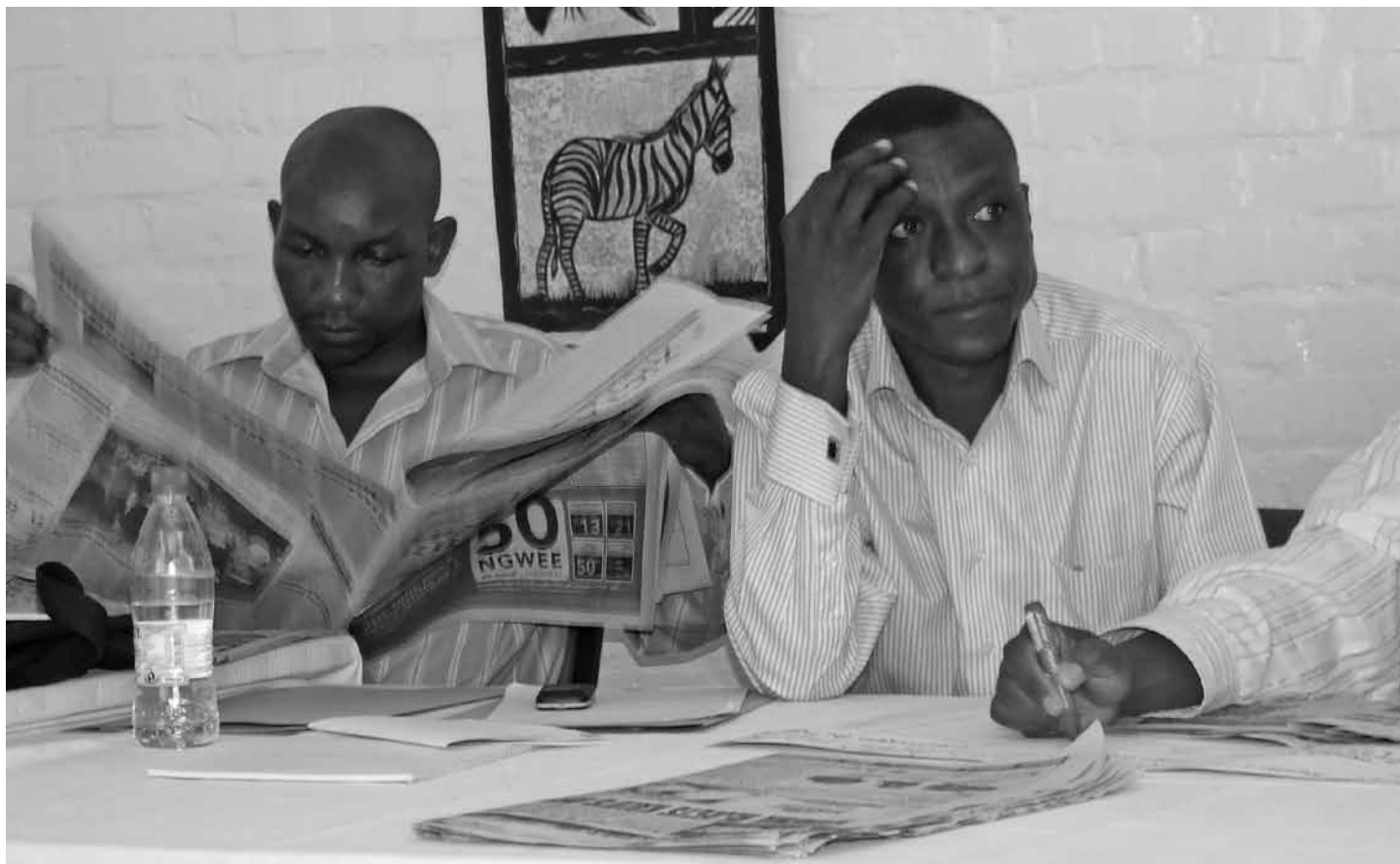
Caristo Chitamfya, head of productions and operations, Zambia National Broadcasting Corporation, Lusaka

Moderator and Author

Kenny Makungu, senior lecturer, University of Zambia, Lusaka

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

Zimbabwe's restrictive media environment has left citizens unable to express their opinions freely about the course of transitional events unfolding in their country. Even Internet café patrons are subject to surveillance by the watchful authorities.



ZIMBABWE

Regrettably, Zimbabwe's restricted media landscape has remained virtually unchanged since the 2008 MSI study. February 2009 saw the formation of a very fragile coalition government, and some initially encouraging signs of the government's intention to reform the media according to the Global Political Agreement between the country's three main parties, but the outlook for the media has improved little. On the one hand, the Movement for Democratic Change (MDC) faction of the government wants to see the media reformed, but on the other hand, hardliners from the old guard, who still control the levers of real power within the most influential arms of government, block and undermine democratic reforms in general—and are deeply resistant to the prospect of change in the media landscape.

The dominant state-controlled public media continue to present distorted and biased news. For example, the state newspaper group and the national broadcaster, Zimbabwe Broadcasting Corporation, suppress news of the activities and important announcements of the prime minister's office. They also present biased and superficial coverage of political developments, and continue to put forth a false picture of the reasons for the power-sharing government. Zimbabwe's public media continue to be used as messengers of hate language—particularly against the former political opposition, despite their supposed equal partnership in the coalition government.

No independent daily papers or alternative domestic radio and television broadcasters have yet emerged to counter state-controlled voices. In fact, George Charamba, Zimbabwe African Union-Patriotic Front (ZANU-PF) presidential spokesperson and permanent secretary in the Ministry of Media, Information, and Publicity, issued a warning to publishers planning to launch new daily newspapers—which would bring an end to the Zimpapers' monopoly of the daily newspaper market. He said that the publishers would be breaking the law if they started production without a license.

At the time that the MSI was prepared, the president was continuing to delay the establishment of an independent media commission, prolonging the vacuum of an agency responsible for licensing new publications and accrediting journalists. As a result of Zimbabwe's lack of plurality, ordinary citizens continue to be excluded from understanding the work of the coalition government. Zimbabwe's restrictive media environment has left citizens unable to express their opinions freely about the course of transitional events unfolding in their country. Even Internet café patrons are subject to surveillance by the watchful authorities. Meanwhile, journalists face harassment, arrest, and prosecution under the repressive media laws that remain on the books to keep them in check.

Whether the power-sharing era will lead to an opening of media space remains to be seen. For now, the repressive laws continue to be applied with full force, despite clarion calls for extensive and meaningful media law reforms.

ZIMBABWE AT A GLANCE

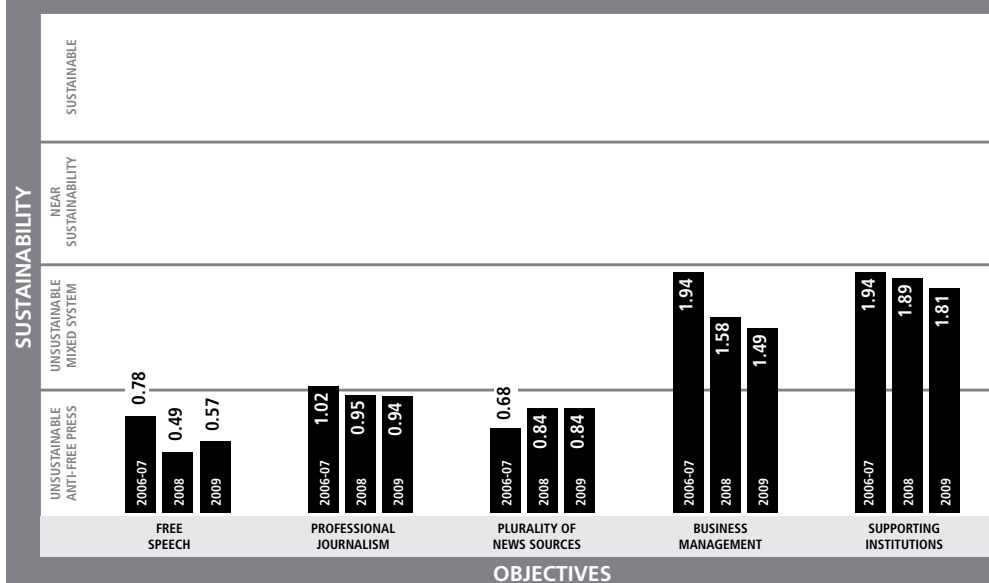
GENERAL

- > **Population:** 11,651,858 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Harare
- > **Ethnic groups (% of population):** Shona 82%, Ndebele 14%, other 4% (*CIA World Factbook*)
- > **Religions (% of population):** syncretic (part Christian, part indigenous beliefs) 50%, Christian 25%, indigenous beliefs 24%, Muslim and other 1% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), Shona, Sindebele, numerous but minor tribal dialects (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$4.466 billion (World Bank Development Indicators, updated figures N/A)
- > **GNI per capita (2007-PPP):** \$340 (World Bank Development Indicators, updated figures N/A)
- > **Literacy rate:** 90.7% (male 94.2%, female 87.2%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Executive President Robert Gabriel Mugabe (since December 31, 1987)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 15 total, mostly in Harare and Bulawayo; Radio: 4 main stations, with several other local ones that broadcast for a few hours a day; Television Stations: 1 (state-owned)
- > **Newspaper circulation statistics:** Top two by circulation: *The Herald* (state-owned), *The Chronicle* (state-owned)
- > **Broadcast ratings:** N/A
- > **News agencies:** New Ziana (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1,421,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ZIMBABWE



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Zimbabwe Objective Score: 0.57

In this lowest-scoring objective, most of the indicators scored below Zimbabwe's overall average. Indicator 2 (broadcast licensing) drew the lowest score not only for this objective, but for the entire study, with a score near zero. Only indicator 8 (media outlets have unrestricted access to international news and news sources) scored noticeably higher than the other indicators, with a score one point higher than the objective average. Although the panelists registered cautious optimism and welcomed the new political coalition, their scores reflect the continuing laws and social norms that prohibit the protection and promotion of free speech and access to public information.

The panelists said that Zimbabwe's constitution guarantees free speech, but media laws and other regulations inhibit exercise of those freedoms. Those laws include the Access to Information and Protection of Privacy Act (AIPPA), the Broadcasting Services Act, the Criminal Law (Codification and Reform) Act, and the Public Order and Security Act. Irene Petras, the director of Zimbabwe Lawyers for Human Rights, noted that despite the formation of the coalition government in February 2009, laws continue to repress journalists, and the government applies the laws selectively against media practitioners from the private sector. She went on to state that "the judiciary has, in the past year, ruled in favor of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Most of the panelists agreed that licensing procedures are unfair. They said that the state has not granted any licenses to private players, and that partisan political interests remain in control of the domestic broadcasting sector.

freedom of expression rights, but this was not due to its independence—rather because no evidence was available to sustain the cases, and the executive, quite often, in any event, disobeyed court orders."

Most of the panelists agreed that licensing procedures are unfair. They said that the state has not granted any licenses to private players, and that partisan political interests remain in control of the domestic broadcasting sector. Nunurai Jena, a freelance journalist in Chinhoyi, said that Zimbabwean authorities are unwilling to free the airwaves or allow multiple voices in the country.

The panelists generally agreed that the market entry process for media houses is very difficult, and the tax structure is unfair. Matthew Takaona, the immediate past president of the Zimbabwe Union of Journalists (ZUJ), supported this observation, stating that AIPPA stipulates that licenses be renewed every five years, with an ever-looming possibility that a license may be revoked. He went on to state that license applications demand unnecessary and intrusive information, including funding sources and the details of senior employees—particularly editors. No foreign funding is allowed, he said, and in some cases, licenses are granted at the discretion of the minister of information.

On a more positive note, one of the panelists applauded the new minister of finance's removal of the importation tax for foreign publications.

According to the panelists, journalists still suffer from harassment, unlawful arrests and detention, selective and malicious prosecution, abductions, and long delays in the finalization of court cases against them. The panelists pointed to the example of freelance journalist Andriison Manyere, whom state agents unlawfully detained and tortured in 2008. The panelists concluded that journalism in Zimbabwe remains a high-risk profession, and noted that most journalists resort to self-censorship to avoid prosecution.

The panelists also noted that the information ministry interferes with the work of the public media, rendering editorial independence non-existent. One panelist said

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that partisan political interference is still a daily reality, and has not abated in spite of the formation of the coalition government.

As reported in last year's MSI, the government does not restrict access to international news, and although state media controls release of foreign news, journalists may access such information on the Internet and reprint or rebroadcast reports.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Zimbabwe Objective Score: 0.94

The score for this objective remained nearly identical to last year's score, and only indicator 5 (pay levels for journalists) barely improved. All of the indicators scored similarly poorly; all were within a third of a point of the objective score.

The panelists said that in general, Zimbabwean journalists, especially those with the public media, lack professionalism due to political interference, polarization, and many other factors. The panelists agreed that the public media in particular neither check facts nor do they cite credible sources in their news articles. Rutendo Maware, a journalist from the *Standard* (a private weekly paper in Zimbabwe), provided

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

an example to support this view. She said that the public media have distorted reports of continued farm invasions, claiming falsely that they are staged events meant to portray Zimbabwe in a bad light.

Kudzai Kwangwari, director of Radio Dialogue, said that public and private media are both guilty of partisan reporting. "Some journalists from state-controlled stables protect and promote the former government or ZANU-PF with their news, which affects the fairness and balance of the news items—and opponents [MDC] are hardly given an opportunity to share their side of the story. The same scenario is seen with private media, which promote and protect opposition political parties at the expense of fair and balanced reporting."

Regarding journalism ethics, Maware shared her view that the country has no uniform binding ethical standards. The other panelists indicated that Zimbabwean media organizations such as the Media Institute of Southern Africa, Media Monitoring Project Zimbabwe, and ZUJ have developed ethical standards, but the public media do not adhere to the standards. The standards are not binding for all media houses, and the onus is on the media house or the journalist to conform. However, the panelists agreed that private media outlets attempt to adhere to the standards set by these organizations, while public media outlets continue to publish hate messages without remorse or consideration. Takaona noted that journalists tend to report ethically on non-political issues, but then discard ethical considerations when reporting on political issues.

The panelists confirmed that public media reporters and editors engage in self-censorship. While this practice is not rampant in the private media, Petras did note that even journalists from the private media sometimes resort to self-censorship out of fear of arrest and prosecution, political interference, intimidation, or shutdowns of their outlets. As an example, Maware said, "Due to political insecurity since the March 2008 elections, and the lack of protection for media practitioners, some journalists and editors practiced self-censorship after MDC disengaged from ZANU-PF in October 2009. There were reports that Zimbabwe Broadcasting Holdings bosses had instructed reporters not to cover MDC ministers on Zimbabwe's national television station, and in the only radio stations in the country—all of which are state media."

Most of the panelists agreed that pay levels for journalists are insufficient, and claimed that most journalists earn salaries that place them below the poverty line. The low pay drives many journalists to seek better opportunities outside the country. According to Takaona, some media houses suffer a 90 percent staff turnover each year. Journalists are the worst

paid professionals in the country, according to the panelists; Jena said that the problem is compounded by the lack of an effective union to negotiate on behalf of journalists. Kwangwari added that the overall economic strain of the past two years has made it especially difficult for journalists to survive on their meager salaries. He noted that one effect is that more journalists are resorting to “checkbook journalism”—inventing stories that they can sell.

The panel participants all seemed to agree that entertainment programming does not eclipse news and information programming. Petras said, “There is a reasonable balance between news and entertainment, particularly in the print and electronic media.” She noted, however, that access to news is limited for those without Internet access or satellite television.

Zimbabwean media outlets, especially state media, do not have advanced facilities or equipment. Petras commented, “In the public media, equipment is outdated and insufficient to produce, gather, and distribute news. The private sector is much better equipped, but more resources should be channeled into production and dissemination of news products locally.”

Lack of capacity has hampered niche journalism in particular, according to Jena. “The major constraints to developing quality niche reporting in Zimbabwe are that journalists are not well versed with some of the key issues, and the lack of technical facilities and equipment also demoralizes journalists,” he said. He went on to state that journalists need more training. Petras added, “Local investigative reporting needs to be improved, as does reporting at the local or community level on minority and vulnerable group issues.”

OBJECTIVE 3: PLURALITY OF NEWS

Zimbabwe Objective Score: 0.84

The average score for this objective remained identical to last year’s MSI, again failing to move into the unsustainable, mixed system category. Indicator 2 (citizens’ access to domestic or international media is not restricted) increased somewhat last year’s report, and drew the highest score for this objective yet only a half point higher than the objective score. Otherwise, all indicators scored with a half point of the objective score.

It cannot be said that Zimbabwe offers a diversity of public and private news sources, given its single state-controlled television station and absence of private daily newspapers. Petras commented that the private print media are more likely to cover national issues than local stories, particularly

The government has not licensed any community broadcasters, leaving communities in dire need of information.

as they are weeklies. The government has not licensed any community broadcasters, leaving communities in dire need of information. Panelists also noted that the available news sources are not reliably providing objective news to Zimbabweans, largely because of heavy political interference.

In addition to the basic problem of limited options, cost is a prohibitive factor. According to one of the panelists, “The cost of newspapers is out of reach for a majority of the population. The people in the rural areas are not able to afford private papers, because they cost \$2.00, which is considered highly expensive. However, people living in the urban areas can access the private papers much more easily than those in the rural areas.”

According to Kwangwari, the government still actively ensures that citizens are not afforded multiple news sources by gagging foreign news, such as radio stations Voice of America and Voice of the People. Mawere noted that while the government does not block Internet news sources, low incomes and persistent, widespread power cuts prevent most Zimbabweans from accessing Internet news.

The panelists confirmed that international news agencies exist in Zimbabwe, and that local and international reporters rely upon agencies for news. According to the panelists, normally

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.

Mawere noted that while the government does not block Internet news sources, low incomes and persistent, widespread power cuts prevent most Zimbabweans from accessing Internet news.

private print media and some online papers attribute the stories correctly, but often the public media do not.

One political party, ZANU-PF, continues to control the public broadcaster even since the formation of a coalition government. Petras confirmed this, stating, "The public broadcaster is still partisan and hate-mongering, and regularly issues false, unethical reports. There remains a dire lack of diversity of voices and opinions, and even the education and cultural programming leaves a lot to be desired. The broadcaster needs a complete overhaul, and immediate removal from political control. The public media continues to suppress news of activities and important announcements of the prime minister's office. They also provide biased and superficial coverage of political developments."

The panelists agreed that Zimbabwe has no licensed independent broadcasters. However, Petras described some of the independent programming available. "A few documentaries are produced by private individuals or NGOs, and dissemination remains limited and urban-based or directed towards the international arena. The material produced by private [producers] is completely different from that of the state-controlled broadcaster." She acknowledged some opening up to BBC and CNN, although they have not shown a great deal of activity on the ground (except BBC radio). Al-Jazeera continues to cover issues with some regularity.

The panelists said they do not believe that media ownership in Zimbabwe is very transparent, in particular regarding community newspapers. According to John Masuku, the executive director of Radio Voice of The People, sometimes it is very difficult to ascertain the true owners of the media. He pointed to the *Financial Gazette* as an example, and a number of other newspapers that are now being sold on street corners, including one coming from the prime minister's office. Petras commented, "People remain generally unaware that the state-controlled media is publicly owned through a listed company. In the private sector, there is a growing monopoly by one player who owns two weeklies and one foreign publication, and plans to launch a daily as well." The panelists raised concerns about the editorial independence of all three private weeklies, as well as the community newspapers.

Regarding minority language coverage, the panelists agreed that they only rarely see the mainstream media using minority languages. Kwangwari said, "In the few cases where minorities are covered, it is usually the Tonga community in Binga—mainly because there has been significant advocacy work to recognize the Tonga language and culture in Zimbabwe. Other minority languages, such as Kalanga, are not given any significant coverage. However, one national state-controlled radio station occasionally allocates airtime to both foreign minor and local minor languages, such as Nambiya and Nyanja."

OBJECTIVE 4: BUSINESS MANAGEMENT

Zimbabwe Objective Score: 1.49

The score for this objective changed little compared to last year. Generally, most indicators for this objective scored near the objective score, but still in the middle of the unsustainable, mixed system category. Only indicator 5 (government subsidy of private media) scored slightly more than half a point higher, while indicator 6 (market research) scored slightly more than half a point lower.

Although the panelists did not have many comments on media business professionalism and efficiency, Petras noted that the media lack transparency and accountability regarding the use of resources and adherence to business plans.

In response to indicator 2, the panelists agreed that the private media obtain revenue from a multitude of sources, including a large portion from advertising. The panelists went on to note that public media receive revenue from

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

BUSINESS MANAGEMENT INDICATORS:

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

the Reserve Bank of Zimbabwe, as well as advertising, but often incur losses when some government departments fail to pay for advertising space. The panelists noted the lack transparency with regard to public media financing. As for the private media, Petras said, “The overreliance on supplements in the private print media continues to affect content negatively, and has contributed to a lackadaisical approach to news reporting and opinion—as the media houses prefer to rely on filling space with (often meaningless) supplements, rather than allowing or encouraging journalists to increase their productivity.”

One panelist noted that the advertising quality and distribution in Zimbabwe is poor, unimaginative, and confined to a small number of companies and inserts sponsored by international aid agencies. The panelists noted that the use of billboards is increasing, and could be a positive development, but the potential effect on media advertising remains unclear; a small group of companies dominates this type of advertising. Furthermore, the advertising presence dries up outside the main cities and towns. The panelists added that Internet advertising exists, but generally is of poor quality.

According to the panelists, 67 percent of revenue from advertising is the accepted norm in Zimbabwe. Political interference has suffocated broadcast advertising, given that partisan authorities place all state media advertising. However, Jena suggested that if managed properly, advertising in Zimbabwe could generate sufficient revenue.

The panelists agreed that the government does not subsidize independent media, but opinions were mixed on whether or not the lack of subsidies is positive or negative. According to Petras, subsidies might assist positively in the sustainability and growth of the media industry during the difficult economic times that the country continues to face.

As reported in last year’s MSI, market research continues to be lacking in Zimbabwe. Some market research has been conducted in the past, but no studies are impartial enough to allow the media community to confidently establish audience needs and interests. The Zimbabwe All Media Product Survey samples urban populations, but some panelists expressed concerns that its findings lack detail and analysis.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Zimbabwe Objective Score: 1.81

Of all the objectives studied, Objective 5 scored the highest but still about the same as last year. Indicators 2 (journalism associations) and 3 (supporting NGOs) scored more than a

While most of the NGOs serve as watchdogs and react to violations of media rights, their interventions can only go so far in achieving their goals, given the closed environment in Zimbabwe.

half-point higher, while indicators 1 (trade associations) and 6 (control of printing resources) lagged by the same magnitude.

Trade associations only marginally represent the interests of media owners and managers, according to the panelists. Petras said she is only aware of trade associations that represent community broadcasters, and they are fairly active. She went on to note that advocacy for all, except the community broadcasters, has been low to non-existent—or at least their activities do not make it into the public domain.

According to the panelists, Zimbabwe has professional associations that work to protect the rights of journalists. Some panelists said the associations are very vibrant and contribute greatly to media protection and promotion. According to one panelist, “Membership numbers of these associations appear to be stable and even increasing. In relation to some, such as the editors’ associations, there are competing organizations: one comprises solely private and community media, and the other incorporates public state media and some community media representatives. They struggle to find common ground.” Rutendo Mawere argued that, while many professional associations are working to protect the rights of journalists, they face many challenges because of the legal framework.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

In Zimbabwe, Internet service providers and Internet cafés are in private or corporate hands. However, the panelists noted that Internet services are subject to government interference, especially via the Interception of Communications Act or through surveillance of activity at Internet cafés.

NGOs that work to support free speech include the Media Institute of Southern Africa, Media Monitoring Project Zimbabwe, Zimbabwe National Editors Forum, Voluntary Media Council of Zimbabwe, Federation of African Media Women Zimbabwe, and ZUJ. Some are primarily human rights organizations that advocate for free speech and media freedoms as a cornerstone for any democracy. According to the panelists, these organizations advocate for the repeal of legislation that represses media freedoms. In addition, the country has NGOs that provide journalists with legal support, such as Zimbabwe Lawyers for Human Rights. While most of the NGOs serve as watchdogs and react to violations of media rights, their interventions can only go so far in achieving their goals, given the closed environment in Zimbabwe.

According to Mawere, most Zimbabwean educational institutions offer quality journalism programs, and there are opportunities to study abroad—however, finding resources can be a challenge. She went on to note that the crackdown on the media has resulted in media outlets failing to absorb graduates, with many graduates unable to secure work.

In Zimbabwe, Internet service providers and Internet cafés are in private or corporate hands. However, the panelists noted that Internet services are subject to government interference, especially via the Interception of Communications Act or through surveillance of activity at Internet cafés.

List of Panel Participants

Henry Muradzikwa, former CEO, Zimbabwe Broadcasting Corporation, Harare

Angela Makamure, national director, Federation of Africa Media Women Zimbabwe, Harare

Jestina Mukoko, national director, Zimbabwe Peace Project, Harare

Irene Petras, director, Zimbabwe Lawyers for Human Rights, Harare

Rutendo Mawere, journalist, *Standard*, Gweru

Vincent Kahiya, editor, *Zimbabwe Independent*, Harare

Jan Raath, correspondent, *The UK Times*, Harare

John Masuku, director, Voice of the People, Harare

Nunurai Jena, freelance journalist, Chinhoyi

John Gambanga, director, Voluntary Media Council of Zimbabwe, Harare

Matthew Takaona, journalist, Zimbabwe Union of Journalists, Harare

Chris Mhike, lawyer, Harare

Kudzai Kwangwari, national coordinator, Radio Dialogue, Bulawayo

Moderator and Author

Dzikamai Machingura, advocacy coordinator, Media Monitoring Project Zimbabwe, Harare

Observer

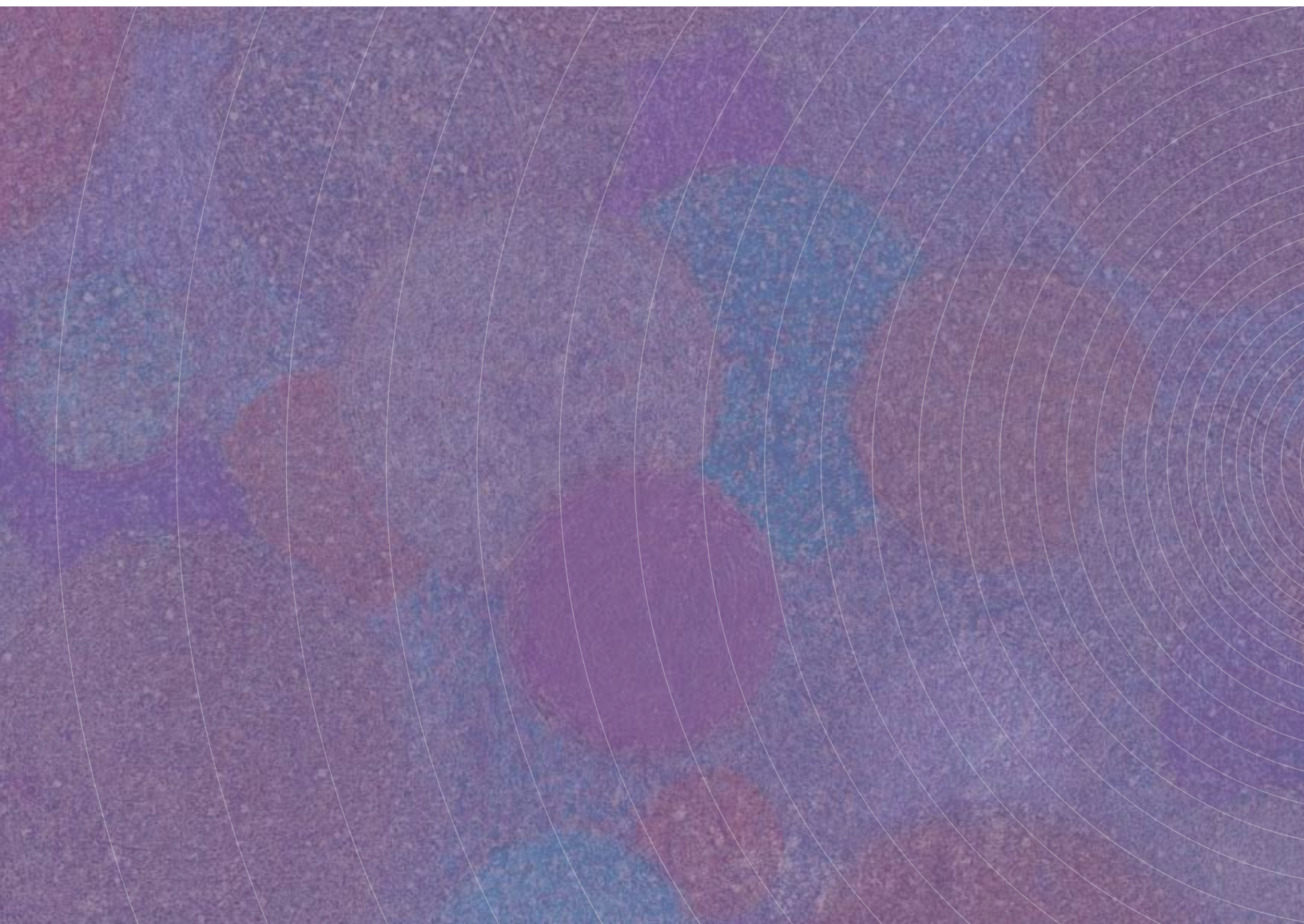
Andrew Moyse, project coordinator, Media Monitoring Project Zimbabwe, Harare

The Zimbabwe study was coordinated by, and conducted in partnership with, Media Monitoring Project Zimbabwe, Harare.

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