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THE GAMBIA

Repressive media laws continue to hamper the independent press in The Gambia—in sharp contrast to the country’s constitution, which grants all citizens the freedom of expression and supports press freedom. The Alliance for Patriotic Reorientation and Construction (APRC), the ruling party since a bloodless coup in 1994, eroded and flouted the existing principles of democracy and human rights. APRC wasted little time introducing legislation, such as Newspaper Decree 70 and 71, aimed at gagging the media.

The more recent Publication of False Information Act, which mandates heavy fines or imprisonment in The Gambia’s notorious prison system, has proven deadlier than the previous laws. Those who petition the president, seeking redress when their rights are violated, must prove their allegations in court—and if they fail to prove their cases, they face jail time. A human rights advocate was jailed recently under this law.

Libel is punishable with civil penalties as well as criminal penalties, and the accused bear the burden of proof. The libel law and the laws on sedition and false publication all carry the same minimum custodial penalty of one year in prison and/or heavy fines. In 2009, several journalists were fined or imprisoned under these three laws. Although no one faced charges of libel, sedition, or false publication in 2010, the psychological impact of threatening remarks from the president’s office has driven editors to self-censorship, and dampens free speech among citizens.

The Gambia’s extremely weak economy does not help the media’s efforts to become more sustainable financially, with most people scraping by on less than a dollar a day. Tourism is the country’s major income earner, with poor rainfall over the past years causing groundnuts and other exports to decline. The national currency, the dalasi, has depreciated seriously against major international foreign currencies over time, impacting the media and other institutions negatively. The media have not benefited from investments that have flowed into the country in the past few years, especially in relation to advertisements—as most companies in The Gambia avoid advertising in the private media, for fear of government reprisals. Governmental departments take over the pages of private media with congratulatory messages for the president on special occasions, such as his birthday or the anniversary of the day he came to power—but the private press receive little advertising revenue from the placements.

The 2010 MSI scores showed little overall change for The Gambia compared to 2009. Again this year, the leading objective is Objective 2 (professional journalism), with a score of 1.99. Objective 4 (business management) received the lowest score of any objective, with a 1.37.

THE GAMBIA AT A GLANCE

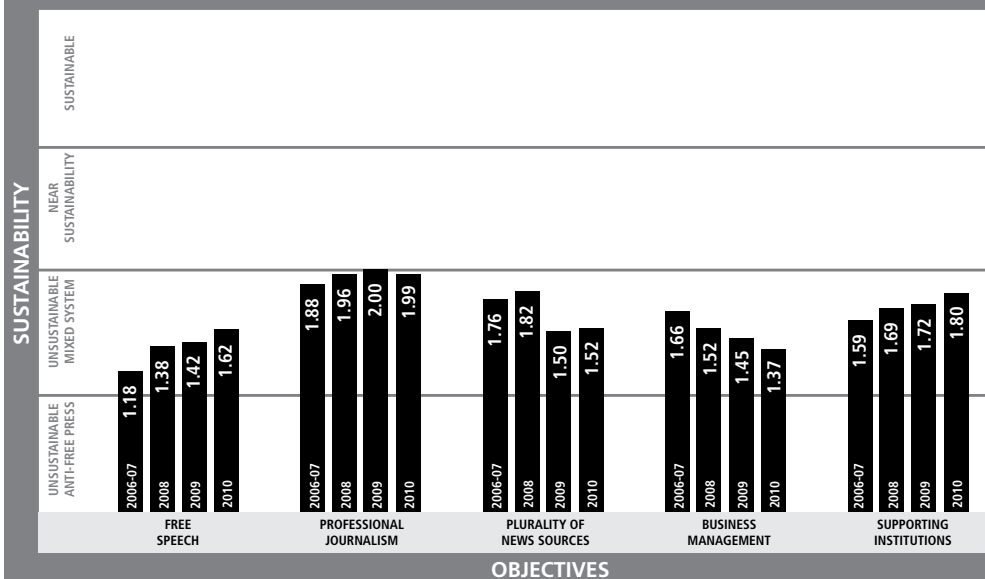
GENERAL

- > **Population:** 1,797,860 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Banjul
- > **Ethnic groups (% of population):** Mandinka 42%, Fula 18%, Wolof 16%, Jola 10%, Sarahule 9%, other 4%, non-African 1% (2003 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 90%, Christian 8%, indigenous beliefs 2% (*CIA World Factbook*)
- > **Languages (% of population):** English (official), Mandinka, Wolof, Fula; Jola; Sarahule and Krio (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$770 million (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$1,270 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 40.1% (male 47.8%, female 32.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Yahya Jammeh (since October 18, 1996)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 8 newspapers; Radio Stations: 9 plus 3 community; Television Stations: 1
- > **Newspaper circulation statistics:** Top three by circulation: *The Point*, *Daily Observer*, and *Foroyaa*
- > **Broadcast ratings:** N/A
- > **News agencies:** Gambia News Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 130,100 (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: THE GAMBIA



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

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

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

The Gambia Objective Score: 1.62

The Gambia's constitution confirms the right of freedom of expression for all citizens, as well as the freedom of the media. In Section 25, the constitution states explicitly, "Every person has the right to freedom of expression," and Section 207 states, "The freedom and independence of the media is guaranteed." These and other provisions are comparable to international standards, but the constitution has glaring lapses also, such as the lack of a freedom of information law. In addition, prevailing media laws inhibit the freedom of expression and, combined with the attitude of the authorities, undermine the constitution.

As Women for Democracy and Development Executive Director Amie Sillah described, people hesitate to speak their minds. "Freedom of speech is valued by the people; but it scares the government. Lately, when litigants write petitions to the president's office [to report violations], they end up charged with giving false information to public officers," she said.

The panelists concluded that the judiciary has lost its integrity, as the majority of Gambians no longer have any faith in the courts' ability to administer justice. Nigerian judges, appointed to critical positions by the president, dominate the judiciary. Considered mercenaries by the Gambian media fraternity and the public, these Nigerian judges are happy to imprison anyone that the president considers a threat to his regime.

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

FREE-SPEECH INDICATORS:

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

Persecuted journalists do have a constitutional right to seek redress in the high court, but according to the panelists, no one bothers to try. The state has not complied with court orders issued in the past, and the lack of judicial independence makes it all too easy to jail journalists.

Furthermore, international human rights organizations have documented the abysmal conditions in Gambian prisons. In a joint petition to U.S. Assistant Secretary of State for Democracy, Human Rights, and Labor Michael Posner, three NGOs (Action Africa, Amnesty International USA, and the Committee to Protect Journalists) noted, "Harsh detention conditions, including severe overcrowding, poor sanitation, and foul food, are believed to have led to a large number of deaths in recent years. Detainees formerly held at Gambia's notorious Mile 2 prison and others report having been kept in solitary confinement for long periods without access to daylight, food, or exercise."¹

The government requires all print and electronic media houses to be registered—by a government department, not an independent body. In addition, a landed property owner must put up a bond of GMD 500,000 (\$20,000) to register a media outlet. Even after meeting these requirements, proprietors must wriggle through various bureaucratic bottlenecks.

Broadcasting requires ministerial approval, even though a purportedly independent regulatory body is responsible for issuing broadcast licenses. Broadcasting hopefuls must first meet a litany of conditions, and then the ultimate licensing decision rests with the president. Applicants can appeal to the minister of information and communication, but it is virtually impossible for an opponent or outlet that is critical of the government to obtain a license.

Taxes are burdensome on the media, as well. All media houses pay a sales tax on advertisements, materials, and equipment. Other taxes levied on media houses include income tax and license taxes for editors, broadcasting houses, and Internet service providers. With The Gambia's small population and widespread illiteracy restricting the market already, many media houses, especially the print media, live from hand to mouth. The government provides no subsidies for the media.

Those independent outlets that manage to launch and operate endure frequent harassment, including arbitrary arrests of their journalists and editors, closure without trial,

¹ "Letter to government of The Gambia from Africa Action, Amnesty International USA, and Committee to Protect Journalists: July 22, 2010. Available from CPJ at: http://cpj.org/blog/Gambia_CoalitionLetter2010%20FINAL.pdf as of September 10, 2011.

As Women for Democracy and Development Executive Director Amie Sillah described, people hesitate to speak their minds. "Freedom of speech is valued by the people; but it scares the government. Lately, when litigants write petitions to the president's office [to report violations], they end up charged with giving false information to public officers," she said.

and even torching of media facilities. For example, panelists said, the latest newspaper to hit the stands ceased publication after just two editions. The proprietor, a former managing director of the pro-government newspaper, was questioned at the National Intelligence Agency (NIA) after the maiden issue hit the stands.

Journalists have no sense of security in The Gambia; those who violate journalists' rights are never held accountable. An example that weighs heavily on all independent journalists is the 2004 murder of the proprietor and managing editor of *The Point*, Deyda Hydera. The government has made little effort to investigate the crime. In another case, journalist Omar Barrow was shot dead by the security forces during student demonstrations in 2000—and no investigation followed. Another reporter, "Chief" Ebrima Manneh from the *Daily Observer*, disappeared in 2006, amid allegations that he was arrested by NIA. The government, however, has denied holding him.

The panelists mentioned several more recent cases of threats against journalists. A reporter from a Gambian independent newspaper is now in exile in Senegal, following threats on his life. A pro-government newspaper's former editor, fearful that he may be arrested and detained like his predecessors, is in exile in Mali. Past years have seen physical assaults on journalists and the shooting of an editor—all of which were reported, but never prosecuted.

The Gambia's treatment of journalists has not escaped international attention. In December 2010, the Nigeria-based Court of Justice of the Economic Community of West African States (ECOWAS) ordered the Gambian government to pay Musa Saidykhan \$200,000 in compensation, after he was detained and tortured in 2006 by Gambian state security agents. NIA held Saidykhan, editor-in-chief of the now-banned private biweekly *The Independent*, for 22 days without charge during a brutal government crackdown

following a purported coup plot. The Ghana-based press freedom group Media Foundation of West Africa filed the lawsuit on behalf of Saidykhan.²

Usually, the public response against such crimes is muted. While sometimes crimes against journalists cause a public outcry, it usually dies down fairly quickly, apparently with people knowing that nothing will come out of it.

The constitution requires the state media to uphold the responsibility and accountability of the executive to the people. Section 208 of the constitution specifically guarantees, "All state-owned newspapers, journals, radio, and television shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinion." However, in reality, there is no editorial independence within the state media. In particular, the state-owned television station (the only television outlet in the country) appears more like a propaganda tool of the ruling party than a public service. Its management, and even all its journalists, are appointed by the minister of information and treated as civil servants rather than professionals.

However, state media outlets enjoy a number of advantages over their independent counterparts. State-owned outlets are not subject to the cumbersome registration process, and they easily access information from the state that is out of reach for independent journalists. Also, as noted in last year's MSI, journalists working for the independent media are barred from the presidential estate, official press conferences, and high-profile state functions, such as visits by foreign heads of state and other dignitaries. As *Foroyaa* Editor Sam Sarr put it, "The owner of the State House [the president] has prerogative to decide who should cover the State House."

Libel remains both a civil and criminal offense, punishable by a heavy fine and/or imprisonment. Furthermore, under Gambian law, the burden of proof rests with the accused. As an example, the panelists pointed to the June 2009 case involving seven journalists, including three executive members of the Gambia Press Union (GPU). The journalists were arrested and charged with "seditious intention," defamation, and the publication of "false information" simply because they criticized the president. Subsequently, the Banjul Magistrate Court tried and found guilty six of the journalists, including a nursing mother. Each was sentenced to 18 months' imprisonment and fined GMD 250,000 (\$8,700).

² "ECOWAS court orders Gambia to pay tortured journalist." Committee to Protect Journalists: December 17, 2010. Available at: <http://www.cpj.org/2010/12/ecowas-court-orders-gambia-to-compensate-tortured.php> as of September 11, 2011.

The Gambia has no specific law on the operation of the Internet, and the courts have not yet heard any cases regarding Internet offenses.

As mentioned earlier, The Gambia has no freedom of information law. While journalists from the state-owned media and pro-government media houses access public information easily, independent media houses face an uphill battle accessing the same information. Few public officials are willing to talk to any journalists except those from the public media, and even then, interviewees choose their words with great care. In fact, the secretary general, who is head of the civil service, issued a circular barring civil servants from talking to the press without first obtaining permission either from him (in the case of senior officials) or from department heads (in the case of junior staffers). Journalists face severe penalties if they publish information that is purported to be confidential, and often they are required to reveal their sources of information.

The government does not restrict international news or news sources, and journalists are able to access the Internet for news. Gambians have free access to international television and radio news, and media houses do reprint and rebroadcast foreign news programming and news agency information at relatively low cost. Users are not required to register to access the Internet, and there is no law that specifically restricts Internet access or blogging. However, in the past, authorities have blocked websites considered hostile to the government. Furthermore, as noted in last year's MSI, the cost is high to maintain fairly good Internet service at a media house.

Entry into the journalism field as a profession is quite free, with no government restrictions. Journalists do not need a license to do their work, although sometimes state institutions issue special press cards to cover special events, in order to exclude some journalists. Currently, the only restrictive problem is the country's absence of training facilities for journalists, panelists remarked.

While journalists are free to organize themselves into unions and associations, the law prohibits public media workers from joining trade unions. State attempts to prevent its workers from interacting with the local journalist union are common. Because the president views journalists as opponents of the government, those in the private media who wish to be in good standing with the government shy away from the press union. Once hired by public media outlets, former private-media journalists tend to dissociate themselves from the press union as well, for fear of losing their jobs.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

The Gambia Objective Score: 1.99

Although the panelists acknowledged professional shortcomings among Gambian journalists, they emphasized that many are doing their level best to meet their professional obligations despite trying circumstances. Poor security, challenging economic factors, and limited training opportunities all affect whether journalists can perform their duties professionally. As GPU Secretary General Emil Touray said in his remarks on World Press Freedom Day, "...many journalists exercise their professionalism in an environment where restrictions on information are the norm; where dealing with pressure, harassment, intimidation, or even physical assault are all in a day's work."³

In spite of the obstacles, journalists have done fairly well in meeting professional standards. Reports that appear in Gambian newspapers are generally fair, objective, and dictated by the public interest. However, panelists were quick to point out that it would be unfair to say that the objectivity is found in the state media or the *Daily Observer*, which function largely as propaganda mouthpieces for the regime.

While panelists confirmed that most reporters try to present balanced reporting, check their information, conduct background research, and consult technical experts, they expressed less confidence that journalists consult a variety of

³ Bah, Binta and Kubma. "GPU Commemorates World Press Freedom Day." Gambia Press Union news, courtesy of *Daily News*. May 6, 2010. Available at: [http://www.gambiapressunion.org/index.php?id=835&tx_ttnews\[tt_news\]=22&cHash=48d5355a1e](http://www.gambiapressunion.org/index.php?id=835&tx_ttnews[tt_news]=22&cHash=48d5355a1e) as of September 11, 2011.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

They called for the press union and the media fraternity to redouble their efforts to offer training opportunities, including basic journalism courses, that meet professional standards.

sources and prepare adequately for interviews. The panelists lamented the lack of diploma-level training courses, and how it undermines the potential of journalists to meet professional standards of quality. Some journalism courses and short-term training opportunities exist, but the panelists said that such courses, while useful, are inadequate in relation to the need. They called for the press union and the media fraternity to redouble their efforts to offer training opportunities, including basic journalism courses, that meet professional standards.

Journalists that acquire their degrees abroad are not paid adequately compared to their counterparts in other professions, so they tend to drift away from the media and seek related, more lucrative positions, such as public relations officers for companies, NGOs, or government departments. In this way, they boost their income while avoiding the risk of arrest or harassment.

The panelists said that in order to encourage professionalism and keep journalists in the media sector, several reforms are needed: improving the training available to journalists, minimizing security risks by ensuring freedom of expression, and improving the financial health of media houses. Specifically, the panelists suggested eliminating import and sales taxes on services, materials, and equipment used in the production of news.

GPU has a code of conduct/ethics for its members, and intends to hold a validation workshop on a revised code to sensitize its membership on its principles. GPU is an affiliate of the International Federation of Journalists (IFJ), and the GPU code reflects the ideals of the IFJ Code of Ethics. Given their level of training and circumstances, journalists do relatively well in adhering to the code, according to the panelists. Panelists said that they have heard fewer reports of journalists accepting money or gifts for certain types of coverage, and that the practice is more prevalent in some media houses than in others. Editors of private media are consistently on guard to stop bribery and corruption in their companies.

The rigorous application of the law on sedition, criminal libel, false publication, and official secrets, combined with the court's tendency to deliver verdicts in favor of the government, have led journalists to either engage in

self-censorship or ensure that whatever is published or broadcast is checked closely. As Sarr put it, "Self-censorship is rampant, and it is complicated by laws on libel and sedition." Reporters and editors engage in self-censorship for fear of losing their jobs or being persecuted. This is particularly true for employees of the state media. Journalist self-censorship is also caused by pressure from editors, attempts to avoid conflicts with business interests, and the lack of respect for the confidentiality of sources.

Journalists expend great effort to cover key events and issues, but most media houses do not dare to touch some subjects, such as events related to international and local security. Or sometimes, rather than preventing reporters from covering controversial events, editors allow them to go but simply refuse to publish their reports. Panelists also lamented that the private media in The Gambia are still barred from covering major governmental events, especially those held at the state house. They said that the exclusion stems from the regime's intolerance of press freedom, and the lack of respect for accountability and transparency. However, the private media do cover some government functions, such as certain ministry meetings.

The pay level of state television broadcast journalists is sufficiently high to discourage corruption. This is not true of journalists in other sectors of the media. Gambian private-media journalists, like the majority of their colleagues in West Africa, are paid very poorly, with the luckiest ones receiving a monthly payment of about \$200. Some receive as little as \$50 per month. Journalist salaries compare to those of teachers, but they earn far less than workers in other professions. Many Gambian journalists hang on out of their love for their profession, but often highly qualified journalists stop practicing and accept better-paying jobs with banks, insurance companies, NGOs, and other entities.

Journalists working for the state media are paid according to the Civil Service Scale—which is not very high, but includes other benefits and social security. Virtually no journalists in the private media are insured.

Selling articles and favorable coverage occurs, but determining the extent of the problem is difficult.

Entertainment consumes most of the broadcast media's airtime, on radio as well as television. Very little time, if any, is dedicated to hard news. The panelists attribute this in large part to the intimidation and harassment of journalists, and the pervasive culture of fear, driving many private radio stations to resort to entertainment and sports programs instead of riskier news. Some stations even broadcast the news by synchronizing with Gambia Radio and Television Services (GRTS), the state national radio, and others like Radio

France International (RFI) and BBC. The print media, on the other hand, give limited space to entertainment. *Foroyaa*, for example, devotes 60 percent to news and reviews. Some panelists expressed the opinion that introducing more news would surely attract more readers to print media and expand audiences for broadcast media.

Facilities and equipment in media houses are still inadequate, and this affects the quality of work. Very few journalists have access to computers, even; most still write out their stories longhand.

The quality of reports continues to improve. What is missing is that most journalists, especially reporters, lack the ability to conduct investigative reporting. This is partly because the majority of journalists lack the training and skill that serious journalism demands. Additionally, the few that can take up this task often are afraid that such reports will land them in jail. As a result, newspapers are inundated with legal reports and soft news covering political activities.

Public media reporting is controlled strictly, and as a result, state outlets carry mostly press releases from the government and cover only official functions. The state broadcast media focus on official engagements or empty propaganda and are censored heavily. Only one media house, the independent *Foroyaa*, engages in true investigative journalism; according to the panelists, it is the only newspaper that writes stories and analyzes issues objectively.

Quality niche reporting is the exception rather than the rule, and private print media do more investigative reporting than the electronic media. However, because of the lack of journalism training facilities, most journalists are poorly equipped for specialized reporting. Bloggers are not faring any better in that regard.

Still, panelists reported some attempts to improve specialized reporting, especially on health and environmental topics. An article posted on the GPU website described one workshop organized by the Ministry of Health and Social Welfare that instructed journalists in the epidemiology of tuberculosis, and outlined the role the media could play in the fight against tuberculosis. Pa Momodou Faal, president of the Health Journalists Association and a GPU representative, praised the training, but "challenged the TB Control Programme to open their doors to the media to be able to access relevant information they can disseminate accurately and reliably to the public."⁴

⁴ Marenah, Sainey M.K. "Health Ministry attains nationwide DOTS coverage as journalists join TB-free campaign." Gambia Press Union website: October 8, 2010. Available at: <http://www.gambiapressunion.org/index.php?id=640>

Also according to the GPU website, in September 2010 Gambian journalists benefited from a daylong "media clinic" to brief journalists on covering environmental issues. The National Environment Agency (NEA) of The Gambia, in collaboration with the African Network for Environment Journalists (ANEJ) Gambia chapter, organized the event.

OBJECTIVE 3: PLURALITY OF NEWS

The Gambia Objective Score: 1.52

The panelists agreed that because media houses are based in the greater Banjul area, they neglect the countryside. Three community radio stations are serving outside areas, but they do not produce their own news. Instead, they link up with the national radio station for news broadcasts, which consist mostly of coverage of official functions and government press releases.

All the newspapers are written in English, which few can read or understand. Given that and the country's low overall literacy, very few people access newspaper content. Occasionally, newspapers make it to rural areas, and educated youth read them to their parents. Rural farmers rely on state-owned broadcasting for their local and international news, especially as private radio stations do not produce their own news. The country has only one television station, the state-owned GRTS. Essentially a propaganda tool of the regime, GRTS coverage focuses on government and ruling party activities, to the exclusion of opposition voices, critics of the government, or even independent expert

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

All the newspapers are written in English, which few can read or understand. Given that and the country's low overall literacy, very few people access newspaper content.

analysis. Foreign news sources, such as BBC, VOA, RFI, and cable television are available. Cable television is expensive, however, so very few people have access to it.

With such restraints on print and television access, radio is the most effective means of communication. At least one station is available in every village in the country; only one radio station, state-owned Radio Gambia, has national coverage (although the access is a bit weaker in a few parts of the country). Radio Gambia is not very different from state television, with its focus on coverage of government and ruling-party activities. The Gambia has no true community radio stations, however. Faced with chronic funding shortages, they conduct themselves more like commercial radio stations, for the sake of survival. They do not engage in news coverage because of the risk of arrest, harassment, or closure.

With the advent of social networking, the use of the Internet as a news and information source is growing, especially among NGO employees and public servants. Patrons of Internet cafés are interested primarily in sending and receiving e-mails, but some use the Internet for news. In addition to online newspapers, Gambians living outside of the country have set up Internet radio stations and blogs. SMS news alerts, newly introduced phenomena in the country, are attracting the attention of many young people.

The authorities place few restrictions on access to the Internet or domestic or international media. In 2010, the U.S. Department of State reported that Internet cafés are popular in Gambia's urban areas, but Internet users stated that they are unable to access the websites of two newspapers, *Freedom* and *The Gambia Echo*, which are based in the U.S. and known for their criticism of the Gambian government.⁵ Aside from blockage issues, the Internet is financially out of reach for many people.

Urban and rural areas are vastly different in terms of media coverage. Virtually all media outlets are based in the greater Banjul area, and with the poor reception upcountry, residents

there receive very little media information. Cost also limits choices, as few Gambians can afford a daily newspaper. While seemingly low at just \$0.50, the price of a paper is half of the Gambian average daily wage of \$1.

Although the constitution does set standards for state-owned/public media to allow a plurality of viewpoints and dissenting opinion, the reality is far different. Demba Jawo quoted language from Section 208 that mandates balanced representation in state media, but said, "In practice, that hardly happens. The ruling party tightly controls both Radio Gambia and the state-owned Gambia Television Services, and allows no divergent views to air on these outlets. As a result, the opposition parties are almost completely barred from using such facilities."

Another panelist agreed, saying, "The public media serve as 'public relations officers' to the government. They mostly do not allow alternative views and comments, especially on issues that affect government. Ample time is given to programs and coverage about ordinary people, but in terms of politics, the government gets the larger share of airtime—though opponents are allotted some time." As another panelist put it: "The public media are a propaganda tool for the ruling party. They dedicate 90 percent of their broadcast time to the president."

As for the government's *Daily News*, panelists said that its news content is tailored to promote the ideals of the regime, even to the detriment of the public interest. Amie Sillah agreed that the public media disseminate propaganda, and added that "one view predominates—except at election time, when the Independent Electoral Commission gives a little airtime to other political parties. The employees of state-run media are the mouthpieces of the ruling party; they sing its praises and caricature the opposition. Ninety-nine percent of the time is dedicated to the president, at the expense of other development programs. This approach, however, drives many people to abandon the state media and turn to other national and international channels."

By law, the Independent Electoral Commission (IEC) must supervise party political broadcasts during election campaigns and ensure that stations give equal time to all political parties in the election. GRTS observes this law, but it does not prevent continuing pro-government broadcasts. Even public announcements or advertisements from opposition organizations are scrutinized heavily and often blocked.

No independent news agencies are operating in The Gambia, and as such, all media houses source their own news. The panelists commented that even if the country had news agencies, media companies could not afford to subscribe to them.

⁵ "2010 Human Rights Reports: The Gambia." U.S. Department of State: April 8, 2011. Internet Freedom <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154348.htm>

Most media houses are owned by the journalists themselves, and quite small and ill-equipped, as compared to the government-owned public media. Ownership of private media houses is generally transparent, but in some cases, owners can be difficult to determine. As an example, panelists pointed to the *Daily Observer*, whose ownership is not still quite obvious. No laws compel the disclosure of media ownership. Ownership information must be given at the time of registration, but publication of the information is not required. Citizens are entitled to conduct a search for the information at the office of the registrar general.

As most online news publications and blogs operate from outside the country, their owners have no reason to remain anonymous. As of yet, the Gambian media sector has no conglomerate ownership, and foreign investments in print and broadcast media are minimal. Some foreign entities do invest in Internet and cell phone services.

While private outlets (online publications and blogs included) are not censored directly, the media sector fails to reflect a broad spectrum of social interests. Furthermore, the country has neither special interest media nor minority-language media. The few existing community radio stations hardly reflect the spectrum of social interests.

Some panelists said that they see the media becoming increasingly inclusive. Outlets are giving greater attention to social issues, such as people living with disabilities, people living with HIV/AIDS, gender issues, minority groups, minority languages, etc. According to one panelist, "The state media do provide cultural and educational programming... they even have a special office and specific staff who are responsible."

However, some panelists expressed concern at the state media's lack of professionalism in their minority coverage. Journalists and managers compete to please and to seek favor and recognition from the president, and constantly engage in highlighting issues concerning a particular ethnic group.

OBJECTIVE 4: BUSINESS MANAGEMENT

The Gambia Objective Score: 1.37

For the most part, MSI panelists said, media enterprises in The Gambia cannot be considered serious, profit-making ventures. With most media house managers lacking management training, operations are inefficient at best. The private media try to operate as commercial ventures, but lacking a capital base and managerial skills, they are not profitable. They simply lack the resources to employ trained personnel.

Community media also face an uphill task in achieving financial sustainability, given the chronic shortage of resources. Often, community media receive only start-up financing, and once the seed money runs dry, they find it extremely difficult to survive.

As for the public media, other obstacles prevent them from becoming profit-generating businesses. "The state-owned media do have the manpower to run their outlets as professional, efficient, and profit-generating businesses, but I am not sure whether the political will to do so exists—or whether the emphasis should be on providing services rather than making a profit," Sarr explained.

The Gambia has a law that establishes the state-owned media as public enterprises that should operate as businesses and generate revenue, but the law does not preclude interference. Contrary to the law, panelists noted, the president exerts his influence at will to appoint and remove the director general of the state-owned media. Fully subsidized by public funds, the state media have no independent editorial policies, and are controlled tightly by the government. Furthermore, citing the bias for the ruling party, panelists concluded that state-owned media cannot be said to use public funds responsibly.

In addition, with its advertising, the state wields influence beyond the public media and into community media to an extent, as well as private media. As the private media are weak economically and financially, they are susceptible to being influenced to win advertising from the government.

Copy sales and advertisements constitute the primary external revenue sources for many media houses. Media outlets receive ads from multiple sources. However, private

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

BUSINESS MANAGEMENT INDICATORS:

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

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media outlets are financed mainly by their owners, and only supplemented by the meager advertising revenue and small amounts of financing from donors and foreign embassies. As a result, media managers are compelled to accept advertisements to bring in revenue—which also raises questions of undue influence by advertisers.

While the government is a significant source of advertising for the independent media, there have been instances in which the government withheld advertisements from the critical media. The media outlets that refrain from criticizing the government garner government advertising and much-needed revenue. State institutions are major clients of many prominent companies, and thus the government has the capacity to disallow business connections between its partner companies and entities with whom the government disagrees. The panelists confirmed that this happens occasionally with media advertising. In addition, sometimes major donors insist that advertisements be distributed fairly among major newspapers.

Advertising is not very well developed in The Gambia. At the same time, as copy sales shrink, media houses rely more and more on advertising to make up the deficit. Advertising agencies, which are all local, form a very tiny fraction of the market. Advertising is very much limited outside the capital and major towns. In general, media houses deal directly with the advertisers, and for the most part, advertisements are not produced professionally.

Recently, companies, NGOs, and the government have been placing more advertisements in print media, which has helped many media houses to offset deficits. However, the percentage of pages used for advertisements is 30 to 60 percent and up—higher than international standards. Comparatively, broadcast outlets air less advertising relative to international standards, although one panelist said that for private radio stations, sometimes advertisements consume more than 30 percent of their programming.

Aside from state-sponsored ads, the independent media do not receive any government subsidies. Some panelists stressed that they feel that the private media are better off without subsidies, but they would like to see tax breaks on sales on materials and equipment used for news production. The distribution is managed fairly by some government agencies, while others try to exclude the critical media and give more to pro-government media.

Market research is rare and typically not used to formulate strategic plans, enhance advertising revenue, or tailor products to the needs and interests of audiences.

Editors in the private media focus on issues that are of interest to the public. In the state-owned media, particularly television, editors tend to focus on issues that please the executive.

The Gambia still has no independent body that produces broadcast ratings, circulation figures, or Internet statistics. Occasionally, international organizations (UNESCO, for example) gather such statistics. However, media company staff do not have the requisite skills or experience to conduct audience surveys independently. Circulation figures for newspapers are still below 5,000. The country has only two dailies, *The Point* and the *Daily Observer*, so whether these papers can sell up to 35,000 copies a week is difficult to say. Panelists pointed out that on special occasions, some papers can sell up to 5,000 copies a day. The newspaper industry in The Gambia is particularly weak in the rural areas, where papers sometimes arrive 24 hours late, due to poor roads.

The Internet can still be considered a novelty in The Gambia. However, the emergence of new service providers (notably QCell, which now provides Internet services through subscribers' mobile phones) has made access much easier and the Internet more readily available.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

The Gambia Objective Score: 1.80

While the Gambian media sector has no trade organizations representing the interests of publishers and broadcast station owners, GPU represents such interests in certain instances. For example, the union might offer assistance to reverse the closure of a media house, or negotiate to facilitate improvements to the media's economic environment.

The Gambia has about 10 specialized media professional organizations, and they include Association of Health Journalists, Sports Journalists Association of The Gambia, National Human Rights Journalists' Association, Association

of Photojournalists, and Young Journalists Association of The Gambia (YJAG), which are also affiliated with GPU. An editors' forum is still in the making.

Through specialized training, these associations work to build the capacity of their members and give them a professional edge. In addition to training, GPU fights for the rights and interests of its members, and provides legal assistance. Membership in the GPU is open to all journalists and other media workers.

In an event marking its third anniversary in September 2010, YJAG highlighted some of the activities it carried out in the past year, such as a conference on climate change, courtesy calls to media chiefs, and a workshop on media laws. The specialized journalist associations are growing and their memberships are open to all journalists working in those fields. These associations are independent of government.

According to the panelists, the GPU is very supportive of its members, exemplified by its fight to secure the release of its members who were jailed in 2009. Yet, as a young association with no more than 300 members—and half of those inactive—the union lacks the financial resources and public support it needs. Currently, GPU is working to modernize and revise its constitution, improve its code of ethics, and establish a complaints body.

NGOs partner with media houses and media organizations, funding training and other programs. They also provide some muted support to media outlets and journalists. However, they do not engage in media advocacy work—they do not serve in a watchdog capacity nor provide legal support to journalists or media outlets. While many of these organizations cooperate with international free speech organizations to some degree, this does not translate into

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

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

In addition, organizations such as IFJ, Media Foundation for West Africa, and the Media Defense Program of the Open Society Initiative have helped to pay legal fees for some court cases concerning journalists, and supported Gambian journalists by condemning press freedom violations.

active support. Due to the prevailing political climate in the country, NGOs tend to be quiet about their involvement with the independent media, lest they be accused of working against the government's interest.

Some panelists indicated strongly that the human rights NGOs in The Gambia have not lived up to expectations, especially Gambia Bar Association; Africa Centre for Democracy and Human Rights Studies; Institute for Human Rights and Development in Africa; and Foundation for Legal Aid, Research, and Empowerment, just to name a few.

On the other hand, panelists noted that Action Aid The Gambia, while failing to issue statements regarding freedom of the press, has been very supportive in funding GPU programs. In addition, organizations such as IFJ, Media Foundation for West Africa, and the Media Defense Program of the Open Society Initiative have helped to pay legal fees for some court cases concerning journalists, and supported Gambian journalists by condemning press freedom violations.

With assistance from the Danish-funded Gambia Media Support program, GPU has established a journalism training center with a two-year diploma program for Gambian journalists. The union hopes to transform the center into a permanent journalism school. The University of The Gambia still has no school of journalism—despite the fact that many students are interested in pursuing journalism degrees, and despite promises to open a school by January 2010.

The country has no agencies that provide opportunities for students to earn journalistic degrees abroad. Typically, students make their own private arrangements for foreign study. Most do not return after acquiring their degrees—and media outlets are too strapped financially to absorb those graduates.

NGOs and the press union organize short-term training opportunities often, allowing journalists to upgrade their abilities and acquire new skills. The classes cover health, environment, population, sports, and other disciplines. The

sessions last anywhere from one day to several months. State institutions, inter-governmental organizations, and diplomatic missions offer workshops as well. The most popular are weeklong programs on health issues. Media company managers support their staff members' participation in these programs.

In 2007 and 2008, an international organization offered intensive, diploma-level training on editorial management for media house editors. In 2009, UNDP sponsored free, certificate-level training on management, communication, gender and development, basic journalism, and information technology for personnel of three media outlets—one state-owned and two private.

Also, private educational institutions conduct fee-based, medium-term courses; however, they are beyond the means of many interested persons. One institution offers certificate- and diploma-level journalism courses, while another holds training sessions on mass communication, at the diploma level.

Sources of newsprint are held privately, apolitical, and unrestricted. But prices are high due to taxation and the need to generate profits, so procuring newsprint is infeasible for private media. Invariably, this supply has a political dimension, as one anonymous panelist said. On the other hand, the state media, most especially GRTS, enjoy a tax holiday on importation of their materials. There is a movement to bring print media houses together so they can import newsprint and sell among themselves at a lower price.

Media companies print their own papers, generally, and do not rely on separate printing houses. The major media

companies have their own printing presses, and the smaller companies turn to the major ones to print their newspapers. When press companies encounter technical problems, it often requires bringing in technicians from a neighboring country, and that can take a few days, during which time no newspapers can be printed. Printing by non-newspaper printing houses is very costly. A public enterprise prints the state-owned newspaper exclusively, showing no willingness to print for the private media. The government imposes no restrictions on printing.

Media houses distribute their own work as well, working with the vendors directly. Distributors collect their supplies from media houses for sale to readers, and are paid commissions on their sales. Distribution is obstructed in the sense that vendors are slow in paying for copies sold, and copies arrive late—or worse, not at all at certain destinations. There is no evidence of government interference in distribution. However, all newspaper outlets are based in the greater Banjul area, and with the poor transportation system, little is distributed outside of urban areas.

Channels of broadcast distribution are apolitical and unrestricted. The government has its own transmitters, and private radio stations own their transmitter facilities, as well. However, transmitters can be obtained only when a license has been issued, and the licensing process is politically biased.

Internet cafés are owned privately and accessible to anyone who wishes to use them.

List of Panel Participants

Due to the repressive environment in The Gambia, most panelists agreed to participate in the MSI panel on condition of anonymity. A partial list of participants is included below.

Amie Sillah, executive director, Women for Democracy and Development; Gender Action Team, Serrekunda

Samuel Sarr, editor, *Foroyaa* newspaper, Serrekunda

Sarata Jabbi, journalist and vice president, Gambia Press Union, Banjul

Demba Jawo, editor, African Press Agency, Dakar, Senegal

Fatou Fye, gender, youth, and human-rights activist, accountant, Francis Small Printers, Serrekunda

Moderator and Author

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

Assistants

Momodou Lamin Jaiteh and Buya Jammeh, producers/reporters, Radio Alternative Voice for Gambians, Dakar, Senegal

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