



**PILLAR 1**  
**MEDIA FREEDOM AND POLICY ENVIRONMENT**

**ISSUE**

The media freedom policy and regulation *context* of media practise, including the safety and protection of journalists.

**SCOPE OF ACTIVITIES**

**The Legal and Political Context of Media Practise in Africa**

- Promoting media legal reforms at national and (sub) regional levels that fall within the scope and aims of the Declaration of Principles on Freedom of Expression in Africa and the Windhoek Declaration on an Independent and Pluralistic African Press.
- Testing the doctrine of the *rule of law and* expanding media law and policy by testing the efficacy of the *judicial systems* across Africa, including recently established sub-regional courts and the African Court of Human Rights The professional conduct of journalism is directly threatened by unfriendly media laws and politically motivated extra-legal practices, as well as by the failure to domesticate into law African and International declarations on the role of media in democracies.
- Monitoring of the media freedom environment in African countries to inform advocacy, reform efforts and litigation, and supporting protection of journalists through in-country and (sub) regional activities.

**The Practise of Journalism**

- Supporting the development of systems for the physical protection of journalists (safe havens and other actions) to protect them from imminent harm and malicious prosecution in relation to the practise of their legitimate media and freedom of expression rights as defined by Article XIX of the United Nations Declaration of Human Rights.
- Strengthening and creating media Legal Defence Funds

**The Technological Basis of Media Practise**

- Exploring ICT policies that support media freedom and practise and catalyse citizen access to media. AMI approaches ICTs both as an occupational and macro-policy area.

**OUTPUTS**

- Supporting a broad campaign for national implementation of the Declaration of Principles on Freedom of Expression in Africa. This Declaration covers virtually all areas of reform demanded by participants in the ADMI and STREAM research. The main elements of the Declaration are:

- Transformation of state broadcasters into public broadcasters (including independent and
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- non-partisan boards appointed through a transparent process of public nomination);
- The establishment of non-partisan independent statutory broadcasting (licensing and frequency allocation) regulatory authorities that recognise public, private and community broadcasters;
- The establishment of access to information legislation;
- The establishment of voluntary and independent self-regulatory bodies of the media to adjudicate complaints about the ethical conduct of the media; and
- Principles in relation to the freedom and editorial independence of print media.

- Scaling up support for the monitoring of media freedom violations and for the protection of journalists. This would include the harmonisation of monitoring methodologies (e.g. action alerts and the African Media Barometer) so that a standard set of continental tools can be used to track changes. It would also include the expansion of these methodologies from strong national and sub-regional bodies already using them to countries where they do not exist. It would further include strengthening of the ICT and publishing capacities of monitoring agencies to amplify their work.
- Testing the legal efficacy of national and pan-African human rights protection instruments in favour of journalists, including more effective collaboration with the African Commission on Human and People's Rights (ACHPR) and its Freedom of Expression Rapporteur, litigating in sub-regional tribunals and the African Court of Human Rights.
- Setting up and/or strengthening media legal defence funds which could assist in establishing positive legal precedents for on-going and future activism, but also to protect journalists in cases of malicious prosecution and/or where onerous penalties against them will be exacted.
- Supporting the establishment and strengthening of independent media councils to adjudicate complaints about the ethical conduct of the media.
- Research into existing African ICT policies in respect of elements that inhibit media access to ICTs and advocacy to reform such policies. Supporting the strategic adoption by media houses of internal ICT policies to strengthen and diversify information production and delivery processes across various platforms.
- Supporting the design and construction of a central ICT policy database that can track the rapidly changing new media technology landscape and its implications for media institutions.
- Establishment of an Eminent Persons Group consisting of notable African individuals of high standing. They would function as roving ambassadors in support of media legal reform efforts and to help broker effective communication between the media and governments to break down barriers and speed up reforms.
- Support initiatives that seek to use the African Peer Review Mechanism (APRM) as a vehicle for the reform of state-controlled media and the amendment of laws that suppress free and independent media.

### **METHOD OF OPERATION**

- Establish a core continental unit to facilitate and support national and regional activities led by AMI. This unit and a number of advisors could form a strategic panel to guide work and identify institutions and research groups in each of the 4 sub-regions to scope possible

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interventions in each sub-region. They would also consider project proposals submitted to AMI by various African organisations.

- Formulate and apply strict criteria as guidelines for the support of projects, including exceptional standards of project conceptualisation, design and implementation, including evidence of broad-based support for projects among various media associations. Since many projects may not necessarily signal new strategic approaches (or necessarily need to), it is through selection of carefully crafted projects and quality implementation that AMI could make a difference.
- Two projects are being proposed for consideration at this juncture.

1. Conduct national stakeholder conferences and networking of appropriate organisations in selected countries (12-24) to conduct in-country campaigns in relation to two essential legal reforms of their choice. The intention is to create a critical mass of media legal reform efforts taking place in many countries at the same time, which could pressurise national policy makers to refocus on the area of democratic media legal reforms and regulation, including at sub-regional inter-governmental levels and at the level of the African Union. These conferences could be regarded as the launch of the AMI programme in each country selected.

- An in-country coordinating organisation or coordinator should be identified in each country.
- A plan of action of the network (programme and activities) in each country will then be designed by the network with support from an AMI coordinator, local media and advocacy experts as well as international legal experts.
- Present funding proposal to AMI. This would be considered by the grant making body of the Foundation (arms length approval).
- Continuous AMI monitoring and evaluation of the in-country campaigns by both the in-country coordinator and the AMI coordinator.
- Annual continental reporting mechanism to reflect and amplify the work of these campaigns.

2. Use the same national networks above to create or strengthen national independent media councils. Such councils will need to be supported financially and technically.

- Facilitate applications for the establishment or strengthening of legal defence funds. Various funds of this nature already exist in some African countries and these could be used as models. Funds which cover sub-regions and administrated by sub-regional media freedom bodies would be preferable to a plethora of national media defence funds. Funds that already exist at a national level, however, would have to be accepted as a fait accompli.
- Facilitate applications for the establishment of safety systems for journalists in crisis, and improved coordination between African organisations and international NGOs involved in this area of work.
- Appoint an Eminent Persons Group with a budget to facilitate their travel and operations.
- Facilitate applications from African organisations seeking to use the APRM to improve the media freedom and policy environment of their countries or sub-regions.
- Conduct research into ICT policies from a media access point of view and convene meetings/seminars to discuss, develop and promote these.

### INPUTS

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- Manager to lead the programme (US\$ 500 000)
- Costs of core unit and advisory panel (US\$ 400 000)
- Appointment of part-time consultants to ensure professional project management in the countries to be supported - 4 AMI coordinators (US\$ 2 000 000)
- ICT policy research contracted plus seminars (US\$ 750 000)
- Funding for Legal Defence Funds and Safety Programmes for Journalists (US\$ 5 700 000)
- Budget for the Eminent Persons Group – 5 persons (US\$ 1 000 000)
- Grant Funding for other national programmes and projects (US\$ 5 000 000)

### **COST**

- The total cost is US\$ 15 350 000