Kenyan media under pressure

The Nairobi Round Table Recommendations

Published by International Media Support

12 February 2008

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Kenya Editors' Guild
c/o African Woman and Child Feature Service
P.O. Box 48197 00100
Nairobi, Kenya
Tel: +254 20 2724756
Fax: +254 20 2718469
Email: info@awcfs.org

Kenya Union of Journalists
Sixth Floor, Ukulima Co-operative House
County Road, Off Haile Selassie Avenue
Nairobi, Kenya
PO Box 47035-00100 Nairobi
Tel: +254 20 250 880
Cell: +254 734 093275
Email: info@kujkenya.org

ARTICLE 19
6-8 Amwell Street
London
EC1R 1UQ
United Kingdom
Tel: +44 20 7278 9292
Fax: +44 20 7278 7660
Email: info@article19.org

International Federation of Journalists
IPC-Residence Palace, Bloc C
Rue de la Loi 155
B-1040 Brussels
Belgium
Tel: +32 2 235 22 00
Fax: +32 2 235 22 19
Email: ifj@ifj.org

International Media Support
Nørregade 18, 2
DK-1165 Copenhagen K
Denmark
Tel: +45 8832 7000
Fax: +45 3312 0099
Email: ims@i-m-s.dk

International News Safety Institute
International Press Centre
Résidence Palace, Block C
155 rue de la Loi
B-1040 Brussels
Belgium
Tel: +32 2 235 22 01
Fax: +32 2 235 22 19
Email: info@newssafety.com

Context

An unprecedented wave of politically motivated violence was triggered, when the Electoral Commission of Kenya declared President Mwai Kibaki winner of the disputed December 27 presidential election. More than 1,000 Kenyans have been killed and over 500,000 have been displaced by the crisis.

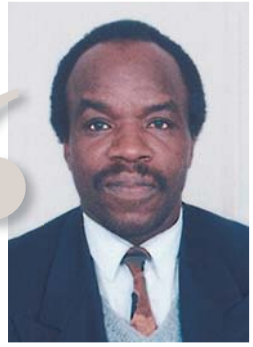
The political situation has increased pressure on both public and privately-owned media – most clearly demonstrated through the ban on live radio and TV news reports on 30 December 2007, when all live radio and television broadcasts were suspended indefinitely. The ban has since then been lifted. Pressure has since been constantly mounting – with journalists being arrested, others being shot at while covering the riots and a wave of death threats against journalists and human rights advocates.

Furthermore, the government is contemplating the establishment of a task force to audit the media performance prior to, during and post election.

The findings and recommendations here below are based on the Nairobi Round Table: "Kenyan Media under Pressure." The Round Table was carried out in cooperation with Editors' Guild of Kenya and Kenyan Union of Journalists and organized by Article 19, International Federation of Journalists, International Media Support and International News Safety Institute with the support of World Association of Newspapers and International Press Institute.

The Round Table brought together 40 participants representing the main media organizations in Kenya, academia and the civil society.

An editor's testimony



Opening speech by Frank Ojiambo, Editors' Guild of Kenya

We need to talk about what led the country to where it is today. It is a sad story. Media had a critical role to play.

The 2005 constitutional referendum brought up a number of lessons. But we did not learn from any of those lessons.

We sensitized our reporters and armed them with the tools of trade and everything looked fine. But we ignored the warning signs. We did not take them seriously. I wish we could have done a better job.

When things collapsed, we media people looked the other way. We betrayed the millions of Kenyans who turned out to cast their votes. They looked up to us but they saw nothing.

No media house has told us what happened. No media house in Kenya stood up and said: this is how things are.

We sat on the fence. We refused to stand up and be counted. We failed to do what we ought to have done.

I feel embarrassed being a journalist. I, Frank Ojiambo, failed to do what I was supposed to do. I let down my profession. I let down the Kenyan people.

Had we played our role as media, perhaps hundreds of people would not have died. Perhaps billions of shillings would not have gone up in smoke.

We could have provided our own tally, but we could not even do that. No media house did.

We could have looked for the answers to what went wrong. We could not even do that. No media house did.

Six weeks later, still no media house has done it. We did not have the guts to stand up and do it. It was betrayal most foul.

Somebody said that perhaps we needed this as a strong lesson. I do not believe so when people are still dying. When thousands remain in hospitals. And when other hundreds of thousands still live in the open like animals. All of this because we failed.

I have been a journalist since 1974 and I must say that what I have seen now, I have never seen anything as shocking.

Journalism is no longer what it was.

Lack of morality and corruption has crept into our profession – it is all about money, lunches, houses, cars and plots.

I look forward to the day we will have a very serious inquisition into this problem. Because as long as the average journalist is on the take, we can kiss this profession bye bye.

I appeal from the bottom of my heart: We must bring professionalism back into journalism. If we do not, at the next General Election, we will stand in the very same situation.

The profession is seriously corrupt. And it is suffering. We must start addressing this. If we do not, I will remain the embarrassed journalist that I am.

Key challenges to the media community and the freedom of expression in Kenya

The Nairobi Round Table, convened on 12 February 2008, discussed the challenges that media practitioners and media houses have been facing both prior to, during and after the Presidential Election 27 December 2007.

Below are the main challenges as identified by key media stakeholders present at the round table:

- Journalists and media practitioners are **traumatized** but are lacking counseling to deal with the post violence trauma and the self denial. They also need to address serious issues of interpersonal relationships within different media institutions and houses occasioned by partisanship.

- **Safety** of journalists and media practitioners has not been addressed, if not non-existing. They are not provided with adequate safety gear and kitting. As one media stakeholder highlighted: in a chemical factory, workers are provided with the necessary protection equipment, whereas photographers and journalists, who are sent to cover a violent and potentially dangerous incident, do not have more than a pen and a notepad to protect them – their basic tools of trade. Media practitioners are sent on assignment without the adequate facilitation such as means of transportation, logistical support and backup. Further they lack the basic training on how to safeguard their own personal safety and understanding of the pattern of a conflict. Furthermore, only few media practitioners are covered by any insurance – this is a problem especially for the numerous correspondents and freelancers in the provinces.

- There is great lack of appreciation on the importance of **conflict sensitive journalism** across the entire media community. Most Kenyan media practitioners found themselves covering a conflict within their own borders for the first time in their life and there was fundamental lack of understanding of the patterns of a conflict and the tools of conflict sensitive journalism. Likewise, there is lack of contextualized and domesticated training manuals and handbooks on conflict sensitive journalism.

- Media practitioners are operating in a **climate of fear** with threats to their personal safety - journalists receiving personal threats through their cell phones, hate messages and email. Threats are also made against the media institutions and their assets and property – distribution vans being set ablaze; commercial and economic retribution by threats to withdraw advertising support. This has installed a climate of self censorship both at individual and corporate level which compromises editorial independence.

- Both pre, during and post election, there was an absence of **professional conduct** in most media institutions in terms of accuracy, balance and fair coverage. All this due to perceived partisanship – either among journalists individually or at the corporate level. This raises issues of ethical conduct on the part of the individual journalist and the media institutions.

- Lack of professional **training**, especially among the FM stations broadcasting in local languages. Most FM stations recruit their presenters based more on their voices and appearances rather than on their professional ability. There is also an urgent need for more investigative journalism training. Further, professional training at institutions of higher learning in journalism do not place enough emphasis on ethics.

- Rampant **corruption** at all levels, from the individual journalist being offered favors, inducement and bribes from the regions to the highest level of the media institutions, both editorial, management and possibly corporate levels.

- The existing **constitutional and legal framework** fails to ensure freedom of expression, press freedom and human rights. The observation and enforcement of existing labor laws by the media institutions is lacking, leading to poor working conditions for media practitioners and exploitation and abuse of labor rights. Of particular concern was the issue of contract terms barring journalists from engaging in union activities.

- The media community is suffering from **weak institutions** in terms of membership, financial and organizational capacity. Adding to this is what seem to be deliberate efforts to further weaken these institutions. Networking and solidarity among the media community is weak with moral, ethical, political and economical divides across the media fraternity.

Recommendations

Based on the challenges identified, the Round Table established following recommendations:

Trauma:
- Provide professional counseling for traumatized media practitioners through their unions and associations
- Encourage activities that promote healing in the work place such as joint and cross section training sessions

Safety:
- Provide comprehensive safety training for media practitioners
- Establish minimum safety standards for media practitioners
- Provision of basic safety equipment such as fragmentation vests and helmets
- Ensure logistical support and backup such as Minimum Operational Safety Standards compliant transportation, communication equipment, first aid kit etc.

Conflict sensitive journalism:
- Provide conflict sensitive journalism training for media practitioners – targeting both reporters and editors
- Provide Training of Trainers in conflict sensitive journalism to ensure continued focus and sustainability
- Provision of a contextualized handbook in conflict sensitive journalism
- Elaborate training manual for conflict sensitive journalism handbook

Climate of fear:
- Advocacy efforts to sensitize public on the role of the media
- Strengthening the media fraternity and informal fora to monitor and react upon violations of freedom of expression

Professional conduct:
- Strengthening the self regulatory mechanism in the media fraternity, and informal fora to enhance self regulation

Training:
- Ensure in house training on ethics and balance
- Provide basic journalism skills training targeting first and foremost media practitioners at FM stations

- Provision of investigative journalism training
- Ensure that curriculum in schools of journalism and other media training institutions include more focus on ethics and conflict sensitive journalism
- Ensure that media institutions such as Media Council work closely with the Ministry of Education to ensure that professional training is offered and that journalists are certified before they are recruited and allowed to practice

Corruption:
- Strengthening media fraternity and informal fora to enhance self regulation
- Ensure increased focus on moral and ethical issues in schools of journalism and other media training institutions
- Develop alternative fora and tools to fight corruption – i.e. through cooperation with civil society organizations
- Ensure better working conditions among journalists, i.e. better and more equal remuneration, as a tool to reduce incidences of corruption

- Foster the establishment of a corruption monitoring mechanism, and encourage media houses to impose deterrent measures against corruption

Constitutional and legal framework:

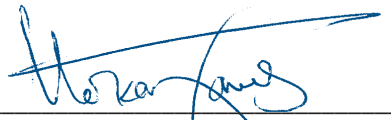
- Engage other stakeholders, e.g. parliament, civil society, faith-based organizations to ensure the review and/or repeal of laws that are against the freedom of expression, press freedom and human rights
- Push for the enactment of the Freedom of Information act, repeal of Official Secrets Act, enactment of Broadcasting Frequency Authority, de-criminalization of libel, repeal of the Books and Newspapers Act, and the establishment of an audit of the civil and criminal codes to identify clauses that are against freedom of expression and of the press
- Enactment of the ICT bill and the review of the Communications Commission of Kenya Act of 1998, and any other statute that threatens freedom of expression
- Lobbying, advocacy and outreach campaigns aimed at creating an enabling environment for the freedom of expression, press freedom and human rights

Weak institutions:

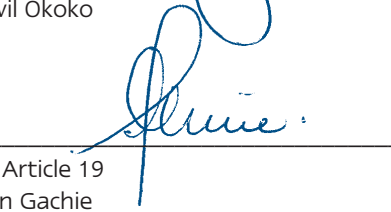
- Enhance media networking and solidarity in the media houses as well as across existing fora, associations, unions and councils
- Ensure financial and logistical support to mechanisms which can enhance self regulation
- Strengthening of the existing journalists and media organizations, associations and unions

Nairobi, 12 February 2008

For Editors' Guild of Kenya
Rosemary Okello-Orlale



For Kenyan Union of Journalists
Tervil Okoko



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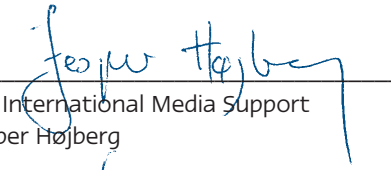
For International Federation of Journalists
Gabriel Baglo



For International Media Support
Jesper Højberg

International News Safety Institute
Sarah de Jong

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Published in Denmark by IMS

February 2008

Design and production: Nanette Graphic Design
Print: De Facto A/S

Funded by International Media Support

International Media Support (IMS) contributes to peace, stability and the development of democracy in conflict and conflict threatened areas through rapid interventions to promote and strengthen press freedom. The aim is to allow the population in endangered areas to exercise their right to express themselves freely – also in times of crisis.

Photos: Anne Poulsen/IMS

ISBN 87-92209-06-8