

# **SUSTAINABILITY AND ROLES OF THE ETHIOPIAN MEDIA COUNCIL**

**BY  
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This is to certify that, the thesis prepared by Bereket Shimelis, entitled; **Sustainability and Roles of the Ethiopian Media Council**, and submitted in partial fulfillment of the requirements for the Degree of Master of Arts in Journalism and Communication comply with the regulations of the University and meets the accepted standards with respect to originality and quality.

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## ***Acronyms***

- ATP: Anti- Terrorism Proclamation
- BSP: Broadcasting service, proclamation
- CRED: Council in respect of ethics and professional conduct in Senegal
- EBA: Ethiopian Broadcast Authority
- EBC: Ethiopian Broadcasting Corporation
- ECSA: Ethiopian Charities and Societies Agency
- EFJA: Ethiopian Free Journalists' Association
- EJA: Ethiopian Journalists Association
- EMC: Ethiopian Media Council
- ENA: Ethiopian News Agency
- ENJA: Ethiopian National Journalists Association
- ESA: Ethiopian Sports Journalists Association
- FDRE: Federal Democratic Republic of Ethiopia
- GCAO: Government Communication Affairs Office
- HRW: Human Rights Watch
- ICCPR: International Covenant on Civil and Political Rights
- MCT: Media Council of Tanzania
- MECOZ: Media Council of Zambia
- NGOs: Non-Governmental Organizations
- ODEM - The Beninese watchdog of deontology and ethics in the media
- UDHR: Universal Declaration of Human Rights

## *Sustainability and Roles of the Ethiopian Media Council*

**By: Bereket Shimelis**

### **ABSTRACT**

The purpose of this study was to examine sustainability and the roles Ethiopian media council plays in addressing the issues the media faces in Ethiopia. In order to assess the sustainability and roles of EMC, the study examined determinant factors of sustainability and success of the council. The study employed mainly qualitative, in-depth interview and complemented by quantitative, structured questionnaires, research methods. Data were thematically analyzed based on related literature reviews, in-depth interviews, and findings from questionnaires. The social responsibility theory remains central in guiding this study. The study revealed media community do not reach consensus on the roles of EMC plays in the industry because a clear understanding and explanation of the council role was not given. The result showed EMC is not independent (from government and media proprietors) to deal fairly with complaints and to secure public trust and confidence. The findings also indicated that the council does not bring the entire media platform (online & offline) because of this it will be difficult for the EMC to enforce a code of conduct. In addition, government interference, lack of finance, lack of commitment and cooperation, media polarization, conflict of interests and distrust among media society are major challenges for the EMC in promoting and sustaining freedom of expression and media freedom. Based on the findings of the study, recommendations have been forwarded.

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## **CHAPTER ONE**

### **1. INTRODUCTION**

The media are social institutions play their roles in the information communication area. They are there, to get the public fully informed, educated and entertained. These are recognized depending on the guidelines delineated in the respective law. If media freedoms are protected, they can fully use their potential to contribute to the well-being of the societies. However, because the media are powerful, there should be mechanisms to ensure they are held accountable to the public and that ethical and professional standards are sustained. And media independence is guaranteed if media organizations are free from the interference of government and power groups. Along with various schemes, media self-regulatory body, such as media council has contributed to creating independence that allows the media to be an effective instrument for extending freedom of expression and freedom of the press.

Consequently, media Councils exist to show the public that the media industry is willing to self-regulate and that there is no need for external regulation. By considering this, the Ethiopian Media Council, hereinafter referred as EMC was established on January 2016. The realization of the Council is one-step forward to ensure freedom of expression and guarantee the rights of the media stipulated in the Ethiopian constitution. In addition, it should still need to do the best to further make the Council a stronger institution. A point to be noted is that this media council was born of many discussions and debates about regulating the media.

Nevertheless, upon the establishment of the council diverse controversy arose from a different corner. According to Association articles, traditional media (print and broadcast media houses) are entitled to be made part of the Ethiopian Media Council, whereas online media are left out. In addition, the source of income for the council was the major questionable issue that blurred the fate of the council.

The concerns have been raised regarding the council appreciated and that is why the researcher motivated to conduct the sustainability and roles of the newly established Ethiopian media council.

### **1.1 Background of the Study**

Independence of media regulatory bodies is a vital condition for the promotion and protection of the right to freedom of expression. According to Bussiek (2008), the emergence of media councils has been linked to the media's desire to avert statutory regulations that are often seen as deliberate attempts to quiet freedom of the media. And the concept of a media council to self-regulate is based upon the fact that disputes over media content and behaviors of practitioners should be resolved by some independent but non-legal body. Andrew Puddephatt (2011) argued self-regulation preserves the independence of the media and protects it from partisan government interference.

Accordingly, media councils are the forum where people can send the complaints against the irresponsible functioning of the media. And its main task is to deal with complaints about the work of the media, through collective decision making. By doing this, media council offer guarantees to the public about the quality of information the public receives, demonstrate that media professionals are responsible.

So, the prime functions of media councils are to increase the accountability of the media to the public. According to Day (2003) media, councils are composed of the cross section of the community and the media that are designed to investigate complaints against the media, investigate the charges, and then publish their findings. And to sustain their freedom and avoid the involvement of the coercive power of government, the media voluntarily set up media council to scrutinize failings of social responsibility that might spoil their image of disinterested public service.

Gordon and Kittos (1999) states that any limitation of the freedom of expression by outside forces is dangerous for several reasons: *It opens the door to any would be the determiner of "right" or "correct" expression; it assumes that media people cannot make their own*

*decisions* (1999:38). Each established media council is unique, the result of its country's particular history and media environment. Based on this, the Ethiopia Media Council was established, to promote self-regulation among its members and to consider complaints against the media from the public, from the government and from the media itself.

### **1.1.1 Why Study Media Council?**

For the media to play important roles in the democratic process of a given country, they have to be free and independent first. To be able to entertain the different views and opinions, which are key aspects in a democracy, the media need to be free from any interference. Assigning press ombudsman, establishing media councils and press complaint commissions are ways of intermedia regulatory frameworks. As one of the self-regulatory mechanism, media council is responsible for adjudicating complaints and for upholding freedom of expression through ensuring compliance with ethics and reviewing freedom of the media in general.

Hence, the media council's purpose is to protect the freedom of the media by ensuring that it keeps or recovers the trust of the public, by improving its informative and ethical quality, and by making it more socially responsible.

Since other media self-regulation mechanisms such as media ombudsmen, and press complaint commission are yet not introduced in Ethiopia, the researcher assumes that the newly established media council of Ethiopia has a significant contribution in media self-regulation. As a result, the research focuses on the media council of Ethiopia.

## **1.2. Statement of the Study**

Media can function effectively with a regulatory body, which controls their activities and affairs as it relays to journalistic practices. And the media are considered to be a watchdog of the society and the media council in principle, is expected to be the watchdog of the media. Consequently, given the public function of the media as a watchdog of public authority, the regulation of media activities by the state, as the one to be watched, can be problematic. That is why, many countries have developed a self-regulatory framework, with independent media councils. The media has acknowledged that some self-regulation is essential because failure

to regulate will result in further erosion of confidence and perhaps even public demands for government intervention (*Day 2003:45*).

Even though the role of self-regulation in the media is vital to promote a high standard of professionalism and growth and advancement of the media industry, in the long history of Ethiopian media since the January 2016 no media council was realized. Research conducted on the institutionalizing a media Self-regulatory body in Ethiopia (Solomon, 2011) found out that the media industry to survive and follow the right path of the profession, an independent media self-regulatory body has an irreplaceable role.

*Inclusiveness, transparency, accountability and a responsible and yet fiercely independent engagement with all the concerned bodies that are within the efforts of forming the media council should be given high priority (Solomon, 2011:p.64).*

No one refutes that an indisputable media council would have helped journalists to be monitored and regulated by their own partners rather than by compulsive law enforcement officials, as is the case in the country. For media council to maintain its independence, it needs to be all inclusive, efficient and financially self-sustaining.

The Ethiopian Media Council announcement was aimed at a self-regulatory body at promoting a high professional standard for country media and to deal with complaints emanating from the public about the conduct of the media and journalists in their professional capacity, or complaints from the media about the conduct of persons or organization towards the media. But, even if no research conducted on the similar topic, based on the researcher's observation, working journalists and stakeholders are criticizing that the newly established Ethiopian media council is not functioning properly and uncertainty concerning the fate of the council, whether it's continuing or not.

As evidence, they mentioned the problems in fundraising system, membership eligibility, and interference from the government. And since January 2016 thin-skinned arguments have been heard from many corners, both in favor of and against the council. Also, as everyone is talking about media self-regulation, there is a gap of understanding of the concept and roles of Media Council.

Therefore, this research will assess the sustainability and the roles of the Ethiopian media council. In addition, the purpose of this research is to examine factors determining council's sustainability and effective.

### **1.3. General Objective of the Study**

The general objective of this research is to examine the sustainability and the roles of the newly established Ethiopian media council play to realize self-regulation of the media industry in the country.

#### **1.3.1. Specific Objectives**

The specific objectives of this research are:

- To assess the roles of the Ethiopian media council plays as self-regulatory body
- To examine the awareness of journalists towards the EMC
- To identify the major problems that face the EMC to achieve the self-regulation role and.
- To review the criteria for accepting members and the fundraising system of the EMC.

### **1.4. Research Questions**

The following research questions have been developed to achieve and answer the objectives of the research:

**RQ:** What roles the Ethiopian media council plays in the country's media industry?

**RQ:** How journalists understand the Ethiopian Media Council?

**RQ:** What are the major problems that affect the council in playing the self-regulatory role?

**RQ:** To what extent the fundraising system and membership eligibility to make sustainable and successful the Ethiopian Media Council?

### **1.5. Significance of the Study**

This study will assist to determine the sustainability of the Ethiopia Media Council and extent of assistance it can give to the country's Journalism in serving as self-regulatory body of the media. As a result, it may lay the foundation for other research attempts in the area of media council and some other related initiative in the future. In addition, it helps all significant bodies need to work together to outshine the media sector that is free from any influence.

### **1.6. Scope of the Study**

The study defines mostly the Ethiopian media council as a self-regulatory body. Hence, it mainly focuses on only on selected media organizations, professional associations and individuals that have been playing an active role in the effort towards strengthening and successful a media council of Ethiopia.

As a result, not all of the executive committee members of the council and media organizations are included in the study, since the time and finance of the research are limited.

### **1.7. Limitations of the Study**

Since the Ethiopia media council established in January 2016, mainly the media council members that the researcher has visited may not keenness to provide information, though they advocate the right to access information. Shortage of sufficient materials and relevant literature in the area was also a limiting factor.

In addition, this study is limited by the logistics and financial problems. As a result of this, the researcher narrow the research work at some media houses and stakeholders found in Addis Ababa because of the inadequate resources available.

### **1.8. Organization of the Study**

This thesis contains five chapters. Chapter one presents the introduction, background of the study, a statement of the problem, research objectives, significance of the study, research questions, scope, limitations, and organization of the study.

In addition, the second chapter discusses the review of literature related to the study and the theoretical framework. Then the third chapter talks the design of the study, i.e. the methodology such as the data gathering techniques and other related things. Chapter four deals with data presentation, discussion, and analysis. Finally, the last chapter, chapter five, comprises the conclusion of the study. The major findings are presented in this particular chapter. Suggested recommendations relying on the findings of the study are forwarded.

## CHAPTER TWO

### LITERATURE REVIEW & THEORETICAL FRAMEWORK

#### 2.1 Media Regulation: Overview

Regulation refers to subjective the process under the rule of the state, usually centered in an independent regulatory body. This body makes decisions in situations where there are conflicting interests. Also regulation consists of the use of formal statutory rules laid down by public authorities.

Regulation has three components: legislation, that is, defining appropriate rules; enforcement, such as initiating actions against violators; and adjudication, that is, deciding whether a violation has taken place and imposing an appropriate sanction. And one field that is regulated by the state is the media. So, media regulation refers to all means by which media organizations are formally controlled or directed in their activities.

According to Francois (1975), the history of media regulation begins with the claim of the printing press to book invention from the mid-15th century onwards in Western Europe. As the printing industry expanded, especially after 1500, both church and state took an increasing interest in the content of what was being printed and published, especially with a view to combating dissent. This led very widely to the licensing of all printers by the state and the requirement for advance consent by church authorities for texts to be published.

Thus, media regulation is the use of legal means to control media ownership and the content of media communications. More specifically, the state issues licenses and supervises the media industry.

Selznick, cited in Varney (2006) argued, regulation is continual and focused control exercised by a public agency over activities that are valued by a community. All governments, because they understand the political and social value of the media, develop some policies aimed at regulating and controlling them. In fact, the method by which governments try to achieve

such control varies. David Croteau (2011), argued that some nations have taken direct authoritarian control of media through state ownership and the banning of opposition media. But most nations engage in media regulation that is non-authoritarian in nature.

There is a contradiction inherent to the concept of regulating what is supposed to be the free means of expression and information in a modern society. Regulation by its very nature sets limits to freedom, which is the most basic principle of democratic societies. As Hitchens (2006) writes:

*To be an effective contributor to the democratic process, the media, as a channel for ideas and information and generator of debate, must be able to offer a variety of voices and views, and operate independently, without the undue dominance of public or private power (2006, p. 32).*

The notion is that the media, which endowment ample benefit should not plunge under power group. If the media are losing their freedom by power group then they will not serve the societies as expected.

### **2.1.1 Why Media Regulated?**

There is no single answer to the question, why are media regulated. The issue of regulation is intertwined with that of free expressions and where free expression may be considered harmful. Obonyo and Nyamboga (2011) suggest that these may have to be regulated. They write:

*One can understand the dilemma of the legislators. If journalism does require a certain degree of respectability then it cannot be an open forum where everybody can do as they please. There must be some sort of gate to separate journalists from others (2011, p. 73).*

Media can affect people's thinking and behavior to a remarkable extent, both for the good and for bad. Harnessing its power to work for the democratic process is one of the key purposes of regulation (Solomon, 2006).

### **2.1.2 Basic Models of Media Regulation**

There is a range of approaches to implementing media regulation. And a variety of regulatory options and tools are required to successfully address various types of policy problems, community concerns, and market issues. Also, states have adopted different forms of media regulation ranging from self-regulation, co-regulation and statutory regulation.

According to Kimumwe (2014), more developed democracies have tended to enact legislations that guarantee media freedom as well as permit the media to regulate itself, while the dictatorial ones have embraced the statutory form of regulation by passing legislations that effectively seek to control the media.

Therefore, currently, at least three main models of media regulation have been identified: such as regulation by the Government (statutory regulation), by the industry itself (self-regulation) and by a combination of both the Government and the industry (co-regulation).

#### **2.1.2.1 Statutory Regulation**

The models of government regulation differ worldwide and are not adapted to a set formula hence the level of government involvement varies. Statutory regulation is when the legislature makes laws relating to the standards of journalism and creates an institution with the powers to act against those that do not practice journalism according to those standards.

In statutory regulation, the media regulators are reliant on the state, right from the establishment, composition, and accountability. In addition, the statutes setting up the regulatory body also establishes the professional standards that the media must adhere to, as opposed to the self-regulatory model where the industry itself comes up with the professional standards (Kimumwe, 2014). And this type of regulation has advantages that include resourcing, compulsion, legal enforceability and universal coverage. However, it can criticize as being expensive, inefficient, stifling innovation, and inviting enforcement difficulties. Because it is statutory in nature, it is less flexible and responsive to change than a self-

regulatory or co-regulatory model. It may also result in greater restrictions being imposed on freedom of expression, and have lower levels of cooperation from the industry.

The review of press council of South Africa (2011) indicates Statutory regulation tends to have arisen in particular historical contexts, usually when there was a relative lack of freedom of expression and a lack of consensus among the press themselves on ethical codes and their enforcement.

### **2.1.2.2 Self-regulation**

Self-regulation begins with members of an industry, establishing a regulatory body to achieve shared goals that could not be met by any individual member. The central principle of self-regulation is a voluntary process, in which the industry establishes a code of conduct that is to be valuable for all members. Then, self-regulation in the media primarily takes the form of journalistic codes of practice for accuracy and fairness plus some procedures for implementation.

In addition, in self-regulation, the media takes full responsibility for the standards and the sanction against those who do not meet the standards. This may only engage individual journalists, editors and news organizations taking final responsibility for their actions.

As Ian & Lewis (2007:10) states, "Often the industry prefers self-regulation to government or co-regulation, and therefore has an incentive to make self-regulation work." Therefore, in order for self-regulation to be successful, the media itself must be able to fix the problem; in other words, there must be an encouragement for individuals and groups to develop and obey with the self-regulatory mechanism. This model is the central point of this study and thus more conferred later in this chapter.

### **2.1.2.3.Co-Regulation**

Co-regulation can mean that the media industry or a professional body representing the media develops the regulatory arrangements, such as a code of professional practice or standards, in coordination with the government (Johnson, 2014). For Kimumwe (2014) in the co - regulation model, a statute establishes an independent regulator and gives it powers to set up

professional standards for all media and impose sanctions for violations them. The regulator is independent of the state.

Along with, setting up co-regulation mechanism combines legislative or regulatory measures together with other measures adopted by other agents and based on practical experience. And co-regulation gives a halfway house between state regulation and industry self-regulation. It allows the industry to partially regulate itself, but affords a statutory additional support. It can allow for a wider range of sanctions than a purely self-regulatory model, depending on the degree of government involvement.

Co-regulation shares many of the advantages and disadvantages of self-regulation and government regulation. It may not be as flexible or speedy in its response to changing circumstances as a purely self-regulatory system, but it may be seen to provide greater protection where important public policy goals are at stake (NZLCIP27, 2010). And co-regulation is a strategy where the government establishes the broad parameters of regulation and the industry concerned is then responsible for the development of detailed regulations; these regulations are then approved and administered by a regulatory group. Additionally, this is the situation where the regulator and industry stakeholders work together, with the regulator setting the framework to work within. And it is seen to combine the flexibility of self-regulation and the binding nature of the legislation.

## **2.2 Media Freedom**

The notion of a free media, which of course is essential to freedom of expression, has a long narration. Jones, cited in Netsanet (2007) states, the idea of freedom of expression had a long history and dates back to Britain in the 17th century. A 1978 survey of the constitutions of 161 countries shows those 142 countries, or 87.3 percent of them, guarantees freedom of expression.

This indicates that freedom of expression has become a universally recognized right. Along with, freedom of expression and freedom of the press are measured basic human rights under various international legal regimes. Fundamental human rights are among the vital building blocks of a democratic practice of government.

In December of 1948, the Universal Declaration of Human Rights (UDHR) was drafted as the foundation of international human rights law and the standard of achievement for all peoples and nations. Article 19 of the document states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

In 1946, the UN General Assembly adopted Resolution 59(I) which states: “Freedom of information is a fundamental human right and the touchstone of all the freedoms to which the United Nations is consecrated.” The freedom of information principle has now passed into what is known as customary international law, the body of law that is considered compulsory on all States as a matter of international custom. The International Covenant on Civil and Political Rights (“ICCPR”) elaborates on many of the rights set out in the UDHR, imposing formal legal duties on state parties to respect its provisions.

Noticeably article 19 of the ICCPR guarantees the right to freedom of expression in terms very similar to those found in Article 19 of the UDHR. Freedom of expression is also protected in the three regional human rights systems, Article 10 of the European Convention on Human Rights (European Convention) Article 13 of the American Convention on Human Rights and Article 9 of the African Charter on Human and Peoples’ Right.

The media freedom is the way to achieve an accountable and transparent government free from corruption and tyranny while developing a professional and unbiased press. Then the notion of media freedom holds that any intervention by the government is detrimental to the operation and functioning of the media. Therefore, press, in other words, must have the freedom to criticize the government. In the next section, media self-regulation concept is presented.

### **2.3 The Concept of Media Self-Regulation**

Although, self-regulation and freedom are two different concepts, in reality, there is a close link between the two. And the literature for this study is based on the concept of media self-regulation as a means of media freedom. Campbell (1999), point out the term "self-regulation" means that the industry or profession rather than the government is doing the

regulation. However, it is not basically the case that government involvement is entirely lacking. Instead of taking over all three components (legislation, enforcement, and adjudication), the industry may be involved in only one or two.

Self-regulation is a combination of standards setting out the appropriate codes of behavior for the media that are necessary to support freedom of expression, and process how those behaviors will be monitored or held to account. Self-regulation preserves the independence of the media and protects it from partisan government interference (Puddephatt, 2011).

Siebert et al. (1963) suggested that the evolution of self-regulation of the press can be associated with the following factors. The first factor is related to technological and industrial revolution. Technological and industrial revolution were so influential that they altered people's way of living, which in turn affected the nature of the press. Secondly, as the media grew in size and prominence, sharp voice of criticism and tacit threats started to prevail. The third is the new intellectual climate that made people critical about the basic postulates of the Enlightenment. Finally, "the development of professional spirit as journalism attracted men of principle and education, and as communication industries reflected the growing sense of social responsibility assumed", self-regulation or "self-righting process" became the predominant thought to govern the media.

Self-regulation is the procedure of constantly monitoring improvement toward a goal, checking outcomes, and redirecting ineffective efforts (Berk, 2003). In its simplest form, self-regulation is collaboration on, and adherence to, a set of practices or codes, without direct government intervention. So based on this it has two key characteristics: It is independent of government control and members of the industry are involved in the regulation. But, self-regulation is not censorship. It is about establishing minimum principles of ethics, accuracy, personal rights and so on, while fully preserving editorial freedom on what to report and what opinions to express. So, media self-regulation is a sub-category of regulation that takes place when a group controls membership within that group. Accordingly, systems of self-regulation should be linked to principles of media freedom. Where media freedom does not exist or is

under threat the promotion of professional standards must be linked to the defense of press freedom.

Baldwin and Cave (1999), recognize three variables present in self-regulatory schemes: the first concerns whether there is governmental intervention or self-regulation is purely private. The second variable addresses the role played by actors in setting out and monitoring rules. And a third variable is the binding force of the rules.

Therefore, media self-regulation must be very encouraging to freedom of expression, pluralism, and diversity of the media. And this needs that the regulatory framework that is accepted seeks to protect and promote freedom of expression.

### **2.3.1 Advantages of Self-Regulation**

Is self-regulation is better than statutory regulation? To many Scholars, self-regulation has a number of advantages that cannot be achieved sufficiently by the command control approach of regulation.

Tambini(2008), argues that the self-regulation is often seen as more attractive than state regulation because it has legitimacy with the industry, is more flexible in responding to change, and can offer an alternative to state and political interference with media content.

The issues mentioned above as benefits of self-regulation involve a mixture of principles and practical considerations. As observed by Pitofsky (1998), “Self- regulation is more prompt, flexible and effective than government regulation”. The speed of decision-making, the lower costs, the ready availability of expertise, and objectivity are some advantages of self-regulation.

In addition, self-regulation helps promote sympathetic by the public at large which in turn may help decrease the claim for state regulation. On the contrary, state regulation is presented as slow, more costly, and some scholars mention the lack of expertise i.e. government staff is

outsiders to the industry. Also, by its nature, self-regulation is better suited to facilitate the efficient coordination of policies and standards activities in the virtual world.

From literature, it is noted that the benefits of media self-regulation mechanisms are not only to prevent unethical and unprofessional journalism. The system has a direct beneficial impact on media freedom. Self-regulation can also drive up professional standards by requiring organizations to think about and even develop their own standards of behavior. As the media environment becomes global and questions of jurisdiction turn into more complex, then self-regulation can fill the resulting gap. It is less costly to the government because industry bears the cost and can be more flexible than government regulation (Puddephatt, 2011).

Likewise, for Hulin (2014) media self-regulation mechanisms have some concrete advantages compared to justice courts, which include "The effectiveness and flexibility of the system, its technical expertise, its reduced costs compared to justice courts and its power to increase the democratic participation of media users". Obviously, media self-regulation cannot succeed in a tyrannical environment. However, where media freedom is guaranteed, self-regulation can help protect the independence of the media and preserve it from government interference.

Hulin, A. and Smith, S.(2008), argued that "By promoting standards, self-regulation helps maintain the media's credibility with the public". This is particularly welcome in new democracies, most of which are also new to an independent press. Media self-regulation helps convince the public that the free media are not irresponsible. At the same time, self-regulation protects the right of journalists to be independent and to be judged for professional mistakes, not by those in power but by their colleagues.

Hence, self-regulation is the necessary option for state control of the media and it is not a simple matter, because it places requirements at every level of the media organization, on the journalists, on their editors and managers, and the overall behavior of the media company (Tambini, 2008).

Usually, self-regulation has been described as a viable option whereby industry voluntarily develops, administers and enforces its own solution to address particular issues facing the media with no formal oversight by the regulator.

Accordingly, media self-regulation is a joint endeavor by media professionals to set up voluntary editorial guidelines and abide by them in a process open to the public.

As MacDonald and Petheram, cited in Solomon (2011), self-regulation can also be explained as a framework that the industry through its own representatives establishes a non-statutory tribunal that arbitrates the behavior of its members in line with certain professional standards. "Complaints about the media of bias, inaccuracy, unfair treatment, invasion of privacy and so on are continually increasing with siren calls for stricter control and regulation of the press"(Solomon, 2011, p. 10).

On the other hand, self-regulation is often criticized because it is overly flexible and too close to the industry to offer genuine protection of the public interest. The sanctions of self-regulation are generally seen as weaker than the statutory regulation or through the legal process. Lord Wakeham (1998), an advocate of self-regulation, once said, "There is no correct answer to the question of whether the law or self-regulation is a better system for the maintenance of a free, responsible press. Both have their strengths; both have their weaknesses." Self-regulation does also have some limitations as well. They are not necessarily exclusive to Self-regulation; the implication of the forthcoming section is to show what potential limitations are.

As the disadvantage, self-regulation may be open to abuse and is marked by a lack of democratic accountability. When industry groups, with an economic interest in the regulated industry, set standards, there may be a risk of bias towards weak standards that favor business. Where broader public interests are involved, there may be risks that industry based groups do not take a sufficiently broad view of the world. Self-regulation also relies on industry-wide commitment to be effective (NZLC IP27, 2010).

From the literature, it's noted that the key element of a self-regulatory system is the voluntary participation of those who are regulated by the system. Where that support is not present, the

credibility of the whole system can be undermined and its financial viability threatened. Hence, if the concern is to make self-regulatory systems more acceptable to all stakeholders and to the public, then it seems necessary to start viewing self-regulation in terms of specific safeguards and measures taken to limit the liability of self-regulatory institutions in the face of a challenge to their activities via ordinary law. By doing so, independent media accept their shared responsibility for the quality of the public discourse in the nation, while fully preserving their editorial autonomy in shaping it.

Therefore, media through self-regulatory mechanisms such as media council, they should work to improve self-regulatory frameworks, so that, they can better serve societies. Participation in self-regulatory bodies by definition must be voluntary, although the most effective self-regulatory initiatives have an industry-wide membership that encourages participation from all stakeholders. Moreover, one might measure the success of media council self-regulatory schemes in many ways. It might be measured in terms of whether the self-regulation through media council meets the stated goals or whether the stated goals are the correct or best goals. Likewise, self-regulation could be considered successful when it meets industry objectives, such as avoiding intrusive government regulation or restricting competition, even when those goals may not benefit the public.

For the aim of this research, the focus is on whether media council of Ethiopia has been sustainable and successful in achieving its self-regulatory purposes. So, as media council is the nucleus of this paper, it will be more elaborated later in this chapter.

#### **2.4 Media Self-Regulation in Africa**

A free media is both desirable and necessary in a democracy for holding the government accountable to citizens; for promoting diversity of views and for creating an informed citizenry through the free flow of information and unfettered debate. And critical look at the legal and regulatory frameworks for the media is very important as there are numerous implications to the level of which freedom of expression is guaranteed.

As Street, quoted by Meron (2006), one of the greatest dangers to freedom of expression in several transitional democracies in Africa has been the introduction of media laws that has been used to effectively curb the media's ability to report freely. Though most governments in transitional democracies have paid lip service to freedom of expression in various circumstances, in reality, they have curtailed and eroded such freedom through several laws and regulations.

Hulin, A. and Smith, S., (2008 p.13) recommended that in societies on the road to democracy, constitutional and legal guarantees are necessary to make press freedoms enforceable. For instance: Constitutions should prohibit censorship and protect freedom of expression; Laws should guarantee, free access to government information and protect journalists from being forced to disclose confidential sources of investigative stories; Regulations should guarantee the fair and transparent administration of media business such as registration, licensing, ownership disclosure and taxation.

Through self-regulation over the years, considerable efforts have gone into building effective journalism in new democracies in Africa and elsewhere. The argument is simple-strong democracy needs strong media (Kruger, 2009).

So that, the encouragement of self-regulation as a possible regulatory mechanism, is not limited to Western. The Africa countries have since the 1990s promoted media self-regulation for citizens protection, particularly 'high-quality media based codes of conduct'. But self-regulation has not been a long or a consistent tradition in Africa (Elizabeth & Guy, 2007).

Concerning to media freedom, the Windhoek Declaration of 1991, states that a free press is essential to democracy and a fundamental human right in Africa. Article 1 of the same declaration states:

*Consistent with Article 19 of the Universal Declaration of Human Rights, the establishment, maintenance and fostering of an independent, pluralistic and free press is essential to the development and maintenance of democracy in a nation, and for economic development (Windhoek Declaration, 1991)*

This declaration is intended at applying Article 19 of the UDHR to African conditions. As Mafeje, cited in (White, 2012), it was this conceptual position that inspired media activists, policy advocacy groups, and civil society in the early 1990s to demand press freedom and self-regulation as a way of enhancing the mass media's role in the democratization process. While media in Africa countries face varying degrees of enabling policy and legislative environments, however, common concerns across the continents exist in relation to the absence of common media standards and enforcement mechanisms.

As Kasoma, cited in (Gudeta, 2008:64), "The unethical and irresponsible use of press freedom was, clearly, leading African government to a repeat clampdown of the press, which would itself lead to retrogression of the democratic process and possibly, cause Africa revert to democracy".

Even though there will always be questions about the ability and capacity of the media to develop a functional peer review mechanism, the declaration of principles on freedom of expression in Africa endorses media self-regulation declaring that effective self-regulation is the best system for promoting high standards in the media (Kimumwe, 2014).

Currently, in many African nations, including Ethiopia, there is the desire of the profession to regulate itself, led to the adoption of new codes of ethics for professional conduct and gave rise to the institution as media watchdogs and advisers, and self-regulatory bodies.

Self-regulatory systems exist in various African countries, including Botswana, South Africa, Zambia, and Tanzania. Additionally, the media that currently participate in the voluntary Media Council should persuade those media that are outside the mechanism to join (White, 2012). However, the practice of media self-regulation is slowly growing in Africa. For instance, the media of Zambia is now regulated by a non- statutory, voluntary self- regulating council called the Media Council of Zambia (MECOZ).

As Elizabeth & Guy (2007), indicates professional alliances have given rise to two specific types of structure that are increasing in number today in African countries: press houses and

ethics watchdogs. The watchdog for press freedom, ethics and professional conduct (OLPED) established in Côte D'Ivoire in 1995, played a pioneering role in the whole of Francophone Africa. It was followed by the creation of ODEM in Benin in 1998, (Watchdog for professional conduct and ethics in the media), of CRED in Senegal (Council in respect of ethics and professional conduct). Similar independent media councils have been set up in Kenya and Ghana.

In addition, in 1995 Tanzanian media practitioners, as well as supporters from civil society, established a voluntary, independent and non-statutory council to guide the self-regulation of mass media as an integral part of liberal democracy (White, 2012). Since then, many countries on the continent and elsewhere have sent pilgrims to Tanzania to learn from the MCT seeming success story in spearheading self-regulation of mass media (Ibid). Although self-regulation promoted by independent media councils, is deemed a better alternative than government control through legislation, there is still a lack of clarity about how effective it is, or can be, in the context of young democracies such as those in Africa.

In principle, self-regulation entails all the mechanisms employed by media practitioners themselves for ensuring accountability. In addition, media self-regulation aims at supporting the development of the profession towards greater responsibility in the treatment of information, as well as, fighting against government interference and pressure on the media.

Therefore, in African self-regulation mechanism conducted by an independent body should be established because of homegrown parameters, practices and situation to carry out self-regulation and on the continent's media.

## **2.5 Legal Framework in Ethiopia**

As Street (2001) cited in Meron (2006), indicates a critical look at the legal and regulatory frameworks for the media is fundamental, as there are several implications to the degree to which freedom of expression is guaranteed. The media play an extensive role in shaping the government in power, it is, therefore, important for the government to always distance itself from interfering with media regulatory systems (HRW, 2010).

Hence, a free, independent and pluralistic media is vital to democracy and to the realization of all human rights. This was recognized by the UN General Assembly at its very first session, in Resolution 59(I), adopted on 1946, which states: “Freedom of information is a fundamental human right and the touchstone of all the freedoms to which the United Nations is consecrated.”

Underneath to this, the Constitution of the Federal Democratic Republic of Ethiopia (FDRE) provides for freedom of the press and freedom of access to government information, and the legal framework for these rights is in place. However, a start in the exercise of the right has not developed well mainly due to the government interference, and lack of professionalism on the part of the media.

Article 29 of the constitution, which guarantees freedom of expression clearly prohibits, any form of censorship, which unduly restricts freedom of the press. In July 2008, Ethiopia's parliament adopted the Freedom of the Mass Media and Access to Information Proclamation, hereafter (FMMAIP) 590/2008. The law made some positive changes from the previous media law, such as excluding the pre-trial arrest of journalists, but it added worrying new features, including broad powers to instigate defamation suits and to demand corrections in print publications.

In addition, it recognizes the role of a free, independent and diverse media with high ethical standards and professional competence in strengthening the democratic process. However, these rights can be limited (concerning national security, public order, protecting youth, and public morality) through laws, which are guided by the principle that freedom of expression and information cannot be limited because of the content or effect of the point of view expressed.

So, one of the greatest threats to freedom of expression in Ethiopia has been the preamble of media laws that has been used to effectively limit the media's ability to work freely. Regarding legal framework, there are some articles in Ethiopian media proclamations that have been put in place to criminalize certain practices of the media professionals. To hint how too harsh such laws are in the media, the researcher analyzes and discusses them below.

### **2.5.1 The Freedom of the Mass Media and Access to Information Proclamation 590/2008**

As aforementioned, article 29 of the Ethiopian constitution clearly provides everyone with the right to expression without interference, including the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, or through any media of one's choice. The constitution, in favor of international human rights instruments, provides that censorship in any form be prohibited. And it takes a position on the limitation of these rights saying they can only be limited through laws.

In harmony with Article 29 of the Constitution, the country has several proclamations regulating the media, including the Freedom of the Mass Media and Access to Information Proclamation of 590/2008 and the Broadcasting Service Proclamation of 533/2007. Despite the proclamations reaffirm constitutional protections and prohibition of censorship, they also contain challenging provisions that grant broad powers to initiate defamation suits, impose harsh financial penalties, demand corrections in media, and empower government arbitrarily deny licenses and permits.

Concerning ownership, FMMAIP under its Article 7/1 and 2 stipulates that, a person with effective control over a country wide broadcaster for an area with a recorded population of more than or with 100,000 inhabitants, "may not exercise direct or indirect effective control over another company holding such a license and servicing the same or an overlapping market" (Article 7/2&3, 2008).

Actually, the thinking behind to limiting multiple ownerships of the media is based on the perception that intensive media ownership might lead to a public sphere monopoly by a few. Whereas the government itself owns all media types (print and broadcasting as well as online media). Hence, this type of over controlling the media industry may affect the development of the sector and press freedom in general.

Article 12 of the Proclamation sets out the basic right "All persons have the right to seek, obtain and communicate any information held by public bodies" (Article 12/1) and Article 13

requires public bodies to publish key information. And Article 14 describes the process for obtaining information. Article 14(6) lists the circumstances in which the responsible public relations officer may reject requests of information, including that the request is too general, “would involve disproportionate diversion of human and material resources, or would adversely interfere with the functioning of the authority.” This is not a legitimate ground to refuse an information request; public bodies as part of their day-to-day operations must view providing access. If a demand is too general, officers should be required to assist requesters to make them more specific. If requests are large, a time extension might be available to deal with this. The request should, however, be addressed.

In addition, FMMAIP describes that defamation and false accusation against “constitutionally mandated legislators, executives and judiciaries will be a matter of the government and prosecutable even if the person against whom they were committed chooses not to press charges.” As a result, journalists can be prosecuted for defamation by the government even when no individual government official initiates legal action. Fines are also very high for defamation, as high as 100,000 Ethiopian Birr. Article 613/ (1-5) of the Criminal Code also allows penalties of a fine or up to one year in prison for defamation. Therefore, such clauses, may keep the journalist silent or self-censoring from criticizing the officials and investigating them for their wrongdoing.

This proclamation also contains overly broad and unrestricted provisions that force publications to publish apologies or corrections from the government without defining the limits of this requirement.

In general, ostensibly providing for improved access to information, the FMMAIP puts a number of restrictions in place that actually hinder access to information. Also, it provides too much care to government officials, allowing them to use a variety of clauses to deny access to government information.

### **2.5.2 Broadcasting Service Proclamation 533/2007**

The government to license and regulate Radio and Television Stations and to provide for the licensing of Television sets endorsed the Broadcasting service proclamation 533/2007, hereafter BSP. In spite of the legalization broadcasting, the Proclamation ensures that broadcasting media will be under strict control. Accordingly, any national, regional and local transmission programs shall allocate at least 60% of their weekly transmissions to national programs. Of the 60% of national programming by a regional broadcaster, "...40% shall be allocated to programs that relate to the affairs of the region" (Article 32/2). Likewise, of the 60% of national programming, "...20% shall be allocated to programs that relate to the local affairs" (Article 32/3). In addition, BSP says broadcasting media covers the public information, educational and entertainment needs, serves political parties, announces government strategies and "enhances the cultures and artistic values of the public." The only mention of citizen participation helps in providing preparing media programs.

The provision has banned a wider range of people and organizations from starting a broadcasting service, including religious organizations, leaders of political organizations and citizens who have been deprived of their civil or political rights by court decision. Organizations incorporated abroad or whose capital or management is from foreigners have also been excluded. The thinking behind is, if the broadcasting service is to be run by foreigners, loss of local values and external influence on local order would prevail. However, allowing foreign investment in the broadcasting service might not be as harmful as the proclamation states if the proper monitor is established over it.

In addition, authoritarian rules on media ownership, the BSP impose ruthless penalties. For instance, the fine for operating without a broadcast license and defamation can reach up to Birr100, 000. The proclamation gives the government far-reaching powers to regulate the broadcast media. These include allowing the government to prosecute defamation cases against the media, even if the government official in question does not initiate legal proceedings; providing the government, particularly EBA has the legal authority to regulate the media, to use registration and licensing procedures as a punishment for dissent. So the

EBA, according to the BSP it is ultimately responsible for the Government Communications Affairs Office (GCAO).

Under Article 44/1-2, the Ethiopia Broadcasting Authority reserves the right to reject licenses based on program contents and social needs covered by the program. This vague provision opens the possibility that applicants who have programs potentially critical of the government will not get licenses. Besides the content, the EBA can also reject applications if funds and equipment are insufficient, or if it decides the applicant's organizational capacity, knowledge, and experience to render the service are insufficient. Therefore, these clauses used to protect the malpractice of journalism but in another way round negatively affect and dwarf the freedom of expression and freedom of the media as well.

### **2.5.3 The anti-terrorism proclamation 652/2009**

In July 2009 parliament approved the anti- terrorism proclamation 652/2009 hereafter, ATP that is among regulation that designed to limit and penalize media activities.

The violations and penalties defined in the Anti-Terrorism Proclamation and criminal code to media, which clearly include all media platform and internet services. The anti-terrorism proclamation under Article (6) lay down prison sentences of up to 20 years. Article 6 states:

*Whosoever, publishes or causes the publication of a statement that is likely to be understood by some or all of the members of the public, to whom it is published as a direct or indirect encouragement or other inducement to them to the commission or preparation or instigation of an act of terrorism, is punishable with rigorous imprisonment from 10 to 20 years (article 6 of ATP).*

Because of terrorism has vague definition, the proclamation might be applied in criminal cases to anyone, including journalists who expresses disagree with government policies. In addition, it gives a chance for the government to interfere in media work and suppress the freedom of the media.

## 2.6 Media Self-Regulation in Ethiopia

Freedom of speech is the foundation of any democratic society. Constitutional or legal guarantees are needed to make media freedom a reality, to prohibit censorship and guarantee the free flow of information.

The Federal Democratic Republic of Ethiopia (FDRE) Constitution (1995) in its Article 29 grants recognition to the Freedom of Expression and Freedom of the press as a fundamental right. Rights of expression include the “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of her/his choice” (Article 29 (2)). This is a copy of Article 19 of the Universal Declaration of Human Right (UDHR), and Article 19 of the International Covenant on Civil and Political rights (ICCPR), which guarantees the right to freedom of expression.

In an effort to merge certain imperatives of public interest, however, the Constitution stipulates that some limitations may be imposed on freedom of expression (Article 29 (6)).

Moreover, this article states:

*These rights [the rights stated in five sub-articles of Article 29 of freedom of expression] can be limited only by laws, which are guided by the principle that freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect the well-being of the youth and the honor and reputation of individuals. Any propaganda for war as well as the public expression of opinion intended to injure human dignity shall be prohibited by law (Article 29 (6) of FDRE Constitution).*

It can be understandable from the above statement that only the laws of the country limit freedom of expression. Put clearly the fact that limitation on freedom of expression is left to the laws in Ethiopia, there are regulatory bodies that are set up to regulate media activities.

The report of Article 19 (2005), clarify the independence of media regulatory bodies are a vital condition for the promotion and protection of the right to freedom of expression. In order to ensure the free flow of information and ideas media, regulatory bodies need sufficient protection against government interference, particularly of a political or economic nature.

In addition, as pointed out in existing literature perspectives on media self-regulation differ from culture to culture and from continent to continent. Self-regulation purposes, mainly for

the defense of media from political censorship, economic dependence, and upsetting court cases. Others see media self-regulation as an educational instrument for both journalists since it imposes high professional standards and demands more attentive media literacy.

An understanding of the basic political, economic and social conditions in which media operate in the country is vital in order to value the complex environments in which media self-regulatory council operate. And there is certainly a shortage of studies to recognize the state of media freedom, legislation and the work of the self-regulatory media council in Ethiopia.

Therefore, ensuring the sustainability and effectiveness of self-regulation through an established media council of Ethiopia would pave a path toward a more accountable media and transparent government. Hence, this paper, in particular, focuses' on the practice of media self-regulation through a media council of Ethiopia.

## **2.7 Media Council**

The freedom of the press has to be preserved and protected media, both from outside and inside interference.

At the foundation of all self-regulatory mechanisms and systems is the need to increase awareness and understanding of the issues. This fact is universal apart from the economic, cultural, and social environment in which the self-regulatory system is being established. And some of the mechanisms to ensured media self-regulation are Media Council, the Ombudsman, and letters to the editor, etc. However, for the purpose of this research media council is more emphasized than the others are.

Subsequently, the concept of the media council was not new. It began in 1916 when the first press council was established in Sweden to serve as an intermediary between news media and the public (Ristow, 2009).

According to different kinds of literature since 1916, many other nations had established press councils, the British press council that it was established in 1953 stood out as quite successful. In early 1980 the press councils in Sri Lanka and the Philippines were under state control. The

Turkish press council, established in 1960, was dissolved in 1968. The press council of India, founded in 1965 under the press council act of that year, was abolished in 1976.

Similarly, Norway, Germany, and the Netherlands are countries with long established press councils, and there are councils in transitional contexts like in Montenegro, Armenia, Serbia, as well as in Kosovo, where recent democratic changes facilitated the explosion of independent media, and so increased the need for self-regulation (Zlatev, 2011).

As the diverse study is evidence for, in many countries the establishment of a media council followed government control of the press or a threat of government regulation. This is similar to Ethiopian media council.

Ian & Lewis (2007) stated that "Control is exercised over levels that include: a) funding, for instance, the German Press Council receives approximately 30% of its funding from the government, but it is not a statutory body. b) The power of appointment, for example, the Indian Government controls the appointment process to the Indian Press Council: and c) types of appointees, some media councils have government or parliamentary representatives on the council itself. Statutory councils are often set up with some independence from the Government. In some case, Sweden freedom of speech is specified in legislation and implemented by an industry-funded ombudsman and press council." (2007: P.16). The manifestation of media councils has been associated with the media's aspiration to avert statutory or government regulations (Bussiek, 2008; Sawant, 2003). In addition, a majority of media councils has been indeed created to avoid some state regulation of media.

In consequence, the media councils were set up in different countries in a different period, keeping in view the need of the time. As well as, the media Council of Ethiopia has been lately established in January 2016, although the history of media goes back decades. Therefore, it is the purpose of this study to discuss in detail the self-regulatory arrangements of a media council for the media in the country.

### **2.7.1 Functions of Media Council**

Self-regulatory bodies such as media council might be an instrument to raise the quality of information and hence raise the social responsibility of media. This concept of social responsibility of the media was first called for in a report of the Commission on the Freedom of the Press known as the “Hutchins Commission” (Hutchins Commission, 1947).

Literature shows that the Media Council has jurisdiction over all forms of news media, including print, broadcast and online. In addition, its core functions will involve, educating journalists and the public about the roles and responsibilities of the media and the purpose of the Media Council; developing and maintaining an enforceable Code of Practice; and receiving and addressing complaints relating to breaches of the Code of Practice. Also, the media council's purpose is to protect the freedom of the media by ensuring that it keeps or recovers the trust of the public, by improving its informative and ethical quality, and by making it more socially responsible. Providing the public with accessible and effective complaints handling service should be the key priority of media councils.

In addition, the main duties of media council are to accept complaints, serve as a mediator between the plaintiff and the media, take decisions on complaints based on rules and regulations, identify breaches by the media of the code of ethics, secure the transparency of and publicity for all decisions taken, and set professional standards for journalists, (Ibid, 1947). According to Quick (Ed.) (2003), the primary objective of every media council is to enforce the right of public to reply and other access issues. Also, the protection of the freedom of the press and the maintenance of professional standards and rights of access is among the main tasks of media councils. Thus, the media council has a dual function self-defense and self-control. In addition, media council engages in other activities, such as ensuring a free flow of information, preventing media concentration and monopoly, supporting technical improvements, and representing the media.

It is noted from the above; Media Council has played a key role in maintaining public trust and confidence in the media industry by promoting professional ethics, fairness, accuracy and balance. Furthermore, a true media council takes advantage of the fact that it brings together and represents the people who own the power to inform, those who possess the talent to inform and those who have the right to be informed. Also that it is a permanent institution that is democratic, independent, flexible, multifunctional, harmless and that its sole purpose is to improve media service to the public. Furthermore, it can afford to do more than just settle complaints (Bertrand, 2007).

Therefore, the mandate of the Media Council of Ethiopia, as well as similar bodies across the world is to promote the standards of the media by building up to it a code of conduct.

Furthermore, it can ensure the protection of the rights and privileges of journalists in the lawful performance of their duties, and foster the achievement and an assessment of Ethiopian media council in regulating journalism practice, maintenance of high professional standards by the Ethiopian media. In addition, the protection of the rights and privileges of Ethiopian journalists is an integral component of the Ethiopian media Council's functions.

In general, it is noted from the literature the media industry exercises, self- regulation by establishing a regulatory body such as media council. The main functions of this media council are produced codes of conduct relating to standards and fairness to increase the accountability of the media to the public. Besides, the media council has a potential to promote the freedom of the media by persuading governments to abstain from issuing oppressive laws upon the media industry. Overall, the major advantages of media council are as follows:

- It allows members of the media industry more freedom to run their affairs.
- The rules and procedure of the media council are less formal.
- The costs for the formulation, interpretation, amendment and enforcement of standards are lower.
- Self-regulation through media council can harness common interest in maintaining the reputation of those involved in the activity and can generate a sense of ownership amongst those in the media industry.

- Since those directly involved in the media industry develop the rules (code of conduct), they are practicable and can best reflect the issues and needs of the media.
- The media council acts with greater speed in decision-making and can be easily adapted to reflect changing circumstances.

Accordingly, while the promotion of self-regulation of the media is undoubtedly essential to the existence of freedom of the media in a democratic society, it is worth emphasizing on some of the mechanisms of media self-regulation. Thus, this study focuses on the sustainability and the roles of the Ethiopian media council.

## **2.8 Media Codes of Ethics**

Codes of ethics publicly define the functions, rights, and duties of journalists and thus provide journalists with guiding principles on how to best exercise their profession. The names of these codes vary ethics standards, ethics charter, code of conduct, code of practice, code of ethics, etc. However, they all have similar purposes: safeguarding the autonomy of the profession and serving the public interest. And codes of ethics are designed to provide ground rules for conduct.

According to (Corne, 2002), all members of the media have a duty to maintain the highest professional and ethical standards. In doing so, they should have regard to the provisions of the code of practice and to safeguarding the public's right to receive information.

And codes of ethics are practical, having a real-life application for day-to-day conduct, and they also have public relations implications. As MacDonald and Petheram (1998) state:

*There are many ways in which the media can offend without straying beyond the law: inaccuracy, lies, distortions, bias, propaganda, sensationalism, trivialisation, lapse of taste, vulgarity, sexism, racism, smears, character assassination, deception, invasion of privacy (1998:79).*

Leveson cited in Cohen-Almagor (2014) stated, "The Code of Practice should take into account the importance of freedom of speech, public interests and the rights of individuals". This means a code may define privacy and private places and the grounds on which people may complain about media intrusion into their private lives. Frost, cited in Gudeta (2008) describes, Codes of conduct are "introduced to reassure the public that a profession has

standards of practice and to imply, at least, that professionals who disobey those standards will be disciplined”.

Then from the literature, it has noted that, to practice self-regulation code of conducts, if properly enforced, could reduce journalistic malpractice and provides that journalists be accountable for their action. There are generally two types of codes: those that are developed by media houses (in-house codes) and those that are developed by professional associations. In the latter case, the code will be applicable to all media in the country.

As Krüger (2009), Journalists come to the concept of self-regulation from a slightly different direction, from the ethics of their profession. Therefore, it is understandable this provides a set of rules, aligned with the general morality in society, which buttress the trust of audiences – something practitioners need in order to do their work effectively. The profession’s ethics deal with such issues as fairness and accuracy, the avoidance of conflict of interest, the treatment of vulnerable people, protection of sources and many others.

## **2.9 Theoretical Framework**

This topic seeks to highlight the theory, namely social responsibility theory in order to describe the theoretical framework. The aim is to provide an understanding of the theory that the media self-regulation is based upon.

### **2.9.1 Social Responsibility Theory**

It comes not only from the academic knowledge, but also out of the practical knowledge that the media are social institutions apart from being an industry. In theoretical terms, in the area of media studies, the self-regulation approach is fueled by the social responsibility theory. This theory focuses on the relationship between the media and the society.

Hence, understanding of the structural principles and media dynamics requests as a must the consideration of socio-cultural aspects, as well as economic, political and often technical-judicial ones (McQuail, 2005: p. 204-207). He argued that the social responsibility theory is a modified version of the free press theory placing greater emphasis upon the accountability of

the media in society. Media are free, but they should accept obligations to serve the public good. The means of ensuring compliance with these obligations can be either through professional self-regulation or through public intervention.

The social responsibility theory was first introduced in 1947 and was recommended by the Hutchins Commission. The Commission onwards, self-regulation has been seen as an important element in a system based on a social responsibility approach. It affirmed that the media should serve the public, and in order to do so, should remain free of government intrusion. The theory stated that the media could be self-regulating by holding to the following principles:

- Media has obligations to fulfill to a democratic society in order to preserve freedom.
- Media should be self-regulated.
- Media should have high standards for professionalism and objectivity, as well as truth and accuracy.
- Media should reflect the diversity of the cultures they represent.
- The public has a right to expect professional performance. (The supporters of this theory had strong faith in the public's ability to determine right and wrong, and take action to preserve the public good when necessary.)

In essence, self-regulation is an attempt to balance the need for any accountability with the desire to safeguard media freedom.

Although a socially responsible media can mean a different thing to different people, one common requirement is that the media, while remaining free, be fair and responsive to the societies. Thus, the most vital theoretical frameworks that help to make sense of the research questions of this study are social responsibility theory. This theory justifies society's expectation of high standards of performance on the part of the media, and accountability of journalists not only to society but also to their employers. The social responsibility theory

calls for the media's self-regulation within certain principles or established institutions like media councils. McQuail (2000), further contended that:

*The main advantage of a developed public responsibility frame includes the fact that the need of society can be expressed in a direct way by claims made in the media, to provide for these needs. In addition, intrinsic to this frame is the idea of a continuous, interactive relationship between media and society (2000, p. 186).*

From the literature, it is easy to understand that social responsibility theory allows free media without any censorship. However, at the same time, the content of the media should be discussed in public panel and the media should accept any obligation from public interference or professional self-regulations or both. Moreover, the theory helped in making professionalism in media by setting up a high level of accuracy, truth, and impartiality. The media council also included some tasks based on the social responsibility of media which includes formulating the code of conduct for the media, improve the standards of journalism, safeguarding the interests of journalism and journalists.

Based on these, the establishment of a media council to deal with complaints from the public instead of referring such cases to the courts to give out sanctions on those found guilty. Therefore, the social responsibility theory is the main theoretical framework for this study.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

The aim of this research is to examine the sustainability of the newly established Ethiopian media council and the roles it could play in addressing the issues the media faces. So, this study assessed the institutional set up of the council and identified factors that would affect its sustainability.

This chapter highlights the methodologies used in the study starting with study design, data sources, data collection tools, sampling techniques, data presentation and analysis, issues of reliability and validity and finally the ethical concerns in carrying out research. Thus, methodology became very important section for obtaining the data used in chapter four and five of this study.

#### **3.2 Research Design**

Choosing a research method and design requires acceptance of trade-offs between time, cost, favorable environment and confidence that one can place in the expected findings.

In addition, research design depends on the purpose and nature of the research problem. And one single design cannot use to solve all types of research problems.

Then, this study used a mix of qualitative and quantitative designs just to complement the former with the latter, because using different methods of data gathering strengthens the reliability of a research.

According to Creswell (2009), mixed research methodology, which combines both qualitative and quantitative methods, is better than either qualitative or quantitative research method. This is because it reduces the risk of bias in the researcher's conclusions by offering the researcher broader understanding of the issue he/she investigates.

Also, using both qualitative and quantitative methods at a time is commonly known as triangulation, which is helpful in mitigating and/or compensating one method's weakness by the strengths of the other (Gray, 2004; Wimmer & Dominick, 2006). The key benefit of using a combination of research methods is to make sure that the findings are not artifacts of one particular method of analysis. In addition, my study used the explanatory method to get information on the status of a media council of Ethiopia.

Among the qualitative and quantitative designs, this study preferred to depend more on the qualitative one because the study would be more of the description. Employing qualitative research for this study is the rationale that it will submit non-numeric information and rich understanding of the issue generated by examining a phenomenon that is not simply converted into numbers (Berg, 2007). Qualitative research offers a more systematic way of investigation to achieve the objectives as well as to answer the research questions in the study. It used to derive meanings out of the respondents' descriptions and explanations of issues raised during interviews.

In addition, this research has used a quantitative approach to bridge a gap that could possibly be created. And it is believed that this choice of design has maximized the credibility of the findings of this research by applying both approaches. Thus, through utilizing these two methodological approaches, an appropriate assessment of the sustainability of the newly established Ethiopian media council and the roles it could play in addressing the issues the media face in Ethiopia has been conducted.

### **3.3 Data Sources**

Data is one of the most important and vital aspects of any research undertaking. Also, data used in a research can be classified as either primary or secondary. When a researcher deals with data in the form of the original evidence, it is termed as a primary source (Remenyi, Williams, Money, & Swartz, 1998). Secondary data are the one, which has been previously published or otherwise indirectly available. Hence, to examine the sustainability of the Ethiopian media council and the roles it could play in the media industry, appropriate data were collected from primary and secondary sources.

The primary data was collected from an in-depth interview held with key informants such as journalists, and editors of different media houses, leaders of journalists associations and executive committee members of the council. In addition, questionnaires were also means of data collection.

In regards to secondary data, relevant books, journals, and some relevant websites were reviewed in the literature and other parts. The documents of the Ethiopian media council were also considered as secondary sources of this study. The secondary data collected from libraries as well as the internet was assembled, synthesized, critically evaluated and conclusions drawn from them.

Therefore, the major reasons for employing primary and secondary sources were to get a wider range of ideas and opinions on media council as a self-regulatory body, which became the basis of data findings, analysis and discussions in chapter four.

### **3.4 Data Collection Techniques**

According to Kothari (2004), there are several methods of collecting primary data: observation, interview, questionnaires and the like. Among these methods of data collection, in-depth interview and questionnaires were found to be relevant to this study.

Then, in the data collection process, the researcher has used a combination of qualitative and quantitative research strategies with semi-structured interview composed of open-ended questions and structured questionnaires composed of close-ended and some open-ended questions to collect the data.

#### **3.4.1 In-depth Interview**

One of the techniques used in this study was an in-depth individual interview. The interviews were semi-structured so as to let the interviewees express their thoughts and views. Semi-structured questions are more flexible as the researcher can adjust questions depending on how the interviewee answers questions.

According to Wimmer and Dominick (2006), "in-depth interviews provide detailed background about the reasons respondents give specific answers. Elaborate data concerning respondents' opinions, values, motivations, recollections, experiences and feelings are obtained " (2006, P: 139). Thus, the researcher relied extensively on the in-depth interview.

Qualitatively, in-depth interview, which is applied in this study, gives the researcher the chance to dig for information and to understand the respondents' point of view. This technique affords a comprehensible picture, ideas and subjective views regarding respondents' profession, expectations, and challenges. Wimmer and Dominick (2006), states that the most important advantage of the in-depth interview is the wealth of detail that it provides. Generalization is sometimes considered contrary to the nature of in-depth interviews; but in this study, the researcher has increased the sample size to avoid this limitation.

Data would be collected from purposefully selected informants who are the main actors in the media council and in the media industry; such as council executive committee members, media representatives, journalists and other media stakeholders in order to capture their views of media self-regulation. In addition, the interviewees offer their views about the newly established Ethiopian media council; its roles, code of conduct and challenges face the council.

Then, in this research, the questions prepared for an in-depth interview would be kept general, open-ended and relatively unfocused. All interviews were also recorded and each lasting between thirty to forty minutes. And none of the interviewees were offered any form of compensation and all interviewees were informed of the purpose of the interview and its voluntary nature, including their right to stop the interview at any point (for a detail look at the guiding question at appendix).

### **3.4.2 Questionnaires**

The response of journalists is indispensable to weigh the general comprehension concerning media self-regulation. According to Fisher (2007), if the researcher wants to quantify the

research material, then it is best to use a structured questionnaire approach. Given that, the researcher used a structured questionnaire for this research to collect primary data from the representatives of the study.

Hence, the structure of the questionnaire would be clear, easy to understand and straightforward to ensure that the respondents can answer the questions with no difficulty. The questionnaire incorporated two parts: the first part is about the respondents' profile like their educational background, experience, position, etc. in the organization while the second part included questions on basic information, that are important to measure their awareness of media council and media self-regulation.

A survey included 100 questionnaires (out of which 25 to EBC, 15 to FBC, 15 to ENA, 8 to The Ethiopian Reporter newspaper, 7 to Sheger FM radio, 10 to Ethiopian Press Agency, 10 to Addis Ababa mass media Agency, 5 to Sendek newspaper and 5 to Bisrat FM radio) distributed to journalists working in public and private media houses. The respondents were selected randomly. While no intermediary took place to present the questions, the outcome from the questionnaires is believed to close the gap that can possibly be created by the in-depth interview.

### **3.5 Sampling Techniques**

According to Wimmer & Dominick (2006, p: 87), the sample is "a subset of the population that is representative of the entire population". A sample that is not representative of the population, regardless of its size, is inadequate for testing purposes because the results cannot be generalized to the population from which the sample was drawn.

This study largely relies on primary data obtained from in-depth interviews and questionnaires of members of media council representative, journalists, and media industry stakeholders. Because the Ethiopian media council is established in Addis Ababa, the study was made in Addis Ababa, too. Consequently, while self-regulation is the role of the media council, all media stakeholders are a population of the study.

To make this study scientifically, the researcher has employed the non-probabilistic technique of purposive sampling. According to Rebecca et al. (2010), in the course of a purposive sampling method, the researcher chooses a sample from a population that contains different people with certain individuality. The size of the sample required for a study depends on at least one or more of the following seven factors: (1) project type, (2) project purpose, (3) project complexity, (4) amount of error tolerated, (5) time constraints, (6) financial constraints and (7) previous research in the area. Research designed as a preliminary search for general indications generally does not require a large sample (Wimmer & Dominick, 2006).

Hence, in purposive sampling, the researcher purposely chooses subjects who in their opinion are thought to be relevant to this research topic. Moreover, the sample size was determined by the needs of the research, as well as time and resources.

Obviously, media self-regulation requires the contribution of all stakeholders in the country and particularly, members of the council. Ethiopia's media council has 29 members that have signed the 'Code of Conduct'.

In this study, those who play a major role to make the Ethiopian media council vigorous and effective would participate. The researcher used his knowledge of the media population and selected 20 interviewees who have experience and knowledge on the issue relating media self-regulation. Then the key informants are: Deputy CEO of Ethiopian Broadcasting Corporation (EBC), Chief Editor of Ethiopian News Agency (ENA), Managing Director of Dire Tube, Chief Editor of Abay FM 102.9, Deputy Editor in Chief of Sendek Newspaper, Chairperson & two committee members of Ethiopian Media Council (EMC), Vice President of Ethiopian Journalists Association (EJA), president of Ethiopian Free Journalists' Association (EFJA), president of Ethiopian Sports Journalists Association (ESA), Managing committee member of Ethiopian National Journalists Association (ENJA) and eight journalists and editors chose from both public and private media institutions to produce vital data for the study.

Consequently, this purposive sample size is chosen depending on the resource and time available, as well as the study's objectives. Also, it is selected based on theoretical saturation

(the researcher believed in data collection, the new data no longer bring additional insights to the research questions).

### **3.5.1 Key Informants**

Key informants are different from ‘ordinary’ informants to the extent that they have more information to impart and are more visible.

For Payne & Payne (2004, P.134), "key informants are those whose social positions in a research setting give them specialist knowledge about other people, processes or happenings that is more extensive, detailed or privileged than ordinary people and who are therefore particularly valuable sources of information to a researcher, not least in the early stages of a project."

Then, in this study, the researcher conducted in-depth interviews with people who are the major actors in the media industry, particularly those who actively participated in establishing the Ethiopian media council. The informants have different views with regard to the role of the newly established media council and media self-regulation processes.

Because, the key informants are purposefully selected from the various media institutions, the research subject grants different views of various bodies concerned with the regulatory roles of Ethiopian media council and its sustainability.

### **3.6 Issues of Reliability and Validity**

Reliability is the ability to get repeatedly the same values from the measurement of the same thing. According to Krippendorff (2004), each element of a study should have the qualities of reliability and validity. To maximize reliability, Saunders, Lewis, & Thornhill (2007) argues that, the researcher should ensure that the data is collected accurately and adequately during the data collection stage. They emphasize that the researcher should also avoid any form of selectivity or subjectivity in the data that is recorded and analyzed.

Researchers who perform individual in-depth interview must be confident that their data has been selected with all possible precautions for ensuring that any potential distortions or biases whether accidental or intentional are avoided (Krippendorff, 2004).

In addition, the research procedure is deemed reliable only if the researcher has responded to the parameters equally and in a similar fashion regardless of the circumstances of their implementation (Ibid, 2004). There are many ways of estimating reliability; in this study, the following were followed to maximize reliability: Procedures for resolving coding problems: to avoid problems with coding errors, the researcher double-checked all of the coded data in conjunction with one independent observer. This was to ensure that the categories that were recorded were applied consistently.

Intra-coder reliability: to guarantee intra-coder reliability, the researcher coded the data set twice at different times to ensure that the content was coded consistently. And the validity of the research is discussed next.

### **3.6.1 Validity**

Validity refers to in the literature as the degree to which a particular research instrument measures what it is intended to measure. Thus, if the intention is to study the sustainability of a media council of Ethiopia and the roles it plays in media self-regulation, the analysis is considered valid only if the results clearly represent the actual roles that a council plays in the media industry. Bhattacharjee (2012) expressed, different types of validity where face validity and external validity have been considered in this study. These can be summarized as follows:

- Face validity describes the extent that a measure fits what is expected to be true, and if the findings from the in-depth interview and questionnaire generally make sense, they are considered valid;
- External validity describes the generalizability of the study and concerns the extent to which the results of a study can be considered true for other cases. Since this study used purposive sampling, external validity did not apply. One potential aspect that can affect the validity of a study is the bias that may occur from the researcher.

### **3.6.1.1 Bias from the Researcher**

According to Saunders, Lewis, & Thornhill (2007), there are various factors that can emotionally affect the psyche of the researcher, which translates into a form of bias. These include the type of information that is sourced by the researcher, the nature of the questions posed, the degree of knowledge of the researcher, the researcher's cultural background, the circumstances within which the research takes place, and so forth.

The researcher was conscious of the cultural and social background that inherently shape the perception of a person's world and which may have inadvertently filtered into the data collection and data analysis process of the study.

Therefore, in this study, great care was taken to minimize any possible biases. In addition, care was taken to ensure that the outlined in-depth interviews were carefully held when performing data capturing and analysis.

### **3.7 Ethical Considerations**

For this study, the researcher ensured that ethical principles were observed. These included, among others, ensuring the principles of voluntary participation; where the selected respondents were not forced into participation but did it willingly.

Saunders, Lewis, & Thornhill (2007) emphasize that the participants had the right to withdraw partially or completely from the interview process in case they felt so. Likewise, Payne & Payne (2004) argued that informant identity should be protected by making them anonymously in the final reports.

In this study, the researcher made sure that people agreed to be interviewed without force; and promised to protect the privacy and confidentiality of the respondents. Participation in the research should be informed that participants have the freedom to withdraw from the study at any time without any unfavorable consequences. Besides, all data collected should be used only for academic purposes and kept confidentially.

Indeed, the issue of media self-regulation and media freedom were a sensitive area in Ethiopia; that is why the researcher considered the privacy of the participants.

### **3.8 Pilot Study**

To establish the validity of instruments, the researcher first managed the interview with 3 key informants and distributes 10 questionnaires to respondents.

The interview questions and questionnaires that were pre-tested enabled the researcher to adjust, improve and reshape the research instruments, especially the interview guide to match the situation of the time. For purposes of quality control, and to ensure that the responses were genuine, the researcher also checked the information gathered from the interviews and surveys with other sources.

Through this, the researcher believes the information gathered is a true representation of the situation of a media council of Ethiopia.

### **3.9 Data Analysis and Presentation**

All the data that were collected from the study units of data collection techniques employed were first transcribed to describe the core idea. Data were then realized by putting into consideration how themes relate to the objectives, research questions and literature reviewed.

The researcher was able to match several answers from respondents with objectives and the already reviewed literature. Gaps that existed between what has been studied and what the research found during data collection identified. In addition, the analyses were presented in a way to handle the research objectives and questions.

Finally, the results were arranged based on the objectives of the study. The outcomes of the study were submitted to examine the sustainability of the newly established Ethiopian media council and the role it plays in media self-regulation. In addition, a list of the respondents interviewed and questionnaires were annexed to this research. This ends the explanation of the research methodology and design for this study.

## **CHAPTER FOUR**

### **DATA PRESENTATION AND ANALYSIS**

#### **4.1 Introduction**

This chapter presents and analyzes the data collected. The focus of the presentation and analysis of data are pieces of information that are directly related to the Ethiopian Media Council sustainability and the roles it plays in the media industry.

The data are gathered from a secondary source and primary source through in-depth interviews and questionnaires.

The researcher interviewed 20 informants who have experience and knowledge on the issue relating media self-regulation. In addition, the survey questionnaires were distributed to 100 randomly selected respondents (journalists and editors working in public and private media). Out of which 84 questionnaires were filled out and returned. Sixteen questionnaires were returned completely unfilled. Therefore, only 84 (84%) questionnaires were considered for the study.

Regarding demographics, the majority of the respondents to the questionnaires were, male 48 (67%), have 5-10 years experience (62%), BA degree holder (79.5%) and work in public media (58.3%). Almost all of them are younger (91% of respondents 20-35), (61.3%) of the respondents had not studied journalism and communication. Those who studied journalism and communication (38.7%) have better awareness of the self-regulation and the roles of the media council.

This mix of methods was deliberately preferred to triangulate them and thereby, fill the gap that would have been created if a single method had been chosen. Also, increases the reliability of the findings.

The study begins with the assumption that a strong connection exists between media regulation and freedom of expression. Freedom of expression is meaningless if there are tyrannical media regulation and communication policies in a given country. That is to say, there must be encouraging media environment for the improvement of media freedom.

Therefore, before starting presenting and analyzing the Ethiopian media council sustainability and the role it plays in the media industry, it is important to look at the implementation of media law and level of freedom of expression in Ethiopia.

#### **4.2 Media Regulation and Freedom of Expression in Ethiopia**

The media have a crucial role in enlightening the truth and in supporting democracy. And the society benefits when journalists can access the information and disseminate freely. Then the right to freedom of expression has important implications in relation to all aspects of media regulation.

All informants interviewed agreed with media regulation in favor of the self-regulation model. Regarding this point, Meseret Atalay, a member of the Executive Committee of EMC, and President of EJA state:

*Nevertheless, as nothing can be operating in a vacuum, yes, the media should be regulated. In our country, media freedom is constitutionally guaranteed. However, it does not mean that Freedom is absolute and it is subjected to limitations in accordance with law and regulation (personal interview, February 28, 2017).*

Likewise, Abel Adamu, Deputy Chief Executive Officer of EBC & Academia, share his idea as follows:

*Personally, I believe that media should be regulated. Because no media play its role without regulation. For example, to protect malpractice of journalism like promoting conflict between peoples, defamation, social unrest, and so on. However, the question is that whether the media self-regulated or to be regulated by the government? For me, self-regulation mechanism is the imperative way, which helps the media to be effective and loyal to the societies (Personal interview, March 5, 2017).*

In regard to press freedom, world book of encyclopedia defined it as, the right to publish facts, ideas, and/ or opinions without interference from the government or private group and this right extends to radio, television, and motion of pictures as well as printed materials (World Book of Encyclopedia, 2001). Seleshi Demissew, Executive Committee member of Ethiopian National Journalists 'Union (ENJU) and Senior Editor of EBC, shared the idea regarding the connection between media regulation and media freedom. In that connection, he said the following:

*No doubt, that freedom of expression is more practiced through free media, and both issues are the two sides of the same coin. So, the media should be free in giving information, the media should give access to gather, disseminate and investigate information from whatever the sources. And to do so the media should be professional in return; I mean the personality and integrity of the media professionals should be put in a very acceptable manner. However, it does not mean that the media is left free should not take the other way round, it does not mean the media is free to bring and disseminate what so ever information's it accesses (personal interview, March 3, 2017).*

From this, it can be noted that media freedom is imaginary without independent media. So does to the existence of democracy. And by its nature, regulation sets limits to freedom, which is a fundamental principle of democratic societies. This means that have to be clear and convincing reasons for media regulation, and although we can give general justifications for regulation that help to reconcile it with the principles of freedom and democracy. According to Stone (2013) in a democracy, unavoidable exceptions from freedom of expression must be set in law. But in order to maintain fearless debate of public issues only a very few types of speech offenses should be criminalized. These include words or images that would clearly endanger the rule of law, society's peace, or the safety of individuals: for example, incitement to violence, calls for discrimination, or distribution of child pornography.

Along the same lines, Yonas Teshome, President of ESJA and Chief Editor of FM 104.7 share his idea on the matter. He stated,

*Actually, the right to freedom of expression constitutionally guaranteed in Ethiopia. Indeed, this right cannot have a meaningful application except the media plays its key role. To do this, media freedom also recognized. However, as of constructive and destructive media power, this right restricted by law. Freedom is proportional. Therefore, the media need obligation to assume both moral and legal responsibilities for all information they disseminate for the general good of the society (personal interview. March 20, 2017).*

He argues freedom of expression and media freedom were perceived as being accompanied by social responsibilities, but in the country, the conceptualization of freedom appears to be narrowing to the freedom to act without the moderating responsibilities.

The above findings show that freedom without control can lead to disaster. The insistence on freedom advocated raises many questions about the role of media in the society. If this freedom means only "freedom from." and ignores socially responsible and ethical media, there

is a danger that eventually public's confidence may be shaken in the credibility of the media. When media act in an irresponsible manner and keep only its own interest in view, then some external forces have to step in to hold media accountable for its performance. Also, the existence of the media sector merely cannot justify freedom of expression; rather a free, strong and accountable media can safeguard freedom of expression and be a development aid to the government (Solomon, 2011 p: 55).

As aforementioned article 29 of FDRE constitution guarantees freedom of expression and it is an indispensable right to hold opinions, receive, and impart information and ideas. This allows the public and journalists to forward their ideas and opinions freely. Regarding the means of imparting and receiving ideas and information Article 29 (2) of the constitution briefly allows “either orally, in writing, or in print, in the form of art, or through any media of his choice.” However, with such rights come duties and responsibilities through law. Informant 1 works in one of the private media (wanted to remain anonymous) appreciate the country's law, which guarantees the media freedom and freedom of expression. The informant shares his idea as follows:

*Even though censorship is prohibited by the country's constitution and Media proclamations, the implementation is by far, what is going on. Some government officials intervene in the media work. Journalists are threatened due to the contents they produce. And because of fear, the journalists censor themselves. So, in a practical sense, freedom of expression and media freedom hardly exist in Ethiopia (personal interview with informant 1, March 11, 2017)*

Along the same line, informant 2 journalist for private media (anonymity is kept) states, "Though censorship is prohibited, in practice, media outlets have been forced by external forces, particularly by the government to stop reporting certain issues. Journalists who are critical of reporting, about the government, get threatened, harassed, intimidated and investigated" (Personal interview with informant 2, March 15, 2017). He argues that censorship is the unwritten, unspoken, but widely accepted and applied approach for media houses, regardless of ownership.

From the above discussion, the basic problem aligned with media freedom in Ethiopia is the use of media as a tool (for propaganda purpose) than as an independent social institution, which has a role in every affair of a society.

The study found that some officials lack concerns and are not willing to realize the law. This is, because of legal and constitutional laws that grant the existence of freedom of the press is given a mere paper value. But the significance of rules and regulations are not nominal existence on paper rather when it is appropriately implemented the change comes. In addition, media freedom is about the media being free from any control mainly from that of the government and the existence of independent self-regulation under which it makes itself function, yet this is not practiced in Ethiopia. And the repressive and restrictive media laws and continued threats by the government through the regulatory bodies have widespread self-censorship among media houses, journalists and other media practitioners. Moreover, media independent regulation by itself is not the kind of an instrument, which helps the free flow of information. Somewhat it is the kind of professional way of doing, that means the professionals come together, and they defending themselves from external interference as well as ensuring their accountabilities. Furthermore, the practice of freedom of expression and the media is bound to certain limitations. So, the media and the practitioners should respect the limitations imposed by the constitution and/or media laws.

#### **4.3 The Significance of Media Self-Regulation in Ethiopia**

The central assumption behind media self-regulation is that the media themselves are to ensure observance of rules of professional conduct and thus, increase their accountability and authority. These self-regulatory systems operate under an established body or institution known by different names in different countries: media council, the press council, complaints commissions, and media commissions, press ombudsmen, etc.

According to Ian & Peter (2005), self-regulation became the principal means of regulating the large number of industries and professions, which developed during and after the industrial revolution. They argued that, in the modern regulatory situation, self-regulation is more and more being presented as an important alternative mechanism to statutory regulation. Concerning to media self-regulation in Ethiopia as expected, among informants, there is no discrepancy about the importance of it. Yonas Teshome, President of ESJA and Chief Editor of FM 104.7 respond in favor of media self-regulation. He states, "Self-regulation is the right system to promote professionalism and responsibility" (Personal interview, March 20, 2017).

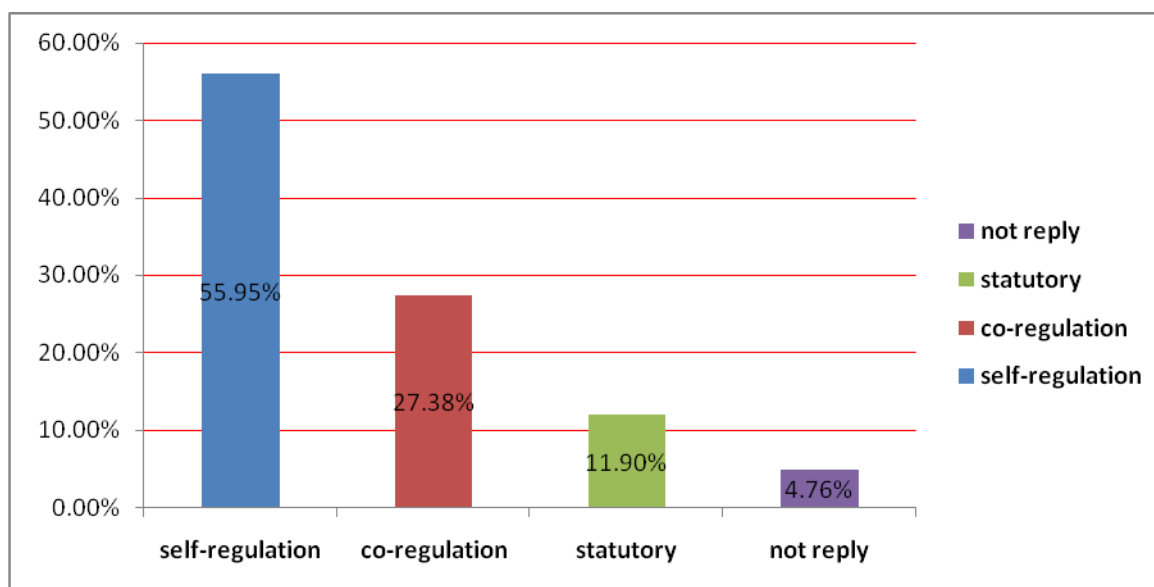
Yonas further added media industry can be freely operated without fear of legislative regulation and government interference.

Similarly, Yeneger Getachew, a journalist for private media (personal interview, March 16, 2017) behind the notion of media self-regulation model. He viewed that self-regulation is a form of ‘soft law’ and involves no statutory obligation, or at least no governmental constraint in certain areas of regulatory specification and administration. With regard to media self-regulation, the majority of respondents in in-depth interview further argues self-regulation was a better mechanism for media accountability in Ethiopia despite intrinsic threats, emanate from political interests and it is difficult for the media to play the watchdog role that it was envisioned to fulfill.

The above findings show that an important incite for self-regulation could be the threat or possibility of legislation; self-regulation might develop to anticipate regulation and in the context of oversight and monitoring by a public authority.

Of the designed questionnaire respondents were asked, which model of media regulation they favor? The following graph shows their responses.

#### Which model of media regulation do you favor?



Graph 1. Regulation models

From the above graph 55.95% of respondents, favor the idea that media regulate its self, 27.38% said media regulated by industry and government or co- regulation model, some 11.9% said media regulated by the government while 4.76% did not reply.

From the data, the majority of the respondents indicated the same responses as in in-depth interview that self-regulation modality is important for Ethiopia media industry and they link media self-regulation concept to free from any government law. Therefore, respondents in the in-depth interviews and questionnaires were more aware of the importance of self-regulation in promoting it instead of backing the government's exercise of control over media practice.

As discussed above creating a media free from government influence through self-regulation is critical in building vibrant media in the country. Relating to the regulation, cutting the relation between the media and government will build up the public's confidence in the media by creating an unbiased media through the self-regulatory body. In addition, responses to the open-ended questions revealed if the media industry itself initiates self-regulation of the media, then it would be far more effective in achieving its goals. And its effectiveness will be in direct proportion to the number of functions that such self-regulation body undertakes to perform.

Even though, self-regulation helps to maintain the media's credibility with the public, since January 2016, Ethiopian media community could not establish the self-regulatory institution. And it takes more than a decade to realize this self-regulatory body, which is media council, in the country. According to Amare Aregawi, chairperson of the EMC executive committee and managing director of Ethiopian Reporter newspaper, because of various reasons establishing media council has taken a long time. He states:

*The process of establishing a Media Council, which ensures accountability of the media and quality of service, was full of difficulties. One of the causes is huge polarization among the media community in Ethiopia. This was the division of public sector journalists and private sector journalists and an impediment in the media community coming together to set up Media Council sooner (Personal Interview May 3, 2017).*

The Establishment of the media council could not be the end goal unless practiced self-regulation through the council. And as some informants in in-depth interview argue due to various reasons in the media industry, so far the EMC passive and not starting operation. Fanuel Kenifu, Deputy Editor in Chief of Sendek newspaper, expresses his idea as follows:

*Our culture is very backward so far as entertaining diversified opinions. If you express things differently, some groups launch campaign against you. I believe, the council has to do everything in its capacity to change this culture (Personal interview, February 26, 2017).*

Media self-regulation can be seen as a co-operation between the regulator, the media, and the public. Therefore, realize self-regulation has been a priority for practitioners and for the media as a whole. The majority of the respondents believe that the improvement of freedom of the press and expression is dependent upon the operative media council, the commitment of the government to the implementation of the press law and the active role of stakeholders.

Regarding this issue, Tsegaleul Woldekidane, Deputy President of EJA and Senior Editor at EBC stated:

*Different media houses have developed their own code of conduct, but there is no systematic that can be applied at the national level. So, currently, the established media council is a great achievement (Personal interview, March 18, 2017).*

He further added, the EMC as a self-regulatory mechanism confidently would provide impartial, speedy and cost effective arbitration to settle complaints. Then from the discussion, we can understand that the self-regulation has been the main concern for media and journalists. It is vital for the international development partners who support the development of the media sector in Ethiopia. The establishment of the self-regulatory body is certainly a great success in media industry itself.

So, the fate of freedom of expression and the media will turn out to be better, if the public and the media community recognize the EMC and become a stakeholder. Additionally, freedom of the media will be upheld if the government becomes paying special attention to the various roles of the media industry in a country.

#### **4.4 The Ethiopian Media Council**

As discussed in chapter two, Media Council is a self-regulatory body set up by the media themselves, to self-regulate in order to maintain public confidence. So, the very willingness to establish a media council demonstrates a keen interest in improving and upholding the reputation of the media in the eyes of the public.

Zlatev (2011), explained the media council is probably the best-known mechanism for the enforcement of media self-regulation. It is a flexible structure, which is normally shaped according to the local cultural, historical and political contexts and traditions; hence, there is no universal model for media council.

On top of this, the Ethiopian media council was established on January 2016. During the data collection period, the Council had 29 members, who have signed the Code of Conduct. Regarding the established media council, no journalists and editors in an in-depth interview, have detailed information. And they haven't got a chance to discuss the process of the establishment of the council.

Likewise, in designed questionnaires, whether they have ever heard about the EMC the majority (87.6%) of the respondents said 'yes' while 9% of them do not hear about it. About 3.4% of the respondents not reply. In addition, If their answer affirmative, they asked what they think about the council. However, almost all of them disclose they do not have adequate information. From the finding, it is clearly noted if the majority of the respondents do not have sufficient information about the council and do not contribute an idea for its betterment, obviously the journalists not taking as their own institution. And this lack of ownership harms the sustainability and effectiveness of the EMC.

The EMC document shows that the Council has an Executive Committee of five members (which has been discussed under the sub-topic "structure and composition\_"), two from broadcasting (EBC and Shegerradio), two from the print media (Reporter and *Kumneger*), and one from the Ethiopian Journalists Association. In addition, the document confirms that the council is a non-judicial, non-governmental, non-profit making and self-regulatory body with a mission "to promote professionalism in the media industry. Also, it deals with the complaints of the public to the acts of the members of the media practitioner."To do so, the

council puts professional standards in the interest of the public in the country and supports the values of accountability, integrity, and excellence.

#### **4.4.1 Perception of Roles of the Ethiopian Media Council**

The Ethiopian Media Council, aimed at to serve as a self- regulatory body for the media industry in the country. Amare Aregawi explained that the newly established media council is very significant for media outlets so as to self- regulate their activities. He expresses his ideas as follows:

*The EMC will help to resolve many issues. The council is going to be a place where the government itself would come if it has any complaint on the broadcasters or print media; it can come with its complaints to the media council instead of talking to the court (Personal interview, May 3, 2017)*

He added, the council would do its best to stop the government from taking journalists to the court. And, the mistake would be addressed by the council through naming and shaming institutions, that go against the code of conduct, including government organizations and the government itself.

According to Meseret Atalay, a member of the Executive Committee of EMC, and President of EJA, also the EMC has voluntarily formed the self-regulatory body of the media industry in the country. He states, "The Council intends to create awareness of the importance of journalism in society and acts as a mediator in cases where disputes and grievances with relation to media happen" (Personal interview, February 28, 2017).

Tamirat Hailu, a member of the Executive Committee of EMC and Managing Director of *Kumneger* Media& Entertainment, states that the Media Council is a suitable dispute resolution system where the media industry and its practitioners correct each other. Tamirat added, "The EMC will sustain the equilibrium between the rights and responsibilities of the media. It will also help the media industry to guard itself against facing the compulsory law and corporate interest groups," (Personal interview, February 24, 2017). According to him, what was expected from EMC is the same things to do as councils found everywhere in the world.

According to the respondents, the role of the EMC would be to deal with public complaints. The council would adjudicate on complaints, would order appropriate action an apology, a retraction or right of reply, and would have the right to insist on determining the prominence to be given the recommended form of redress. In addition, there would be a right of appeal to the legal court, by either the complainant or the media.

Nevertheless, as discussed under the review literature, establishing media council will significantly reduce court procedures. Consequently, wastage of time, money and energy in court trial can be saved. Likewise, the significant part of the Media Council for Getachew Senay, Chief Editor of Ethiopian News Agency (ENA) “is keen to be adjudicated by peers. And mainly the role of the council will be naming and shaming. So those who violate the code of conduct will face the intimidation of their credibility being questioned,” (personal interview, March 4, 2017). Self-regulation in any profession entails the development and enforcement of rules by those whose conduct is to be governed, with the ultimate aim of improving the service offered to consumers, claimants or in the case of the media the public at large (Article 19, 2005)

As discussed above, the informants' pointed out that; the EMC will address different issues faces in the media industry. More than half of the informants in an in-depth interview, emphasized that the council takes the mediating roles to resolve complaints come from the public, the media themselves and government. Azeb Mekete, Chief Editor of Abay FM believes that the newly formed Media Council of Ethiopia will help to protect press freedom in future. She shares her idea as follows:

*The Media Council has the potential to create a healthy atmosphere for the Ethiopian media landscape. It will have a positive impact on the quality of journalism. However, it has a lot of impediment to overcome. Primarily, it should have to win the trust of the media community and the public (Personal interview, March 15, 2017).*

Azeb added that the council should create an accountable and socially responsible media in the country. Also, she believes the established council would improve media freedom, promote journalistic ethical, address complaints on media conduct.

Along the same line, Getachew Senay states, "media council enhanced the quality of journalistic commentary and changing the perception of the importance of media in society"(Personal interview, March 4, 2017). In addition, he argues EMC should play the vital roles of flourishing protection of media from external pressure (from the government and other power group).

The above findings show that the major role of the EMC will be to improve media freedom. In addition, the council has roles in ensuring media organization's accountability and preserving the highest standard of journalism as perceived by the societal values (Cultural/socioeconomic & political) of the Ethiopian.

Unlike to responses obtained from the in-depth interview, participants in the survey questionnaire answer the question whether the public and journalists understand the self-regulatory role of EMC. Look at the responses given in the below table.

	The responses given						Total
	Agree	Disagree	Strongly agree	Strongly disagree	Not sure	Not Reply	
Number of respondents	8	54	3	10	7	2	84 N=84
%	10%	64%	4%	12%	8%	2%	100%

Table 1. Understanding roles of EMC

About 64% of respondents disagree with the proposition while 12% said strongly disagree. About 10% of respondents said agree while 8% not sure. About 4% said strongly agree and 2% of respondents did not respond to the question. Then from the data, possible to understand that even though the journalists and the public have ever heard about the established EMC, they do not know well about its role.

Therefore, the study found that there has not yet been a common understanding created on the roles Ethiopian media council plays. Some of the informants believe that the council is tasked with only advocating journalists' rights, some said complaints handling and safeguard and defend the media from government interference.

While, the researcher noted from literature, on top to all the above discussion, EMC should play the roles that seriously promoting media freedom, promote and defend the interests of the societies, creating awareness of the public and journalists about both media freedom and journalistic standards. So, EMC can embark on other activities apart from arbitration or adjudication, such as training and lobbying for self-regulation of the media.

In addition, role clarity is essential for a council to understand and fulfill its tasks effectively. This requires the council's objectives, mandate, functions, and scope to be clear, the nature of the guidelines role to be defined, and the potential to cooperate transparently with other bodies too.

#### **4.5 Determinants of the EMC Sustainability and Success**

In this section, the focus is on the sustainability and success of the EMC. The researcher identifies factors that determine the sustainability and success of the media council in Ethiopia. The following factors (membership, funding system, structural set up, awareness about the council, enforcement capacity) have been figured out from in-depth interviews conducted with key informants and from the questionnaires distributed.

##### **4.5.1 Members of EMC**

As existing literature show Sweden is the first country to have a Press Code and to put in place mechanisms to enforce such a code. The Swedish system is a self-regulatory one originally set up by journalists (not newspaper owners) in 1916. The Newspaper Publishers Association, the Magazine Publishers Association, the Swedish Union of Journalists and the National Press Club now jointly fund it.

Also according to the self-regulation guidebook, mostly, media councils should be made up of journalists, media owners, and publishers. They are more professional rather than political bodies, therefore professional qualities of media representatives should prevail. So, it is noteworthy to realize a good balance between the self-interest of the industry and other consideration, such as the participation of lay members. And membership is important as regards the credibility and transparency, which in turn are sources of legitimacy.

Regarding the issue of membership, the EMC Articles of Association, both public and private broadcaster and publisher registered by the Ethiopian Broadcast Authority (EBA) and journalists' associations eligible to become the Council Members. The Council has also broadened its jurisdiction to include material published on the websites of its members. This is taken as a maturity as most print and broadcast media now have websites, which are regularly updated with news. As stated under Article 5 of the Council Constitution online media excluded from the council coverage of application or jurisdiction.

In spite of its composition, almost all of the respondents in an in-depth interview and the majority (83%) of survey respondents said the establishment of EMC is one-steps forward and it would be an instrument to help the country's media do its job properly. However, some of them thought the founding member's list shows that it is the 'owners club'. Wondewossen Mekonnen, President of EFJA underscores that,

*I believe that the primary concern of media council is maintaining the professionalism standard and increase the quality of information provided to the public. So, to address the issues, the council should have to include all the professionals and cover country's media landscape. But when we look at the established 'media council' it doesn't fulfill the criterion, for me, it is not media council, of course, simply I call it owners' association number 2. Already owner's association number 1 was established before (Personal interview, March 14, 2017).*

Wondewossen added all of the media types whether offline or online must incorporate in the council, journalists (from private and public media) should be direct members of the council and the public fairly represented in a panel of ethics. Media owners particularly those from private have their own interest in profit making, so the council needs keeping the balance of representation rather than guaranteeing the media proprietor dominance.

Along the same lines, Fanuel Kinfu pointed out that, there is the dominance of media owners in the established media council, which bound the participation of journalists in the self-regulation process. He emphasizes,

*There is a double standard in accepting membership. For instance, publishers have their own association, which is a member of the Council. However, individually, they (publishers) are eligible to be members of the council. In similar reason, why are journalists not*

*allowed to be members? I believe the owners and publisher are advantageous in the process” (personal interview, February 26, 2017).*

Biniam Negessu, Founder and managing director of Dire Tube, also strongly oppose the exclusion of online media from EMC. It looks crucial to cite his response regarding this matter. He responded:

*I think the EMC did not bring all the media types in the country. Albeit, the online media is emerging, it only focuses on the traditional media. I know it is not easy to control all online media outlets because of unreachability and anonymity, but that does not mean that it is impossible to regulate. For example, Dire Tube is legally registered and its physical location is well known. So at least those recognized as an institution like ours should be a member of the Council (personal interview, February 23, 2017).*

He also added, let alone the membership, as media, we were not invited to discuss the matter during the process of establishing the council. In view of the fact that, self-regulation is the system as a way of demonstrating to an audience that media hold to high ethical standards, also the online media should have to be encouraged to become part of the council. Except, the council fails to sustain and achieve its objectives.

To the contrary, Amare Aregawi, on the issue of membership explains the following:

*Almost all private and public media houses, publishers, broadcasters and journalists associations can be regular members of this council. Therefore, we have media owners, public media operators, journalists associations signing of the code of conduct. In addition, we will have honorary members (supporters of civil society), and it's going to extend (personal interview, May 3, 2017).*

Amare Aregawi added, the lack of legal framework and system to regulate the online media in the country, and difficult to access them in the arbitration process, excluding the online media from membership of the Council.

On the other hand, responses from the in-depth interviews and questionnaires indicated that some eligible media organizations (from print & broadcast) and professional associations such as FBC, Sendek newspaper, EFJA, and others refused to sign up the council code of conduct. Vi's-à-vi's to this point, the researcher tried hard to have an interview with FBC administrators to get their response, but they could not welcome to answer any question

about the EMC. While Wondewosen Mekonen describes the reasons why EFJA reject signed up code of conduct as follows: Wondewosen Mekonen, president of EFJA states,

*We are the one who takes initiative, who go further with all sacrifices and facing all problems to establish the council. But during the process of establishing the council, we reflect our views, particularly regarding council ownership. To make our stance clear to every media community, particularly, the journalists should have fairly represented. What we have seen in EMC is different. Journalists are not fairly represented, while media owners dominate and hijack the Council for their own interests'. This domination forced us to decide not to be a member of the Council (personal interview, March 14, 2017).*

Wondewossen further added as an association EFJA has its own standpoint towards council leadership, journalists' membership and structure of the council. He stresses, "\_the council executive committee should be lead by independent body those do not participate in the media work to avoid conflict of interest\_". In addition, EFJA advocates the direct participation of journalists in the media council. Hulin, A. and Smith, S. (Eds), (2008) stated, if many media outlets and journalists refuse membership of media council, it will block the whole concept of self-regulation and provide the state with an excuse to intervene. Stone (2013) observes self-regulation requires the support of the bulk of the industry to work and getting that support means that the industry will co-operate, rather than fight each other.

From the finding, possible to one come to point that during the process of establishing an Ethiopian media council, the proprietors conspired to take the upper hand and/or those reject to subscribe the council has their own motive, which is getting power, and take the leading position. However, both of the two extremes do not capacitate the council rather it leads to death on conception. During the in-depth interview, some respondents indicate that the reasons for the lack of interest on the part of some could be attributed to lack of trust among journalists, media owners and professional associations, and lack of understanding about the fundamental nature and purpose of the council. Bearing on this point, Abel Adamu states:

*Primarily, the media should be serving the best interest of the public. So, to do this, what's expected from the media is maintaining its accountability. And this may realize through self-regulation*

*mechanism. However, media community in Ethiopia, until now did not reach consensus on the essence and role of media self-regulation. Rather than focus on their common interests they distrust and fight each other. This was seen in the establishment of EMC and some of the media outlets and professional associations failed to sign up the council code of ethics (personal interview, March 5, 2017).*

Abel emphasizes also to make the established media council viable and long lasting; the media community should focus on the advantage of the council. They should avoid labeling and open campaign to attack each other, create independent, unified and stronger professional association rather than having fragile, and many small associations.

Along the same lines, Tamirat Hailu agrees with Abel's assessment. He expresses, "to include all media houses (print and broadcast) and professional associations in the Council, the invitation was sent to everyone, but because of various reasons (budget, Conflicts of interest, lack of confidence in the process, lack of awareness and understanding) some of them did not join the council. Also from those, who attended the council establishing assembly two or three were not willing to sign the council code of conduct" (Personal interview, February 24, 2017). He argues this is not unique, in the history of media council all over the world, very few media houses established the council and others join through the process. Articles 5 of the Council show journalists are not directly eligible to be a member of the council. Moreover, the assumption was the journalists are represented either by their professional associations or by their media houses. Despite the fact, plenty of professional associations established by the name of journalists, as the findings reveal many journalists are not a member of any professional associations. So, if the council assumption is taken as acceptable, even there are journalists who's left out from the council.

#### **4.5.2 The EMC Code of Ethics**

A code of ethics for journalists is not a question of 'one size fits all'. Each country should look into its specific conditions and try to work out a code of ethics that reflects the realities encountered on the ground. The Ethiopian Media Council, as an independent self-regulatory body, adopted its own Code of Conduct. According to the document of the Association, one of the Council's main objectives is to promote and safeguard the interests of its members and the public in all media matters affecting the public. And, if any member of the public is

feeling the media are not operating in line with the code of ethics s/he is free to submit a complaint to the Council.

According to Tamirat Hailu, a member of the Executive Committee of EMC and Managing Director of *kumneger* Media& Entertainment, "media society formulated a code of conduct to self-regulate and to make out-of-court adjudication economical, speedy, friendly and flexible" (personal interview, February 24, 2017). He added the code is intended to govern the activities of the journalists and media houses who are signatories to it. Harris cited in Alison Chisholm & Janet Askham (2006) states, professional codes are guides to members about how they should behave in their professional capacity, and as with other codes, they vary widely.

Concerning to the notion Beniam Negessu describes, "As a principle, all media have to support council code of conduct to realize self-regulation and to improve the quality of service provided to the public. Nevertheless, the EMC code still does not get acceptance from the practitioners and do not govern all the media community. One of the reasons is the exclusivity of the council "(personal interview, February 23, 2017). He argues, creating awareness of the code of conduct should be very important to functionalize the EMC.

In a similar way, Hailu Medeksa supposes, to preserve the journalistic standard, all media should abide by the council code of conduct. He said that:

*Code of conduct is not something to suppress the freedom of information. Its end target is maximizing the profession and media contents. And it guides the journalists to do journalistic work in line with professional ways. So, to develop the sense of ownership all journalists should participate in the process of setting up the code and should be part of it. But the reality is different in the case of EMC code. Most of the journalist does not know about the code contents and not invited for consultation (personal interview, February 28, 2017).*

Amare Aregawi in its counter infers, from the beginning, EMC code of conduct produced by professional group come from a different institution and the draft was presented to the media community and public representatives for consultation. Finally, the code was approved by the general assembly. And the objective of the code is to diffuse a proper responsibility culture of

the members with a view to ensuring professional standard, with full respect for the public interest.

The findings confirm that most of the codes of conduct are imposed on journalists without their active participation in the process of adopting the code. A number of the respondents do not aware of and abide by an EMC code of conduct. And as aforementioned, on account of a number of media houses and journalists not subscribe and not eligible to be a member they are not forced to practice the code. And the basis for the work of EMC is the code of conducts developed by the media community which defines the obligations and rights of media houses and journalists in Ethiopia. Then, the drawing up of an inclusive code of ethics is no easy task. It is rather a long process (which require time and broad consultation), that needs to be as inclusive as possible.

Therefore, the active participation of journalists in adopting codes of conduct will have major importance in raising their legitimacy and obedience. Whatever the case media outlets and journalists in the country should have to confirm their accountability, social responsibility and committed to keeping professional standards by accepting the council code of conduct. And to sustain and make effective the EMC all the media community comes together and abide by the professional codes of conduct.

#### **4.5.3 Awareness about the EMC**

Levels of awareness towards a self-regulatory system between the public and journalists are not uniform. But to make the media council effective raising the awareness of the public is very vital. Concerning this point, Biniam Negessu, states, "I do not think so much public and journalists know and aware about the Ethiopian Media Council. So it is mainly important advancing media practitioners and public awareness when a media council is first established (personal interview February 23, 2017).

Similar to the finding from the in-depth interview, on the question the public& journalists aware of about EMC, 81% disagreed with the proposition while 9% agreed. About 6% were not sure while 2% did not respond to the question.

The findings of the study unveil, in Ethiopia, the public at large is not aware of the establishment of a body that deals with complaints about the performance of the media. For this reason, continuous public awareness campaigns are necessary to ensure that the public knows how to express its concerns about the media when the council starts its function. And also the media outlets should be aware of the codes and procedures by which it regulates itself. Thing to do this, the best way is the member media outlets themselves to give space and air time to inform the public how to complain. Doing this is one of the media responsibilities.

In addition, advertisement campaigns are an excellent means of creating awareness, but it might be not possible for EMC to inadequate finance. Other measures could be participating in and organize the appropriate public forum, encouraging regular coverage in the media, putting up small billboards in places and the like. Finally, the council will need to be able to produce information and evidence of its activities, in the form of published surveys. This is essential to demonstrate the effectiveness of self-regulation.

#### **4.5.4 Source of Income**

Funding is an essential precondition for independence and sustainability of an institution; the Ethiopian media council cannot be an exception. Funding can be based on membership fees or the nature of media outlets, taking into account circulation and business size. As acknowledged in media self-regulation guidebook, the best way to finance a media council is a system that secures its independence.

The article of association of the EMC under section 40 stated that, members' contribution, donations from domestic sources, fundraising activities and democracy funds as sources of income for the council. Amare Aregawi authorizes the fundraising system that stated under the article of association. He describes that "the thinking behind not depend on funding from the outside bodies, including the government would guard the independence of the council" (personal interview, May 3, 2017). According to him the council, mainly funded through the contribution of the members of the council. If the council receives its revenue from the power

groups, they utilize the grant tie to suppress and control the Council. Regarding this, the majority of the in-depth interview respondents expresses their concern on the appropriateness of accessing domestic donations and receiving democracy fund from the house of people's Representatives (HPR). In connection to this issue, Fanuel Kinfu states that, if the Council receives grants from external bodies, without any doubt, it will lose its independence. He shares his idea as follows:

*First and for most, the council should detach itself from any external body, for example, from the diplomatic community, from an international aid group, gigantic corporate as well as from government. If the council fails to do this, it lacks independence and serves for the power groups rather than work for the public (personal interview, February 26, 2017).*

Fanuel argues, in case, if the council in need to access donations from domestic sources and democracy funds highest care ought to be taken in the way of doing it. The concept that council funded through members' contribution is positive; because it will circumvent government and donors influence and create a self-reliant Council.

This study shows, two third of interviewees were in favor of membership contribution to secure council's independence as well as to attest its sustainability than any other means of raising funds. In contrary to this, informant 2 (anonymity is kept), expresses his worry, "self-funding mechanism for EMC will not be effective, and the Council would not be able to perform its roles, because members are voluntary contributors and most of the media houses are economically weak" (personal interview with informant 2, March 15, 2017). Informant 4 (anonymity is maintained) also states his doubt whether the contribution of members to cover all the council's bill. This informant argues, "It is an insightful call to receive grants from the government and other sources of finance" (Personal interview with informant 4, March 17, 2017). He added sources of funds do not essentially dictate the outcome of media council decisions. And it is possible to initiate protection from the groundless influence via those in control of the funds.

Even though member's contribution is the main source of income for the Ethiopian media council, the members' annual offering is based on their annual earning profit.

The EMC document shows the agreed contribution of the members has three levels of payment mechanisms. Hence, professional associations will contribute from 1,000 to 10,000 Birr; profit making organizations with less annual profit will be expected to contribute from 11,000 to 50,000 Birr while organizations with better financial leverage, those having an annual tax return of one million Birr and above, will be making contribution ranging between 51,000 to 100,000 Birr. This annual contribution is used for the day-to-day activities of the Council. Regarding the effectiveness of the mechanism Amare Aregawi states,

*Members of the council are expected to contribute voluntarily. And the level of contribution taking into account financial capacity of individual members. This avoids the fear that contributions might discourage voluntary membership. That is why; the members of the council accept and approve it (personal interview, May 3, 2017).*

From the finding, it has clearly noted that, even if this payment mechanism recognizing the paying capacity of media houses and professional associations, there is no system to halt some sort of income evasion. In addition, there is no incentivizing system for those loyally contributing. As a result, this may affect the effectiveness of collecting the income. So, EMC can function effectively only if it is properly funded. The council requires a robust method of funding, with the commitment of all the members and stakeholders involved in the media sector. It is important that such a method be sustainable, i.e. affordable and not extravagant. This shows the council has to review and develop a funding strategy to collect money to cover its entire bill. And secure financial base would help EMC to play its roles effectively.

On the other hands, it is obvious that the external body donation can lead to conflicts of interest, although so can funding from publishers and broadcasters, particularly when issues such as meditation on media ownership come into view. Subsequently, it is clearly noted from above membership fee structured; those high-profit makers' media institutions, including the state media (EBC) contribute the maximum payment. This in another way round influences the council independence. Then, to maintain public confidence in the system, an EMC must be independent of its paymaster. And to achieve this requires a dedicated secretariat within a structure that provides the necessary independence and external credibility.

#### 4.5. 5. The Mandate and Sanctions of the EMC

Whether the regulator is a government agency or a self-regulatory organization, its rules or principles must be enforced. Sanction not only has major consequences for individual and corporate violators, but it also can affect the overall credibility of a regulatory system.

Even though EMC was established as a self-regulatory body, it did not start its function yet, some of the respondents believe the council will arbitrate, in fastest way to resolve disputes than in the courts. Despite the fact that, some of them doubt the effectiveness of the mechanism. Their argument was a lack of commitment, work burden and lack of encouragement for the adjudicator. The document of the EMC shows, the council established primarily for setting professional standards for media houses and practitioners. These are adhered to, usually by addressing complaints received from the public. Concerning this point, Amare Aregawi argues positively about the mandate of the council.:

*As a mandate, the Council mediates between media owners, media professionals, government bodies and other actors in the country when conflicts occurred. I am optimistic; the Council will contribute to resolving conflicts and ensure steady operations of the media (personal interview May 3, 2017).*

In a similar way, Meseret Atalay shares his idea as follows:

*Hopefully, as a self-regulatory institution, the media Council we established will act as a mediator, and based on grievances received from the public, the government and as well from the media resolve the complaints (personal interview February 28, 2017).*

Amare and Meseret's ideas have some similarities with what Kruger stated in relation to media council mandate. Kruger (2009) observes, "Most media councils act only if they receive a complaint" (2009, p. 33).

The finding clearly shows that EMC completely relies on complaints from the public rather than conduct its own investigations through the media-monitoring program. But this may not make the council effective in Ethiopia. Due to the fact that, the majority of the Ethiopian lives in the rural, ignorance and lack of awareness towards the role of the council expecting enough complaints coming from the public is disagreeable. Then, to sustain and make effective the

Council, the mandate of receiving complaints from the public needed escalating up to investigating by it.

Therefore, the council should have the mandate to initiate its own investigations into possible breaches of the standards set. Regarding sanctioning, the mechanism reflects a number of concerns apart from self-regulation paramount of which is the protection from criticism and threats at undermining state and society (Murad, 2002)

In this study, the majority of respondents (both in in-depth interviews and of survey questionnaires) recognizes the voluntary establishment of EMC in promoting the concept of self-regulation of media in the country. Despite the fact that, it will be lacking powers to enforce its arbitration decisions. Fanuel Kinfu states, "The EMC will ostensibly present, and functionally absent" (personal interview, February 26, 2017). He argues, unless, all journalists and media houses incorporate in the EMC, the Council does not have the mandate to ask non-member media community to respond to the allegation made against them; in case if the council tries to ask, they have right to ignore it's requested for information and refuse to cooperate in the investigation. Power to impose sanctions (for example reputational sanctions, financial sanctions, etc.) for malpractice is often referred to as a central institutional success factor.

From the above discussion, it is possible to come to the point that if not all, media abides by the council code of conduct, the implementation of alternative self-regulation and fair competition of media is unsuccessful. As a result, it gives a chance for the state to regulate the media, which deter freedom of speech and freedom of the media. However, some interviewees, particularly those members of the council executive committee believed that EMC as a voluntary self-regulatory body did not need teeth. They explain why, the primary objectives of the Council are educating and capacitating the media industry rather than impose sanctions and punishments. And the mandate of the council is just shaming and naming.

In agreeing with the above argument, Yeneger Getachew, privately working journalist (personal interview, March 16, 2017) underscores that trying to impose a legislative sanction or invitation of the government to provide teeth to a self-regulatory body would prompt the

government to think that self-regulation had failed. Creating such opportunity would give confidence the government to interfere by introducing more controls on the media. Brody (2011), also explained strong sanctions could have the effect of discouraging stakeholders from collaborating, and distracting attention from the central task of developing ethical standards and conciliation mechanisms. The level of sanction available to media council affects the credibility of the completely self-regulatory system and the incentives of industry members to comply with the code of ethics. If violations of principles result in significant disadvantages for the individual violator, there are strong incentives for compliance with a code.

As the literature of self-regulation shows, the lack of power of media councils to impose punitive sanctions on members has been debated since the establishment of the first media council. Statutory intervention has been threatened due to the lack of so-called 'teeth' or effective sanctions. Moreover, if penal sanctions were implemented in media councils, the advantages of self-regulation, most remarkably the support and co-operation of the media would be called into question and the effectiveness of media councils could fall into disorder thereby placing freedom of the press in danger.

Therefore, from the above findings, it is noted that enforcement actions send a message to the entire media community, for the government and the public. And sanction both deters bad actors and level the competitive playing field. That means the greater sanction is not always better, for taken too far it can dampen freedom of expression as well as freedom of the media and socially valuable risk-taking. However, it is very important to note that the researcher is not suggesting any other enforcement action and/or criticizing the existing sanction mechanism of the council. The meager purpose under this topic is to set a clear and strong foundation upon which media community view about the self-regulatory body power and their inspiration to subscribe the council.

#### **4.5.6 The Structure and composition of the EMC**

Once before setting up media council, the question of council's structure should be answered. And literature shows that there is no universally approved structure of a media council. It

depends, among other things on democratic traditions, culture, media development, the stage of media freedom, and the geography, administration, and local government of the country.

Article 18 of the Ethiopian Media Council constitution shows the structural setup of the council. The Council has a general assembly, Executive Committee, External Audit and the Ethics Panel. The following diagram illustrates EMC structure.

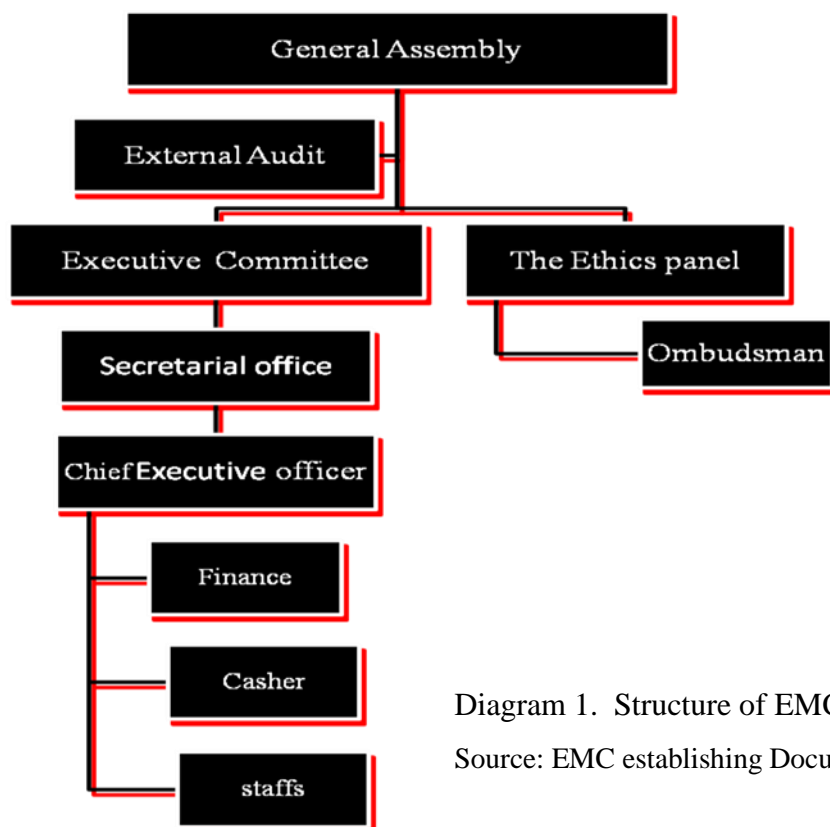


Diagram 1. Structure of EMC

Source: EMC establishing Document

It can be noted from the above hierarchical structure; the Council general assembly that composed of regular members, as well as honorary and associate members with no voting rights is the supreme decision-making organ. Under the general assembly, there are Executive Committee, External Audit and the Ethics Panel (EP). Hierarchically, the media ombudsman is under the ethics panel, but both are appointed by the general assembly. In addition, the general assembly has the mandate to form the executive committee, which runs the daily affairs of the council.

According to the EMC document, the Council's Executive Committee has five members, two drawn from the print media (Reporter newspaper and *Kumneger* magazine), two from broadcasting (EBC and Sheger FM radio); and one from the Ethiopian Journalists Association. Currently, the Assembly had 29 members; those signed the Code of Conduct. In addition, the Ethics Panel (EP), the organ responsible for adjudicating complaints made against media institutions; to consider and decide upon any matter arising from the council constitution is made up of 15 members. The government has two seats on the panel. And journalists' associations, the private and state media, higher learning institutions, civic society organization, chamber of commerce, religious institutions, and famous personalities would have representatives on the Ethics Panel.

However, as of government representation, over half of interviewing respondents (14 of them) have doubts about the independence of panel ethics. According to Fanuel Kinfu, government representation on the adjudication panel is ruin the independence of the panel as well as the council. He argues, "From our experience, the government is the main actor that complaint against media houses and journalists. So, its representation influences the decision of the panel. And also the panel may lack the power to investigate wrongdoing of the government media"(Personal interview, February 26, 2017). He added, in voluntarily established media council the inclusion of the government in the panel is inappropriate and deprive the self-regulatory role of the council.

In contrary, Abel Adamu (personal interview March 5, 2017), supports the representation of government in the panel. According to Abel, government as an audience and proprietor of a media should not be left out. In addition, government representation has own opportunity to slow down the tension between the government and the media as well as among the media themselves. Moreover, it maintains government trust on the council rather than seeing as danger and set mechanism to control the media.

On the other hand, the majority of the respondents supposes, the lines up of the hierarchy look as if acceptable. However, some of the respondents mention that the appointment procedure and the representation of the leaders dishearten. Regarding this issue informant 3,

journalist work in one of the government media (anonymity is maintained) states the following:

*I do not mind that, the EMC executive committee members represented the media industry. Because; four of them are media owners and one from the Ethiopian journalist association; and no representation of the public in the committee. For me, this is impertinent for journalists and the public at large (Personal interview with informant 3, March 9, 2017).*

This respondent argues that the chairperson of the committee must be the one who is not engaged in the journalistic profession at the time of his appointment. This helps to avoid conflict of interest and distrust among the media community. He added, in the country, there are so many professional associations and no trade union, the representation of journalists in the executive committee is inadequate.

As a principle, the Ethiopian Media Council will be an independent national self-regulatory institution, to standardize the conduct and responsibility of media in the country. And the trust and legitimacy of the Council are an important element in the self-regulation process. To this end, as aforementioned, the document of EMC shows the council executive committee receives legitimacy through general assembly voting. In this regard, Wondewossen Mekonen refuses to accept the process in which the executive committee appointed. He states,

*The committee was not elected in a legal way because of the assembly meeting that appointed the committee, two third of the respected members did not participate, I was there, a sort of drama was done by media owners to take the advantage. So, they don't have the legitimacy to lead the council. Also, the election held was not by a secret vote that is an indication of undemocratic culture (personal interview, March 14, 2017).*

In addition, Article 7 of the Council constitution stated that, "... If it's believed that worthwhile, the council will open its regional branch offices". It is obvious if the council forms its structure closer to the public, the unreachable people inspired to present complaints. So, the phrase 'If it's believed worthwhile...' shows the level of the council's commitment and interest to limited its self in Addis. First and for most, as the name implies, it is 'Ethiopian media council', so opening its office in all regional, state and city administration, helps to serve all of the public lacking accessibility.

The other thing is the issue of check and balance system. In connection to this issue, Fanuel Kinfu expresses that, "the council does not have the controlling mechanism, for example, if the executive committee members committed a crime or upon becoming incapacitated to discharge the responsibilities of a council member; what measures taken by the council? It might be the general assembly decide something upon the disobedience of code of ethics, but to be fair, it should be needed independent body such as trust board that checks the executives"(personal interview, February 26, 2017).

The findings revealed many of the respondents hope EMC will diminish common government involvement in the media environment. And they believe, the council coverage both geographical scope and the actual scope of the code are critical. The issue of geographical scope deals with the institution covering of all the regional states and city administrations, by opening a branch office to accept complaints from the public. Also, as the findings show there is no check and balance system in the council, and this may consequence violation of the constitution and disregard of responsibilities. And facing a situation in which the responsibilities of a member conflict with that of his/her own interests or financial gains.

#### **4.6 Current Effort to Register and Functionalize the EMC**

As mentioned in the above section, the establishment process of EMC has taken over a decade. Lastly, the council was established in January 2016 (before a year and a half). However, until now (during research undertaken) it does not start operation to serve its objectives of self-regulation. The Executive Committee members' interviewed describe that the main barrier has not to start operation is the issue of legalizing the council.

According to an article of association, the Council will be registered in accordance with the Ethiopian Charities and Societies Agency Proclamation No. 621/2009, hereafter ECSA. However, the ECSA justifies, it is not within its mandate to register the Ethiopian Media Council. Concerning this issue, Amare Aregawi (personal interview, May 3, 2017) in an interview explains, since the council established different activities are undertaken by the

executive committee to functionalize the institution. Nevertheless, legal registration of the Council is unsuccessful. According to him, this happened because of the nature of the members of the Council, in which some members profit-oriented organizations are while others, such as professional associations are not, the registration process has become a bit complicated. It seems important to cite Amare Aregawi, chairperson of the EMC executive committee and managing director of Ethiopian Reporter newspaper response regarding this matter. He responded:

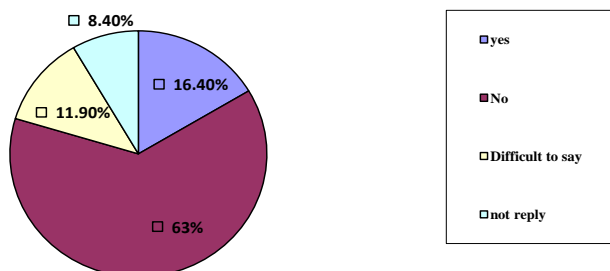
*We have repeatedly approached the Government Communication Affairs Office (GCAO) and briefed the former and present ministers on the challenges that the council is facing. And we have written letters six times for the office of prime ministry, but no change at all. What shall we do? So the final option may be taking the issue to the court (personal interview, May 3, 2017).*

He added, to realize the council objectives and preserve the freedom of expression and freedom of the press the struggle will persist. The majority of the respondent of in-depth interview pointed toward since establishment the Council performed nothing. They argued still the Ethiopian media is not closer to observe the birth of a self-regulatory media council. Fanuel Kinfu, believe the EMC was dead from the beginning. He states,

*However, FDRE Constitution, Article 31 guarantees, freedom of association there is no helpful legal grounds to have room for an association like EMC. So, to legalize by registering the council needs adoption or endorsement of proclamation. And to do this, it might take time may be years. Therefore, I do not think the Council will get legal recognition and register in the near future. The future of the council will be gloomy (personal interview, February 26, 2017).*

In the designed questionnaire, respondents were asked to answer whether they agree that EMC seriously was taken and supported by the government. And the following chart shows their responses.

**Do you agree that EMC seriously taken and supported by media actors and by government?**



### **Chart 1. Responses gave whether EMC seriously was taken& supported**

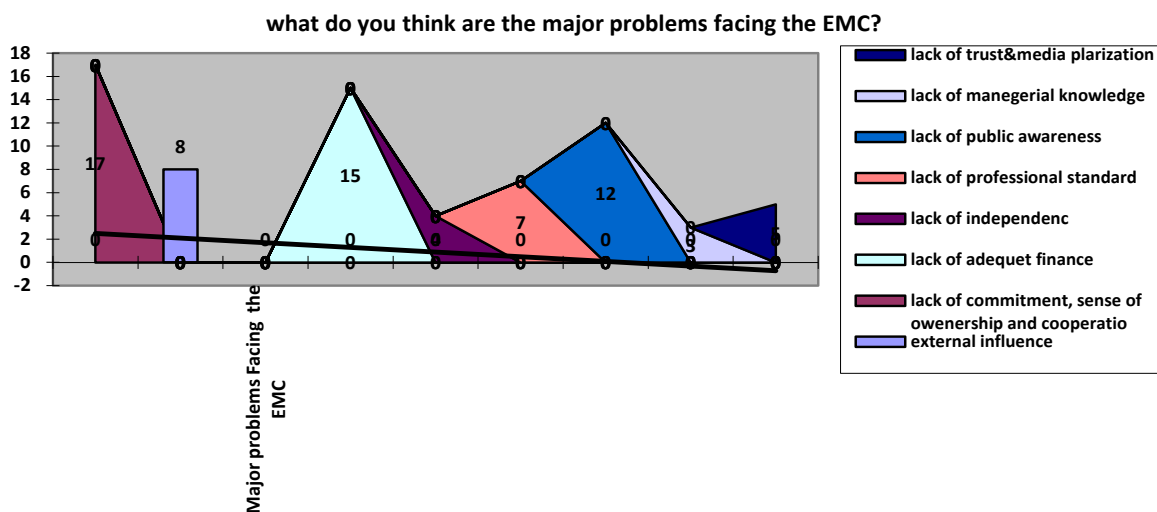
As can be referred from the above chart on the question of whether respondents agree that the EMC seriously taken and supported by media actors and by government 63% of them said no while 16.4% of respondents agreed. About 11.9% of the respondents said difficult to say. There was no response from 8.4% of the respondents.

Obviously, the end target of the media council is maintaining a high quality of professional standard by preserving the code of ethics. From the finding above both the media community and the government, do not give attention to EMC. If the council does not obtain acceptance and does not get support from all stakeholders, it is hard to realize self-regulation, which deepens freedom of the press.

#### **4.7 Challenges the EMC faces**

Respondents of this study identified many challenges that might affect and intimidate the status of the media council in Ethiopia.

In the designed questionnaire, respondents were asked to answer the question: What do you think are the major problems facing the EMC? And they identified nine challenges. The graph below illustrates their responses.



Graph.2 Responses on major problems facing EMC

From 84 respondent's return the questionnaire for the researcher 80 of them provide responses to the question. Out of which 17 (20.23%) of them said lack of sense of ownership, commitment and cooperation across media professionals. 15 (17.85%) of them recognize the lack of adequate finance. Also, about 14.28% or 12 of them said the lack of public awareness towards the council roles. About 10.7% or 9 of them said conflict of interest. Those identified external influences as challenge 8 in number and they take a share of 9.5% while 8.33% or (7) of them pointed out the lack of professional standards as a challenge. About 5.95% or (5) put the lack of trust among media community and media polarization while 4.76 % (4) describe the lack of independence in decision-making and 3.57% or 3 of them said lack of managerial skill faces the EMC.

In a similar way, informants of in-depth interview stated many challenges might face the council activities. They all agreed, external and internal challenges would hinder the practice of self-regulatory role of the council. The majority of respondents identified government interference, and lack of finance as major problems. Informant 1 journalist for private media (anonymity maintained), share his idea as follows

*We, all the journalists know that some of the top leaders of the council are supporters of ruling party. This will make hard for the council to be independent. And I believe the government can simply interfere and manipulate the council for the sake its benefit (personal interview with an informant 1, March 11, 2017).*

Regarding the point, Abel Adamu states, "lack of cooperation among media professionals and lack of professionalism are the major challenges. And, this possibly will result in disunity and to prevent EMC from functioning effectively "(personal interview, March 5, 2017). He added the existence of media polarization in the country and conflict between different media group is the one that incapacitating the effectiveness and sustainability of the Ethiopian Media Council. Likewise, Azeb Mekete, Chief Editor of Abay FM 102.9 Radio argues that "lack of cooperation and coordination among the media professionals and stakeholders poses noteworthy challenges for EMC to play its role in the country's media industry"(personal interview, March 15, 2017). She added not have unity among the media community offers the opportunity to the external power group to repress the freedom of speech and freedom of the media.

The findings clearly show that the challenges confronting the potentials of EMC while the council addressing the issues media faces in the country are numerous and different both internal and external. Lack of a tradition of, and experience with self-regulation, lack of professionalism, Political cleavages that divide media communities: the lack of dialogue and solidarity among the various groups prevents journalists from jointly defending their common interests. The small size of media markets and general underdevelopment of national economies: only a few newspapers and broadcasters can survive, the rest having to ally with political forces to get financial support. Persisting political pressure on media houses, especially public service media, to be loyal to those in power and avoid critical journalism. Close co-operation and mutual dependence among political elites and business groups with a vested interest in the media industries, exposing journalists to both political and economic dependence are among the challenges. So, media self-regulation is a very challenging trading, especially in a kind of developing countries like Ethiopia; where there is a lack of democratic discourses, where at the difference of opinion not entertained.

## **CHAPTER FIVE**

### **CONCLUSION AND RECOMMENDATION**

This study analyzed the sustainability and the roles Ethiopian media council plays in the media industry. And it looked at how the media regulation impacted the level of freedom of media and freedom of expression in the country.

A combination of qualitative and quantitative research methods have been employed in the study. Qualitatively, in-depth interviews with media council leaders, media owners, media leaders, journalists and professional association presidents were conducted along with an analysis of legal documents. And as a quantitative, questionnaires were also used to make strong the idea and to fill the gap that can possibly be created in the in-depth interview.

The social responsibility theory remains central in guiding this study with the concept of accountability of journalists and the media independence. The study revealed key findings that have implications for EMC to be sustained and serve its purposes properly. Some of these findings and recommendations are presented follow.

#### **5.1 Conclusion**

The Ethiopian Constitution recognizes the freedom of expression and press freedom, however; the challenge is the implementation of the law. The finding of the research exposed that a gap exists between the media law and its implementation. And the action of some officials has reduced freedom of expression and there is a lack of commitment on the side of the government in paying attention to the realization of the media law.

The study shows, although, the purpose of EMC to provide a forum for the public to express complaints concerning the performance of the media, it does not have any effective sanctions other than to make its adjudications public and to require the offending media outlet to publish or on air the jurisdiction. The effectiveness of the EMC depends on moral influence rather than law to promote compliance with its code. And the council can do nothing if a media refuses to publish or on air adjudication. Another problem with EMC that the findings

expose is its coverage. Even if a council has moral sanctions enforceable against its members, it is not effective if a number of media communities are not bound by its mediation.

Yet, as the outcomes of the study disclose media community do not reach consensus on the roles of EMC plays in the industry because a clear understanding and explanation of the council role were not given. The public was also not aware of about this alternative self-regulatory body.

While efforts made to establish and functionalities the EMC some media outlets and journalists are left out from the council, which misbalancing and tempting the sustainability of the council. At hand, to some degree journalists know the existence of the EMC but not aware of its roles and mandate. And many journalists and media houses have little respect for Ethiopian media council. That lack of respect can convert into a potentially critical barrier. Lack of participation, resulting in no sense of ownership in the council and can make self-regulation impossible.

Moreover, it is indispensable that media outlets and journalists conform to codes. It is in their interests that they do so, because, it is this code of conduct that ensures their accountabilities. However, findings show that the council does not bring together the entire media platform (online & offline) because of this it will be difficult for the EMC to enforce a code of conduct. The questions of representation and eligibility of the membership pose a major challenge, first to council's legitimacy, then to the nature and character of its operations. And this will prevent the EMC from playing its intended roles. Furthermore, it leads to the establishment of another self-regulatory body, whose objectives are similar to those of EMC.

A well-funded and credible media council could make a difference over time. The study shows even if the council gets its income mainly from members' contribution, the paying mechanism lack transparency, to collect the maximum amount of money. In addition, there is no system to halt some sort of income evasion. Moreover, there is no incentive for those loyally contributing. Thus, funding system of the council will not work effectively.

As the majority of respondents in both in-depth interview and questionnaires of this research revealed there is the dominance of the media owners in the newly established EMC. But, the

paradox is that the fear of government control is overdue, compared to the fear of control by media owners. And also, the result shows the presentation of government in the panel of ethics questioning the independence of the Council. Then, depending on its structure, composition and funding system, EMC is not independent (from government and media proprietors) to deal fairly with complaints and to secure public trust and confidence.

Albeit, self-regulation is an alternative to government regulation and has the aim to limit external interference in the media activities, the study shows that in Ethiopia, the media community should not trust each other and also there are a variety of interests in the media industry. So media community, who fail to trust each other and protect and promote their individual interest, can also fail to realize the self-regulatory roles of the EMC.

The results of this study show that government interference, lack of finance, lack of commitment and cooperation, media polarization, conflict of interests and distrust among media society are major challenges for the EMC in promoting and sustaining freedom of expression and media freedom. Overall, the challenges confronting the potentials of EMC are both internal and external. So the future journey of the media council of Ethiopia is not at all a bed of roses.

Finally, though, the success or result of self-regulation could not be seen overnight, the study findings uncovered since establishment the EMC performed nothing. In addition, for the council getting legal registration is the most determining factor in starting the operation and to play its role in the media industry, however, the issue does not get attention from the government and the media society. Therefore, the council's future is gloomy.

## **5.2 Recommendations**

From the findings, it follows that there would be recommendations on how to sustain EMC in order to make self-regulation work more effectively.

The Ethiopian media council has many difficulties to overcome before starting operation. Primarily, it has to get support from media practitioners and government to get legal entity through registration. And the next step for the newly established Ethiopian media council is to

raise journalists and 'public awareness of the roles of the council. So, the council must commence strategic communication that creates public awareness on the critical roles and responsibilities, that balance the impact of the external forces influence over the media in the country.

In order to be beneficial for both the media and society, EMC should also build up and establish working structure, and its members should always dedicate their efforts to building trust in the concept of self-regulation. The Council also should develop different policy guidelines or strategies for its sustainability. And it has to be expected to discuss on media policy or strategic issues besides mediate complaints.

The EMC to maintain its independence, it should have to develop a fundraising strategy to collect money to cover its entire bill. Again the council to be the best independent self-regulatory body, it has been able to criticize its paymasters when the need happened.

EMC strengthened to build public confidence and to help journalists to examine critically their practices. Structures for the council must be independent and must provide an accessible bridge between media, journalists and the public. One of the important things for media council is the media houses that are saying to the public, we are accountable to you; we are going to be judged by you and by our peers regarding our work. Accordingly, media houses and journalists need to make rigorous efforts that EMC is effective and defend it against all threats affecting its operations and existence. Otherwise, EMC is not sustained and the self-regulation of the media industry is not realized in the country.

EMC should give comprehensive representation to all stakeholders (journalists, editors, media owners, civil society, and the public at large), and all members should be of good standing and publicly acceptable. Either this is done through by re- birth itself or other media council that bring all the key actors should be established.

In addition, all Ethiopian journalists and media platform (including traditional and new media) must be members of the EMC if it is to operate effectively. Failure to join, as a member of the Ethiopian Media Council, would have a negative effect on the credibility of any journalist or media outlets. In addition, the Council notes that the failure of this body effectively regulates all media outlets would provide grounds for the implementation of a

statutory scheme for regulation. Obviously, media platform, which is traditional (print and broadcast) and online media have basic differences. In long run based on their characteristics, print and electronic media council should separately establish. This helps to reduce the domination of media proprietors consists all media platforms, and make the industry accountable for the public.

Besides, further research is recommended to explain the relevance and contribution of the EMC to the quality and performance of the media in the country. Therefore, this research may help as a reference for the further study of the area.

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## APPENDICES

### Appendix 1: List of Interviewees

1. Abel Adamu, Deputy Chief Executive Officer of EBC& Academia, March 5, 2017.
2. Ahmed Ibrahim, a journalist for Addis Ababa Mass Media Agency. February 18, 2017.
- 3 Amare Aregawi, chairperson of the EMC Executive Committee and managing director of Ethiopian Reporter newspaper May 3, 2017.
4. Azeb Mekete, Chief Editor of Abay FM 102.9 Radio. March 15, 2017.
- 5 Biniam Negessu, Founder and managing director of Dire Tube. February 23, 2017.
6. Fanuel Kenifu, Deputy Editor in Chief of Sendek newspaper. February 26, 2017.
7. Getachew Senay, Chief Editor of Ethiopian News Agency(ENA). March 4, 2017.
8. Hailu Medeksa, Editor of EBC. February 28, 2017.
9. Meseret Atalay, a member of the Executive Committee of EMC, and President of EJA. February 28, 2017.
10. Seleshi Demisew, Managing committee member of the Ethiopian National Journalists Union (ENJU) and Senior Editor of EBC. March 3, 2017.
11. Tamirat Hailu, a member of the Executive Committee of EMC and Managing Director of *Kumneger* Media& Entertainment. February 24, 2017.
12. Tsegaleul Woldekidane, Deputy President of EJA. March 18, 2017.
13. Wondewossen Mekonen, President of EFJA. March 14, 2017.
14. Yeneger Getachew, a journalist for private radio. March 16, 2017
15. Yonas Teshome, President of ESJA and Chief Editor of FM104.7 radio. March 20, 2017.
16. Two journalists from private and three journalists from government media seek anonymity.
  - Informant 1 from private media, March 11, 2017
  - Informant 2 from private media, March 15, 2017
  - Informant 3 from public media, March 9, 2017
  - Informant 4 from public media, March 17, 2017, and
  - Informant 5 from public media, March 11, 2017

**Note:** five journalists from private and public media requested anonymity.

## **Appendix 2: In-depth interview for Journalists& Editors**

### Request for interview in study on the Ethiopian Media Council

My name is Bereket Shimelis. I would like to invite you to participate in a study I am conducting for my MA thesis '*Sustainability and Roles of the Ethiopian Media Council*'. I am a graduate student in the Journalism and Communication School at the University of Addis Ababa, Ethiopia. I am writing the thesis under the supervision of **Dr. Zenebe Beyene**. The purpose of this study is to examine the sustainability and the roles of the newly established Ethiopian media council to endorse self-regulation of media in the country. If you decide to participate, you will be asked to meet with me for an interview about the newly established Ethiopian Media Council as a self-regulatory body. A list of key questions and follow-up questions will be asked. There are no known risks that will arise from your participation and no costs to you except for your time.

The interview will take approximately 30 minutes and is informal. And it will be audiotaped so that the researcher can accurately reflect on what is discussed. The researcher, who will transcribe and analyze them, will only review the tapes. Then, all information collected during the study will be treated confidentially. All data will be stored in a safe location accessible only to the researcher. In addition, the results of this study will be presented at classroom for the thesis defense. There is no payment for participating in this study. However, your participation will be a valuable addition to my research and findings could lead to better media actors and public understanding of the roles of Ethiopian media council plays as a self-regulatory body in the country and additional research in this area.

Therefore, Participation in this study is voluntary and you are free to withdraw at any time or decide not to answer any question you are not comfortable answering without consequences of any kind. Based on your request I assure you that your responses kept anonymously. However, once your responses have been submitted and anonymously recorded you will not be able to withdraw from the study.

If you have any questions, please do not hesitate to ask. You may contact me via email at [bsbeky473@gmail.com](mailto:bsbeky473@gmail.com). If you have any questions about your rights as a research

participant, you may contact the school of Journalism and Communication at the University of Addis Ababa.

Please understand that by participating in the interview, you are giving permission to the researcher to use your information for the study purposes. Thank you for your help.

Bereket Shimelis,

Student Researcher

### **Interview Questions**

Name ..... (Option) Age ..... Sex.....

Organization ..... position.....Level of education.....

1 What do you think of media regulation? How can you associate media regulation and freedom of expression? And what does a media self –regulation mean to you?

2. Have you ever heard about the Ethiopian Media Council (EMC)? What do you think about it?

3. Do you think the Ethiopian media council has brought all professionals and stakeholders together?

4. How much do the journalists and public know about media council and its roles as a self-regulatory body?

5 Are you a member of the Ethiopian media council? If yes, in what way? If not, why?

6 Do you think that the Ethiopian media council has been seriously taken and supported by the government, and media community? Why?

7 Does Ethiopian media council be able to function independently& have the power to play its roles? Why? Why not?

8. What role do you think EMC as the media self-regulatory body can play in Ethiopian media industry?

9. What is your attitude towards the Media Council code of conduct? What purposes does the code of conduct serve?
10. Do you think that journalists and media houses abide themselves, by a media council code of conduct? Why explain it.
11. Is there an industry agreement on EMC code of conduct for journalism? When the code of conduct violated, how does the media council make decisions? What sanctions or penalties should be taken?
12. What do you think about the status and the future of the Ethiopian Media Council?
13. What do you think is the major issues that affect the performance of the Ethiopian media council? What is your suggestion to overcome these problems?
14. How is Ethiopian media council structured? Who should serve as a board member?
15. How should the Ethiopian media council be funded? What is the role of the state in financing the council? If the council mainly financed by the media industry, how can the body be impartial? On the other hand, if the council mainly financed by the state, how can the body be impartial?
16. In order to make self-regulations body, particularly EMC a reality in a media and to sustain, can you suggest mechanisms/strategies should be developed?

**Thank you so much!**

**Appendix3: Interview questions for media managers and /or owners, EMC leaders&Journalists Association leaders**

Name ..... (Option) Age .....Sex.....  
 Organization ..... position.....Level of education.....  
 specialization.....

1. What do you think of media regulation? How can you associate media regulation and freedom of expression? And what does a media self-regulation mean to you?
2. Have you ever heard about the Ethiopian Media Council (EMC)? What do you think about it?
3. Do you think the Ethiopian media council has brought all professionals and stakeholders together?

4. How much do the journalists and public know about media council and its roles as a self-regulatory body?

5 Are you a member of the Ethiopian media council? If yes, in what way? If not, why?

6 Do you think that the Ethiopian media council has been seriously taken and supported by the government, the members, media houses and stakeholders? If not, what can be done to ensure that the media houses recognize and support the Ethiopian media council?

7 Does Ethiopian media council be able to function independently & have the power to play its roles? Why? Why not?

8. What role do you think EMC as the media self-regulatory body can play in the Ethiopian media industry?

9. What is your attitude towards the code of conduct? What purposes does the code of conduct serve? What are the major sources for EMC code of conduct?

10. Do you think that journalists and media houses abide themselves, by a media council code of conduct? Why explain it.

11. Is there an industry agreement on EMC code of conduct for journalism? When the code of conduct violated (like conflict of interest, defamation, hate rag.... ), how does the media council make decisions? What sanctions or penalties should be taken?

12 What do you think about the status and the future of the Ethiopian Media Council?

13 What do you think is the major issues that affect the performance of the Ethiopian media council? What is your suggestion to overcome these problems?

14 How is Ethiopian media council structured? Who should serve as a board member? How should board members be appointed? Who should be the chairperson?

15 How should the Ethiopian media council be funded? What is the role of the state in financing the council? If the council mainly financed by the media industry, how can the body be impartial? On the other hand, if the council mainly financed by the state, how can the body be impartial?

16 In order to make self-regulations body, particularly EMC a reality in a media and to sustain, can you suggest mechanisms/strategies should be developed?

**Thank you so much!**

## Appendix4: Questionnaire

Request for participation, in survey on the Ethiopian Media Council

My name is Bereket Shimelis. I would like to invite you to participate in a study I am conducting for my MA thesis '*Sustainability and Roles of the Ethiopian Media Council*'. I am a graduate student in the Journalism and Communication School at the University of Addis Ababa, Ethiopia. I am writing the thesis under the supervision of **Dr. Zenebe Beyene**. The purpose of this study is to investigate the sustainability and the roles of the newly established Ethiopian media council to endorse self-regulation of media in the country. This study consists of a survey that will be administered to individual participants in Addis Ababa. If you decide to participate, you will be asked to provide answers to a series of questions related to Ethiopian media council as a self-regulatory body.

There are 14 questions on this questionnaire, which **should take no more than 20 minutes of your time**. There are no known risks that will arise from your participation and no costs to you except for your time.

Your participation and responses in this exercise are completely **confidential**. If you choose to respond, all information you provide will be combined with the information from other respondents and reported as grouped data in this research. No one except the researcher will have access to the raw information on your questionnaire.

All data will be stored in a safe location accessible only to the researcher. In addition, the results of this study will be presented at classroom for thesis defense and you will not be identified during the presentation. Also, there is no payment for participating in this study. However, your participation will be a valuable addition to my research and findings could lead to a better public understanding of the roles Ethiopian media council plays as media self-regulatory body in the country and additional research in this area.

If you have any questions, please do not hesitate to ask. You may contact me via email at [bsbeky473@gmail.com](mailto:bsbeky473@gmail.com). If you have any questions about your rights as a research participant, you may contact the school of Journalism and Communication at the University of Addis Ababa.

**Please,**

**1. Do not write your name**

**2. I beg you to return the form by tomorrow**

Age 20-25 26-30 31-35 >35

Sex -----

Level of Education ----- Field of study/specialization -----

Name of your media organization-----Your responsibility/position-----

Your experience in journalism 1-5 5-10 10-15 15-20 >20

1 Do you agree that the media should be regulated? A. Yes B. No

2. If your response in question no1 'yes' which model of regulation you favor?

A. Regulation by the government (statutory regulation),

B. Regulation of the industry itself (self-regulation),

C. Regulation by a combination of both the government and the industry itself (co-regulation).

Please, explain the reason behind your response in question no. 2

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3. Do you know what a media self-regulation mean? A. Yes B. No C to some extent

4. Have you ever had the chance to discuss what about media self-regulation in your media organization?

A. Yes B. No

5. Have you ever heard about the newly established Ethiopian Media Council (EMC)?

A. Yes B. No

If yes, what do you think about the council?

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6. How would you rate the significance of the established Ethiopian media council as a media self-regulatory body in Ethiopia?

A. Very important

B. Important

C. Not important

D. I do not know

7. What do you think is the major problem facing the Ethiopian Media Council? You can choose more than one option.

A. Finance.

B. Lack of co-operation, among professionals.

C. Lack of managerial & professional knowledge

D. If there is any other, please state.

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8. Do you think the Ethiopian media council has brought all professionals and media stakeholders together?

A Yes

B No

Explain the reason behind your response to the above question.

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9. Do you agree that Ethiopian media council seriously taken and supported by the government and the media actors?      A. Yes      B No      C. I do not know

10. Do you think that Ethiopian media council as a media self-regulatory body, able to act independently & has the power to play its roles?

A. Yes

B. No

Please explain, the reason behind your response in question no 10.

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11. The public and journalists understand the self-regulatory roles of the Ethiopian media council and promote them.

A. Strongly Agree

B. Agree

C. Neutral

D Disagree

E. Strongly Disagree

What are the basic roles of EMC?-----  
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12 The media self- regulation offers a genuine protection of public interest.

A. Strongly agree B. Agree C. Strongly Disagree D. Disagree

13. Which media platform should be covered by/ members of Media Council?

A. Print media only B. Broadcast media only C. Both prints & broadcast only D. Print, broadcast and online media should be members

Please explain, the reason(s) behind your response in question n<sub>o</sub> 14

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14. Do you think the existing situations of the Ethiopian media industry promise the sustainability of the media council as the self-regulatory body? A. Yes B. No

If 'No' please write down your reason (s).....

**Thank you for your help!**

**DECLARATION**

I hereby declare that this thesis is my original work and has not been presented for a degree in any other university and that to the best of my knowledge, it does not contain material previously published by another person except where due acknowledgment has been made in the text.

Bereket Shimelis \_\_\_\_\_

Signature.....Date.....

Addis Ababa University School of Journalism and Communication

June 2017