

**TRANSFORMING STATE BROADCASTING  
INTO PUBLIC SERVICE BROADCASTING  
IN ETHIOPIA: CHALLENGES AND  
PROSPECTS**

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## **DECLARATION**

**I declare that this is my own work, except for the acknowledged supervision and referenced citations.**

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**Signature: .....**

**Addis Ababa, 19 December 2005**

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## **Abstract**

The existence of freedom of\_ expression in general and media freedom in particular is one of the most important indicators of the presence of democracy in a given country. Article 29 of the 1995 Constitution of the Federal Democratic Republic of Ethiopia has laid the legal structure for the existence of freedom of \_expression in Ethiopia. Accordingly, all the subsidiary laws advocate the flourishing of media freedom in Ethiopia. The legal framework for transforming state broadcasting into public service broadcasting (PSB) is encouraging. However, what is happening in practice is questionable.

This thesis looks at the state of affairs of State Broadcasting in Ethiopia, using content analysis as a quantitative data-gathering instrument. Key informant interviews and legal documents have been used to collect data as a qualitative means. The study has selected 131 news items from 15 days of Ethiopian Radio Amharic prime time news bulletin. The data collected via content analysis has been supplemented by the data gathered through qualitative means. In this study, the practice of state broadcasting has been tested against the principles and practices of public service broadcasting.

One of the findings of the study is that there is a very tight form of political control in the activities of journalists working in state broadcasting in general, and in Ethiopian Radio in particular. Government officials, predominantly from the Ministry of Information, directly and indirectly interfere in the editorial independence of journalists working on Ethiopian Radio.

In order to protect state broadcasting from political interference, and to maintain editorial independence, the study suggests a new law should be drafted by the Ethiopian Parliament. This would facilitate a smooth transformation from state broadcasting to public service broadcasting. Article 29, sub Article 2 of the 1995 Constitution of the Federal Democratic Republic of Ethiopia explicitly supports the enactment of a law that promotes media independence in the country.

Public service broadcasting must be guaranteed protection from political and/or commercial interference. This will be closer to reality when the appointment and accountability of PSB officials, their duties and responsibilities are clearly supported by a law according to the accepted principles of PSB. Public service broadcasting demands that editorial independence be respected. Moreover, the programming should serve the public interest and, in particular, should be balanced and impartial. At the very least, PSB should be editorially independent as an institution, and should serve the public fairly, helping to empower people so as to enable them make to decisions and to play a role towards the establishment and continuity of a democracy.

## **Chapter I: Introduction**

### **1.1 Background of the problem**

The contribution of the media to the democratization process depends largely on the level of its independence. By media independence in this study is meant freedom from systematic or arbitrary political or government interference, and pressures from business groups. If the media are independent from political interference, government and commercial pressures, it can play a pivotal role by mediating plurality of opinions. The media are not only an essential actor as a critic of the government but also as a watchdog and investigator of public and civil wrongdoing. Accurate and honest news reporting are more likely to occur if the media are free from various types of interference, particularly from the government side. Accurate and honest reporting is considered to be vital for guaranteeing pluralism of opinion, adequate political representation, and citizen participation in a democratic society (Ogundimu, 2002: 212-217).

One of the pivotal roles of the media is to inform the people about their rights. The media should present alternative viewpoints and expose the abuse of power. The Media should be independent not only from government interference, but also from private monopolies. Without the proper functioning of the media it becomes impossible to see open public debate about the distribution, and execution of power (Rønning, 2005b).

In many countries where newspaper readership is largely limited to the educated urban population, like in Ethiopia, radio broadcasting turns out to be the major source of public information for large sections of the populace outside the capital and major cities. Owing to this fact, the electronic media are subject to more or less strict government regulation and control. The electronic media give any government the potential power to influence public opinion in its favor, and prevent alternative views from reaching the general public.

In Ethiopia, since the commencement of radio in 1930's, broadcasting has been controlled by the government of the day. There is no commercial or private radio in the country. Although in 1999 the parliament issued a proclamation to provide commercial

broadcasting, it is not yet implemented. This becomes a motivation to ascertain what impact government control of the Ethiopian broadcasting has on the democratization process.

## **1.2 Statement of the problem**

It is generally accepted that journalists and editors should act in the interest of a wider audience. Thus, the conflict between politically motivated and the more independent-minded editors and journalists throughout the world is a continuing theme of media ideology debate (Rudin, 2002: 277).

Towards this backdrop, I would like to explore the state of affairs in the Ethiopian broadcasting services. All of Ethiopia's radio and television stations are owned and administered by the government. This is for instance reflected in the Ethiopian Television's (ETV) editorial policy, where it says that journalists in government media must show partisanship to the ruling party. So it goes: "The government journalists must support the ruling party, which is elected by the interests of the public. The ruling party policies must be reflected in each television program..."(Ethiopian Television, 2001: 5) However, ETV and other state broadcasting services are established and funded by public taxation. One would therefore expect that they are neutral and serve the public interest. To the extent that it is possible to decide whether state broadcasting is used for the benefit of the public or for government, this study will investigate the practices of Ethiopian state broadcasting.

## **1.3 Significance of the study**

The study will try to investigate and point to some of the challenges that the Ethiopian broadcasting media encountered because they are government-owned, and will propose public service broadcasting as an alternative for Ethiopia. The study will also collect data to assist government broadcasting decision-makers to identify the present structure's shortcomings.

The research will emphasize the importance of balance in reporting and professionalism in the management in the Ethiopian public broadcasting.

## **1.4 Hypotheses**

The Ethiopian government is using the state broadcasting for its own political benefit and this contradicts public service broadcasting ideals.

## **1.5 Research Objectives**

- ❑ To investigate whether the government is directly or indirectly influencing the media management or content in broadcast media.
- ❑ To point to journalists' challenges as a result of government ownership of the broadcast media.

## **1.6 Limitations**

Radio and not television has been chosen as the subject for investigation in this study. Although television is an important medium in global terms, I have chosen to focus on radio because in Ethiopia, people hold transistor radios in their pockets, and tend to listen even when they are walking and doing other activities, for example even when they are out on the field ploughing. A single radio can inform as many as five people in a village (Negussie Tefera, 1988: 78). It is also cheap compared to television.

The Ethiopian Radio enterprise broadcasts its news not only in Amharic, the official language of Ethiopia, but also in Oromiffa, Tigrigna, Somali, Afar, Harare, Anguak, Nuear, English, French, and Arabic. It is, however, impossible to use all news in all languages as a unit of analysis due to logistic and linguistic constraints.

The research material thus consists of 15 days of prime time Amharic news broadcasting from Ethiopian Radio at 8 pm. Excluding sport and international news, 131 news items have been collected and analyzed. The Ethiopian Radio transmits Amharic news several times a day, but the 8 pm news has been selected since it represents the main news of the day.

The time period covered in the data collection runs from October 10, 2005 to November 5, 2005. One of the reasons for choosing this time slot is that the direct coverage of the general elections in May 2005 was over, the National Election Board (NEB) has announced the winning party, and a new Parliament had started its five years' term. The winning party remained EPRDF, which was also in power before the election. Consequently, unless there was some unexpected media policy change in the near future, one can predict that the state broadcasting policies and practices will remain largely the same for the foreseeable future.

### **1.7 Theoretical Framework**

Although the media landscape and overall societal conditions have changed much since John Reith authored his infamous 1924 book "Broadcast over Britain", many of the principles of public service broadcasting are intact. These are some of the generally accepted ideals that Trine Syvertsen (1999: 6–10) outlines: PSB should be accessible universally in a given country; PSB should generally be accessible to the entire geographic area in a given country; and it should not serve only the urban population and ignore the remote parts of a country. Mendel (1999) continues by pointing to the cultural aspects of PSB: PSB should reflect the different cultures as well as national identity of any given country. When people living in different parts of a country feel that the programs broadcasted in a station belong to them, PSB will be successful in bringing together the population of a large territory. By entertaining diverse views and pluralism, PSB would contribute to the promotion of democracy and "right respecting culture" (Mendel, 1999 4).

Nation building is, by some, argued to be a main objective of PSB. To this end, local content programming is essential. Locally produced entertainment, information and educational programming makes a fundamental contribution to democracy, nation-building and the development of a country, according to Teer-Tomaselli ( 1998/99: 96) By producing and reproducing the culture of a nation, the public service broadcaster is promoting social identity.

PSB also stands in contrast to other broadcasting models also in its attempts at economic self-determination. PSB organization may produce and broadcast programs and news that are unprofitable for commercial broadcasters.

PSB shall address issues for the general public. All the way back to John Reith's broadcasting model in the 1920s, PSB has aimed to satisfy the information need of the public at large. It should provide comprehensive, authoritative and impartial coverage of news and treat controversial subjects with due impartiality. It should provide service targeting different segments in society, such as children, youth, women, senior citizens and the disabled (McChesney, 1999: 247).

Despite its non-profit motives, PSB aims at high ratings. If PSB programs were unpopular and not watched by the public, some of the main objectives of PSB, namely to inform, educate and entertain the public, as well as to contribute to society by bringing merit goods to the public, would be at stake (Sondergaard, 1999: 27). Journalists working in PSB corporations are therefore expected to be professional and creative.

PBS is expected to be independent not only from government interference and commercial pressures, but also from promoting or supporting a particular political party. It should serve the public impartially. PSB must guarantee pluralism and diversity (see for instance Lowe, and Hujanen, 2003: 20–21).

In order for a PSB corporation to be an independent and reliable source of information, editors must be free to make editorial decisions based on journalistic ideals and journalism ethics. As argued by Mendel (1999: 1–4), it is only when the independence of editors and journalists is ensured, both in law and in practice, that PSB broadcasters can perform their duty properly.

Funding is a persistent item for discussion in public service broadcasting. PSB channels cannot promote diversity and will not inform, educate and entertain the public successfully without sufficient funds. There are different models for funding, including state subsidies and sponsorship, but the funds must be secured without compromising

central PSB principles.

Satisfaction of this goal [Informing, educating and entertaining the public while promoting diversity] is impossible if public broadcasters are expected to compete for funds in the same way a commercial broadcaster. Commercial dependency are expected inevitably lead to public broadcasters subjecting program production and scheduling decisions to popularity tests rather than making such decisions in the public interest...freedom from commercial pressures necessarily leads to dependence on public funding with the attendant risk of state interference (Ibid, 5).

Hence, in a country where PSB is a reality, appropriate funding structure is expected to be design and ensured by law to make sure the independence of PSB.

Accountability and transparency are the two most important trait of PSB. Board directors of PSB are expected, in a given period of time, to report to a Parliament on the activity of their performance, financial statements and complete auditor's report. A board or a management body of PSB is expected to create a mechanism to handle both internal and external complaints properly (Lowe, Gregory F. & Hujanen, T., 2003: 148-153). A publicly representative council can also address complaints and general concerns, such as in Norway.

For the proper functioning of PSB, freedom of \_expression is an indispensable ingredient. Freedom of \_expression constitutes one of the essential foundations of a democratic society. Therefore, "a debate about public service broadcasting (PSB) is a debate about the philosophical, ideological, and cultural underpinnings of society and about the role of the state and the public sector in meeting the needs of individuals and society as a whole"(UNESCO, 2005: 22).

This thesis will use freedom of \_expression as one of the justification for the need of public service broadcasting in Ethiopia. As quoted in Matthews, W.R., (1944: 77),

John Milton aptly wrote in *Areopagitica*: "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties". The idea is that freedom of \_expression greatly benefits society in general. If there is free and open discussion where also critical comments are also encouraged, the public will be informed and can actively take part in democratization processes (Castberg, 1960: 269). The government and non-state actors will also have a chance to identify problems and act accordingly. A representative democracy demands that the majority exercises power without ignoring the interests of the minority. In order to know the wishes and aspirations of the minority, representatives of the minority need to have a chance to voice their concerns freely (Castberg, 1960: 422).

In a liberal democracy, freedom of \_expression is considered part and parcel of the natural right of liberty. It is a government's duty, in addition to maintaining law and order, to protect this liberty. Freedom of \_expression allows human beings to acquire knowledge and seek enlightenment by their own rational action. Limiting or interfering with these rights is arguably tantamount not only to neglecting society's traditional duties, but also eroding its foundation. (Kelley and Donway, 1990: 93).

Freedom of \_expression is indispensable for the "full development of human personality," according to Ethiopian law professor Andargachew Tiruneh. Freedom of \_expression inspires human beings to achieve their aspirations and it is "a powerful means of enhancing human nature. To be challenged, provoked or encouraged by the ideas of others is said to be essential to the formation of personal beliefs and, hence, to the capacity for self-definition"(Andargachew, 2004: 2-3).

Similarly, freedom of \_expression is an important ingredient for a functioning democracy. Freedom of \_expression guarantees open and free information, it creates a fertile ground for citizens to access information about the candidates before and during election time. The government and opposition parties' point of views will be discussed thoroughly during election debates. Without freedom of \_expression, it is very difficult, if not impossible, to identify who is who in the political arena (Kelley and Donway, 1990: 91).

English philosopher John Stuart Mill asserted in his 1859 essay “On liberty” that freedom of \_expression is the foundation of a free and healthy society. Mill believed that true democracy should foster “the diffusion of intelligence, activity, and public spirit among the governed” (Stewart, 1997: 28–37). The American philosopher John Dewey endorsed Mill’s idea when stating that freedom of \_expression is the foundation for informed deliberation and collective action in pursuit of the improvement of society (Ibid: 65) The founder of “social contract” theory, John Locke, also promoted freedom of \_expression when he argued that the contract was a two way-affair and the people will have the right to call the government when they are dissatisfied (Ibid).

## **1.8 Methodology**

The thesis will use the philosophy of freedom of \_expression as a cornerstone for its discussion as to why public service broadcasting is important for Ethiopia. As argued before, freedom of \_expression is one of the major underpinnings of public service broadcasting. Through a study of the Ethiopian Radio, I intend to examine the status of one section of state broadcasting in the country. This will be done in light of the UNESCO’s outlined principles of public service broadcasting, from which a set of parameters or standards will be drawn for coding categories.

The method to be used for the survey part of the study is content analysis. I have chosen this method because it is suited to showing the day-to-day practices of Ethiopian Radio. Content analysis will also provide quantitative data that to some extent reduce research bias. In addition to the quantified data, qualitative data from personal interviews and various documents and literature will be used to inform the analysis. Secondary sources such as books, newspapers, UNESCO publications, articles from magazines and web sites, as well as unpublished documents, will be used in this research.

This methods and research process will be further explained in chapter 3.

## **1.9 Operational Definitions of Terms**

### **Broadcasting**

The sending of messages via media of television or radio with no technical control over who receives them. Any one who has the appropriate receiver and is within the range of the transmitter can receive them.

### **Broadcasting service**

Broadcasting service is a defined service that consists in the broadcasting of television or sound material to the public, sections of the public or subscribers to such service.

### **Advertisement**

Advertisement is any public announcement intended to promote the sale, purchase or rental of a product or service, to advance a cause or idea or to bring about some other effect desired by the advertiser, for which broadcasting time has been given up to the advertiser for remuneration or similar consideration.

## **Chapter II Review of related literature**

### **2.1 What is public service broadcasting (PSB)?**

The state-owned media are national assets: they belong to the entire community, not to the abstraction known as the state; nor to the government in office, or to its party. If such national assets were to become the mouthpiece of any one or combination of the parties vying for power, democracy would be no more than a sham (Mendel, 1999:8).

The British established the British Broadcasting Corporation in 1920 to serve as a non-profits and non-commercial broadcasting monopoly. Under John Reith, the BBC established what would become the model of excellence of public service broadcasting, although many other nations like Germany and the Netherlands created successful and quite different versions of public service broadcasting (Hiemstra, 1997:27).

Originally, ‘public service’ was used to explain broadcasting in 1922 by an American broadcaster named David Sarnoff. He stated: “considered from its broadest aspect... broadcasting represents a job of entertaining, informing and educating the nation and therefore should be distinctly regarded as a public service” (Quoted in McDonnell, 1991: 1).

However, while Sarnoff may have been the first to articulate the concept, the first to give it its organisational form was John Reith who served as the managing director of the British Broadcasting Company from 1923 to 1926. He was the first director general of the British Broadcasting Corporation (BBC), his term being from 1927 to 1938 (Scannell, 1990:13) and accordingly the BBC and its public service broadcasting policy was largely developed along his lines (Raboy, 1996: 6).

Since Reith’s time, the BBC has always been considered the ideal example for public service broadcasters, including the South African Broadcasting Corporation (SABC) to follow (Teer-Tomaselli and De Villiers, 1998:154). Even with contemporary challenges, it is this conception of the BBC that continues to serve as the classic example

of a public broadcaster.

The first Director General of the BBC, John Reith, argued that in order to exploit broadcasting fully, public service broadcasting must be governed by social and not financial priorities. Considerations of profit would have restricted the service to the populace in urban areas. Reith was convinced that the BBC had to serve the whole nation. (Curran and Seaton, 1985:129-130).

## **2.2 Defining PSB**

“Public Service Broadcasting” and “State broadcasting” are sometimes confused. State-controlled broadcasting as we understand it in this study, is a broadcasting practice where “the ruling political elites dominate broadcasting to strengthen their grasp on political power” and can therefore not be considered as public service broadcasting (Seneviratne and Banerjee, 2005:1). State-controlled broadcasting also differs from that of PSB in their funding structure, and lack of independence and impartiality in their news and programming and organization (Ibid).

In much literature, public service broadcasting is not directly defined; rather, its characteristics define it. In her article “The many uses of the public service concept,” Trine Syvertsen defines public service broadcasting as a public utility where the public gets the service like any other public services. She states that irrespective of their age, gender, faith, political affiliation or wealth, all should access the service equally with out discrimination (Syvertsen, 2005: 6-7).

Brunner (2002) defines public service broadcasting broadly by means of socio-political standards:

Although the very concept is most controversial, it is still-in its traditional sense-an\_ expression of social function of every state, and it can be interpreted in the sphere of mass communications as satisfactions of information, education, entertainment and leisure needs by all members of society, taking in to account the prevailing value system, culture, tradition, national identity and, ultimately, teleology behind the

entire system of social relations in contrast to market-generated needs (Brunner, 2002: 8).

However, Sarnoff (2005) prefers to define PSB by means of its principles. According to him PSB should benefit the public, not any commercial, political, or sectional interest. It should be universally available to every one and must be accessed freely. The program should address wide appeal and minority interest, made to the highest possible production standards. Journalists working in a PSB are expected to be editorially independent of political, commercial, and other interests. Factual program and news must be treated fairly and impartially (Sarnoff, 2005).

In his book “Rich media poor democracy: communication politics in dubious times” Mc Chesney defined public service broadcasting as follows:

A system that is non profit and noncommercial, supported by public funds, ultimately accountable in some legally defined way to the citizenry, and aimed at providing a service to the entire population-one which does not apply commercial principles as the primary means to determine its programming (Mc Chesney, 1999: 226).

Mc Chesney’s definition fits in the UNESCO’s elaboration of the features of public service broadcasting. According to UNESCO documents (2005), the basic features of PSB are “general geographic availability; concern for national identity and culture; independence from both State and commercial interests; impartiality of programs; range and variety of programs; and substantial financing by a general charge on users.” (Mendel, 2005:49) Most definitions of PSB are usually based on the above particular features.

Reith characterised PSB in terms of four traits: the rejection of commercialism; the extension of availability of programs to everyone in the community; the establishment of unified control over broadcasting and the maintenance of high standards - “the provision of the best and the rejection of the hurtful” (Thompson, 1990: 255). These elements, according to Thompson, were embodied in the original organisational structure and practice of the BBC, which was conceived of by Reith who founded an institution of

public service and devotion to the public interest. This perception of public service broadcasting is outlined more clearly by Raboy:

Universal accessibility (geographical); universal appeal (general tastes and interests); particular attention to minorities; contribution to sense of national identity and community; distance from vested interests; direct funding and universality of payment; competition in good programming rather than for numbers; and guidelines that liberate rather than restrict programme makers (Raboy, 1996: 6).

Public service broadcasting is underpinned by its accessibility to all, its concern for a variety of interests and tastes, and its emphasis for national identity and culture. Moreover, its neutrality from vested interests, independence of its funding structure, quality service and editorial independence at program makers' level are some of its essential features. PSB must work in the public interest in order to provide reliable and legitimate news, information programming and education. In its political output, it is obliged to be balanced and impartial, distanced particularly those of the government of the day (Teer-Tomaselli, 2005:5).

### **2.3 Why public service broadcasting?**

If democracy is based on rule by a majority of the population in a fair and equitable society, then democratic institutions must work to empower people to make decisions within that society. The ability of the governed to assert an opinion without restraint is essential to this decision making process. Media freedom is therefore critical to the establishment and continuity of democracy and becomes a primary indicator of the existence of a democratic society (Takirambudde, 1995: 43).

Illiteracy, poverty, a lack of basic infrastructure and political instability call for massive developmental interventions, which require public service broadcasting to report on development news. In countries confronting latent destructive forces like class, race, ethnic and language divisions, public broadcasting is seen as the social glue through

which are channeled of dialogue between the various constituencies (Teer-Tomaselli, 2005:15).

### **2.3.1 Mistrust of the government**

The 1999–2000 UNESCO’s World Communication and Information Report emphasized that many African governments are still one-party authoritarian regimes or military dictatorships. Most of them are using state-controlled broadcasting to sustain and maintain their regimes. However, because of internal and external pressure, many African governments are now introducing multi-party politics. Therefore, the introduction of PSB is vital (UNESCO, 2000: 87).

Kadhi, in his article “Liberalization of Airwaves in Africa” argues that in Africa broadcasting, radio and television in particular are used to propagate the ideology of the government in office. In Africa the population is largely dependant on radio and radio is monopolised by government. He expressed his concern by stating” the government monopoly of airwaves is a disturbing situation.”(Kadhi, 1999:1-2).

An interesting feature of PSB in many countries has been the enormous degree of political independence and courage in allowing dissent, despite its heavy reliance on government support. (Thussu, 2003: 45) However, in Ethiopia, the political independence of the electronic media is open to discussion. Reports Franz Krüger, “ An editor at Ethiopian TV said candidly: ‘the head of the organisation never allows balanced reports. Positive stories about strong opposing parties are destined to (end in) waste baskets’” (Krüger, 2005).

In his article "African Journalism and the Struggle for Democratic Media", Rønning (2005a) argues that it is only weak states that have resisted liberalising their airwaves. Weak states, he argues, are particularly suspicious of media, as these are seen as tools for the sowing of dissent, and consequently perceived as a threat to the survival of the government, as well as the cohesion of the state. According to Rønning, these states would try to control the media particularly the broadcasting, at any cost. The techniques of control range from outright censorship to more subtle means, which often

combine the state ownership of the media and providing incentives to journalists who tow the line, and reprisals against those who do not. Rønning also emphasises the damage that has been done to the public due to government control of the electronic media in many African countries. "Radio and television are seen as a means to spread government policy to the exclusion of the interests of the civil society interests, and the agenda of the state is merged with that of the ruling regime. The interests of government are presented as being the same as the public interest" (Rønning, 2005a: 17).

### **2.3.2 Market failure**

Teer-Tomaselli has justified the indispensable nature of PSB in democratic countries. She argues: "Market-led philosophy is inadequate to provide for a service as important as broadcasting, particularly so in a developing country" (Teer-Tomaselli, 2005: 4). PSB not only compensates the market failure in the area of education, research, children's programming, dramas in minority languages or other specialized programming, but also can provide quality programs in a sufficient quantity. Teer-Tomaselli adds to her pro-PSB argument by saying that "markets don't work fairly – they don't provide for poor, the old, the undereducated or those who live in remote areas, away from the urban conurbations" (Ibid).

A similar view is advocated in the most recent UNESCO publication on PSB (November 2005). UNESCO clearly points out that commercial broadcasting could not and would not replace PSB. Commercial broadcasting which operates both nationally and internationally focus on profit and preoccupies the media from its conventional role towards pure entertainment.

The commercial systems... pay heed only to the logic of profit and advertising revenues, [therefore] the only way to protect and to promote the public interest is through the enhancement of public service broadcasting (PSB). Recent developments in broadcasting around the world lead us to the compelling realization that PSB is more relevant than ever before, and that it is urgent to nurture and strengthen PSB institutions and practices

to safeguard the integrity and interest of “citizens” (Seneviratne and Banerjee, 2005:1).

## 2.4 Funding structures

The funding structure of public service broadcasting is usually related to its independence. If a substantial part of a broadcasting agency’s budgets generates from a government treasury, it is very difficult not to be influenced by a government in question. However, as the following table shows the Japanese broadcasting service raises 98% of its budget from license fees (Mendel, 1999: 51) and the BBC raises 82% of its fund for Home Services from licence Revenue (Ibid). Australia, Canada, and South Africa mostly cover their budgets either from government treasuries or from advertisements. Where as France, Japan, and United Kingdom raise their budgets mostly from license fees.

Table 1: **Financing of PSB**

	Australia	Canada	France	Japan	South Africa	United Kingdom
Advertisements	3	23	25	0	76	0
License fee	0	0	70	98	14	82
Government Subsidy	80	66	0	0	10	0
Other	17	11	5	2	0	18

*Source: PSB: A comparative Legal Survey.*

All countries’ figures are shown for 1999 except France, which is for the year 1998. The table only covers six of the most developed PSBs in the world. There could be some changes in 2005, since the date is a bit old, in the financing of PSBs. However, UNESCO’s latest publications hold the same statistics.

As the above comparative table shows even well known public service broadcasting agencies have accepted funds from government. However, the devices to protect PSBs from government interference are raising funds from other sources such as

from license fees, advertisements, consorts, from individuals through donations and sponsorship.

Nevertheless, according UNESCO (2005) the funding structures of PSB vary from country to country.

There are clearly great variations in terms of the funding mechanisms and structures between PSBs around the world. Increasingly, PSBs tend to look for a mix of public/state and commercial revenues. The key is to find an appropriate balance between public and commercial revenues, as an excessively commercially-based revenue stream could have potentially harmful implications on the independence, quality and programming of PSBs (Seneviratne and Indrajit, eds., 2005: 31).

Dependence on advertising leaves PSBs vulnerable to commercial interests because advertising is considered to be a very risky source of financing for PSB. (Curran and Seaton, 1985: 113-115). From this point of view, there are many PSBs, which do not run commercials in their broadcasting. For instance, law prohibits the Australian Broadcasting Corporation (ABC) from broadcasting commercial advertising (Mendel, 1999: 13). The Council of Europe's Independent Television Commission, UNESCO and African Charter on Broadcasting unanimously agree that it is acceptable to run limited amounts of advertising on PSBs, a maximum of seven minutes per hour across the day (Seneviratne and Indrajit, eds. 2005: 5-6).

## **2.5 The management of PSB and its independence**

Article 19 published in June 2005 a PSB law model. According to this model, the Board of Directors for a PSB should have some relevant expertise by virtue of their education or experience, including in the fields of broadcasting, policy, law, technology, journalism and/or business. In this model, members of the board would be considered for appointment by a parliament only when candidates are nominated by civil society and professional organizations (Mendel, 2005:8-10).

Mendel, who drafted the PSB law model for Article 19, emphasizes that the process of appointing a PSB board should be open and transparent. He suggests that a shortlist of candidates should be published in advance so the public is given an opportunity to make an informed opinion concerning the candidates. Mendel argues that membership of the board, as a whole should represent a broad cross-section of a society. This model has emphasizes that no one to be appointed to the Board if he or she is employed in the civil service or any other branch of government; holds an official office in, or is an employee of, a political party; holds an elected position at any level of government; holds a position in, receives payment from or has, directly or indirectly, significant financial interests in broadcasting or telecommunications (Mendel, 2005).

Curran and Seaton (1985), on the other hand, argue that the governing bodies of the broadcasting organizations should be recruited from a much wider spectrum of political opinion and have a more varied social background. Pointing to the BBC, they argue that politically appointed representatives on the Board of Governors should be more assertive in resisting political pressure from governments. Probably the only way to achieve these twin objectives of a more independent and more mixed representation on broadcasting authorities is for some members to be appointed by nomination from accredited interest groups (Mendel, 1995: 345).

In a study conducted about the managerial processes of the BBC, it is proved that it is the independence of the governing structure, especially in the lower echelons that earned the BBC, at the time, a new name called “the paragon of public service broadcasting”. If a broadcasting agency or corporation and its management are not “freeing it from its client relationship to government,” its service as a source of political, cultural and social enlightenment will be questioned. However, the independence of broadcasting has to rest somewhere; it has in practice to be held accountable to “the source of sovereignty either at prescribed times, or according to statute or custom. Otherwise it becomes subject to permanent demands for recognition and reconstruction” (May and Rowan, 1982: 70–71).

In Australia, Canada, France, the UK, South Africa and Japan public service broadcasting chairmen of the board are appointed by the governments of the day (Mendel, 1999:51). Hence the main point is not whether a government appoints them or not, but the question should be how they have guaranteed the editorial independence of these broadcasting organizations, while at the same time ensuring their accountability to the public and providing them with public funds. The BBC's rich experience shows that it is possible to be politically accountable and yet remain independent of political influence (Curran and Seaton, 1985: 305).

The board of directors of a PSB outlet is supposed to be independent of all sectional interests, including that of the government. Members of the board of a PSB are expected to be persons of judgment and independence, free of commitments, and they should inspire confidence by having no other interests to promote than those of public service (Curran and Seaton, 1985). The Australian boards of directors, for instance, are expected to be professional, and the potential directors are expected to ensure that the PSB ensures efficiency and maximum benefit to the Australians. The director is not only responsible to maintain the independence and integrity of the PSB, but he/she should also ensure that the gathering and presentation of news and information is accurate and impartial according to the recognized standards of objective journalism (Mendel, 1999: 11–16).

UNESCO's latest publication on PSB suggests that to maintain the autonomy of PSB, its management is supposed to protect it from political, commercial or pressure group interests. The governing bodies or boards of a public service broadcasting have no role to play in the day-to-day management. The top management positions of the public service broadcasters must be open for public tender and must be allocated for a fixed term regardless of any term, regardless of any terms of office of the elected government. In order to fulfill their journalistic duties, pay levels and working conditions for journalists must be appropriate. To achieve independence of a PSB management, law should be enacted that clearly show how the supervisory board of a PSB is constituted and empowered. These laws are likely to include details of its relationship with members of the legislature, political parties and the civil service (Seneviratne and Banerjee,

2005:17-18).

In general, governments can learn a good deal from systems and practices outside their own country; it would be crude to assume that a wholesale duplication of those practices in a different setting will produce the same positive results. The success or failure of public service broadcasting is reliant on a number of issues, including local history, geography, culture, political culture, and social and economic conditions. A successful broadcasting policy must take in to consideration such factors. Additionally, news and all programs of PSBs should serve the public interest and, in particular, be balanced and impartial (Mendel, Toby, 2005: 3).

## **2.6 The Legal aspects of PSB**

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights (UDHR). Signatories to UDHR are obliged to guarantee the right to freedom of\_ expression. Article 19 of the UDHR states the following:

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 (UN, 1948: 4).

Similarly the International Covenant on Civil and Political Rights was ratified in 1976 and endorsed by more than 145 states. Article 19-sub article 1 and 2 of this convention guarantees freedom of \_expression. These Articles are almost the same as Article 19 of the UDHR (UN, 1966:8). Many international and regional organizations endorsed legal documents that guarantee freedom of \_expression. The European Convention for the protection of Human Rights and Fundamental Freedoms, Article 13 of the American Convention on Human Rights, and Article 9 of the African Charter on Human and Peoples' Rights are the case in point (Mendel, 1999: 5).

The European Court of Human Rights has asserted:

Freedom of expression constitutes one of the essential foundations of a democratic society, one of the basic conditions for its progress and for the development of every man...it is applicable not only to 'information' or 'ideas' that are favorably received or regarded as inoffensive or as a matter of indifference, but also to those that offered, shock or disturb the State or any sector of the population. Such are the demands of pluralism, tolerance and broadmindedness without which there is no 'democratic society' (Mendel, 1999: 5).

UNESCO and many other international non-government organizations are engaged in promoting and protecting freedom of expression in the world. The International Press Institute (IPI) also confirms in the Vienna Declaration on Public Broadcasting its unconditional support for the development of editorially independent. PSBs to replace the state-controlled broadcasting structures. Generally, IPI argued that PSBs should be a true reflection of the constitution, the principles and the attitudes of a free and democratic state (IPI, 1993).

The logic of mentioning international conventions and declarations is that state-owned broadcasting is directly funded by the state. Hence, State-owned broadcasting has clear relations with the state, and states that ratified and endorsed the convention and declaration are obliged to guarantee freedom of expression in their respective countries. Establishing and maintaining a true PSB will guarantee freedom of expression, ensure plurality of opinion and people's right to know (Mendel, 1999: 5-6).

## **2.7 Brief history of broadcasting in Ethiopia**

Broadcasting in Ethiopia started seven decades ago during the Emperor Haileselassie time. When radio broadcasting commenced in Ethiopia in the 1930's, decrees and proclamations of the Emperor were being transmitted regularly. Right before the fall of the station in to the hands of the Italians in 1937, radio was used to mobilize troops. During the Italian occupation, they mostly were engaged in war propaganda. However, after the return of the Emperor, the Ethiopian Radio was exclusively engaged in building

the image of the Emperor and consolidating his power against revolutionary threats. “The government was an absolute, undemocratic monarchy which granted no right to freedom of expression for the print or broadcast” (Wanyeki, Lynne M., 2000: 19). After the fall of the Emperor in 1975, the military government had also used the station to propagate their socialist ideology. The current government has proclaimed many promising proclamations, declaring freedom of expression, however, as chapters 4 and 5 will show, practice deviates from the proclaimed principles.

### 2.7.1 The Ethiopian Radio

Short wave Radio Services commenced in Ethiopia in 1936 before the Italian Invasion. A radio station was established just next to the first Hotel in Ethiopia, *Tiytu* Hotel. However, shortly thereafter Fascist Italy invaded Ethiopia and occupied the radio station in its infant stage. By that time the station was transferred to *Nefas Silk-Akaki*, which is just out of Addis (The Ethiopian Radio and Television Agency, 2001: 3-4). (The Ethiopian Radio and Television Agency, 2001: 3-4).

Fascist Italy moved the station near to the existing city municipality and commenced wire-broadcasting transmission. After five years’ occupation, the Italians destroyed the station and left the country. When Emperor Haileselassie returned from exile in 1941, he reconstructed the radio station and started both short and medium wave transmission. However, up until 1963, the transmission was limited only to the Addis Ababa area. It was only in 1963 that Ethiopian Radio was able to reach the entire parts of the country (Imperial board of telecommunications of Ethiopia, 1964: 21-23).

Ethiopian Radio has been transmitting its news and programs in Amharic and English until 1963. However, its transmission capacity, the number broadcasting, languages, scope, quality and orientation of coverage have been improved. For instance, French, Arabic, Somali, Swahli, Tigrigna, Oromiffa, Afar, Harari, Angnwak and Nure were added through time. Although Ethiopian Radio collects fees from advertisement and from sponsorship, the substantial budget of the station comes from the government treasury. (The Ethiopian Radio and Television Agency, 2001: 6-10). (The Ethiopian Radio and Television Agency, 2001: 6-10). In Ethiopia the numbers of radio receivers are 194 per 1000 people in 2000 (World Bank, 2000: 537).

Besides the national service, on February 26, 1963, Radio Voice of the Gospel commenced its transmission, but was shut down by the military regime in 1974. Around 1965 the Ministry of Education has commenced medium-wave radio stations. This station was transmitting largely programs for adult education and support for classroom (Ministry of Information, 1966:2-11).

### **2.7.2 The Ethiopian Television (ETV)**

The concept of television was introduced in Ethiopia during the celebrations of the Emperor Haileselassie's Silver Jubilee in 1956 via Telecommunication Pavilion near the old airport. The Emperor commissioned the British Broadcasting Corporation (BBC) to transmit the event in celebration at the old airport exhibition. Transmission ceased to operate right after the celebration because there were no enough infrastructures to support the transmission system (Leykun, 1997:1).

The experience of the first show of the television left a lasting impression on the Royal families and landlords. Dejazemach Daniel Abebe, one of the sons' of Feudal lords, was among those fascinated by the "magic window." His excitement about television led to Dejazemach Daniel to requesting the Emperor to establish his own television station in 1960. Nevertheless, the Emperor and his council of ministers denied him permission on the pretext that it was not permissible for individuals. Following that request, there were six attempts to launch television stations, but the emperor unequivocally rejected landlords and religious organizations' request to establish private television stations (Leykun, 1997: 1-3).

At last, television services were started on the occasion of the founding meeting of the Organization of African Unity (OAU) in 1963. Transmission was still in its infant stage, thus a makeshift closed-circuit television system was installed and television sets were fixed in and around the African Hall. Following this events, Ethiopian Television initiated its broadcasting in 1964 in the city hall. A British company called Thomson Television International was responsible for the installation of the television infrastructure (Imperial board of telecommunications of Ethiopia, 1963:67-72).

In 1965, the Ethiopian Television began making its facilities available in the interests of formal education. In cooperation with the Ministry of Education, courses for in-school viewing started with some 20 receivers from the outset. In the beginning from 3,000 to 5,000 secondary school students around Addis received the course. However, success of the first course led to increased demand and in its service was extended to elementary schools (in Amharic). In 1966, The Ethiopian Television made studio facilities and operational personnel available as required for the production of the educational programs (Ministry of Information, 1966:8). During the Military regime, the educational programs were established separately under the name of Educational Media Agency (EMA) and organized its own studios and began transmitting in 16 local languages with 13 stations. EMA is still using ETV transmitters and other facilities (Wanyeki, 2000: 29).

According to the 2000 World Development Report, in Ethiopia the numbers of television receivers are 5 per 1000 people (World Bank, 2000: 537). ETV covers 47% of the country. The Ethiopian Television License fee never exceeds 9% of the general budget of ETV. The highest income from advertisements was in 1988, which made up 32.6% of the entire budget. Hence, more than 60% of the ETV budget comes from the government treasury (Leykun, 2001: 206–210). Although television set owners are required to pay a fee of 50 Ethiopian Birr (about US\$8) to ETV during the purchase of a new set, ETV fails to collect the fee because of logistic and cross boarder trade (Wanyeki, 2000: 28).

From its establishment until 1991, ETV has been transmitting its news and programs in English and Amharic. However, after the EPRDF government two vernacular languages: - Oromiffa and Tigrina- were added.

**Table 2: Local and foreign production on ETV**

Amharic	Oromiffa	Tigrigna	English	Foreign	Total
30.1%	14.8%	14.8%	7.0%	33.3%	100%

*Source: - Panos South Africa-2000.*

Amharic, the official national language, is spoken by at least 22.4 million people as their mother tongue or second language; Oromiffa with 25,098 million speakers; Tigrigna has 4,113 million speakers (Central Statistical Agency of Ethiopia, 2004).

## **2.8 Broadcasting law in Ethiopia since 1991**

In 1991 the EPRDF government replaced the military regime. A new government was established and a Transitional Charter was proclaimed. In 1991, the Transitional Government issued a proclamation to provide for the determination of the application of state owned mass media. According to Article 3 sub Article H of this proclamation:

[The Agency can] “transmit criticisms and complaints made against the government by the different sections of the society, and invite the appropriate organs to respond to the same” (The Transitional Government of Ethiopia, 1991, 111).

In the 1995 Proclamation no.114/1995, which provides for the establishment of the Ethiopian Radio and Television Agency, Article 5 sub article 4 also reconfirmed freedom of \_expression by stating that every one has the right to “receive and transmit free public opinions and suggestion”(The Transitional Government of Ethiopia, 1995,175).

The Constitution of the Federal Democratic Republic of Ethiopia, which was issued on August 1995, endorsed the UDHR, article 19 as it is. Article 29, sub article 1-7 of the 1995 constitution guarantee freedom of \_expression in Ethiopia inclusively (The Federal Democratic Republic of Ethiopia, 1995, 89-90).

The 1990 witnessed rapid change in the countries of Africa. Movements for political pluralism ushered in multiparty systems in most countries. These movements were quickly succeeded demands for constitutional and legal reform. The political transitions from single-party to multiparty rule, as well as internal and external pressures on the governments of Ethiopia for constitutional and legal reform-including calls to ‘free the airwaves’-have changed radio and television broadcasting regulation and ownership in Africa in general and in Ethiopia in particular (Wanyeki, 200: 1). International financial institutions like the International Monetary Fund (IMF) and World Bank also put such legal reform as preconditions for their financial assistance. As a result, the

Ethiopian government introduced new broadcasting law.

In 1999 the Federal Democratic Republic of Ethiopia issued a proclamation to provide for the systematic management of broadcasting service. According to this proclamation, except non-Ethiopian citizen, political parties and religious organization, every Ethiopian who has the financial and technical capacity has the right to establish a broadcasting station (The Federal Democratic Republic of Ethiopia, 1999: 1119-1129).

The proclamation was enforced from 1999, but surprisingly no one has yet gained permission to start operating nationwide a private broadcasting station (December 2005). Although this proclamation does not allow a political party to establish a radio station, the ruling party EPRDF runs a private radio called *Radio Fana* and a number of party affiliated stations also operate in different regions of the country. The ruling party used this radio stations during its struggle against the former military regime. Dimtse Woyane Radio station also belongs to one of the political parties- the Tigray People's Liberation Front (TPLF). This radio station is still operating from Mekelle (Wanyeki, Lynne M., 2000: 30-31). As we shall see in the subsequent chapters, there are many issues that appear to contravene the law.

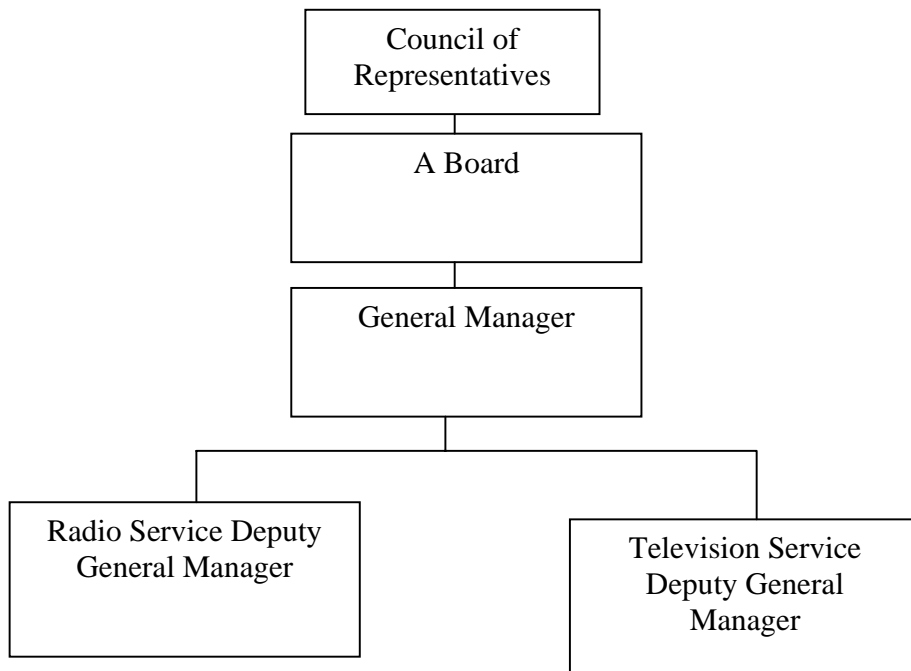
## **2.9 Organizational structures of Ethiopian Radio and Television**

In 1995 the proclamation No114/1995 announced a proclamation to provide for the establishment of the Ethiopian Radio and Television Agency. This proclamation has laid down the legal framework for the organizational structure of Ethiopian Radio and Television. In its preamble the proclamation stated that "it is necessary to provide for the organizational and operational autonomy of Government owned mass media with a view to ensuring the free expression of opinions and views among the population in accordance with the provisions of the Constitution" (The Translational Government of Ethiopia, 1995: 174).

According to this proclamation a board should administer the Ethiopian Radio and Television Agency. The Council of Representatives appointed members of the board upon presentation by the government selected from the appropriate establishments and various sections of the population and accordingly accountable to the Council of

Representatives or its substitute.

**Chart 1: Accountability of the board of the Ethiopian Radio and Television Agency**



## **Chapter III Method**

### **3.1 Data source**

Primary and secondary sources have been used as data source. The primary data was collected from the Ethiopian Radio prime time national news (8:p.m.) and from key informant interviews. Secondary data was gathered from legal and other documents, such as editorial policy document. Content analysis usually does not show the underlying meaning or interpretation of an issue and therefore data collected through content analysis has been enriched by additional data gathered from key informant interviews, legal and other documents.

#### **3.1.1 Prime time national news**

Ethiopian Radio broadcasts more than three times in a day. However, it is during the prime time that the station broadcast all breaking news. In a 15 day time period, 131 news items were gathered. Sport and international news was excluded. The news was recorded on tape and coded systematically in 15 data sheets. A data sheet was assigned for a day. All the data sheets are attached in the appendices.

#### **3.1.2 Key informants**

The key informants are two senior editors from the Ethiopian Radio newsroom. One of the key informants has worked on the Ethiopian Radio for more than 10 years, with three years on Ethiopian Television. This informant has worked as the person in charge on both stations. The other key informant has worked on Ethiopian Radio for more than 7 years.

The reason for selecting these two key informants was their knowledge in relation to the Ethiopian Radio newsroom. Both of my key informants, for safety reasons, do not want to make their name public. The interviews were conducted in Amharic. The same questions were forwarded to both key informants. One of the interviews was recorded and the transcript is attached in the appendices section. But one of the interviewees was not willing to be recorded for personal reasons. Both of interviews were conducted at

Addis Ababa University in the School of Journalism and Communication and lasted for about two hours.

### **3.1.3 Legal and other documents**

Data was also collected from legal and other documents. The 1995 Constitution of the Federal Democratic Republic of Ethiopia as well as the 1995 Proclamation no.114/1995, which provides for the establishment of the Ethiopian Radio and Television Agency, were used as data source. The other data source were unpublished Amharic documents entitled “A Study of the Ethiopian News Agency’s Fundamental Problems and Solutions” and the “Editorial Policy of State Mass Media: Fundamental Collective Document”. The Editorial Policy of the Ethiopian Television was also used as a data source. The unpublished Amharic documents are attached in the appendices at the end.

### **3.2 Sampling**

Data was collected from October 19, 2005 to November 2, 2005. This time was allocated for data collection because election fever in the country had passed by that time. Ethiopian Radio was preoccupied with the election campaign and election-related coverage from September 2004 up until September 2005. Right after the official announcement of the winner of the election, the data sample has been collected. This is purposive sampling where all the 15 days’ news, excluding sport and international news, was taken as a sample.

### **3.3 Instruments**

Content analysis and interviews were used as instrument. The research employed content analysis in order to investigate the actual broadcasting coverage and collect some quantitative data. Key informant interviews were also conducted to enhance the data collected through content analysis. The study applied Statistical Package for Social Sciences (SPSS) software for analysing the data collected through content analysis. Although the software can perform much statistical analysis, it was mainly applied for descriptive purposes.

### **3.4 Variables basis**

The variables of this research have been drawn from the literature review. In the literature review we find principles of Public service broadcasting that is more or less accepted by many national broadcasters, regional and international organizations such as the Council of Europe's Independent Television Commission (CEITC), UNESCO and International Press Institute (IPI).

PSB respects the right of listeners to hear a variety of views without suppressing relevant, available facts. PSB presents all sides of a question to achieve balance. The following eight points are mostly accepted internationally as the main features of Public Service Broadcasting:

1. Universal geographic accessibility.
2. Universal appeal across tastes and interests.
3. Particular attention to minorities.
4. Contribution to a sense of national identity and community.
5. Direct funding and universality of payment.
6. Distance from vested interests.
7. Competition in good programming rather than for numbers.
8. Guidelines that liberate rather than restrict programme makers.

The Principles of PSB have been discussed in depth in the review of related literature, Chapter Two of this thesis.

The variables derived from the above principles help to reduce the researcher's biases. In content analysis objectivity is achieved by having the categories of analysis defined so precisely that different persons can apply them to the same content and get the same results. If content analysis were subjective instead of objective, each person would have his/her own content analysis.

### **3.5 Definitions of variables and categories**

Most variables and categories used in the content analysis have been defined with real examples taken from the gathered data. Here, variables are used for testing the collected data against the principles of PSB. All the categories have been extracted from the variables. More or less, the categories have also been derived from the principles of PSB.

#### **3.5.1 News sequence**

News sequence represents the line up of news bulletins. This category is selected to show which particular issue has been given priority in Radio Ethiopia news bulletins. Giving priority to issues that affect the minority as well as the majority has been one of the principles of PSB.

#### **3.5.2 Region**

This variable has included all regional states in Ethiopia as categories. Amhara, Oromo, Tigray, Harari, Somalia, Southern Nations and Nationality, Gambella, Afar and the two Federal City Councils in Ethiopia i.e., Addis Ababa and Diredewa included. A category called “National” has also been included to represents issue that embrace all Ethiopia. This category would show how far the national radio covers all regions fairly.

#### **3.5.3 Source of news**

These include Ethiopian News Agency (ENA), Walta Information Centre (WIC), Staff, Government public relations office, Government publications, Regional Information Bureau, and International news sources. Source of news represents “who covers the news”. For example the following news has been covered and credited for Walta Information Center (WIC): -30 per cent of Tekezie hydropower project finalised. Field Acting coordinator of Tekeze Hydropower project, Engineer Anteneh Geremew, **told WIC** that the construction of a 320-meter tunnel has been implemented (Ethiopian Radio-October 29, 2005).

As observed in the following Chapter, Source of News has direct association with the independence of the editorial decision making of journalists. Editorial independence is one of the most important features of PSB.

### **3.5.4 Timeliness**

This variable represents the timeliness of news. It includes Today, Yesterday and Old news. The category “Today” represents news covered within the same day of the event. The category “Yesterday” corresponds to news that happened yesterday but covered by the station one day after the event. Old news stands for news occurred three or more days but covered after three or more days.

According to PSB principles, all parts of a country should be covered fairly and properly. This variable has also tested whether Regional States in Ethiopia have been covered appropriately.

### **3.5.5 Length**

Length illustrates the time given for a news item in seconds. In the data collected, the minimum time allocated for a single news item was 24 seconds while the maximum is 240 seconds.

Length has also comparable importance similar to Timeliness. The proportion of time allocated to different Regions signifies the scope of service provided by a broadcasting station. PSB should reach all parts of a given country and is expected to provide reasonable coverage.

### **3.5.6 Gender**

Gender represents male or females who have been quoted as information sources. This variable is particularly interested in the gender of the interviewees. For example in the following Ethiopian News Agency (ENA) news male has been coded: - The Oromia Regional State’s Cooperative Works Promotion Commission is prepared to purchase crops with an outlay of 195 million birr in a bid to stabilize the market in the region. Belete Waqbeke, deputy commissioner, said production in the region is expected to increase this year...

### **3.5.7 Main Actors**

Main actor represents the person quoted as main information sources. This variable was intended to show whose 'voice' is mainly heard in the national radio. Public service broadcasting characteristics has been taken in to consideration in order to design these categories. In the following news, for instance, the main actor has been coded as Ruling party officials.

“Ethiopia prepares for bird flu.“

“Minister of Health, Dr. Tewodros Adhanom, said that his Ministry has established a task force to pre-empt the outbreak of bird flu” (Ethiopian Radio-October 25, 2005).

#### **3.5.7.1 Ruling party officials**

This variable includes government ministers and ruling party members. In Ethiopia, as a rule, all government ministers are member of the ruling party. A list of all government ministers has been attached in the appendicis.

#### **3.5.7.2 Oppositions**

Legally registered oppositions have been included in this category. List of all legally registered opposition parties have been attached in the appendicis.

#### **3.5.7.3 Ethnic minorities**

Under this category all ethnic minorities found in the Ethiopia, particularly in Afar, Somali, Southern Nation and Nationalities, Benishangul Gumuz, Harare, Gambella has been included. If the person, representatives of a minority, were quoted as main information sources, then the main actor would be coded as Ethnic Minority.

#### **3.5.7.4 Non Government Organisation's (NGO's)**

If the person quoted as main information source was found to be representatives of NGO, then the main actor would be coded as NGO.

### **3.5.7.5 Government/Public/ officials**

There are professional government officials who may not be member the ruling party but serve the government as officials. If they were quoted as main information sources, then they would be coded as government officials. Example: - 30 per cent of Tekezie hydropower project finalized. Field Acting coordinator of Tekeze Hydropower project, Engineer Anteneh Geremew, told WIC that the construction of a 320-meter tunnel has been implemented (Ethiopian Radio-October 29, 2005). Ato Anteneh Geremew is an acting coordinator for the government project called Tekeze Hydropower projects. Therefore coded as “Government official”.

### **3.5.7.6 Independent scholars**

This category represents researchers, scholars and academics, who are not office holders, which give professional opinion on certain topics. If one of them quoted as a main information sources, then the main actor would be “Independent Scholars”.

### **3.5.7.7 Rank and files/The blue collars.**

This category represents ‘the public or ordinary citizens’ quoted as source of news. This category is important in a sense that PSB is mostly about the public.

### **3.5.8 Balance**

This variable includes three categories namely: Balanced, Unbalanced, and Not applicable.

- A. When news is coded “Balanced”, it means that the news cited at least two sources, and the news is also showed the other side of a story. For ex: - Let us assume that the government build a hospital or a school in region x. This news will be balanced if the reporter interviewed or included the voice of the local residents and how they felt about the new facility.
- B. When the news is coded “Unbalanced”, it means that the news is reported with out the other side of a story. The following news has been coded “Unbalanced”

NEBE says no merger document submitted.

EDUP-Medhin, AEUP, Ethiopian Democratic League and Rainbow have not submitted any document of merger so far except that they made verbal declaration that they merged on September 14, 2005, the National Electoral Board of Ethiopia (NEBE) said. Up till official conclusion of merger or up till the day they submit the required merger documents, each of the four parties will retain its own status as a separate legal body, the office underscored (October 22, 2005).

This news has been coded unbalanced because it does not have the say of all parties mentioned above. It is one sided.

C. There is news that simply can stand by itself. For instance accident, crime and similar news may not require to be balanced. At this time we simply put it under “Not applicable”.

The following news has been coded “Not applicable”

A policeman killed while searching for contraband goods.

A policeman was killed and 15 other persons injured as individuals clashed with police while the customs office was searching for contraband goods in Harar Town.

### **3.5.9 Tone**

Tone shows whether the news is presented negatively, positively, or in neutral terms.

This variable is a bit different from the others because it challenges researcher’s subjectivity. Therefore, to minimise bias and subjectivity, after collecting data, 2 fellow students have administered the coding process.

These students are MA prospective in Journalism and Communication in Addis Ababa University. The students’ political inclinations have been taken in to consideration intentionally to achieve fairness. One of the students has claimed to have an inclination towards the ruling party where as the other one has claimed to have an inclination to the main opposition. They have worked as journalists for more than two years. The students have been given guidelines with examples how to code the variable. The coding process has taken 20-30 minutes with respect to each student. During the coding process,

communication, including body language was not allowed. The two students were at variance in 4 of the 131 news items. This shows that there is high degree of agreement between coders.

## **Guidelines**

The tone of news will be coded “Positive” if it contains words with positive connotation, extended supporting backgrounds and facts that show the positive sides of an issue. Whereas, news will be coded “Negative” if it contains, name callings, words with negative connotations, and derogatory statements.

The tone of the following news has been coded “Positive”.

“Youth to engage in income-generating activities.”

“Over 2.7 million birr loan was allocated with a view to enabling over 5,000 unemployed youth living in towns in North Gondar Zone of Amhara State engaged in income-generating activities.”

“Zonal Micro, Small Trade and Industry Development Desk Head, Shewaneseew Abebe told ENA that Gondar town got job opportunities during the current budget year” (The Ethiopian Radio, October 21, 2005).

The tone of the following news has been coded “Negative”.

“34 CUDP (Coalition for Unity and Democracy Party) main opposition members, supporters put under custody for allegedly possessing firearms. Police say, up on tip-off they received on the CUDP’s members and supporter’s plans of violence, they have apprehended 34 members and supporters of CUD for allegedly possessing firearms in Tio Woreda of Arsi Zone, Oromia State” (The Ethiopian Radio, October 19, 2005).

**Table 3: Variables and Coding Categories**

<b>Variables</b>	<b>Range of Options for the researcher to select from</b>
News Sequence	Line up (First, Second, Third...)
Regions	Amhara-1 Oromia-2 Tigray-3 Somalia-5 Southern Nations and Nationality-6 Harare-4 Afar-11 Benishangul Gumuz-8 Diredewa-10 Addis Ababa-9 Gambella-7 National-12
Source of News	Ethiopian News Agency-ENA-1 Walta Information Center-WIC-2 Staff-3 Gov't PR-5 International News Sources-4 Gov't publications-7 Independent Research Publication-8 Websites-9 Other-6
Balance	Balanced-1 Unbalanced-2 Not applicable-3
Timeliness	Today-1 Yesterday-2 Old News-3
Gender	Male-1 Female-2
Length/Duration	Recorded in seconds of coverage
Tone	Positive-1 Neutral -2 Negative-3
Main Actors	Ruling party officials -1 Oppositions-2 Ethnic minorities-3 NGO's-5 Independent Scholars-6 Rank and files/The blue collars-7 Celebrities-4

	Police-10 Parliament-12 Government Officials-13
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## Chapter IV

### Presentation, analysis, and discussion of the findings

This chapter attempts to analyze data gathered through content analysis and key informant interviews. In this chapter the quantitative data has been enhanced by qualitative data collected through key informant interviews and legal documents. The data are tabulated and analyzed in such a way that it clearly shows how Public Service Broadcasting (PSB) appears.

The first item for analysis deals with Source of News. This part attempts to illustrate the association between sources of news and political interference in the editorial decision- making of journalists working on Ethiopian Radio.

**Table 4: Source of News**

Source of news	Frequency	Percent
ENA	98	74.8
WIC	8	6.1
Staff	3	2.3
International News Sources	1	.8
Government public relations	18	13.7
Government Publications	1	.8
Regional Information bureau	2	1.5
Total	131	100.0

#### 4.1 Source of News

Source of news represent institutions that prepares or cover the news and finally that take the credit for doing so. As the above table shows, the most outstanding finding is that 74.8 per cent of the news read by the Ethiopian Radio is prepared by the government-owned- Ethiopian News Agency (ENA). The table also shows the major source of news

for Ethiopian Radio, next to ENA, are government public relations services which account for 13.7 percent and Walta Information Center (WIC) which accounts for 6.1 percent of the news. Although WIC is registered as a private news agency, it is widely believed to be affiliated to the ruling party. As the study shows, in two weeks time period, reporters on Ethiopian Radio produced only 2.3 per cent of the news.

All in all, 97.7 percent of the news, which is read by the Ethiopian Radio reporters, is prepared by other news agencies. In other words, journalists working on Ethiopian Radio read news on behalf of others; news which they have not covered themselves. Supposing that the news is inaccurate, not objective or unfair, the journalists working on Ethiopian Radio have no control over the news they are reading. According to the key informant from the Ethiopian Radio, ENA's news mostly arrives at 11<sup>th</sup> hour in bulk and it is consequently very difficult to check its accuracy and objectivity. More over this presents a challenge to the editorial independence of journalists working on Ethiopian Radio. The reason for this is that the Ethiopian Radio journalists do not have time to check the accuracy and fairness of news that come from ENA. This contravenes the editorial independence of editors, which is one of the uncompromising principles of Public Service Broadcasting.

As the Ethiopian Radio has its own reporters, when there is an event or occasion its reporters are normally invited. For example, this could be via a press release from one of the Embassies in Addis Ababa. On the same occasion, Ethiopian News Agency, Ethiopian Television and all government media outlet reporters will be invited. However, at the end of the day, it is evident from the data above that the Ethiopian Radio in most cases will broadcast news created by the Ethiopian News Agency. The same is likely to be the case for other government media as well, such as Ethiopian Television.

Why do the reporters of the Ethiopian News Agency get preference over the others? Does it mean that they are more competent and professional than the other government media outlet reporters? To answer these questions, content analysis does not help much. However, according to a senior editor from Ethiopian Radio who prefers to remain anonymous, one of the reasons for broadcasting the news of Ethiopian News Agency is that the officials in the Ministry of Information do not like reporters to report news in different angles. If reporters from different government media outlets cover

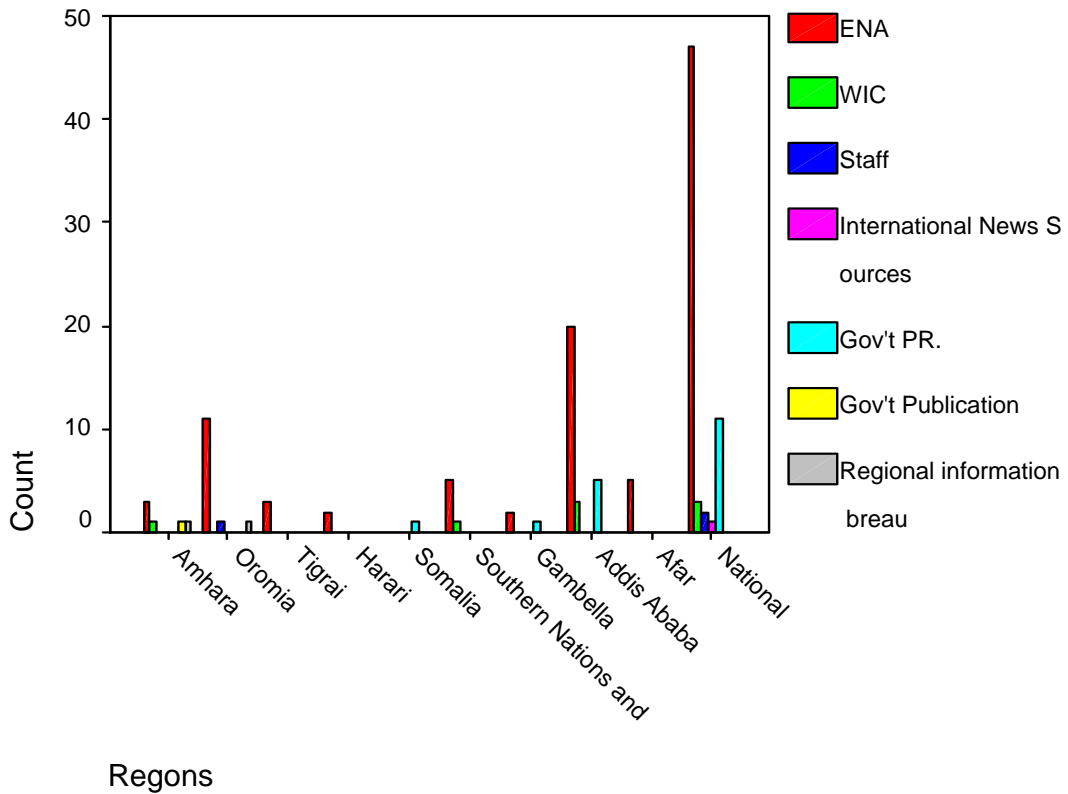
news of the day using their own reporters, the state-owned radio, television and other outlets will cover the news from different angles. As a result, reporters will have a chance to analyze the news differently. However, officials in the Ministry of Information would like to see controlled and centralized information and thereby assign the Ethiopian News Agency to be the sources of most news of all state-owned media outlets.

As stated by the key informant, many reporters on Ethiopian Radio are frustrated due to the preference given to news from the Ethiopian News Agency. “Whenever there is political or controversial news, my boss would tell me to use the ENA’s news instead of news made by our own reporter,” said, the radio senior editor. According to the informant, fresh reporters are sometimes literally weeping when ENA’s news is read instead of their own. They believe that they are taken as inefficient and not able to write news properly. However, a more realistic indication is that officials would like to hear positive news that promotes government interests. According to the key informant, on Ethiopian Radio, let alone news, even programs that attempt to criticize government officials, or expose the weaknesses of the government, will not be tolerated.

On the other hand, one of the senior editors from the station argued that the Ethiopian radio reporters couldn’t cover the entire geographic location in Ethiopia due to budgetary constraint and logistical problems. For instance the radio station has only a very few cars and limited reporters. Nevertheless, as the following bar graph shows, much news, even from Addis Ababa is covered by ENA.

## Chart 2

Source of News vs. Regions



This finding suggests that the government, by disseminating centralized information through its news agency, is using its power to actively control the news flow.

It clearly illustrates a very tight form of political control in the editorial decision-making of Ethiopian Radio journalists. As a result of government ownership of the Ethiopian Radio, journalists working in the station do not have the independence to exercise editorial decision-making. Since officials from the Ministry of Information give instruction as to which news must be covered by ENA, the editorial decision-making of Ethiopian Radio journalists may be limited. Public Service broadcasting is not expected to fall under the control of the government of the day, the ruling party. It should serve the public rather than a particular group.

Public broadcasters should be protected against political or commercial interference; that is, it must be independent and editorial independence must be respected.

The greatest threat to the quality of public service broadcasting comes from attempts by government to control the state-funded broadcaster to achieve its own ends. It is against the principles of PSB for a particular government or branch of the State apparatus to exercise influence over public broadcasters, given that PSB is funded through public taxes.

## 4.2 Regions

Table 5: Cross tabulation of Regions vs. time allocation and population percentage

Regions	% Of total sum	Total Population	% Of the total Population
Addis Ababa Administration Council	20.1%	2,805,000	3.95%
Afar Regional State	3.8%	1,330,000	1.88%
Amhara National Regional State	5.7%	18,143,000	25.53%
Benishangul Gumuz National Regional State	0	594,000	0.84%
DireDewa Administration Council	0	370,000	0.52%
Gambella National Regional State	1.4%	234,000	0.33%
Harari National Regional State	1.0%	185,000	0.26%
Oromia National Regional State	9.0%	25,098,000	35.32%
Southern Nations, Nationalities and Peoples' Regional States	4.1%	14,085,000	19.82%
Somali National Regional State	.5%	4,109,000	5.78%
Tigray National Regional State	2.7%	4,113,000	5.79%
National	51.9%	71,066,000	100%
Total	100%	68,187,000	100%

The above item presents for analysis and discussion the time allocated for regional states in Ethiopia. This section tries to relate the time allocated to regional states and its implication. As the above table shows, the Ethiopian Radio has assigned 51.9 percent of its time for national news. As the capital of the Federal Government, Addis Ababa has received 20.1 per cent of the total coverage in two-week period. However, one of the Federal Administration cities namely Dire Dawa and one of the outmost regions in Ethiopia, Benishangul Gumuz never had the chance to be covered by the Ethiopian Radio in the same period. Diredeewa is one of the two cities administered by the Federal

Government and can easily be reached by all news agencies. Even though, Benishangul Gumuz is one of the national states, when compared with others, it is considered to be economically disadvantaged, ENA, WIC and the Regional Information Bureau are there to report the news of the day in the region.

The importance of this finding is that the station does not give proportional time for all regions in Ethiopia. 51.9 per cent of the time has been allocated for national news. These news are mostly emanates from Addis Ababa, over and above which 20.1 per cent of the time has been given to news from Addis Ababa. Together, more than 72 per cent of the time has been allocated to news that originate from Addis Ababa. However, Addis Ababa is only 3.9 per cent of the Ethiopian population. In 15 days time, the remaining 96.1 per cent of the country has not been covered proportionally. Since, the station is funded by the tax collected from all corners of the country, it is the responsibility of the Ethiopian Radio to contribute to shared national consciousness and identity, and it should contribute to the flow and exchange of cultural expression, and stimulate the diversity of Ethiopian culture.

Providing particular attention to minorities, universal geographic accessibility, and universal appeal across tastes and interest, and contribution to a sense of national identity and community, are some of the guiding principles of PSB. When people living in different parts of a country feel that they are part of the national news, the station can contribute in forming national identity and consequently in nation building. Nation building and creating a sense of belongingness to the country in question are two of the most important objectives of PSB. (Teer-Tomaselli, 1998/99:96) The guiding principles of PSB includes contributes to a sense of national identity, while reflecting and recognizing the cultural diversity of a given country; PSB should also gives a voice to all ethnic groups and minorities, including through the establishment of Ethnic/Minority Programming Services and the provision of programming in ethnic/minority languages.

### 4.3 Timeliness

**Table 6: Regions vs. timeliness cross tabulation**

Regions	Today	Yesterday	Old	Total
Amhara	16.7%	33.3%	50%	100%

Oromia	38.5%	30.8%	30.8%	100%
Tigray	66.7%	0	33.3%	100%
Harare	0	50%	50%	100%
Somali	0	100%	0	100%
Southern Nation and Nationality	16.7%	33.3%	50%	100%
Gambella	75%	10.7%	14.3%	100%
Addis Ababa	33.3%	33.3%	33.3%	100%
Afar	60%	0	40%	100%
National	73.4%	17.2%	7.8%	100%
Total	61.8%	19.1%	18.3%	100%

In the following section timeliness has been analyzed and discussed in relation to regional states. As the above table shows most news from the regional states are covered when the news is old or lost its news value. One of the news criteria is timeliness. It is only Addis Ababa and issues that concern the nation which mostly occurred in Addis Ababa that was covered on time. The news of Amhara, Oromia, Harari, Somalia, Southern Nation and Nationality, Gambella, Afar and others covered once the news lost its freshness.

40 percent of news from Afar Regional States and 50 percent of news that originated from Amhara, Harari, and Southern Nations, Nationalities and peoples' Regional States, which is only 275 K.M. away from Addis, were covered by the Ethiopian Radio once the news lost its freshness. This implies that Ethiopian Radio does not have news criteria in mind when selecting stories for broadcast. Practice shows that many journalists look to such criteria as, timeliness, impact, proximity, prominence, uniqueness, conflict, brevity, scandal, crime, novelty, and oddity. Out of all these criteria; timeliness is one of the most important criteria. The very word news indicates that the issue is new and fresh.

To inform the public immediately if not sooner when an event occurs, and to inform them after a week, make a major difference. Suppose the public or a concerned authority has been informed about a burning issue on time, they could have found a

solution on time before it was too late. However, according to the senior reporter from Ethiopian Radio, the reason for running old news is that Ethiopian Radio does not have enough reporters and is dependent on ENA for regional news. Hence, even if it is old news, in order to represent different regions in the country the station uses old news. The senior reporter did not deny the fact that the Ethiopian Radio does not use news criteria. It seems that the station selects news subjectively. According to the senior reporter, “Every morning or in the afternoon, representatives of each department from the station would sit for a few minutes and decide which news to run for the day. They just vote. No selection criteria. Some times, even that decision can be changed by the order of the deputy general manager, particularly if there is politically sensitive news”

If there is no news criterion, one can rightly question that there is no strict policy to cover Regional States appropriately. However, it is one of the principles of PSB to cover the whole territory of a country by taking in to account ethnic, cultural and religious diversity.

#### 4.4 Allocation of time, tone and balance

**Table 7: Cross Tabulation of main actor vs. length in seconds**

Main Actor	% Of the total time allotment
Ruling party officials	37.4%
Government Officials	12.2%
Opposition	13.7%
Parliament	3.8%
Ethnic minorities	0
Independent Scholars/Experts	4.6%
NGO's	12.2%
Police	6.1%
Celebrities	.8%
Rank and files/The blue collars	1.5%
Others	7.6%

The section attempts to demonstrate the degree of fairness and impartiality of the Ethiopian Radio. The Ethiopian Radio has allocated a considerable time to government officials. For example, 37.4 per cent of the main actors in the news sample are government officials. As the bar graph on chart 3 shows, news about government officials or about their performance has been presented mostly in positive tones whereas the tone for opposition officials is overwhelmingly negative. This implies that journalists who made the news are less likely to critically cover government related issues. Conversely, 94.4 per cent of news about opposition includes criticism and is presented negatively.

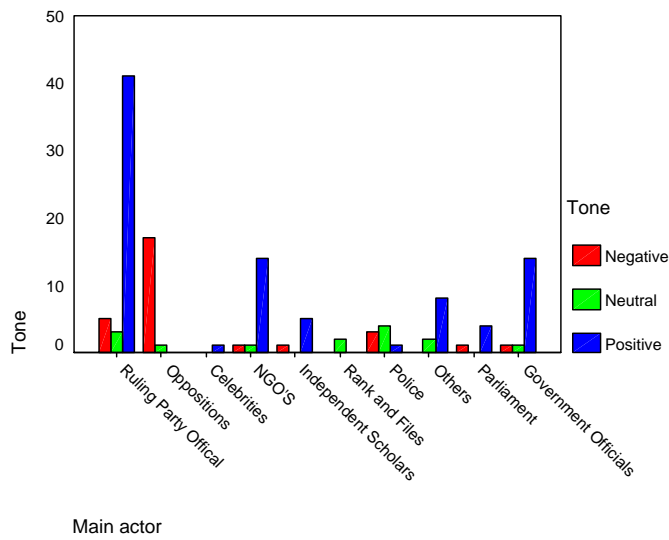
The significance of this finding is that the ruling party clearly uses state broadcasting for positive publication purposes. State broadcasting is established and funded by the taxpayers' money. Hence, citizens should have the right to be heard. The finding shows that all stakeholders in politics were not covered fairly in the news. Particularly those who complain about the policy of the ruling party and forward alternative policy options were not heard.

As the following chart 3 shows, most news broadcast on Ethiopian radio is unbalanced and news about government officials or party members is toned positively. According to the 1995 Ethiopian Constitution and subsequent press laws, legally registered opposition political parties have the right to transmit their point of view on the national radio. However, 94.4 per cent of news presented in relation to the opposition is presented negatively, whereas, 87.5 per cent of the news presented with reference to government officials is positive. 83.7 per cent of news as regards ruling party officials is positive. On Ethiopian Radio nothing about the opposition political parties has been presented positively, however, 5.6 per cent of news about the opposition presented as neutral.

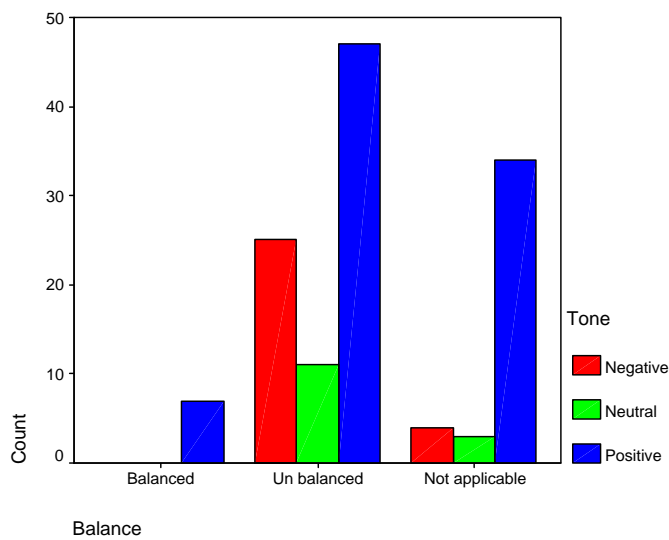
Broadcasting diverse opinion is one of the key elements in PSB. It is a key component because; nation building is one of the objectives of PSB. How can we build a nation by marginalizing or presenting the other point of views negatively? By presenting the opposition view negatively and unfairly, are we encouraging them to participate in the nation building? What would be the reaction of section of the society who supports the opposition? By transmitting news about the opposition negatively, do the state media

shaping them in a way that benefit the country? These questions will give an opportunity to state media officials to reflect on how the state broadcasting organizes its news.

**Chart 3: Tone vs. main actor**



**Chart 4: Balance vs. tone**



Considerable news presented positively means that in practical terms journalist do not have a chance to report the news critically. This in turn could be interpreted as that in the news presented, the input of journalists and their creativity is restricted to some degree by some one or by them. If some one is forcing journalist not to report critically or directly or indirectly forcing them to self-censorship, it is tantamount to editorial interference. According to information obtained from one of the senior editors of the Ethiopian Radio, sensitive and critical topics usually come from ENA.

This news is highly politicized and is made in a way to reflect the ruling party's interest. I strongly believe that the ENA's general manager or senior ruling party members usually write this news. For instance, the Ethiopian Radio has sent its own reporters to cover the May opposition demonstration. The reporters completed their report, the editor had done his job and the news was waiting to be broadcast at 8 pm. However, at about 7:30 the general manager called the editor and told him to use ENA's news. The ENA's news was shocking and has been presented unfairly. The news broadcast was totally different from what had happened at *Meskel* Square, where the demonstration took place.

A document entitled "A Study of the Ethiopian News Agency's Fundamental Problems and Solutions" produced by ENA employee in 2001 confirmed these facts as follows:

- In the Ethiopian News Agency there was a "media committee" which gives informal leadership and order chief editors what to cover and what not to.
- When journalists in ENA made news objectively, the General Manager of ENA frequently would say "do not send out these news to state media out lets".
- Governments officials have frequently interfere directly in the day-to-day activities of journalists informally, they order through phone or a letter with out

official stamp. The general manager of ENA does not guard the institution from such interference. Rather he would say, “Do it, as they told you”. The general manager is doing his best to please government officials rather than the employees of his organization.

- ❑ Some times, raw news forwarded to unknown offices will come back deleted with some fabricated facts added and thereby losing its original meaning. Such news has been broadcast many times.
- ❑ Some government officials would not allow news about their organization to be broadcast prior to their approval. (ENA, 2001:70-73).

The main reason that Ethiopian Radio is using ENA’s news is not only because the Ethiopian radio reporters are unable to cover the entire geographic location of the country but also because the news generated from ENA are politically correct and reflect the interest of the government. From this, one can assume that news that potentially influence the opinion of the public is shaped and manipulated in ENA before they reach the audience.

One of the key informants from Ethiopia Radio, who also prefers to remain anonymous, has shared the following account that shows how the media officials interfere and force journalists in the state media to exercise self-censorship. An editor received a written warning as a result of carrying out professional duties. This incident happened as a result of a press release from the Addis Ababa City Administration. The night editor had received a 17 pages press release from the Addis Ababa City Administration. The press release has no official stamp and no covering letter. The content of the press release contained harsh statements against the opposition who won the May 2005 general election in Addis. Finally, after consulting the boss, the night editor decided not to run the press release for the following reasons.

- ❑ The press release has no official stamp of the city administration
- ❑ It has no covering letter

However, the next day the night editor was criticized and received a written reprimand for withholding the press release. As a result of this incident, the head of the newsroom too was harshly criticized and forced to submit resignation.

Here one can rightly pose questions whether Ethiopian Radio journalists have editorial independence. Are they exercising professional journalism or promoting government interests? Are they allowed to criticize government related news? Is ENA exercising objective reporting? According to one of the key informants, “the government is using ENA as a cover. Whenever there is politically sensitive news, the Ethiopian Radio uses ENA’s news. Editors are also using ENA’s news so as not to be held responsible for the consequences”.

Public broadcasting is a forum where ideas should be expressed freely, where information, opinions and criticisms circulate. This is possible only if the broadcaster is independent; therefore, the freedom of public broadcasting is maintained against political influence. If the government influenced the information provided by the public broadcaster, people would be less likely to believe the content. Public service broadcasting is an essential instrument to ensure plurality, social inclusion and to strengthen the civil society. It empowers people to take informed decisions vital to their own development. To achieve this task of PSB, it has to develop public trust by providing fair, accurate, balanced and objective information to the public. Otherwise, it can lead to a significant erosion of trust and credibility. Declining viewing statistics mean that government control no longer brings the desired result.

#### 4.5 Gender

Table 8: **Gender frequency**

	Frequency	Percent
Male	123	93.9
Female	8	6.1
Total	131	100.0

The above table shows that 93.9 per cent of news quoted men as main actors as compared to 6.1 per cent of females. Although there has been a steady increase in the number of women professionals over the past 20 years, the Ethiopian Radio coverage continues to rely on men as experts in the fields of politics, economics and all other area where they

need experts. Women are not represented in their professional abilities or expertise.

According to the key informant, women's views were solicited mainly in the framework of "average citizens" and rarely as experts, and that political or economic success stories were overwhelmingly masculine. One must take into account the fact that there are probably far fewer female experts than male experts in Ethiopia.

Inadequate women's coverage seems to be a worldwide phenomenon. In 1999 the Association of Women Journalists (Association des femmes journalistes – AFJ) studied news coverage of women and women's issues in 70 countries. It reported that only 18 per cent of stories quote women and that the number of women-related stories came to barely 10 per cent of total news coverage (International Women's Media Foundation, 1999: 67). In spite of the above facts, PSB is expected to provide a service targeting children, women, senior citizens, the youth, and the disable fairly and impartially.

#### **4.6 The Legal framework and organisational implications**

The 1995 Constitution of the Federal Democratic Republic of Ethiopia guaranteed freedom of expression. It explicitly accepted the 1948 Universal Declaration of Human Rights (UDHR) principles. It is a universally accepted standard that all laws of a country emanate from the Constitution. As a result Proclamations, and all other set of laws in the country should follow suit. Subsidiary Proclamations and subordinate directives, which contravene the constitution, are null and void according to 1995 Ethiopian Constitution. Article 5 sub article 4 of the 114/1995 proclamations that grant the establishment of the Ethiopian Radio and Television Agency has reconfirmed freedom of expression by stating that every one has the right to "receive and transmit free public opinions and suggestion".

Article 29 sub Article 2 of the 1995 Constitution also proclaims, "Every one has the right to freedom of expression with out any interference". It further detailed in sub Article 4 the extent to which freedom of expression can go in Ethiopia.

In the interest of the free flow of information, ideas and opinions which are essential for the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions (The Federal Democratic Republic of Ethiopia, 1995: 89).

Hence, the legal framework does seem favorable for the operation of PSB in Ethiopia. However, when one examines the practice of it, one finds many complex and controversial issues, which challenge the transfer of state broadcasting in to PSB. Although the preamble of the 114/1995 proclamation explicitly stated that the Ethiopian Radio and Television Agency as “an autonomous public agency having juridical personality” there are many loopholes for government interference.

The Council of representatives, which is country’s Parliament, has appoints the board of the Television and Radio Agency. This board is also accountable to the Parliament. When one sees it at surface value, it creates an impression that the board is autonomous and accountable to parliament. Nevertheless, the General Manager and deputy managers are government appointees. According to the key informant, who has also worked as a person in charge at Ethiopian Television, the previous Deputy General Manager of the Ethiopian Television has contested in the recent general election representing the ruling party. The current General Manager of the Ethiopian Radio and Television Agency is also officially known as senior member of the ruling party. No one knows except the government, the criteria by which these broadcasting officials have been appointed. This shows a lack of transparency. According to the Principles of PSB, such officials are appointed in a transparent manner. Such positions should be open for public tenders and the public needs to have a say on the qualification and merit of them. This is because, it is the public who pay the expenses of these institutions and at the end of the day it is the public, which is going to benefit out of the service.

A publication named as “A model of Public Service Broadcasting Law”, prepared by the International Press Institution (IPI) in 2005, suggest that members of the Board of PSB shall be appointed by parliament in accordance with the following: –

- ❑ The process shall be open and transparent,
- ❑ Only candidates nominated by civil society and professional organizations shall be considered for appointment,
- ❑ A shortlist of candidates shall be published in advance and the public shall be Given an opportunity to make representations concerning these candidates,
- ❑ A candidate shall be appointed only if he or she receives two-thirds of the votes cast,
- ❑ Membership of the Board as a whole shall, to the extent that this is reasonably possible, represent a broad cross-section of a given society,
- ❑ No one shall be appointed to the Board if he or she: –
- ❑ Is employed in the civil service or any other branch of government,
- ❑ Holds an official office in, or is an employee of, a political party,
- ❑ Holds an elected position at any level of government,
- ❑ Holds a position in, receives payment from or has, directly or indirectly, significant financial interests in broadcasting or telecommunications, or
- ❑ Has been convicted, after due process in accordance with internationally accepted legal principles, of a violent crime and/or a crime of dishonesty.

The board chairman of Ethiopian Radio and Television, up until September 2005, has been a member of the executive, the Information Minister. It is not yet clear who is going to hold the position, since a new cabinet has been in place from September 2005 onwards. In Ethiopia, members of the executive are ruling party members. Since the General Manager and the Deputies are also appointed by the government, Ethiopian broadcasting is likely to fall under the control of the government, and thus by implication the ruling party. Therefore, one can rightly question the autonomy of the broadcasting in Ethiopia, which is guaranteed by the 114/1995 proclamations.

Proclamation 114/1995 Sub Article 7 unambiguously declared that the Board members of the Ethiopian radio and television are appointed by the parliament and accountable to the same. The implication of this article is that the legislative body will check the executive; however, the executive also controls the Ethiopian parliament itself. It is not only because the ruling party dominates the Ethiopian parliament, but also for the reason that the practice of parliament in Ethiopia demonstrated that all legislations forwarded by the executive have been promulgated without any resistance, and as a result it has been a futile exercise to anticipate the parliament to check the executive. Although the legislative body is governed by the constitution, the will of the people and their conscience, according to Article 54 sub Article 4 of the 1995 Ethiopian constitution, the practice of the Ethiopian parliament shows that they are totally accountable to the ruling party. Since the establishment of the new Ethiopian parliament in 1995, draft laws forwarded to the parliament have never been rejected or even challenged.

There is a case when a law approved by the legislature is refused by the executive. Although law providing that Ethiopians is permitted to establish private television and radio stations was promulgated in 1999, under proclamation No. 178/1999, no license has been issued so far. In June 2004 the Minister for information testified to Parliament that except for FM radio transmission, license to operate television and nation wide radio stations would not be granted for the time being. The Parliament has endorsed the Ministers statement without any challenge. In other words, the minister was telling to the law-making institution itself that the law it had enacted would not be implemented. However, this is against the constitution. The executive has no right to change what has been decided by the parliament. If the parliament has to change its former decision, it has to follow a formal procedure, which means that another draft law should be forwarded. This is one of the illustrations that can be used as evidence for the argument that the executive has controlled the legislative body in Ethiopia. This entails that the parliament has not been organized in a way to check the executive.

Although the 1995 Ethiopian Constitution does facilitate fertile ground to the freedom of expression, there are many impediments in the practice of it. This in turn has implications in the editorial independence of broadcasters in Ethiopia. As we have seen in

the above sections, the government can easily interfere in the day-to-day operations of the state media, even if it does not have legal ground to do so.

#### **4.7 Editorial policy documents**

In principle there are two editorial documents, which the state media are supposed to adhere to. The first one is a document, prepared by the Ministry of Information, called “Editorial Policy of State Mass Media: Fundamental Collective Document”. This document is distributed to all state media officials in 2001. Each state media outlet has designed its own editorial policy in harmony with these basic documents. However, according to a senior editor in the Ethiopian radio, in practice, editors and other officials do not use it at all. Article 3 sub Articles 2.3 of the editorial policy document allows legally registered peaceful political parties to broadcast their press release, meeting etc fairly and without biases. However, as table 8 and chart 3 show and the senior editor of the Ethiopian radio has confirmed it, “almost all news about oppositions will not be covered or if they must be covered, would be presented negatively, excluding their say”.

Moreover, each state media outlet has prepared its own editorial policy. This editorial policy document has its own setback, for instance, some sections and Articles of the Ethiopian Television Editorial document contravene the document called “Editorial Policy of State Mass Media: Fundamental Collective Document”. According to this document, one of the objectives of state media is to safeguard the constitution against any opposing ideas (Ministry of Information, 2001:20). And Article 3 sub Articles 2.3 of the same document, permits the fair coverage of legal oppositions. Nonetheless, Chapter two sub Article 1 of the Editorial policy of the Ethiopian Television opposes these very ideas. According to this Article “The government journalists must support the ruling party, which is elected by the interests of the public. The ruling party policies must be reflected in each television program...”(Ethiopian Television, 2001: 5). This Article is found under the topics of ethics, benefit, promotion and hierarchy. It seems that the Author of this editorial document put the above section under the theme of ethics, benefit, promotion and hierarchy in order to remind Ethiopian Television Journalists that if they

do not show allegiance to the ruling party policy, they would not get promotion and benefits.

In Ethiopia, there are many “golden laws” including the 1995 constitution, which are important to the progress of media independence in general and the transfer of state broadcasting in to PSB in particular. In terms of best practices, there is a consensus of opinion that strong constitutional guarantees on freedom of \_expression and of the media within national legal systems provide a good starting point for an effective public service broadcasting system. On the other hand, in practice, one can identify many challenges. The arbitrary interference of government officials, particularly officials from the Ministry of Information, heavily stifles the intention to establish a vibrant and democratic media in the country. In the mean time, the professional integrity of journalists working in the state broadcasting, particularly as the findings of this paper shows, on Ethiopian Radio, is challenged every day. As the senior editor on Ethiopian Radio put it “journalists working in the state media have two options: to practice self-censorship and survive or else resign”. The key informants believe that most of journalists working for state broadcasting would like to practice the principles of journalism with out political interference. However, the government officials interfere whenever there is politically sensitive news.

## **Chapter V. Summary, conclusion and recommendation**

### **5.1 Summary**

The 1995 Constitution of the Federal Democratic Republic of Ethiopia and many of its subsidiary laws laid fertile ground for freedom of\_ expression in general and Public Service Broadcasting in particular. Article 29 Sub Article 4 of this Constitution explicitly states that media is important to a functioning democracy and media shall enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions.

Since state broadcasting is the only broadcasting station in Ethiopia, it is legally guaranteed to have an operational independence, and the stations are obligated by law to present diverse opinions. In theory, if a station is independent in its operation, has entertain diverse opinions, and if it educates, informs and entertains, it means that it displaying most of the characteristics of public service broadcasting.

This research has detailed public service broadcasting (PSB) and its characteristics in its literature review parts. Public Service Broadcasting is broadcasting made, financed and controlled by the public, for the public. It is neither commercial nor state-owned, free from political influence and pressure from commercial forces. Through PSB, citizens are informed, educated and also entertained. When guaranteed with pluralism, programming diversity, editorial independence, appropriate funding, accountability and transparency, public service broadcasting can serve as a cornerstone of democracy.

However, in Ethiopia, what is in the legal documents and what is happening in reality is quite contrary. The research has attempted to show, methodically some of the practices of broadcasting on Ethiopian Radio. Though broadcasting normally includes television and radio, this research has focused on radio. In Ethiopia, radio has a wider coverage and is accessible to most of the population, unlike television; as a result, this research found the Ethiopian Radio Amharic prime time news appropriate for its data collection. Having collected data via quantitative and qualitative means, the research analysed all data gathered through content analysis, key informant interview and other documents.

The analysis showed that 74.8 per cent of news read by the Ethiopian Radio came from the Ethiopian News Agency. The Ethiopian Radio reporters cover only 2.3 per cent of the 131 news stories read in the specified time. This shows that the Ethiopian Radio is heavily rely on the Ethiopian News Agency (ENA). As a result the Ethiopia Radio editors have little opportunity to check whether the news is objective, accurate, balanced, or fair. Based on the information obtained from the key informant interviews, the Ministry of Information officials (by implication the ruling party) would prefer ENA to be the central news source for all government media outlets. This probably is for the reason that the government would like to disseminate centralised and controlled information to the public. The negative analysis of this could be that the government is manipulating state owned broadcasting (which is established and run by taxpayer's money). The ruling party is trying to influence public opinion in its favour.

On top of that, journalists who work in state broadcasting are mostly challenged by officials' arbitrary interference. According to the findings of this research, officials with out official stamps and covering letters are ordering journalists to run biased, inaccurate and information that is not objective. This is against the cardinal principles of journalism. To make things even worse, key informant interviews informed the researcher that politically sensitive and critical news covered by Ethiopian Radio reporters was mostly rejected and replaced with news from ENA. This is one of the matters of frustration on the part of Ethiopian Radio journalists.

The other finding of this research is that most of the news presented about the oppositions was negative and unbalanced, whereas news broadcast about the ruling party or the government was positively presented. This shows that the government in power is not only trying to influence news in its favour but also prevents counterviews from reaching the general public. It means that the ruling party is governing the state media against the 1995 Constitutional provisions and disregarding the plurality of opinion that is one of the indispensable elements of democracy.

The research in general has attempted to show briefly how the Ethiopian government is using the state broadcasting for its own political benefit and this adversely affecting the democratisation process of the country. It tries to show objectively how the

government is influencing the media in its favour. It also gives an idea of the challenges faced by journalists as a result of government control of the state broadcasting. This research has also indicated that broadcasting in Ethiopia could not function professionally and failed to present diversity and as a result its contribution to Ethiopia's infant democracy is highly restricted by the government.

Based on the research and the findings of this thesis, in order to set up public service broadcasting in Ethiopia, the following challenges and prospects can be outlined:

### **5.1.1 Prospects**

- The 1995, Constitution of the Federal Democratic Republic of Ethiopia and many of its subsidiary laws are the necessary preconditions for the establishment of public service broadcasting (PSB) in Ethiopia.
- The Ethiopian government has endorsed, in the 1995 Constitution, the 1948 Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). These international treaties are binding on all States as a matter of customary international law. These international treaties guarantee the rights to freedom of expression in its entirety. It is an important step to introduce PSB laws and regulation in Ethiopia.
- The democratisation process, which inundated the continent of Africa as a result of internal and external pressure, will continue to compel the Ethiopian government to endow with greater freedom for the media in general and editorial freedom to state journalists in particular. This in turn will pave the way for independent PSB in Ethiopia.

### **5.1.2 Challenges**

- Government officials who have been enjoying state broadcasting for its friendly reporting may turn hostile when it starts to operate independently according to the principles of PSB.

- The economic performance of the country may not allow the state broadcasting to secure enough funds. As a result its independence, which is one of the essential criteria for PSB will be compromise.
- The Ethiopian parliament has been organised in a way that allows the ruling party to legislate all new laws and therefore if there is no strong representation of plurality of opinion in the parliament, it would be difficult, if not impossible, to legislate law that benefit the transformation of state broadcasting in to PSB.

## **5.2 Conclusion**

This study has been a content analysis of the Ethiopian Radio prime time news. It has collected 15 days' news bulletin totaling 131 news items. The data collected through content analysis has been enhanced by qualitative data gathered from key informant interviews, legal and other documents. Based on the analysis the following statements may be made as concluding remarks.

The very poor state radio and television broadcasting in Ethiopia is a direct result of government monopoly, which has bred many problems that the industry finds difficult, if not impossible to throw off. The most pressing of this problem include chronic and unrestrained political interference.

Although, there are rules and regulations under which state broadcasting should be governed, the stations have consistently been pressurized by the federal government officials to execute unprofessional undertakings. Officials easily come to write or speak or edit as if their own voices were true and authoritative. Such interference can be used to sway public opinion while disabling public criticism. The result may be a kind of ideological domination.

The 1995 Constitution of Ethiopia has laid a legal framework for a functioning democracy. According to this constitution, government actions are constrained by law. The role of democracy is to choose the best policies for achieving the state's proper end, primarily through choosing government officials. Democracy in this setting tends naturally toward a two-party system, a party in power and a loyal opposition. The

democratic function of the broadcasting media in particular and the press in general is to provide information on the performance of the party in power and on the complaints and alternative policies forward by the opposition. The daily political life of the nation should be entertained in a fair and balanced way.

The Ethiopian government has enacted the 1995 Constitution and many other subsidiary laws seemingly just for international donors like the International Monetary Funds (IMF) and World Bank consumption. It seems that the government wants to create the impression that Ethiopia is a democratic country and has enshrined democratic values such as freedom of\_ expression in the basic documents of the country-the Constitution. However, as this study illustrates, what is in law and what is in practice is quite contrary. What is law, if it is not practiced?

With the nation's yearning for the building of a modern industrial society maintained by an effectively participatory democracy, state broadcasting needs to be restructured in order to enable it to contribute meaningfully in this urgent task of national development.

The principle of public service broadcasting suggests that such broadcasting should present and report news and current affairs honestly by disclosing all the essential facts. PSB should not suppress relevant available facts or distort by wrong or improper emphasis. By presenting biased and lopsided news, state broadcasting will lose its credibility and cannot contribute either for a democratization process or to nation building of the country.

In general, Ethiopia can learn a good deal from systems and practices outside the country. However, it would be naive to assume that a wholesale imitation of those practices in Ethiopia will produce the same beneficial results. As in other spheres of activity, the success or failure of PSB is dependent on a number of factors, including local history, geography, culture, political culture, and social and economic conditions, and any policy that fails to take such factors into account is less likely to succeed. Finally, PSB is about setting principles for fairness at work, social justice and defending for journalists and all who work in the business.

### **5.3 Recommendations**

Based on the research of this paper, the following points can be recommended:

- ❑ The Ethiopian parliament should introduce a new law that facilitates the transfer of state broadcasting in to PSB. The law should be in the spirit of Article 29 Sub Article 2 of the 1995 Ethiopian Constitution. This law should make it clear that when the state broadcasting is transferred to PSB, it has to have operational and managerial autonomy from any other person or body, including the government and any of its agencies. The law should seal all possible loopholes that create ground for influence of members or staff of the new PSB. The new law should allow no interfere with the activities of the PSB, except as specifically provided for by law. This autonomy should be respected at all times.
- ❑ The nomination and appointment of the board members of the new PSB should be open and transparent. Professional organizations, civil societies, religious organizations, the ruling party, and the oppositions should reach consensus on the nomination of the board members. Finally parliament should endorse the appointments.
- ❑ The post for the general and deputy general managers should be open to public scrutiny and should be widely advertised .The new board should advertise the public, in all possible ways, the criteria for the general and deputy general managers. The board should be accountable to the parliament but should publish its annual report in detail and distribute to all stakeholders mentioned above.
- ❑ There should be detail laws that regulate the relationship between the Ethiopian News Agency (ENA) and the Ethiopian Radio and Television Agency. This law should make it clear that news that can easily be covered by the reporters should be left to the agency. In general, law should protect the editorial independence of journalists in the Ethiopian Radio and Television.
- ❑ The Ethiopian Radio and Television Agency should be bind by law to guarantee the independence of the editorial decision making of its journalists.
- ❑ The Ethiopian Radio and Television Agency should secure enough budget without compromising its independence. It has to look all possible sources permitted by the PSB principles.

- ❑ The Ethiopian Radio and Television Agency should have Editorial Policy that encompasses news criteria, guiding principles, and code of ethics. These documents should be inline with the principles of PSB. These documents should be in the spirit of Article 29 Sub Article 2 of the 1995 Ethiopian Constitution. These documents should be open not only to all journalists working in the agencies but also to the public at large. There should be a realistic mechanism that ensures the agency operates according to the above-mentioned documents.
- ❑ The Ethiopian Radio and Television Agency should be bind by law to establish a proper complain mechanism both with in and out side the agency.
- ❑ Journalists, Professional organizations, Civil Societies, Religious organizations, the ruling party, the oppositions, higher institutions, and all concerned citizens should advocate and lobby the legislature to institute public service broadcasting in Ethiopia.

The research has tried to show some of the limitations of the state broadcasting. It has attempted to examine the prospects and challenges of State broadcasting and suggests its transformation in to PSB. However, there are many issues that should be discussed in detail. The researcher believes that this study will lay a foundation for further research in the effort to introduce PSB in Ethiopia. For further study in the field the following research topics may be considered:

- ❑ How far the state media lost it credibility as a result of its unbalanced and unfair reporting?
- ❑ Relationship between good governance and media independence.
- ❑ Relationship between strict media control and economic development.
- ❑ A comparative analysis between Ethiopia and any other African country that introduced PSB.
- ❑ Relationship between political culture and media independence.



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የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ

# ፌዴራል ነጋሪት ጋዜጣ FEDERAL NEGARIT GAZETA

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

አምስተኛ ዓመት ቁጥር ፳፪  
አዲስ አበባ ሰኔ ፳፪ ቀን ፲፱፻፺፩

በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ  
የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ

5<sup>th</sup> Year No. 62  
ADDIS ABABA - 29<sup>th</sup> June, 1999

### ማውጫ

አዋጅ ቁጥር ፩፻፸፰/፲፱፻፺፩ ዓ.ም.  
የብሮድካስት አዋጅ ..... ገጽ ፩፻፸፱

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#### የብሮድካስት አገልግሎት የሚመራበትን ሥርዓት ለመደንገግ የወጣ አዋጅ

የብሮድካስት አገልግሎት ኢንፎርሜሽን ፣ ትምህርትና የመዝናኛ ፕሮግራም ለሕዝብ በማቅረብ ለአንድ አገር ፖለቲካዊ፣ ማኅበራዊና ኢኮኖሚያዊ ዕድገት ከፍተኛ ሚና የሚጫወት በመሆኑ፤

ውስን የሀገር ሀብት የሆነው የሬዲዮ ሞገድ በአግባቡ ጥቅም ላይ መዋሉን ማረጋገጥ በማስፈለጉ፤

የብሮድካስት አገልግሎት በመስጠት ሥራ ላይ የሚሰማሩ ሰዎችን መብትና ግዴታ በግልጽ መወሰን አስፈላጊ ሆኖ በመገኘቱ፤

በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገ መንግሥት አንቀጽ ፶፮/፩/ መሠረት የሚከተለው ታውጇል ።

#### ክፍል አንድ ጠቅላላ

#### ፩. አጭር ርዕስ

ይህ አዋጅ “የብሮድካስት አዋጅ ቁጥር ፩፻፸፰/፲፱፻፺፩” ተብሎ ሊጠቀስ ይችላል ።

#### ፪. ትርጓሜ

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ ፡

- ፩. “የሬዲዮ ሞገድ” ማለት በዓለም የቴሌኮሙኒኬሽን ማኅበር የሬዲዮ ደንብ መሠረት ተጠቃሚ ለሚያውለው ለተወሰነ አገልግሎት የተመደበ የሬዲዮ ሞገድ ነው ።

### PROCLAMATION NO. 178/1999

#### A PROCLAMATION TO PROVIDE FOR THE SYSTEMATIC MANAGEMENT OF BROADCASTING SERVICE

WHEREAS, broadcasting service plays a big role in the political, economic and social development of the country by providing information, education and entertainment programmes to the public;

WHEREAS, it is essential to ensure proper utilisation of the limited radiowave wealth of the country;

WHEREAS, it has been found essential to clearly define the rights and obligations of persons who undertake broadcasting service;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic of Republic of Ethiopia, it is hereby proclaimed as follows:

#### PART ONE General

#### 1. Short Title

This Proclamation may be cited as the “Broadcasting proclamation No. 178/1999.”

#### 2. Definitions

In this Proclamation, unless the context requires otherwise:

- 1) “Radio Wave” shall mean a radio wave assigned to users for a specific service in accordance with the radio regulations of International Telecommunication Union;

የንዱ ዋጋ 4.40  
Unit Price

ነጋሪት ጋዜጣ ፖ.ሣ.ቁ. ፹፻፩  
Negarit G.P.O.Box 80,001

- ፪. “የብሮድካስት አገልግሎት” ማለት ሕዝብ ለማስተማር፣ ለማሳወቅ ወይም ለማዘናናት የሚከናወን የሬዲዮ ወይም የቴሌቪዥን ሥርዓት አገልግሎት ነው።
- ፫. “ባለፈቃድ” ማለት በዚህ አዋጅ አንቀጽ ፳ መሠረት ፈቃድ የተሰጠው ሰው ነው።
- ፬. “ፕሮግራም” ማለት በድምጽ ወይም በስዕል ወይም በሁለቱ ተቀናብሮ ለማሳወቅ፣ ለማስተማር ወይም ለማዘናናት ወይም ሁሉንም አካቶ የሚቀርብ የሙሉ ፕሮግራም ወይም የተለየ ፕሮግራም ሥርዓት ነው።
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- ፮. “የተለየ ፕሮግራም” ማለት በአብዛኛው በተወሰነ ጉዳይ ላይ ያተኮረ የሬዲዮ ወይም የቴሌቪዥን ፕሮግራም ነው።
- ፯. “ማስታወቂያ” ማለት ዕቃዎችና አገልግሎቶች እንዲታወቁና እንዲሸጡ የሚተላለፍ መልዕክት ነው።
- ፰. “የፖለቲካ ማስታወቂያ” ማለት አንድ የፖለቲካ ፓርቲ ወይም ዕጩ ተወዳዳሪ እራሱንና ፍላጎቱን ለማስተዋወቅ ገንዘብ በመክፈል ወይም ለመክፈል ቃል በመግባት በሬዲዮ ወይም በቴሌቪዥን የሚያስነግረው ማስታወቂያ ነው።
- ፱. “በስፖንሰር የሚቀርብ ፕሮግራም” ማለት ፕሮግራሙን ለማስራጨት ገንዘብ በቀጥታ ወይም በተዘዋዋሪ የተከፈለበት ወይም የክፍያ ቃል የተገባበት ፕሮግራም ነው።
- ፲. “የምርጫ ወቅት” ማለት ምርጫው ይፋ ከሆነበት ቀን ጀምሮ ምርጫው ከሚጀመርበት ቀን ፳፬ ሰዓት በፊት ድረስ ያለው ጊዜ ነው።
- ፲፩. “ሰው” ማለት የተፈጥሮ ሰው ወይም በሕግ የሰውነት መብት የተሰጠው አካል ነው።

፫. የተፈጻሚነት ወሰን  
ይህ አዋጅ በኢትዮጵያ ውስጥ በተቋቋመ በማንኛውም የግልና የመንግሥት የብሮድካስት አገልግሎት ላይ ተፈጻሚ ይሆናል።

ክፍል ሁለት  
የብሮድካስት ኤጀንሲ

- ፬. መቋቋም
  - ፩. የኢትዮጵያ የብሮድካስት ኤጀንሲ /ከዚህ በኋላ “ኤጀንሲው” እየተባለ የሚጠራው/ የሕግ ሰውነት ያለው ራሱን የቻለ የፌዴራል መሥሪያ ቤት ሆኖ በዚህ አዋጅ ተቋቁሟል።
  - ፪. ኤጀንሲው ተጠሪነቱ ለጠቅላይ ሚኒስትሩ ይሆናል።
- ፭. ዋና መሥሪያ ቤት  
የኤጀንሲው ዋና መ/ቤት በአዲስ አበባ ሆኖ እንደአስፈላጊነቱ በማናቸውም ሥፍራ ቅርንጫፍ ሊኖረው ይችላል።
- ፮. ዓላማ  
የኤጀንሲው ዓላማ ጥራቱ የተጠበቀ፣ ቀልጣፋ እና አስተማማኝ ሆኖ ለፖለቲካዊ፣ ለማህበራዊና ኢኮኖሚያዊ ዕድገት አስተዋጽኦ የሚያደርግ የብሮድካስት አገልግሎት እንዲስፋፋ ማድረግና መቆጣጠር ይሆናል።
- ፯. ሥልጣንና ተግባር  
ኤጀንሲው የሚከተሉት ሥልጣንና ተግባሮች ይኖሩታል፡

- 2) “Broadcasting Service” shall mean a radio or television transmission programme conducted to educate, inform or entertain the public;
- 3) “Licensee” shall mean a person licensed in accordance with Article 20 of this proclamation.
- 4) “Programme” shall mean voice or visual or audio-visual arrangement transmitted to inform, educate or entertain the public, or an all inclusive transmission of full or special programme.
- 5) “Full Programme” shall mean radio or television programme intended to inform, educate and entertain.
- 6) “Special Programme” shall mean a radio or television programme that predominantly focuses on a particular subject.
- 7) “Advertisement” shall mean a message transmitted to publicise and promote sales of goods and services.
- 8) “Political Advertisement” shall mean a radio or television message conveyed by a political party or candidate to publicise himself and his aspirations by paying or promising to pay for the announcement;
- 9) “Sponsored Programme” shall mean a programme the transmission cost of which is paid directly or indirectly or the payment of which is promised.
- 10) “Election Period” shall mean the period beginning from the official opening day of campaign until 24 hours before the starting of voting day.
- 11) “Person” shall mean a physical or juridical person.

3. Scope of Application  
This Proclamation shall be applicable on every private and government broadcasting service established within Ethiopia.

PART TWO  
*Broadcasting Agency*

- 4. Establishment
  - 1) The Ethiopian Broadcasting Agency (hereinafter “the Agency”) is hereby established as an autonomous Federal Administrative Agency having its own legal personality.
  - 2) The Agency shall be accountable to the Prime Minister.
- 5. Head Office  
The Agency shall have its head office in Addis Ababa and may establish branch offices elsewhere as may be necessary.
- 6. Objectives  
The objectives of the Agency shall be to ensure the expansion of a high standard, prompt and reliable broadcasting service which can contribute to the political, social and economic development and to control it thereof.
- 7. Powers and Duties  
The Agency shall have the following powers and duties:

- ፩. የብሮድካስት አገልግሎት ለሀገሪቱ የኢኮኖሚና ማኅበራዊ ዕድገት ተገቢውን አስተዋጽኦ ሊያበረክት በሚችል መልኩ መካሄዱን ያረጋግጣል፤
- ፪. ለብሮድካስት አገልግሎቶች ፈቃድ ይሰጣል፤ ያግዳል፤ ይሠርዛል፤
- ፫. የብሮድካስት ጣቢያ የሚቋቋምበትን ሥፍራና የሽፋን ክልል፣ ለብሮድካስት ሥራ የሚውሉትን መሣሪያዎች ዓይነትና ደረጃ እንዲሁም የትራንስሚተርን ኃይል ከቴሌኮሙኒኬሽን ኤጀንሲ ጋር በመመካከር ይወስናል፤
- ፬. የተከለከለ ሥርዓትንና፣ ሕገወጥ ሥርዓትን በሚመለከት ቁጥጥር ያደርጋል፤
- ፭. ለብሮድካስት አገልግሎት በቴሌኮሙኒኬሽን ኤጀንሲ የተመደበውን የሬዲዮ ሞገድ አጠቃቀም ይፈቅዳል፤ ይቆጣጠራል፤ ያከራያል፤
- ፮. የብሮድካስት ኤጀንሲ የቴሌኮሙኒኬሽን ኤጀንሲ ለሚመድብለት ሞገድ ተገቢውን ክፍያ ይፈጽማል፤
- ፯. አግባብ ያላቸው ሕጎችና የመንግሥት መመሪያዎች እንደተጠበቁ ሆኖ፣ የብሮድካስት አገልግሎትን በሚመለከት መንግሥትን በመወከል በዓለም አቀፍ ስብሰባዎች ይሳተፋል፤ የብሮድካስት አገልግሎትን በሚመለከት ሀገሪቱ የተቀበለቻቸውን ዓለም አቀፍ ስምምነቶች አፈጻጸም ይከታተላል፤
- ፰. ለብሮድካስት አገልግሎት የፈቃድ ክፍያዎችን ይሰበስባል፤
- ፱. የንብረት ባለቤት ለመሆን፣ ውል ለመዋዋልና በስሙ ለመክሰስና ለመክሰስ ይችላል፤
- ፲. ዓላማውን ተግባራዊ ለማድረግ የሚያስፈልጉ ሌሎች ተዛማጅ ተግባሮችን ያከናውናል።

፳. የኤጀንሲው አቋም

ኤጀንሲው፡

- ፩. ቦርድ
- ፪. ዋና ሥራ አስኪያጅ
- ፫. ም/ዋና ሥራ አስኪያጅ
- ፬. አስፈላጊው ሠራተኞች ይኖሩታል።

፱. ስለቦርድ አባላት አሰየሃም

ቦርዱ በመንግሥት የሚመደቡ አባላት ይኖሩታል።

፲. የቦርዱ ሥልጣንና ተግባር

ቦርዱ የሚከተሉት ሥልጣንና ተግባሮች ይኖሩታል፡

- ፩. የኤጀንሲውን ሥራዎች በበላይነት ይቆጣጠራል፤
- ፪. የብሮድካስት አገልግሎት አጠቃላይ ፖሊሲ አዘጋጅቶ ለመንግሥት ያቀርባል፤ ሲፈቀድም ተግባራዊ መሆኑን ያረጋግጣል፤
- ፫. ለኤጀንሲው ዋና ሥራ አስኪያጅ ተጠሪ የሆኑ ኃላፊዎችን ምደባ ያጸድቃል፤
- ፬. የፌዴራል መንግሥት ሠራተኞች ሕግን መሠረታዊ መርህ በመከተል የሚዘጋጀውን የኤጀንሲውን ሠራተኞች የደሞዝ ስኬል፣ የቅጥርና የአስተዳደር መመሪያ ያጸድቃል፤
- ፭. የኤጀንሲውን ዓመታዊ በጀት አጥንቶ ለመንግሥት ያቀርባል፤ ሲፈቀድም ተግባራዊነቱን ይቆጣጠራል፤
- ፮. የኤጀንሲውን ዓመታዊ የሥራ አፈጻጸም ሪፖርት ለመንግሥት ያቀርባል፤
- ፯. ኤጀንሲውን በተመለከተ ዓመታዊ የሥራ አፈጻጸም ሪፖርት ለጠቅላይ ሚኒስትሩ ያቀርባል፤

- 1) ensure that the broadcasting service is conducted in such a manner that contributes to the proper social and economic development of the country;
- 2) issue, suspend and cancel broadcasting service license;
- 3) determine the site and coverage area of a broadcasting station, the standard and type of instruments used for broadcasting and, in consultation with the Telecommunication Agency, determine the capacity of the transmitter;
- 4) control prohibited and illegal transmissions;
- 5) issue permit and control the manner of use of the radio waves allocated for broadcasting by the Telecommunication Agency and leases same;
- 6) pay the appropriate fee of the allocated waves to the Telecommunication Agency.
- 7) without prejudice to the relevant laws and Government directives participate, on behalf of the Government, in international meetings on matters related to Broadcasting service, follow up the implementation of international agreements on broadcasting service to which the country is a party;
- 8) collect license fees of broadcasting services;
- 9) own property, enter into contract, sue and be sued in its own name;
- 10) perform other acts as are required for the implementation of its objectives.

8. Organization of the Agency

The Agency shall have:

- 1) a Board;
- 2) a General Manager;
- 3) a Deputy General Manager; and
- 4) the necessary staff.

9. Appointment of Board Members

The Board shall have members appointed by the Government.

10. Powers and Duties of the Board

The Board shall have the following powers and duties:

- 1) direct and control the activities of the Agency;
- 2) prepare and submit to the Government the general policy of broadcasting service and ensure its implementation when approved;
- 3) approve the assignment of officials accountable to the General Manager;
- 4) approve salary scale, employment, and administrative directives of the Agency prepared on the basis of the basic principles of the Federal Civil Service Law;
- 5) prepare and submit to the Government the annual budget of the Agency and ensure its implementation when approved;
- 6) submit the Agency's annual work performance report to the Government;
- 7) submit to the Prime Minister the annual work performance report of the Agency;



- ሀ) በመንግሥት ከሚመደብለት ድገት፤
- ለ) ከሚሰበሰበው የፈቃድ ክፍያ፤ እና
- ሐ) ከማናቸውም ሌላ ምንጭ ።

፪. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተመለከተው ገንዘብ በኤጀንሲው ስም በሚከፈት የባንክ ሂሳብ ተቀማጭ ሆኖ የባለሥልጣኑን ሥራዎች ለማስፈጸም ወጪ ይሆናል ።

**፲፮. ስለሂሳብ መዘግብት**

- ፩. ኤጀንሲው የተሟሉና ትክክለኛ የሆኑ የሂሳብ መዘግብት ይይዛል ።
- ፪. የኤጀንሲው የሂሳብ መዘግብትና ገንዘብ ነክ ሰነዶች በዋናው አዲተር ወይም ዋናው አዲተር በሚሰይመው አዲተር በየዓመቱ ይመረመራል ።

**ክፍል ሦስት**  
**የብሮድካስት አገልግሎት ፈቃድ**

**፲፯. የፈቃድ አስፈላጊነት**

- ፩. ማንኛውም ሰው ከኤጀንሲው የብሮድካስት ፈቃድ ሳይሰጠው በብሮድካስት አገልግሎት ሥራ ላይ መሠማራት አይችልም ።
- ፪. በብሮድካስት ሥራ ላይ ለመሠማራት የሚፈልግ ሰው በቅድሚያ ለኤጀንሲው የፈቃድ ማመልከቻ ማቅረብ አለበት ።
- ፫. ማመልከቻው የሚከተሉትን አሟልቶ መያዝ አለበት ፡
  - ሀ) የአመልካቹን ስም፣ ዜግነት እና አድራሻ፤
  - ለ) አመልካቹ ከባንዩ ከሆነ የባለአክሲዮኖቹን ስም ፣ ዜግነት ፣ አድራሻና የአክሲዮን ድርሻ ፤
  - ሐ) የሚፈለገውን የፈቃድ ዓይነት ፤
  - መ) የሥርጭት ጣቢያውን መለያ ስምና አድራሻ ፤
  - ሠ) የሥርጭቱን ስፋትና የሥርጭት ሰዓት ፤
  - ረ) ለሥርጭቱ ሥራ የሚውለውን የመሣሪያ ዓይነትና ጉልበት ፤
  - ሰ) የመቀበያውን ዘዴ ፤
  - ሸ) ከሚሰራበት ፕሮግራም ውስጥ ምን ያህሉ በአገር ውስጥ የተዘጋጀ ምን ያህሉ ደግሞ ከውጭ የሚገኝ መሆኑን፤
  - ቀ) የኢንቨስትመንት ምንጭን ።

**፲፰. የፈቃድ መመዘኛ**

- ፩. ኤጀንሲው የብሮድካስት አገልግሎት ፈቃድ ከመስጠቱ በፊት አመልካቹ የታቀደውን የብሮድካስት ጣቢያ ላማቋቋምና አገልግሎቱን ለማካሄድ የሚያስችል ገንዘብ፣ ድርጅታዊና የቴክኒክ ብቃት ያለው መሆኑንና እንዲሁም ካፒታሉ የአመልካቹ ወይም በአመልካቹ ዋስትና ብቻ የተገኘ መሆኑን ማረጋገጥ አለበት ።
- ፪. ኤጀንሲው ማመልከቻ በቀረበለት በ፱ ቀናት ውስጥ በፈቃድ ጥያቄው ላይ ውሳኔ መስጠት አለበት ።
- ፫. ኤጀንሲው የቀረበለትን የፈቃድ ጥያቄ የማይቀበለው ከሆነ ለሚሰጠው ውሳኔ ምክንያት መስጠት አለበት ።

**፲፱. ክልከላ**

- የሚከተሉት በብሮድካስት አገልግሎት ለመሠማራት የሚያስችል ፈቃድ አይሰጣቸውም ፡
- ፩. ዜግነታቸው አትዮጵያዊ ያልሆኑ አመልካቾች ፤
  - ፪. የፖለቲካ ፓርቲዎች ፤
  - ፫. የገሥግናት ድርጅቶች ።

- (a) subsidy allocated to it by the Government;
  - (b) license fee collected by the Agency;
  - (c) any other sources.
- 2) The money referred to in sub-Article (1) of this Article shall be deposited in a bank account opened in the name of the Agency and shall be spent to execute the activities of the Agency.

**16. Books of Accounts**

- 1) The Agency shall keep complete and accurate books of accounts.
- 2) The financial records and other money related documents of the Agency shall be annually inspected by the Auditor General or an auditor assigned by the Auditor General.

**PART THREE**  
**License of Broadcasting Service**

**17. Requirement of License**

- 1) No person may undertake a broadcasting activity without obtaining a broadcasting license from the Agency.
- 2) A person who intends to undertake broadcasting service should initially submit to the Agency an application for license.
- 3) The application shall fully contain the following:
  - (a) the name, nationality and address of the applicant;
  - (b) if the applicant is a company, the name, nationality, and address of the shareholders, and the amount of their share;
  - (c) the type of license required;
  - (d) the name and address of the broadcasting station;
  - (e) the coverage area and time of transmission
  - (f) the type and capacity of instruments used for transmission;
  - (g) the method of receiving;
  - (h) the per centage amount of domestic and foreign produced programmes to be transmitted;
  - (i) source of the investment.

**18. The Standard for License**

- 1) The Agency, prior to issuing a broadcasting license to the applicant, shall ascertain the applicant's financial, organization and technical capacity to establish a braodcasting station and to provide services, and ensure that the capital is obtained only by the applicant or under the guarantee of the applicant.
- 2) The Agency shall render a decision within thirty (30) days of receiving an application for license.
- 3) Where the Agency rejects an application for license, it has to specify the reasons thereto.

**19. Prohibition**

- The following applicants cannot be given a license to undertake a broadcasting service;
- 1) applicants whose nationality is not Ethiopian,
  - 2) political parties,
  - 3) religious organizations.

**፳. የፈቃድ ዓይነቶች**

የሬዲዮና የቴሌቪዥን ሥርዓት አገልግሎት ፈቃድ ዓይነቶች የሚከተሉት ናቸው፡

- ፩. ፕሮግራም አዘጋጅቶ በራስ ትራንስሚተር የማሠራጨት ወይም፡
- ፪. የማሠራጫ መሣሪያ ተከራይቶ ፕሮግራም የማሠራጨት ወይም፡
- ፫. የማሠራጫ መሣሪያ ኖሮት የሌሎችን ፕሮግራም ብቻ ተቀብሎ የማሠራጨት ወይም፡
- ፬. በሳተላይት ወይም በኩብል የማሠራጨት።

**፳፩. በባለፈቃዱ ስለሚቋቋም የሥርዓት ጣቢያ**

- ፩. በሀገር አቀፍ፣ በክልላዊና በአካባቢ ደረጃ አገልግሎት መስጠት የሚችል ብሮድካስት ጣቢያ ማቋቋም ይቻላል።
- ፪. በአንድ ፈቃድ ከአንድ ጣቢያ በላይ ለማካሄድ አይቻልም።
- ፫. የሥርዓት ሽፋኑ በክልል ወይም በአካባቢ ደረጃ የተወሰነ ጣቢያ ለማካሄድ ፈቃድ የተሰጠው ሰው የጣቢያውን አቅም ለማሳደግ በቅድሚያ የኤጀንሲውን ፈቃድ ማግኘት አለበት።

**፳፪. የፈቃድ ቅድሚያ**

- ፩. በተመሳሳይ ቦታ፣ ጊዜና የሬዲዮ ሞገድ ለታቀዱ ሥርዓቶች ከአንድ በላይ የሆኑ አመልካቾች የፈቃድ ጥያቄ ካቀረቡ፡
  - ሀ) የሙሉ ፕሮግራም ሥርዓት ከልዩ ፕሮግራም ሥርዓት ቅድሚያ ያገኛል።
  - ለ) ተመሳሳይ ደረጃ ካላቸው ፕሮግራሞች መካከል ሰፊ የሥርዓት ሽፋንና ረጅም የሥርዓት ሰዓት ያለው ፕሮግራም ቅድሚያ ያገኛል።
- ፪. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) መሠረት ፈቃድ መስጠት ካልተቻለ የፈቃድ አሰጣጡ የሚወሰነው በማመልከቻ ቅደም ተከተል መሠረት ይሆናል።

**፳፫. የብሮድካስት ፈቃድ ዘመን**

ለሬዲዮና ለቴሌቪዥን ብሮድካስት አገልግሎት የሚሰጥ ፈቃድ ጸንቶ የሚቆየው ከዚህ ቀጥሎ ለተመለከተው ጊዜ ይሆናል።

- ፩. በሀገር አቀፍ ደረጃ የሚሠራጭ ሲሆን ለሬዲዮ ፰ ዓመት፣ ለቴሌቪዥን ፲ ዓመት፡
- ፪. የሥርዓት ሽፋኑ በክልል ደረጃ የተወሰነ ሲሆን ለሬዲዮ ፲ ዓመት፣ ለቴሌቪዥን ፲፪ ዓመት፡
- ፫. የሥርዓት ሽፋኑ በአካባቢ ደረጃ የተወሰነ ሲሆን ለሬዲዮ ፲፪ ዓመት፣ ለቴሌቪዥን ፲፬ ዓመት፡
- ፬. የሥርዓት ሽፋኑ ለፌዴራል መንግሥቱ ተጠሪ ለሆነው ለድራዳዋ የተወሰነ ከሆነ ለሬዲዮ ፲ ዓመት፣ ለቴሌቪዥን ፲፪ ዓመት፡
- ፭. የሥርዓት ሽፋኑ ለአዲስ አበባና አካባቢዋ የተወሰነ ከሆነ ለሬዲዮ ፮ ዓመት፣ ለቴሌቪዥን ፰ ዓመት ይሆናል።

**፳፬. የብሮድካስት ፈቃድን ስለማገድ**

- ፩. የዚህ አዋጅ አንቀጽ ፳፮ እንደተጠበቀ ሆኖ ማናቸውም በሬዲዮ ወይም በቴሌቪዥን ብሮድካስት አገልግሎት ላይ የተሰማራ ሰው በዚህ አዋጅ የተመለከቱትን ድንጋጌዎች ከጣሰ ቦርዱ ፈቃዱን ሊያገደው ይችላል።
- ፪. በዚህ አንቀጽ ንዑስ አንቀጽ /፩/ በኤጀንሲው የሚጣለው እገዳ በጸሐፊ ሆኖ፣ እገዳው የተደረገበት ምክንያትና የሚጀምርበት ቀን ተገልጾ ለባለፈቃዱ እንዲደርሰው መደረግ አለበት።
- ፫. ቦርዱ አቤቱታ በደረሰው በ፰ ቀናት ውስጥ ውሳኔ መስጠት አለበት።

**20. Types of License**

The types of radio and television licenses are the following:

- 1) to produce programme and transmit using ones own transmitter;
- 2) to transmit programmes using hired transmission instrument;
- 3) to receive and broadcast only the programme of others using ones own transmitter;
- 4) to transmit using satellite or cable.

**21. Establishment of a Broadcasting Station by a Licensee**

- 1) A broadcasting station may be established with a capacity of nation wide, regional or local basis.
- 2) A licensee cannot operate more than one station with one license.
- 3) A licensee with a regional or local transmission capacity permit shall secure the consent of the Agency prior to up grading the capacity of the station.

**22. Priority of License**

- 1) Where more than one applicant apply for a license intended to transmit to the same place, at the same time and radio wave:
  - (a) full programme transmission shall have preference to special Programme transmission;
  - (b) where the programmes are of the same standard, the programme with wider transmission coverage and longer transmission hour shall have preference.
- 2) Where license cannot be provided in accordance with sub-Article (1) of this Article, it shall be determined by the order of submission of application.

**23. Duration of Broadcasting License**

License issued for radio and television broadcasting shall remain in force for the following duration:

- 1) where the transmission is at the national level, eight (8) years for radio, ten (10) years for television;
- 2) where the transmission is limited to regional level, ten (10) years for radio, twelve (12) years for television;
- 3) where the transmission is limited to a local level, twelve (12) years for radio, fourteen (14) years for television;
- 4) where the transmission is limited to Dire Dawa which is accountable to the federal government, ten (10) years for radio, twelve (12) years for television.
- 5) where the transmission is limited to Addis Ababa and its surroundings, six (6) years for radio and eight (8) years for television.

**24. Suspension of Broadcasting License**

- 1) Without prejudice to Article 25 of this Proclamation, where a radio or television service licensee violates the provisions of this Proclamation, the Agency can suspend the license.
- 2) The decision of suspension made in accordance with Sub-Article (1) of this Article shall be served to the licensee stating, in writing, the reasons thereto and the effective date of the injunction.
- 3) The Board shall render a decision within eight (8) days of receiving a petition.

**፳፮. የብሮድካስት ፈቃድን ስለመሠረዝ**

- ፩. በዚህ አዋጅ መሠረት የተሰጠ የሬዲዮ ወይም የቴሌቪዥን ብሮድካስት አገልግሎት ፈቃድ ከሚከተሉት ምክንያቶች በአንዱ ሊሠረዝ ይችላል።
  - ሀ) ባለፈቃዱ ፈቃድ ካወጣበት ቀን ጀምሮ በአንድ ዓመት ጊዜ ውስጥ ሥርጭቱን ያልጀመረ መሆኑ ሲረጋገጥ፤
  - ለ) ባለፈቃዱ ፈቃዱን ያገኘው በተጭበረበረ መንገድ መሆኑ ሲረጋገጥ፤
  - ሐ) የሥርጭት ጣቢያው ያለበቂ ምክንያት ሥርጭቱን ከአንድ ወር በላይ ሲያቋርጥ፤
  - መ) ጣቢያው በፍርድ ቤት ትዕዛዝ እንዲዘጋ ሲወሰን፤
  - ሠ) ባለፈቃዱ በራሱ አነሳሽነት ሥራውን ለማቆም ጥያቄ ሲያቀርብ፤
  - ረ) በዚህ አዋጅ አንቀጽ ፳፯ የተመለከቱት ድንጋጌዎች ተጥሰው ሲገኙ፤
- ፪. በዚህ አንቀጽ ንዑስ አንቀጽ /፩/ /ሀ/ በተመለከተው በአንድ ዓመት ጊዜ ውስጥ ሥርጭቱን ለመጀመር ከአቅም በላይ የሆነ ችግር ያጋጠመው መሆኑን በወቅቱ ላስታወቀ አመልካች ኤጀንሲው ሥራውን ለመጀመር የሚያስችል ከሰድስት ወር የማይበልጥ ተጨማሪ ጊዜ ሊፈቅድለት ይችላል።

**፳፯. የፈቃድ ክፍያ**

- ፩. ማንኛውም የሬዲዮ ወይም የቴሌቪዥን ብሮድካስት አገልግሎት ፈቃድ የተቀበለ ሰው ኤጀንሲው የሚወስነውን ዓመታዊ የፈቃድ ክፍያ መክፈል አለበት።
- ፪. የፈቃድ ክፍያው የመንግሥት የበጀት ዓመት በተጠናቀቀ በ፳ ቀናት ውስጥ ካልተከፈለ ለዘገየበት ለእያንዳንዱ ወር ፩ ፕርሰንት መቀጫ እየታከለበት ይከፍላል። ሆኖም የመቀጫው ጠቅላላ ድምር ከፈቃድ ክፍያው ከ፶ ፕርሰንት ሊበልጥ አይችልም።

ክፍል አራት  
ስለሥርጭት ፕሮግራም

**፳፯. የፕሮግራም መርህ**

- ፩. ማንኛውም ለሥርጭት የሚቀርብ ፕሮግራም የተለያዩ አመለካከቶችን በማንጸባረቅ ሕብረተሰቡን በአጠቃላይ እንዲያገለግል ሚዛናዊ ሆኖ መቅረብ አለበት።
- ፪. ማንኛውም ለሥርጭት የሚቀርብ ፕሮግራም ይዘቱና ምንጩ ትክክለኛ መሆኑ መረጋገጥ አለበት።
- ፫. ማንኛውም ዜና ከአድልዎ የጸዳ፣ ትክክለኛና ሚዛናዊ መሆን አለበት።
- ፬. ማንኛውም ለሥርጭት የሚቀርብ ፕሮግራም፣
  - ሀ) የሰው ልጆችን ሰብዕና፣ ነፃነትና ሥነ ምግባርን የሚፀረርና የሌሎችን እምነት የሚያንጋዘን፤
  - ለ) በመንግሥት ፀጥታ ወይም በሕገ መንግሥቱ መሠረት በተቋቋመው የመንግሥት አስተዳደር ወይም በአገር መካከይ ኃይል ላይ የወንጀል ድርጊት የሚፈጽም፤
  - ሐ) የግለሰብን፣ የብሔር/ብሔረሰብንና የሕዝብን እንዲሁም የድርጅትን ስም የሚያጠፋና በሐሰት የሚወነጀል፤
  - መ) ብሔረሰብን ከብሔረሰብ የሚያጋጭ ወይም በሕዝቦች መካከል የእርስ በርስ ግጭት የሚያነሳ፤
  - ሠ) ጦርነት የሚቀሰቅስ፤
 መሆን የለበትም።

**25. Revocation of Broadcasting License**

- 1) A radio or television broadcasting service license issued in accordance with this Proclamation may be revoked on any one of the following grounds:
  - (a) where it is confirmed that the licensee has failed to commence transmission within one (1) year of receiving the license;
  - (b) where it is confirmed that the license is obtained by fraudulent means;
  - (c) where the broadcasting station suspends its transmission for more than one (1) month without good cause;
  - (d) where a court orders the closure of the station;
  - (e) where the licensee, by his own initiation, requests to stop the work;
  - (f) where the provisions of Article 27 of this Proclamation are violated.
- 2) Where a licensee in due time notifies the Agency the existence of force majeure to commence transmission within one (1) year as provided in Sub-Article (1) (a) of this Article, the Agency may give an additional time intended to enable the commencement of the transmission which shall not exceed six months.

**26. License Fee**

- 1) Any person who has received a radio or television broadcasting service license shall pay an annual license fee as determined by the Agency.
- 2) Where the license fee is not paid within sixty (60) days after the end of the Government fiscal year, a penalty of 5% shall be added for each month; however, the total amount of penalty shall not exceed 50% of the license fee.

**PART FOUR**  
**Transmissions of Programmes**

**27. Programming Principles**

- 1) Every transmitted programme shall, by reflecting varying view points, serve the public at large through balanced presentations.
- 2) Every transmitted programme shall ascertain the accuracy of its source and content.
- 3) Every news shall be accurate, balanced and free from partiality.
- 4) Any transmitted programme shall not:
  - (a) violate the dignity and liberty of mankind, the rules of good behaviour or undermine the belief of others;
  - (b) commit a criminal offense against the security of the State, the constitutionally established Governmental Administration or the Defense Force of the country;
  - (c) maliciously accuse or defame individuals, Nation/Nationalities, people or organizations;
  - (d) instigate dissension among nationalities or cause to initiate dissension among peoples;
  - (e) incite war.

**፳፮. የልጆችን ደህንነት ስለመጠበቅ**

- ፩. የልጆችን አመለካከት፡ ስሜትና አስተሳሰብ ሊጎዱ የሚችሉና ወደአልተፈለገ አቅጣጫ እንዲያዘነብሉ የሚገፋፉ ሥርዓቶችን ልጆች ሊመለከቱና ሊያዳምጡ በሚችሉበት ሰዓት ማስተላለፍ የተከለከለ ነው ።
- ፪. ከምሽቱ ፮ ሰዓት በኋላ ልጆች የቴሌቪዥንና የሬዲዮ ሥርዓቶችን ሊመለከቱ ወይም ሊያዳምጡ አይችሉም ብሎ መገመት ይቻላል ።

**፳፱. ክልላዊ ፕሮግራም**

አንድ የተወሰነ ክልል ወይም አካባቢ ብቻ ለማገልገል የተቋቋመ የሥርዓት ጣቢያ ከላምንታዊ የሥርዓት ጊዜው ውስጥ በደንበኛ ፕሮግራም በራሱ አንሳሽነት በክልሉ ወይም በአካባቢው ውስጥ ለተዘጋጀ ፕሮግራም ማዋል አለበት ።

**፴. ማስታወቂያዎች**

- ፩. ማስታወቂያ ከሌሎች ፕሮግራሞች የተለየ መሆኑ በግልጽ እንዲታወቅ ሆኖ መተላለፍ አለበት ። በሌሎች ፕሮግራሞች ይዘት ላይ ተጽዕኖ ማድረግም የለበትም ።
- ፪. የንግድ ማስታወቂያ እውነተኛ ፣ የማያሳስትና ሕጋዊ የንግድ እንቅስቃሴን የሚያመለክት መሆን አለበት ።
- ፫. የሌላውን ምርትና አገልግሎት በማጥላላት ወይም በማንኳሰስ ማስታወቂያ ማስተላለፍ የተከለከለ ነው ።
- ፬. የሥርዓት ጊዜው እስከ ፳ ደቂቃ በሆነ በማናቸውም ፕሮግራምና በሕፃናት ፕሮግራም ጣልቃ ማስታወቂያ ማስተላለፍ የተከለከለ ነው ።

**፴፩. የተከለከሉ ማስታወቂያዎች**

የሚከተሉት ማስታወቂያዎች በማናቸውም ብሮድካስተር እንዳይተላለፍ ተከልክሏል ።

- ፩. የሲጋራና ሲጋራ ነክ የሆኑ ማስታወቂያዎች ፣
- ፪. ማናቸውም የአደንዛዥነት ባህርይ ያላቸው ዕጾችን የሚመለከቱ ማስታወቂያዎች ፣
- ፫. የአልኮል መጠናቸው ከ፲፪ ፕሮሰንት በላይ የሆኑ መጠጦችን የሚመለከቱ ማስታወቂያዎች ፣
- ፬. ማናቸውም ያለ ሐኪም ትዕዛዝ ሊሰጡ የማይችሉ መድኃኒቶችን በቀጥታ ተጠቃሚ እንዲገዛ የሚገፋፉ ማስታወቂያዎች ፣
- ፭. ሌሎች በሕግ የሚከለከሉ ማስታወቂያዎች ።

**፴፪. ለማስታወቂያ የሚመደብ ጊዜ**

የማስታወቂያ ጣቢያ ካልሆነ በቀር በማናቸውም የሥርዓት ጣቢያ ለማስታወቂያ የሚመደበው ጊዜ ከየዕለቱ የሥርዓት ሰዓት ከ፳ ፕሮሰንት መብላጥ የለበትም ።

**፴፫. በስፖንሰር ስለሚቀርብ ፕሮግራም**

- ፩. በስፖንሰር የሚቀርብ ፕሮግራም ይዘትና የጊዜ ሠሌዳ በስፖንሰሩ ተጽዕኖ ሥር መውደቅ የለበትም ። በተለይም ፕሮግራሙ የስፖንሰሩን ምርት ወይም አገልግሎት እንዲሸጥ ወይም እንዲከራይ መቀስቀስ የለበትም ።
- ፪. ማስታወቂያ እንዳይነገርላቸው በሕግ የተከለከሉ ምርቶችን የሚያመርቱ ወይም የሚሸጡ ወይም አገልግሎቶችን የሚያቀርቡ ሰዎች ስፖንሰር ሊሆኑ አይችሉም ።
- ፫. በስፖንሰሩና በጣቢያው መካከል ስምምነት ካልተደረገ በቀር ስፖንሰር በተደረጉ ፕሮግራሞች ጣልቃ ሌሎች የንግድ ማስታወቂያዎች እንዲገቡ አይፈቀድም ።
- ፬. በስፖንሰር በሚቀርብ ፕሮግራም የስፖንሰር አድራጊው ስም በደንበኛ በፕሮግራሙ መጀመሪያና መጨረሻ ላይ መገለጽ አለበት ።

**28. Protecting the Well Being of Children**

- 1) Programmes that corrupt the outlook of children, harm their feelings and thinking, encourage them to undesirable behaviour shall not be transmitted at hours, during which children normally watch or listen to such programmes.
- 2) Children are presumed not to watch or listen to television or radio transmission after 11:00 O'clock in the evenings.

**29. Regional Programme**

A broadcasting station established to serve a definite region or locality shall devote at least 20% of its weekly transmission time for self-initiated programmes produced in the region or locality concerned.

**30. Advertisements**

- 1) An advertisement shall be transmitted in a manner that clearly differentiates it from other programmes. It shall not also affect the contents of other programmes.
- 2) Commercial advertisement shall be truthful, not misleading and publicise lawful trade activities.
- 3) The transmission of malicious or undermining advertisement on the products and services of others is prohibited.
- 4) Broadcasting advertisement interrupting any programme whose transmission time is upto 20 minutes and children's programme is prohibited.

**31. Prohibited Advertisements**

Any broadcaster shall not transmit the following advertisements:

- 1) cigarette and cigarette related advertisements;
- 2) advertisements related to narcotic drugs;
- 3) advertisements of liquors with more than 12% alcoholic content;
- 4) advertisements which encourage users to buy medicine which cannot be administered without medical prescription;
- 5) other advertisements prohibited by law.

**32. Allocation of Advertisement Period**

Unless otherwise it is an advertisement broadcasting agency, any broadcasting station shall not allocate more than 20% of its daily transmission time for advertisement.

**33. Sponsored Programme**

- 1) The content and time table of sponsored programme shall not fall under the influence of the sponsor. Especially, the sponsored programme shall not agitate the sale or hire of the sponsor's products or services.
- 2) Persons who produce or sell goods or render services whose advertisement is prohibited by law shall not be sponsors.
- 3) Unless otherwise agreed between the sponsor and the station, other commercial advertisements could not be transmitted within sponsored programmes.
- 4) The name of the sponsor shall be announced at least at the beginning and end of every sponsored programme.

**ክፍል አምስት**  
**የባለፈቃድ ግዴታዎች**

**PART FIVE**  
**Obligations of a Licensee**

**፴፱. ተጠሪን ስለማሳወቅ**

- ፩. ባለፈቃዱ ለሚያሰራጨው ፕሮግራም ኃላፊ አድርጎ የመደበውን ሰው ለኤጀንሲው ማስታወቅ አለበት። በኃላፊነት የተመደቡት ሰዎች ከአንድ በላይ ከሆኑ የእያንዳንዱ ሰው የኃላፊነት ድርሻ በግልጽ ተለይቶ መታወቅ አለበት።
- ፪. የዚህ አንቀጽ ንዑስ አንቀጽ (፩) ድንጋጌ የባለፈቃዱን ኃላፊነት አያስቀረውም።

**፵፩. ፕሮግራም ቀርጾ ስለመያዝ**

- ፩. ባለፈቃዱ ዜናን ጨምሮ ያሰራጨውን ፕሮግራም ለጅቀናት ቀርጾ ማስቀመጥ አለበት። በፕሮግራሙ ውስጥ ቀደም ሲል የተቀረጸ ፕሮግራም ወይም ፊልም ተካትቶ ከሆነ አብሮ መቀመጥና በተፈለገ ጊዜ ሊገኝ መቻሉ መረጋገጥ አለበት።
- ፪. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተመለከተው የጊዜ ገደብ ከማለቁ በፊት በተላለፈው ፕሮግራም ላይ ቅሬታ ከቀረበ ቅሬታው አግባብ ባለው ሕግ ውሳኔ እስከሚያገኝ ድረስ ግዴታው ጸንቶ ይቆያል።
- ፫. ለቁጥጥር ወይም የቀረበ ስሞታን (ቅሬታን) ለመመርመር አስፈላጊ ሆኖ ሲገኝ ባለፈቃዱ የያዘውን ፕሮግራም ቅጅ በራሱ ወይም ለኤጀንሲው ወይም በሕግ መሠረት ጉዳዩን ለሚመለከተው አካል የማቅረብ ግዴታ አለበት።

**፵፮. መረጃ ስለመስጠት**

ማንኛውም ብሮድካስተር በእያንዳንዱ ሥርዓት መጀመሪያና መጨረሻ ላይ የሥርዓት ጣቢያውን ስም መግለጽ አለበት። የፕሮግራሙ አዘጋጅም በፕሮግራሙ መጀመሪያ ወይም መጨረሻ በስም መጠቀስ አለበት።

**፵፯. ጣቢያን ለቁጥጥር ክፍት ስለማድረግ**

- ፩. ማንኛውም ባለፈቃድ የዚህ አዋጅ ድንጋጌዎች መከበራቸውን ለማረጋገጥ ቁጥጥር እንዲያደርግ ኤጀንሲው በአግባቡ ሥልጣን የሰጠው ሠራተኛ ሲጠይቀው ወደ ሥርዓት ጣቢያው ገብቶ ምርመራ እንዲያካሂድ የመፍቀድና የሚጠየቁ ሰነዶችንም የማቅረብ ግዴታ አለበት።
- ፪. ባለፈቃዱ ለቁጥጥር የመጣው ሰው ይህን ተግባር እንዲፈጽም የተወከለበትን ማስረጃ በቅድሚያ መጠየቅና ማረጋገጥ ይችላል።

**፷. አስቸኳይ መንግሥታዊ መግለጫዎችን ስለማስተላለፍ**

- ፩. የዚህ አዋጅ አንቀጽ ፳፮ ቢኖርም፣ ማንኛውም ብሮድካስተር ሕገመንግሥታዊ ሥርዓቱን አደጋ ላይ የሚጥል ሁኔታ ሲከሰት፣ የተፈጥሮ አደጋ ሲያጋጥም ወይም የሕዝብን ጤንነት አደጋ ላይ የሚጥል በሽታ በመከሰቱ ምክንያት የፌዴራሉ መንግሥት ወይም የክልል መስተዳድሮች የሚሰጧቸውን አስቸኳይ መግለጫዎች ያልክፍያ ማስተላለፍ አለበት።
- ፪. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተመለከተው እንደተጠበቀ ሆኖ ሌሎች መንግሥታዊ፣ ሕዝባዊም ሆኑ የግል ማስታወቂያዎች በሚተላለፉበት ጊዜ ብሮድካስተሩ ተመጣጣኝ ክፍያ የመጠየቅ መብቱ የተጠበቀ ነው።

**34. Notification of Responsible Person**

- 1) The licensee shall notify the Agency the person who has been assigned to be responsible for the transmitted Programme. Where several persons have been assigned for the position of responsibility, the accountability of each shall be clearly set and identified.
- 2) The provision of Sub-Article (1) of this Article shall not relieve the licensee of his responsibility.

**35. Keeping of Programme Record**

- 1) The licensee shall keep the record of every transmitted programme, including news, for sixty (60) days. Where the programme contains a previously recorded programme or film such programme record shall be kept wholly and it should be insured that it is accessible when required.
- 2) Where a grievance is forwarded on a programme before the expiry of the time limit specified in Sub-Article (1) of this Article, the obligation shall remain in force until the case is decided in accordance with the appropriate law.
- 3) Where a programme is needed for inspection or to investigate a compliant (grievance) lodged against it, the licensee at his own expense shall provide a copy of the programme to the Agency or any other organ authorised by law to look into the case.

**36. Providing Information**

Every broadcaster shall announce the name of the station at the beginning and end of every transmission. The producer of the programme shall also be mentioned by name at the beginning or end of the programme.

**37. Opening the Station for Inspection**

- 1) Every licensee, where required by an employee of the Agency who is duly authorized to ensure and inspect the implementation of the provisions of this proclamation, shall allow him to investigate the broadcasting station and provide him with the required documents.
- 2) The licensee can initially request and identify the authorization document of the inspector who came to perform the task.

**38. Transmission of Emergency Governmental Statements**

- 1) Notwithstanding Article 26 of this Proclamation, where an incident that endangers the constitutional order of the country or a natural disaster or an epidemic that threatens the public health occurs, every broadcaster shall transmit without remuneration emergency statements given by the Federal Government or State Administrations.
- 2) Without prejudice to the provision of Sub-Article (1) of this Article, the right of the broadcaster to demand appropriate remuneration when transmitting other governmental, public or private advertisements is respected.

**፴፱. መልስ የመስጠት መብትን ስለማስከበር**

- ፩. ማንኛውም ብሮድካስተር ባስተላለፈው ፕሮግራም መብቱ ተነክቷል ወይም በአግባቡ አልቀረበም ለሚል ሰው ስለጉዳዩ መልስ ለመስጠት ያለውን መብት ማክበር አለበት።
- ፪. ብሮድካስተር መልስ ሰጭው የሚሰጠውን መልስ በተመጣጣኝና በተመሳሳይ ጊዜ በግልጽ የማስተላለፍ ግዴታ አለበት።

**፵. የፖለቲካ ፕሮግራሞችንና መግለጫዎችን ስለማሠራጨት**

- ፩. ማንኛውም ብሮድካስተር አግባብ ባለው ሕግ መሠረት ተመዝግበው የሚንቀሳቀሱ የፖለቲካ ፓርቲዎችና የምርጫ ተወዳዳሪዎች በምርጫ ወቅት ዓለማቸውንና ፕሮግራሞቻቸውን ለሕዝብ እንዲያስተዋውቁ ወይም መግለጫ እንዲያስተላልፉ ነፃ የአየር ጊዜ መመደብ አለበት። አፈጻጸሙም ኤጀንሲው በሚያወጣው መመሪያ መሠረት ይወሰናል።
- ፪. የዚህ አንቀጽ ንዑስ አንቀጽ (፩) ድንጋጌ እንደተጠበቀ ሆኖ ማንኛውም የፖለቲካ ፓርቲ ወይም ዕጩ ተወዳዳሪ የፖለቲካ ማስታወቂያ ማስተላለፍ ይችላል።
- ፫. ለፖለቲካ ማስታወቂያ የሚጠየቀው ክፍያ ለንግድ ማስታወቂያ ከሚጠየቀው ክፍያ ሊበልጥ አይችልም።
- ፬. የሥርዓት ጊዜ የተሰጠው ፓርቲ ወይም ተወዳዳሪ ግለሰብ ለተሠራጨው ፕሮግራም ወይም መግለጫ ሕጋዊነት ኃላፊ ይሆናል።

**ክፍል ስድስት  
ልዩ ልዩ ድንጋጌዎች**

**፵፩. ቁጥጥር የማድረግ ሥልጣን**

- ፩. ኤጀንሲው የዚህ አዋጅ ድንጋጌዎችና በዚህ አዋጅ መሠረት የሰጣቸው ውሳኔዎች መከበራቸውን ለማረጋገጥ ኢንስፔክተሮችን ለመመደብ ይችላል።
- ፪. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) መሠረት የተመደበ ኢንስፔክተር የብሮድካስት አገልግሎት በሚያካሂድ ድርጅት ውስጥ በሥራ ሰዓት ለመግባትና ቁጥጥር ለማድረግ ይችላል።
- ፫. ኢንስፔክተሩ ማንኛውንም የብሮድካስት መሣሪያ ለመመርመር፣ አግባብ ያላቸውን ሰነዶች ለማየትና ቅጅው እንዲሰጠው ለመጠየቅ ይችላል።
- ፬. ኢንስፔክተሩ ቁጥጥር ወደሚያደርግበት ሥፍራ ለመግባት ለሥራው የተወከለበትንና የመታወቂያ ወረቀቱን ማሳየት አለበት።

**፵፪. ቅጣት**

- ፩. በወንጀለኛ መቅጫ ሕግ የበለጠ ቅጣት የሚያስቀጣ ካልሆነ በስተቀር፡
  - ሀ) የዚህን አዋጅ አንቀጽ ፲፮(፩) በመተላለፍ ጥፋት የፈጸመ ማንኛውም ሰው ከ፫ዓመት በማያንስና ከ፳ ዓመት በማይበልጥ እሥራት እና ከብር ፲፫ በማያንስና ከብር ፳፫ በማይበልጥ የገንዘብ መቀጮ ይቀጣል።
  - ለ) የዚህን አዋጅ አንቀጽ ፴፯ ወይም ፴፱ በመተላለፍ ጥፋት የፈጸመ ባለፈቃድ ከ፩ ዓመት በማያንስና ከ፫ዓመት በማይበልጥ እሥራትና ከብር ፳፫ በማያንስና ከብር ፲፫ በማይበልጥ የገንዘብ መቀጮ ይቀጣል።

**39. The Duty to Respect the Right to Reply**

- 1) The broadcaster is duty bound to respect the right of a person to give reply concerning an issue when he alleges that a transmitted programme has encroached on his right or failed to be presented properly.
- 2) The broadcaster has an obligation to clearly transmit the reply statement in a proportional and similar time.

**40. Transmission of political Programmes and Statements**

- 1) Every broadcaster shall allocate free air time, for political parties and candidates registered in accordance with the relevant law, to publicize their objectives and programmes to the people or transmit statements during election period. The implementation shall be set out by a directive to be issued by the Agency.
- 2) Without prejudice to Sub-Article (1) of this Article, any political party or candidate can transmit political advertisement.
- 3) The charges for political advertisement shall not exceed that of commercial advertisement.
- 4) The party or private candidate provided with air time shall be responsible for the legality of the programme or statement transmitted.

**PART SIX  
Miscellaneous Provisions**

**41. Power of Inspection**

- 1) The Agency can assign inspectors who enable it to ensure that the provisions of this Proclamation and decisions rendered in accordance with this Proclamation have been respected.
- 2) An inspector assigned in accordance with sub-Article (1) of this provision is empowered to enter and inspect a broadcasting service organization during working hours.
- 3) The inspector is empowered to examine any broadcasting instruments, refer to relevant documents and demand a copy thereof.
- 4) When the inspector enters into the inspection site, he shall show his work authorization and identity papers.

**42. Penalty**

- 1) Unless a higher penalty is provided for in the Penal Code:
  - (a) Whosoever is found guilty of violating Article 17 (1) of this Proclamation shall be punishable with imprisonment not less than three years but not exceeding five years and with fine not less than Birr 10,000 and not exceeding Birr 20,000.
  - (b) Any licensee who is found guilty of violating Article 37 or 39 of this Proclamation shall be punishable with imprisonment not less than one year but not exceeding three years and with fine not less than Birr 5,000 and not exceeding Birr 10,000.

ሐ) የዚህን አዋጅ አንቀጽ ፱፣ ፴፩፣ ፴፪፣ ወይም ፴፫ በመተላለፍ ጥፋት የፈጸመ ባለፈቃድ ከ፪ወር በማያንስ እና ከ፪ ዓመት በማይበልጥ እሥራት እና ከብር ፲ሺ በማያንስና ከብር ፶ሺ በማይበልጥ የገንዘብ መቀጮ ይቀጣል።

መ) የዚህን አዋጅ አንቀጽ ፳፰፣ ፴፱፣ ፴፳፣ ፴፮፣ ወይም ፵ በመተላለፍ ጥፋት የፈጸመ ባለፈቃድ ከ፩ ዓመት በማያንስ እና ከ፫ ዓመት በማይበልጥ እሥራት እና ከብር ፲፮ሺ በማያንስና ከብር ፶ሺ በማይበልጥ የገንዘብ መቀጮ ይቀጣል።

፪. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተመለከቱት ድንጋጌዎችን በመተላለፍ የተፈጸመው ጥፋት በሕግ የሰውነት መብት በተሰጠው አካል የሆነ እንደሆነ አነስተኛውና ከፍተኛው የገንዘብ መቀጮዎች ሦስት እጥፍ ይሆናሉ።

**ዓ፫. ስለውርስ**

በዚህ አዋጅ አንቀጽ ፳፯(፱) የተመለከተውን ድንጋጌ በመተላለፍ አግባብ ባለው የወንጀለኛ መቅጫ ሕግ ጥፋተኛ ሆኖ የተገኘ ሰው ከዋናው ቅጣት በተጨማሪ ለብርድካስት ያዋለው ንብረቱ ይወረሳል።

**ዓ፬. የሌሎች ሕጎች ተፈጻሚነት**

፩. የዚህ አዋጅ ድንጋጌዎች እንደተጠበቁ ሆነው የፕሬስ አዋጅ ቁጥር ፴፬/፲፱፻፹፭ ከአንቀጽ ፯ እና ከአንቀጽ ፲፫ በስተቀር ሌሎች አግባብ ያላቸው ድንጋጌዎች በብርድካስት አገልግሎት ላይ ተፈጻሚ ይሆናሉ።

፪. የዚህን አዋጅ ድንጋጌዎች የሚቃረን ማንኛውም ሕግ በዚህ አዋጅ ውስጥ የተመለከቱ ጉዳዮች በሚመለከት ተፈጻሚነት አይኖረውም።

**ዓ፭. አዋጁ የሚጸናበት ጊዜ**

ይህ አዋጅ ከሰኔ ፳፪ ቀን ፲፱፻፺፩ ዓ.ም. ጀምሮ የጸና ይሆናል።

አዲስ አበባ ሰኔ ፳፪ ቀን ፲፱፻፺፩ ዓ.ም

ዶ/ር ነጋሶ ጊዳዳ  
የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ  
ፕሬዚዳንት

(c) Any licensee who is found guilty of violating Articles 30, 31, 32 or 33 of this Proclamation shall be punishable with imprisonment not less than six months but not exceeding two years and with a fine not less than Birr 10,000 but not exceeding Birr 50,000.

(d) Any licensee who is found guilty of violating Articles 28, 34, 35, 36 or 40 of this Proclamation shall be punishable with imprisonment not less than one year but not exceeding three years and with fine not less than Birr 15,000 but not exceeding birr 50,000.

2) If the person who is found guilty of violating the provisions of Sub-Article (1) of this Article is a juridical person, the penalty in fine shall be three fold of the minimum and maximum penalty provided for each offence.

**43. Confiscation**

The property used for broadcasting of a person who is found guilty of violating the provision of Article 27 (4) of this Proclamation shall, in addition to the principal penalty, be confiscated.

**44. Application of Other Laws**

- 1) Without prejudice to the provisions of this Proclamation, the relevant provisions of Press Proclamation No. 34/1992, with the exception of Articles 7 and 13 thereof, shall be applicable.
- 2) Any law which is inconsistent with the provisions of this Proclamation shall not apply to matters provided for under this Proclamation.

**45. Effective Date**

This Proclamation shall enter into force as of the 29<sup>th</sup> day of June, 1999.

Done at Addis Ababa, this 29<sup>th</sup> day of June, 1999.

NEGASO GIDADA (DR.)  
PRESIDENT OF THE FEDERAL  
DEMOCRATIC REPUBLIC OF ETHIOPIA