

**ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES
FACULTY OF JOURNALISM AND COMMUNICATION**

**EDITORIAL INDEPENDENCE IN THE ETHIOPIAN
PRIVATE MEDIA HOUSES**

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PRIVATE MEDIA HOUSES**

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Editorial independence in the Ethiopian private media houses.

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List of acronyms/abbreviations

Ad: Advertisement

ASNE: American Society of Newspaper editors

BBC: British Broadcasting Corporation

CPJ: Committee to Protect Journalists

CMAJ: Canada Medical Associations' Journal

E.C: Ethiopian Calendar

EBA: Ethiopian Broadcast Authority

EPRDF: Ethiopian Peoples' Revolutionary Democratic Front

FDRE: Federal Democratic Republic of Ethiopia

FM: Frequency Modulation

ICCPR: International Covenant on Civil and Political Right

IPI: International Press Institute

PM: Prime Minister

PLC: Private Limited Company

TV: Television

TGE: Transitional Government of Ethiopia

TPLF: Tigrayan People's Liberation Front

UDHR: The Universal Declaration of Human Rights

UNESCO: United Nations Educational Scientific and Cultural Organization

WAME: World Association of Medical Editors

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Abstract

This research attempted to study the nature of editorial independence in the Ethiopian private media houses by looking into the typical newsroom cultures and the natural relationship proprietors have with their editors.

To this end, the researcher has employed exclusively qualitative method to collect data. In-depth interviews are conducted with editors-in-chief and publishers of the private press. Besides, the researcher has explored the old and new Ethiopian media legislations, in house code of conducts, and editorial policy of selected media houses to examine their relevance to the concept of editorial independence. Lastly, the researcher employed participant and simple observation methods to deeply investigate the newsroom culture to find out the natural relationship the publishers have with their editors. The researcher also has attended a series of editorial meetings to further examine the group dynamics among the newsroom staff.

In the Ethiopian press law, Freedom of the Mass Media and Access to Information Proclamation, publishers are obliged to assign editor-in-chief and deputy editor-in-chief who can take the ultimate power and responsibility about the content of the paper, so that publishers will be kept aside from interfering on the journalists' job, so then respect the editorial independence of their employees.

However, the Ethiopian private press does not seem to be willing to adopt the new regulation. Publishers take part in the daily routine of editors; dictate their journalists, involve in all newsroom doings ranging from story idea to news selection, from story angle and placement to layout and design of the paper. Thus, publishers possibly have an ultimate power to use their paper to promote and demote, to make shine or shadow any topic and personality, based on their interest, disregarding basic journalistic standards.

The overall finding of the research shows that editors in the Ethiopian private media houses work in tense and business-driven newsrooms; editors-in-chief of the private press hardly enjoys their editorial independence and thus made to play the role of 'stunt editor'.

CHAPTER ONE

Introduction

1. 1. Background of the study

The news media in the capitalist world is faced with an identity crisis due to the fact that the industry views itself as a public trust, and at the same time as a business firm. Treating itself as both a business and a public trust caused confusion within the news industry itself and in the eyes of the public (Burrell, 1992:4). This scenario also poses a dilemma to journalists as to whom they owe loyalty to; to the public, to their readers, to their employers and managers, to the owners / shareholders, or to their editors?

In the world media, owners and publishers mostly tend to be business people than journalists. And as such focus more on the income/business side of the paper and may not be willing to run news that will hurt their business. Thus, the involvement of publishers on the content of the media is deemed as undermining journalists' editorial independence.

To avoid such clear conflict of interest, publishers usually assign editors and give them ultimate power over the content of the paper. By doing so, the news industry tries to protect itself from financial and other ownership challenges; this in turn allows the media to win the trust and credibility of the public.

Zaggi (2000) contends that:

“The ability of media outlets to produce credible, factual, balanced and objective news, either in the form of editorials, features, opinions, interviews, commentaries etc, to their readers, listeners or viewers depends largely on the editorial independence of the media professionals involved.”(p.1)

He further argues that if decisions concerning the content of news could not be left for the professional journalists, the media house will turn to “sycophants, praise singers, and trumpet blowers who are good in polishing devils to saints”.

To this effect, Ronning (2002:47) notes that newspaper editors of this age fight with their employers vigorously for their right to report what they deem journalistically appropriate. That could be the basis for the journalists’ tradition that urges proprietors to sign a charter that assures the independence of the newsroom.

The issue of ownership influence and editorial independence is debatable even in the well developed mainstream media houses of the world. One of the most respected newspapers, The *New York Times* has a history of more than 150 years. Yet, its owners, the Sulzberger family, are criticized for their intrusion of editorial independence of their journalists with “gentle persuasions”. Australian born media mogul, Rupert Murdoch is notorious for his invasion of his entire media chains world wide for his personal and political choice. Silvio Berlusconi, the Prime Minister of Italy, is also accused of using his personal media properties, TV channels and newspapers, for making himself a” king” (Campbell, 2004:69).

Arguments about media ownership are also an issue in the Ethiopian context. Since the coming into force of the first press law in 1992, the Ethiopian private media houses’ nature of administration used to fall in one of the following three main structures. Most media houses used to be run by owners and the owners themselves work as a journalist and editors. Others, though they were few, had owners who did not involve in the daily routines of journalists and content of their paper, but only take part in the administrative and financial matter, leaving the content to the editors. And there were also some media houses that were run and owned by a group of journalists who act as owners and editors simultaneously.

Nevertheless, the new media law namely Freedom of the Mass Media and Access to Information Act No. 590/2008 that has been implemented since December 4, 2008, strictly marginalizes owners/ publishers from the content of their paper and forced them

to appoint an editor-in-chief who can be responsible for the overall look of the paper. It also empowers editors to rule and decide over what to publish and not to publish more than the proprietors do.

The impact of this law in defending editorial independence and in changing the working culture of the Ethiopian private media houses is worth a study. Researching the relationship proprietors have with their editors can also partially show the level of independence that prevails within the private media houses.

1.2. Statement of the problem

Some media scholars firmly argue that how far a country's democracy is developed could partially be told by looking at how free its media is. According to most of media advocacy groups, Ethiopia currently ranks among one of the worst places to practice journalism. International Press Institute, *Freedom of the Press 2008 Watch List* report rates Ethiopia on "not free" category with countries like Zimbabwe, Nepal, Sri Lanka, Russia and Venezuela; Reporters Without Borders ranked Ethiopia 142nd out of 173 in its 2008 Worldwide Press Freedom Index, as one of the first from the bottoms, Eritrea being the worst of all.

Right after the coming to power of The Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), the private media mushroomed into the Ethiopian media scene unlike ever before. Starting from the very conception and birth of private media in the country, the media advocacy groups started blaming the incumbent for not allowing journalists to work independently. Frequent reports by most media advocacy groups also end with similar conclusive remarks. However, such reports usually fail to tell how independent the private media are within themselves.

The very common articles, reports, personal comments, locally published also tend to attack the government for its suffocating freedom to state media journalists. Most studies done by graduates of the previous batches, under the School of Journalism and Communication, in AAU, either discuss how the Ethiopian government challenges the private media or how it denies independence for state media reporters. These shows that

the idea of independence has been questioned mostly in relation to the idea of the government media or the interference of the government in the private press. However, the idea of editorial independence interfered with, from within the private press itself could be said to be hardly covered.

A research done by a senior fellow, Hallelujah Lulie, on the title “A political History of the Private Press in Democratic Ethiopia” brings into focus the failure of the independent press to play its role in the democratic system of Ethiopia as it is unprofessional and partisan. Another way to observe the overall trend of the Ethiopian private media is probably from the newsroom. As a part-time practitioner in one of the private media houses, the researcher strongly contends that one can not have the full picture of the Ethiopian media industry without having a close look at the working culture of the private media houses, from within.

The present study, thus, focus on investigating specifically the nature of editorial freedom the Ethiopian private media grants to its own editors against its proprietors.

1.3 Research questions

The following are the core research questions this study attempts to answer.

1. How do the context and nature of editorial independence in the contemporary private media houses looks like?
2. How has the new media law (Freedom of the Mass Media and Access to Information) shaped the working relationship of owners/publishers with their editors?
3. How big/small is the space given to editors -in-chief in the Ethiopian private press newsrooms by their publishers?
4. Why is the existence or inexistence of editorial independence so crucial for the Ethiopian private press?

1.4. Hypothesis

Due to publishers' frequent interference and censorship, editors in the Ethiopian 'independent' press do not enjoy a level of editorial independence as their name signifies.

1.5. Objectives of the study

The general objective of this study is to examine the nature/feature of editorial independence that exists in the Ethiopian private media houses by scrutinizing publishers and their editors.

The research also specifically aims to:

1. Explore the Ethiopian private media in relation to how the new Freedom of the Mass Media and Access to Information Act has shaped the publisher-editor relationship.
2. Explain the extent of internal editorial autonomy editors-in-chief may have in the private media houses.
3. Look into the common editorial challenges journalists/editors/editors-in-chief may face in relation to publishers'/owners' interest.
4. Identify the role publishers/owners of the private press have in their respective media houses.

1.6. Significance of the study

The Ethiopian private press does not seem stable and healthy for various reasons (Population Media Center report, 2000). It is also repeatedly accused of being partisan and unprofessional (Hallelujah, 2008:81) It is the hope that this research may give a new look from the proprietor-editor angle as to why it is so. The study also sheds light on the issue of ownership, in house editorial autonomy, and role of editors-in-chief in the Ethiopian private press.

This study hopefully would be the ice breaker to evaluate the new Freedom of the Mass Media and Access to Information act, with regard to its new regulations in defining publisher-editor relationships.

1.7. Scope of the study

This research is confined only to the Ethiopian private print media. It attempts to investigate the features of editorial independence that exists in the Ethiopian private press, excluding few private electronic media houses running currently. Following the establishment of the Ethiopian Broadcast Authority in the proclamation number 178/1999, some electronic media houses, especially FM stations have emerged in the Ethiopian media scene. But due to time constraints, this study does not include the Ethiopian private electronic media houses.

1.8. Limitations of the study

One limitation of this study is its sample size. Currently, there are some 32 private newspapers published and circulated nationwide. However, only 14 of these newspapers are of general interest newspapers, and the rest are of special interest newspapers that focus on issues like religion, sport, medicine. In spite of this, out of the 14 general interest newspapers, the study could only take three general interest newspapers which focus dominantly on political issues and two English business newspapers which have the highest circulation record. The researcher would like to confess that having more newspapers with different genres in a sample data could have made the research more comprehensive and preferable. However, time and financial constraints, not to mention lack of access, could not let the researcher to comprise more newspapers into the study.

The other limitation is related to the subject of the study. The breach of editorial independence might come from advertisement, political parties, government institutions, and media regulations, ethnic and religious groups and from owners/publishers of a paper itself. However, this research preferred to limit itself to the later element only, i.e. ownership influence. It is a strong belief of the researcher that instead of discussing lists of elements at once, a thorough focus on only one element, i.e. ownership influence would better give a better understanding towards the media house. However, further study can be conducted to see how other elements could be a threat to the Ethiopian private press.

Lack of willingness and trust from private newspaper proprietors to give access to their newsroom and editorial meetings to the researcher were a setback to the study. In addition, most of the literature the researcher were able to reach are dominantly highlights the Western newsroom culture and ownership pattern which is a multibillion dollar business; adopting and interpreting that to the local “one- man newspapers” like in our case have put the study in challenge.

1.9 Organization of the study

The study is presented in five chapters. The first chapter starts with the background statement and statement of the problem. The objective, significance and scope of the research are also discussed here. The chapter ends by sketching the hypothesis and questions of the study.

The second chapter reviews and discusses literature and relevant theories with the core concept of editorial independence. The chapter tries to survey some major world media houses and their challenges to safeguard their editorial autonomy. It also briefly highlights the contemporary landscape of Ethiopian private press.

The third chapter explains the major research techniques implemented throughout this study. It attempts to justify how in-depth individual interview, observation and document analysis has been selected and used, by showing their relevance with the core question of the study.

Chapter four is reserved for presenting and discussing the finding. All findings collected through observation, in-depth interview and document analysis will be presented. Then theoretical arguments from chapter two will be analyzed along with the major findings of the study.

The thesis ends by drawing conclusions. This is treated in chapter five.

1.10. Definition of Terms

Publisher – A person, who owns, represents or takes care of the business and management of the newspaper.

Editor – A journalist under the editor-in-chief, who writes articles, assigns journalists and proofread and design content. He/she is directly accountable to the editor-in-chief.

Editor-in-chief – A person in the newsroom who is responsible to the overall look and content of the newspaper, make the ultimate decision about the content of the paper.

Editorial independence – The autonomy and authority of editors and editors-in-chief to publish any material that they deem journalistically appropriate, without the interference, influence or fear of the publisher.

CHAPTER TWO

Review of Related Literature

Introduction

This chapter sets out to shed light on the basic concept of editorial independence and discusses the theoretical background of the research as well as other related literatures on the issue. It also deals with some of the major factors that put pressure on the editors' editorial independence. The chapter also briefly surveys the contemporary Ethiopian media landscape and press ownership patterns.

2.1 Highlighting Editorial Independence

May 3 1991, globally recognized as International Press Freedom Day, has witnessed the UNESCO's Windhoek Declaration. This declaration is a landmark for "the establishment, maintenance and fostering of an independent, pluralistic and free press in Africa" as an essential to the development and maintenance of democracy in a nation (Windhoc Declaration, 1991).

This declaration is seen as a groundbreaking achievement for the African media scene, mainly for its revelation of the core essence of journalism, i.e. independence. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) in its Windhoek Declaration of 1991 defined "media independence" as being free from government, political or economic control (Minnie, 1999:15). Yet, Minnie argues that this definition of independence does not seem to be fully comprehended by media practitioners and owners. It is often narrowly assumed and interpreted as being free from governments' chain of control only, disregarding the pressures from the private owners themselves. For years, of course, independence from whom is continued to be a key question.

The term "Editorial independence" is the derivation of the broad term 'independence', to signify internal freedom of journalists against media owners. The World Association of

Medical Editors' definition of editorial freedom states that, editorial independence is the concept, which applies for editors-in-chiefs' authority over the content of their journals. (WAME, 2009)

Clifford (1991:34), on the other hand, defines 'editorial independence' as the freedom to publish controversial issues, even if the material is contrary to the purpose, politics, and practices of the body that owns the media. He further identified it as the authority of the editor to publish any material that he or she deems appropriate, without the interference of the proprietor.

Canadian Medical Editors Association Journal (2006:5) characterizes the term as the freedom of the editor to make editorial decisions independently of the ideological, strategic, or commercial interests of the publisher. Accordingly, editors should be free to express critical but responsible views about all aspects of publication or broadcast without fear of retribution, even if these views might conflict with the commercial goals of the publisher. It also argues that the term is more of journalists triumph against proprietors' interest.

The production of truthful and objective stories is often attached with the level of editorial independence the writers have. Zaggi (2000:4) contends that the ability of media outlets to produce credible, factual, balance and objective news, either in the form of editorials, features, opinions, interviews, commentaries etc, to its readers, listeners or viewers depends largely on the editorial independence of the media professionals.

This freedom of editors to make decisions without interference from the owners of a publication sometimes puts into test by publishing a story that is even against the owner's interest. Kruger (2004) describes the editorial autonomy as "a treasured cornerstone of journalism ethics." (p.103). He further argues that the boundary between the owner and the editors shall be clear and bold. He thus notes:

Media owners should appoint editors on the basis of a general agreement about policy, and then leave them alone. Proprietors should look after the business, pay the bills, and bank the profits, while editors are the kings or

queens of content. They can be fired if the company is not happy with their direction, but they should be able to run their paper without interference (Kruger, 2004:104).

2.1.1 The Role of Editors

In the modern practice of newspapers, one can find wide variations of style on the function and role of an editor. It ranges from writing editors, to managing editors, from night editors, to assignment editors. Hodgson (1996:67) categorized the major functions of editors into three. The first are known as writing editors. They usually tend to focus on ordinary journalistic works like writing headings, leaders, and editorial opinion of the paper. They are more in focus on what the words say than how they are presented.

Editors that are put under the second category are those who spent more time on production than writing and managing. Their apprehension defined by the look of pictures, headlines, and projection of the newspaper.

The third groups of editors are the political figures of their papers. Such editors' main duty is on the image of the paper. They often present themselves in public to represent their paper's stand. They spend most of their time out of the newsroom to represent their newspaper at public functions.

Howsoever the variation ranges, the post of editorship of the contemporary newspapers commonly share the following duty.

Editors commonly formulate the policies, decide what goes into the paper, sub-edit the main items and write the headlines, rough out the page schemes, read and mark up the page proofs, write the leaders and conduct the publicity of the paper. (Hodgson 1996:68)

Hodgson also mentions that at the end, it is no one else but the editor, who can represent the given newspaper, mentally as well as physically.

The editor is the title that matters on a newspaper. Whatever other titles exist, the editor is the person physically responsible for what goes into the paper, how it is edited, and how it is presented to the public and for

getting the paper out on time. If serious legal trouble arises out of the content, and anyone has to go to jail, it is the editor. (Hodgson1996:68)

In the Ethiopian private media, since the media houses comprise a handful of staff, the editorship is not strictly distinct. A newspaper may have three or four journalists who act as reporters and as the same time as editors. However, in newspapers, like Reporter, Addis Neger and Addis Admass, which have relatively large employees, hence, there exists a hierarchy of editorship. There are reporters, section editors, sub-editors, and deputy editors-in-chief. All will be accountable to the editor-in-chief of the paper who is the last person in the hierarchy.

In the big argument, which holds what level of freedom should be given to editors against the owners, the assumption is that editors comprise and represent all professional working staff in the newspaper industry that has something to do with the content of the paper. In the general sense, when we talk about editorial independence, it is obvious that we are not talking about section editors or sub- editors, but all the representations they have towards the content.

2.1.2. Editorial Independence in history

All along in the history of press, there exists some kind of influence individuals or groups may try to use or abuse their media for their own purposes. In UK, the country with long free press history, it was Lord Northcliffe in 1896, who took Newspapers into the world of big business. Yet, he is the one to start a trend of jumping in as proprietor on editor's role of the paper. Through his share, he made proprietors to deal with not only financial issues, but also all other content matters. Northcliffe's way of management was adopted on most of the then mainstream newspapers and lasted up until 1960s (Hodgson, 1996:69).

By the late 1980s, big companies owned most of newspapers. This time, proprietors who sides editors to get more freedom with out much interference appeared on the scene. Journalists also start to go for the editorial autonomy against their proprietors. Rupert Murdoch, one of the moguls of the world media even now, (sky news, Fox News, the

Sun, Times, and some more hundreds of media) made to pledge of editorial independence when his company, took over some of the biggest media of the time (Hodgson, 1996:70).

The contemporary world media arguably enjoys better editorial independence than before. However, Hodgson (1996:71) believes that this time, the commercial pressure from media proprietors is getting tense. Campbell (2004:65) notes that proprietors in all media history of the world have been found on the blacklist of undermining newsroom editorial independence. The contemporary well-known world news media is also no exception. The Sulzberger family, who owns one of the leading newspapers of the world, The New York Times, has a record of clear intervention on the editorial autonomy of journalists. During the era of A.H Sulzberger, CEO of the paper in the early 1990s, there was clear evidence that he read and approved of every editorial before it went to press. Punch Sulzberger, the next administrator of the paper, was not intimidating and harsh owner. However, he used to influence editors through “gentle persuasions and polite suggestions” (Campbell, 2004: 66).

Hodgson (1996:71) argues that following the fall of media in the hands of big companies, along with the high market pressures, proprietors start to expect big profits as their other subsidiary companies do. Besides, owners start to use the media for their political agenda, self- promotion, and business ends. In a similar argument Campbell (2004) notes that editorial intrusion of owners could target political or business motives. Nevertheless, he believes that incursion for the sake of political motives has largely disappeared and replaced by business motives (p.67).

Many authors, though, disagree with Campbell’s argument. They believe that in the contemporary world political motives cannot be separated from the economic interest. for example, the media tycoon, Rupert Murdoch has influential position in the politics of Britain though his business interest is huge in that nation. They further argued, “Profit motives of news media owners require them to actively engage in the domestic politics of nations where they have commercial interest. Some media moguls can also use their media purely for their political career. PM of Italy, Silvio Berlusconi is a vivid example

2.1.3. Summary

The pressure, control, and influence by owners and publishers towards editors exist in almost all size of publications ranging from campus newspaper to the mainstream media. John Bodle (1995:905) in his national survey among 233 university and college campus newspapers in US found out that there is some kind of administrators, or advisors or advertisers control and influence even in editors of campus newspapers. The following points compiled by CMAJ(2006:6) from different literatures can highlight more the concept and meaning of Editorial independence:

- It is the distinct right of the editor to publish any material that passes defined criteria for quality and that fits within the mission of the publication, without suffering undue interference from others.
- It is all about the freedom of the editor to make editorial decisions independently of the ideological, strategic, or commercial interests of the publisher.
- It is the freedom to publish controversial issues, even if these are at odds with the purpose, politics, and practices of the body owning the paper.

The concept of editorial freedom directly related to editors-in chief. This is because editors in the newsroom are assumed to represent all journalists and editors. The trust of readers also usually rests upon the chief editors. If proprietors along with their business and other self-interests in their mind come to the newsroom and take part in the selection, evaluation, dictation and editing with direct and invisible hands, the ideals of journalism may automatically start to erode.

2.2 Theoretical Perspectives

The theoretical establishment for this research lays on two press theories, namely social responsibility and libertarian. The two theories have similar perspective towards editorial freedom, but their executive method and the way they approach it slightly varies. For example, libertarian press emerged from the idea that as the public is very capable of accepting or rejecting what is true or false; media should be free from any government

intervention. Social responsibility theory on the contrary, suggests prescribing the free media what to do and not to do, to the best of the public.

As stated earlier, their stance towards independence does not seem to show much basic variation except in the execution level. The social responsibility theory strongly favors the media to be free in all ways with self-regulation mechanisms, of course, without excluding government role. However, this theory goes as far as governmental intervention if a given media fails to safeguard its public trust, at the time of, for instance, violating rules like truthfulness or independence. ‘The media should follow agreed codes of ethics and professional conduct; and if not, government may need to intervene under some circumstance. This theory involves a view of media ownership as “a form of public trust or stewardship rather than as an unlimited private franchise.” (McQuail, 2005: 171).

The libertarian theory fiercely opposes any government intervention at any conditions. The theory strongly believes in free market place of ideas. For this end, McQuail argues that the libertarian theory neglects the economic barriers and abusers of media, like monopolistic ownership. It also contends that this press theory is vague on issues like, as to who is really benefiting the right to freedom. “Is it the newspaper proprietor who has the right? What of the right of the editor?”(McQuail, 2005:177).

In libertarian theory, as the press is not a tool that works for the government, it is believed that the private media is considered as free and independent. For the libertarians what matters is whether the media is free from the government influence and control. They believe that for the truth to emerge all ideas must get a fair hearing; and must be a “free market place of ideas” without any government intrusion(Siebert and et al, 1984:4).

Howsoever, does being free from the government influence guarantee independence? What about the ownership influence? Today, the world media is dominated by few media modules. For instance, three televisions, four radio networks, and three wire services shape the entire American society. Therefore, the world is led by individual media rulers, though they are not political rulers as it was in the authoritarian era (Siebert, Peterson, and Schramm 1984:4).

Thus, the social responsibility theory emerged from the drawbacks of libertarian, to overcome such concerns. Since this age is witnessing that the media is not representing the society but few media tycoons who monopolized the press, the social responsibility theory that accompanies the right of press freedom with obligations to the societies' interest, beyond the media owners' self-interest, come to existence. Libertarian theory grasps individual media ownership as simply property rights. Nevertheless, it is not mean issues like the abuse and violation of owners against editorial autonomy of journalists would not be disregarded in the theory.

McQuail, to this end, comments on the libertarian press theory particularly towards editorial independence. He argues that editorial autonomy is implicitly guaranteed in this theory.

Liberal theory rests on the assumption that ownership can be effectively separated from control of editorial decisions. Larger (allocative) decisions about resources, business strategy, and the like, are taken by owners or boards of owners, while editors and other decision-makers are left free to take the professional decisions about content, which is their special expertise. (McQuail, 2005:227)

McQuail, (2005) further contends that in some media scenes, there exist regulatory bodies to the end of editorial independence designed primarily to safeguard the autonomy of journalists. Moreover, code of conducts, the public itself, and professionalism may take care if unnecessary owner breach of editorial independence happened. With unlimited individual media ownership and without any involvement of the government, this theory assumes that the public and professional code of conducts can serve as checks and balance mechanism to honor editorial independence. Nevertheless, the libertarian theory seems to marginalize several real lives of media houses. Among this, for example, could be mentioned the commercial nature of private press. The commercial press to keep healthy, it has to make profits now and then. And this often involves "taking decisions which directly influence content such as cutting costs, closing down, shedding staff, investing or not and merging operation." (McQuail2005:227).

The contemporary mainstream media believes that there is always a check and balance in its natural system, as to ban proprietors' influence. It also necessitates absence of

complete censorship in licensing, any kind of controls by government, genuine autonomy from proprietors pressure, control as well as interference, or from indirect outside influences like political or economic interests groups (Cooper, 2003).

2.2.1 Media Ownership

Understanding media ownership leads us to comprehend how information is gathered, tuned, and disseminated, and why. McQuail (2005) asserts that fundamental to an understanding of media structure is the question of ownership and how the powers of ownership are exercised.

Many media literatures, activists, and syndicates outspokenly curse state and public media for their suffocation of journalists' editorial autonomy. Now- a- days, the private press is no exception for such accusation.

Turnstile (1971) as reported by McQuail (2005) divides the goals of any press as revenue goals and non-revenue goals. The latter stands for owners' need other than their direct financial interest; this includes prestige, power, and the urge of achieving other self and social normative ends. On the other hand, revenue goals have mainly two forms: Earning income from direct sales of newspaper copies, and selling spaces to advertisers.

He argues that it will be inevitable to see conflict of interest under these major goals, with editors' question of autonomy towards content and owners' financial and personal interest on the paper. As Tunstall argues, the only point the conflict may reconcile would be when the audience satisfied and pleased about the content and this in turn increases the circulation, and therefore appeals the advertisers, which is the end goal of the proprietor.

Very often, Privatization of the media is also considered a means of democratizing a media and nation, deeming the private press as the ideal for its freedom. Nevertheless, as (Okwudishu, 1988:34) argues, private media ownership could be as dangerous as state monopoly and sometimes, it might be a substitution of government monopoly into individuals. Proprietors sometimes may control every aspect of the media from editorial to news selection, from story rejection to topic dictation with in the roof of the so-called

independent media. Kruger (2004) calls such internal intrusions “home affairs” (p.103). He cautions journalists to watch out a threat that comes with in.

Private ownership pattern ranges from an individual owning and publishing a single newspaper to a media conglomerate that owns a multi-national newspaper. The belief that ownership ultimately determines the nature of media which was highlighted by Alschull (1984) as cited in McQuail(2005), asserts ‘the contents of the media always reflect the interest of those who finance them’ might be a threat for any ownership patterns(p.226). McQuail argues that Alschull’s remark has shown how proprietors as well as powers around the press could abuse the press. Leaving aside the indirect influences, proprietors themselves may set up their press just for the sake of personal privileges.

The fact that owners at some point may influence editors and then content, the virtues of the media, for example, agenda setting and watchdog roles might transfer to few press proprietors. It is for this reason that the issue of ownership becomes so decisive. In normal situations, the press may influence the agenda of public policy issues and the public’s perception of those issues to be likely changed. The press, by emphasizing certain attributes of an issue, tell us “how to think about” the issue as well as “what to think about” (Cooper, 2003). It is this fundamental role that is wiping away by a few proprietors, if there is no editorial autonomy with in the press.

In different media arena, journalists have showed strong resistance to guard their independence from proprietors challenge. Harcup (2007:124) affirms that it is not uncommon among editors to ‘vote with their feet and leave’ by the time their editorial independence is violated. However, those who could not do this use some escaping strategies like diversion, flattery, and inertia to avoid clashes with their proprietors.

Journalism is a highly individualistic job and high venerable to principled resignation as a form of resistance. Harcup lists out some of collective resistance that comes after violation of editorial independence, referring the report from International Federation of Journalists, 2005. These are but a few.

Editors were threatened with dismissal for publishing articles critical on the proprietor in Russia and Greek went on strike in 2004. Members of

the newspaper Guild in Canada took court case over editorial independence in the same year. Ukraine took collective action against editorial breach before and during 'orange revolution'. (Harcup, 2007:126)

McQuail (2004) argues that it is inevitable for owners in market-based media to use their power over content, despite the degree of demands various. Meyer's (1987) survey, as reported by Mc Quail, depicted that US journalists' ethics strongly opposes the intrusion of autonomy. The Royal Commission of the Press had reported similar resistance in UK regarding editorial independence.

It is common that journalists claim more autonomy from the owner, instead of doing simply what they are told, and earn their wage. On the other hand, owners often put general roadmap for their editors to follow. However, the worst part of this is the proprietors attempt to dictate what they wish to be published especially on issue related to their co-business matters. Unlike social responsibility paradigm, libertarian theory, that was used as the foundation of this research, clearly asserts the fact that owners have unlimited and ultimate power on the content of their paper. McQuail describes this situation in this manner.

Newspaper owners are free to use their papers to make propaganda, if they wish to do so, provided they accept the risk of losing readers and credibility. ...There is an argument though, that media have simply become too big a business to be run by personal whim, and decision have to be taken impersonally on grounds of management and market considerations. (McQuail, 2005:292)

Press and its proprietors possibly could not play their watchdog role if their relationship is not smooth enough with mutual respect. Kruger (2004) suggests that proprietors should not be deemed as 'enemies' by their staff. 'It is perfectly possible to maintain constructive relationship. In fact, far-sighted owners and companies will understand that respect for editorial independence and ethics is in their long-term commercial interest (Kruger, 2004:104).

Unlike other businesses, the virtue of the media business is that it endorses the power about the content to editors. Burrell puts this argument in the following manner:

The publisher who has the ultimate say in what the product looks like, may not want to carry news that will hurt his business, while the editor in the American system is usually ruled by the dictum “if it’s news, publish it’. In the best of the business, the publisher gives the editor ultimate authority over the news. (Burrell, 1992:3-4)

In the real sense of the newspaper-business, it is not only proprietors that are committing all editorial breaches; there are indirect agents that put pressure on owners and then on editors to compromise their autonomy. McQuail, for instance, asserts that the threat to editorial independence is rather “complex and indirect” (227).

There are media whose owners do personally pay for the privilege of influencing content, most owners just want profit, and most media are financed from different sources. These include a range of private investors. Among them other media companies, advertisers, consumers, various public or private subsidy givers, and governments. It follows that the line of influence from ownership is often indirect and complex- and it is rarely the only line of influence. (McQuail, 2005:227)

Cooper (2003) contends that besides direct ownership intrusions, media commercialism, media concentration, and advertisements all contributes for the looseness and compromising of editorial autonomy in the newspaper industry. The following paragraphs will discuss and assess literatures towards these factors.

2.2.2 Media Concentration and Commercialism

According to libertarian press theory, free press competition is expected to lead to free and diversified media market. However, this is not the case as some critics argued. The reverse effect of it became media monopoly and oligopoly. Cooper (2003) contends that the proliferating of commercialized and concentrated mass media all over the world can easily erode the public interest. In addition, it becomes a danger for editorial independence.

Obviously, diversified content may not be achieved if the media falls in a few proprietors, given that there is immense editorial breach. The economic interests of these few proprietors might also easily influence the content of the mass press. In 1910, there were 2200 dailies in US owned by many individuals. In 2003, this number falls down to 1456.

However, this time, only 10 companies owned 53 percent of newspapers of the country (Sraubhaar and LaRose, 2006: 108).

The same concentration of media is prevailed in Australia and Britain. A handful of corporations control and run the majority of press lists. Thus, concentration of ownership clearly marked this century. This in turn may bring more pressure towards editors as they secure their job, they might remain loyal to proprietors, not the public.

McQuail (2005) categorized media concentration into three; namely horizontal, vertical, and cross-media concentration. Horizontal concentration refers to mergers within the same market; for example, two regional newspapers. Vertical concentration refers to a pattern of ownership, which extends through different stages of production and distribution at the same market. Cross media, ownership is the controlling of different media owned and operated by the same firm in the same geographical market.

Mc Quail also mentions another form of concentration that can be expressed in editorial – publisher levels. This kind of concentration refers to increased powers of owners on the editorial decision of their firms. It is for this type of ownership concentration that editorial independence referred to. Nevertheless, whatever forms the concentration the media is, if the autonomy of the editors is snatched by owners, it would be a disaster for the content of that paper. However, McQuail argues that it is hard to evaluate the level of editorial independence in a given media, especially in the concentrated ones. He contends that even if ‘All the chains might be editorially independent; there is still a question of whether editorial freedom falls or rises with publishers’ concentration. “The degree of editorial independence is often hard to assess” (McQuail 2005:230).

Undesirable effects of excessive concentration can be loss of diversity, higher prices, and restricted access to media and the potential breach of editorial independence. (Burrell, 1992) argues that group ownership and the fall of newspaper in the hands of very few giant conglomerates fundamentally hurt journalism. Since the owners are not expected to let editors to carry news that will harm their business interest. This eventually leads to infringe of editorial independence.

It is not only the concentration of media in the hands of a few, which is seen as a threat to editorial autonomy. The concept of commercialism is also seen as an eroding element to the editorial freedom. McQuail defines commercialism as “A process by which media structures and contents come to reflect the profit-seeking goals of media industries and are governed by market considerations (McQuail 2005:550).

Burrell(1992:4) points out that the commercialization of the media result in the decline of grassroots newspapers and the flourishing of family-owned big conglomerates concentration on the scene.

Commercialized media content is believed to be lacking independence in varying degrees. It promotes materialism and consumerism. It is also thought to be less creative and trustworthy, commercial media are suspected of lacking full independence form their owners and advertiser. Media commercialization is characterized by trivialization and “tablodaization” trends, market-driven content decisions, exploitation of ‘weaker’ consumers, propaganda for consumerism, reduced integrity, over-reliance on advertising (McQuail, 2005).

Cooper (2003) argues that hyper-commercialized can easily overwhelm public interest and diverse content. It is always the conflict between news value and shareholder value. News operations will be forced to become more commercial minded. There is a tendency of pleasing corporate masters who are unschooled in journalistic standards. Pressures to hike profit compromise profits. Only stories with the dramatic element will be entertained. Proprietors frequently interfere with news coverage. Moreover, there will be a natural tendency to mute any criticism.

As discussed by McQuil (2005), the term commercialism may refer objectively to particular free-market arrangements. It has also come to imply consequences for the type of media content, which is mass-produced and marketed as commodity. Commercial content is likely forming this perspective to be more oriented to amusement and entertainment (escapism), more superficial.

2.2.3 The Economics of Newspapers

Besides the threat of commercialism and the consolidation of media in the hands of a few, the biggest threat for independent media comes from advertisement. McQuail (2005) describes the relationship of advertising and editorial wing of the contemporary media in the following way.

The structure of much of the mass media industry in most capitalist countries reflects the interests of advertisers something that has developed historically along with other social and economic changes. Most free market media are finely tuned to jointly maximizing the needs of advertisers and their own interests as a normal condition of operation. The normal influence extends to the matching of media content patterns according to the consumption patterns of targeted audiences. Media design, layout, planning, and scheduling often reflect advertisers interests. What is less easy to demonstrate is that particular advertisers can directly intervene to influence significant publication decisions in their own interests. (McQuail, 2005)

Burrell (1992:3) argues that the news business this time is in deep identity crisis. Particularly the newspaper industry is swinging back and fro between its watchdog role and a revenue-targeted business. Though the news industry is a business industry, it prefers to view itself as a public trust.

The newspaper industry should be financially healthy to survive. Moreover, Frost (2000:92) asserts that most newspapers in a market economy are not in business because of "high and lofty ideals; they are there to make a profit for their owners and shareholders." This also means that costs need to be kept to the minimum, keeping revenue high. This means that any serious interest that commercially driven publishers have in information is entirely based on its potential to develop revenue and therefore ultimately to make profits.

Burrell(1992:2) argues that due to fierce competition to advertisers, 'news magazines, newspapers and broadcasters have to step up to fight to scramble for the market share'. This in turn makes the media to focus on sponsors' interest rather than public trust. Frost (2000:93) sees the market force as the most challenging element for media ethics. He

firmly contends how market force, especially advertisement, puts high pressure on journalists. He states this market- driven confrontation and temptation as a temptation remain a free challenge. He contends that Journalists will often deceive themselves that they are doing the right thing by publishing a story, which by any other standard would be considered unethical, just due to market appeal.

The market force usually pushes owners to pressure their editors. Journalists then either obey their masters or else resign for the respect of editorial autonomy. Frost(2000:30) argues that the basic issue for the breach of editorial autonomy lays on the question of loyalty. According to his argument, journalists are always in a dilemma as to whom they shall be loyal. Some of them think their loyalty must goes to their owners, and others to the consumer. 'To whom does the journalist own loyalty? Is it the employer, the consumer, the advertiser, the law, or some other authority? He asks. The confusion of journalists who tend to be loyal to their employer ends up with in dilemma. Frost argues:

The drive to improve circulation or viewing figures can tempt a journalist to use a story that morally driven caution might have persuaded him or her not to have used. This shows loyalty to the employer, a chance for the company to boost profits by improving circulation or viewing figures and self-serving ambition. A journalist who is loyal to an employer and helps to boost profits is bound to be a more marketable talent. For the same reason, many journalists will allow themselves to back away from a story out of loyalty to the company or an advertiser or both. (Frost, 2000:30)

McQuail contends that advertising might shapes the structure and organization of media work. Its effect also might go up to content selection and omission. Cooper (2003), on the other hand, contends how the media moguls affect the content of the newspaper to fulfill indirectly their economic and political interest.

Media conglomerates are sometimes might be driven by advertisers, who exercise influence over content. Dangerous abuse of this influence ranges from favorable newspaper reviews or loss of coverage, to positive editorials/opinion articles about the business interests of a publisher or politician (Cooper, 2003).

The market force that lures the newspaper industry may also harm indirectly the quality of content beyond its negative pressure on journalists. Frost (2000:92) argues that since

the profit is the major motive for owning and running a newspaper, it would not be amazing that newspaper owners, and sometimes editors, want to feature news that costs as little as possible to gather and produce. Superficial, sensational, and shallow stories that can provide the largest audience with ease and thereby the highest revenue return possible will fill the columns. Thus, some costly, in-depth, and real journalistic works like investigative reporting will be revoked from the newspaper pages (Frost, 2000:92).

2.3. Journalists' perspective

Sraubhaar and LaRose(2006:94) believes that the contemporary media arena has been increasingly invaded by businessmen rather than journalists. Newspapers usually ran by unschooled business people and this in turn made commercial values to intrude further into the newsroom. Yet, Frost (2000:93) argues that journalists could not directly involve in profit hunting stories as their newspaper proprietors wish. This is because there will be self-ethical concerns. Obviously, they are keen to see the news organization they work for to continue functioning, since at least they do not want to lose their jobs. However, as long as the journalists feel they are providing their employer with stories that will interest readers, they believe that their mission has to stop there. Yet, proprietors think the other way (Frost2000:93).

Kruger (2004) set test the resistance of editors towards proprietors' influence by the time their company itself makes news. He believes that such incidents put the journalist in a very difficult situation because it will be unlikely for a journalist to cover such story in ethical manner, i.e. fairly and independently. Kruger argues that most news organizations prefer to report themselves just as they do to anybody else. "It is a noble sentiment that is rarely observed" (Kruger, 2004:104).

Nevertheless, the innocence and being ethical to the profession may not last long in such environment whereby proprietors continue pressurizing their staff towards profit-driven stories. Hadekel(1992) for instance, observes that some small-town newspapers and their journalists in US have used their dominant position in the marketplace to make money from advertisers while ignoring editorial quality and independence. He further noted:

Keeping advertisers happy is one of the most difficult challenges facing any American small-town newspapers. There is a fine line between reporting aggressively on local matters, and offending commercial interests, that may have a stake in the issue. Over the years, most good newspapers have tried to build a wall between the newsroom and the advertising department, and advertising managers suggesting stories about clients have usually been rebuffed. (Hadekel, 1992:32-33)

With all such tempting environment, Burrell (1992:3) contends that journalists still struggle to be loyal to their watchdog roles. "Only a newspaper owner/ publisher is often acted as a business person than a journalist, while the editor and journalists usually see themselves keepers of public trust" Burrell (1992:3). Yet, he does not deny that the self-image created by newspaper industry by treating itself as a business and as the same time as the public trust caused "conflict if not confusion with in the industry" as well as in the eyes of the public.

The public presumably see the press for its monitoring role, according to the proponents of social responsibility theory; the media has a responsibility of public trust more than anything else does. That is why it has rewarded honorific title- 'the fourth estate', next to legislative, judicial, and executive bodies. Burrell argues, "It is this role that prompted Thomas Jefferson, one of the founders of American democracy, to say years ago: if he had to choose between government without newspaper or newspapers without government, he should not hesitate to prefer the latter" Burrell (1992:5). Nevertheless, due to the breach of editorial independence by owners for whatever reasons, this prestige role could be stake now.

Burrell (1992:4) suggests that the information side of the industry can protect itself from continues profit temptation and owners' self-interest, only through clear demarcation of the news department from business department. Doing so will help to keep the editorial independence of the editor for long.

2.4. Summary

The two theories used as a pillar for this research, namely libertarian and social responsibility theories have similar stand with regard to media freedom but they vary in

their way of how to look after it. Libertarians urge the government to stay away from media scene even when the media is at stake, for example at the time of ownership influence. They believe that readers are there to evaluate the credibility of a given media output. Moreover, they can be used as a check and balance to function the media properly. Their theory lays on the assumption that ownership interest from editorial can be protected through the ethics of the business. Social responsibility theory on the other hand, fears that the free media may deny the needed independence, and should be prescribed to the best of the public.

Commercialism, in which media contents start to reflect the profit-seeking goals of media, and concentration, in which various media houses owned by a few individuals, are becoming the realities of the contemporary world media. This obviously put the libertarian theory into questions. According to this theory, the free market of ideas leads to diverse and competitive media. However, the concentration and commercialization of media become a threat to diversified ideas and this in turn lead to the domination of the few and the gradual degradation of the autonomy of editors on the content.

Hodgson (1996:69) believes that the now editors are by far freer from proprietor's intrusion than they were fifty or even twenty-five years ago. However, due to high business pressures that flood into the newsroom, editors obviously will face tough challenges from within their employers, even today. This in turn may leads to biased, unbalanced, partial, and unprofessional newspaper outputs.

2.5. The Ethiopian private press overview

The establishment of the first printing press, *Berhanena Selam*, in 1923 by Emperor Haile Selassie-I, is deemed as the cornerstone for the Ethiopian press history. The first official Amharic newspaper for the country had also named after this printing organization. However, it is after the Press Freedom Bill proclamation in October 1992 by the Transitional Government of Ethiopian (TGE), that the proliferation of private media comes to the scene unlike before. The document asserted freedom of the press and prohibited any censorship and restriction. It also guaranteed the right of access, obtain, and report news and information (Hallelujah, 2008:19).

According to a report by the Population Media Center, (2000) just after this historic proclamation up until February 2005, more than 630 newspapers and 130 magazines had taken press license, from which 401 newspapers and 130 magazines have been published and circulated. However, the report reveals that due to various reasons most newly established private newspapers found short-lived.

Content wise, the Ethiopian private newspapers can be categorized mainly into two broad categories. Those papers focusing on economic social and political issues at the same time can be called general interest newspapers. More than 48 percent of the papers lay in this category. On the other hand, newspapers focusing on especial issues like health, sport, fashion, or religion could be categorized as special interest newspapers. These constitute only 42 percent (Ethiopian Mass Media profile, 2006).

According to a report by the Ethiopian Broadcast Authority, (April 2009), there are 32 private newspapers and 16 magazines that currently circulate nationwide. Out of 32 private newspapers, 14 are general interest newspapers (but dominantly political), ten are sport papers, six are religious, and two are medical periodicals. All of them are weeklies with three exceptions. Reporter and Ethio-Channel are the two bi-weeklies. There is only one private daily in Ethiopia, *The Daily Monitor*. It is an English newspaper with very limited circulation, which goes not more than five thousand. Its circulation is more of for the consumption of hotel guests and office purposes, since it is more of an advertisement newspaper than news.

The Ethiopian press is characterized by its limited reach. A survey by Population Media Center in (2006) describes this issue as follows.

Newspaper readers are to be found mostly among the elites and urban population representing about 17 percent of the total population of the country. Press coverage for the remaining 83 percent living in rural areas is severely hampered by high rate of illiteracy. High cost of printing and poor communication between towns and large rural areas has also militated against the development of print medium in Ethiopia. Hence, the number of newspaper circulation of the country is still below two per 1000. This is even lower than the minimum requirement set by UNESCO more than 40 years ago. (Ethiopian Mass Media Profile, 2006: 29)

The Ethiopian private press is often condemned for its sensational reports and unprofessional conducts. Hallelujah (2008) contends that even from the outset, the independent press began its function by being an enemy of the government. Serious lack of professionalism and ethical standards along with abuses of freedom left a scar in new democratic nation. He further argues that in all aspects of the private press, ‘it was difficult to name the press independent as it acted as a political opposition with a massive practice of advocacy journalism and sensationalism’ (Hallelujah, 2008:11).

The post-election period of the 2005 national election had put immense impact on the trend of the current private press of Ethiopia. According to the report by International press institute, ‘The Ethiopian media landscape had faced major fallout from a harsh 2005 crackdown in terms of banned media, control of independent voices, regular blocking of Websites and use of the legal system to stifle journalists who refuse to tow the line’ (IPI, 2008).

A study by Hallelujah (2008) about the Ethiopian private press political history concludes that the private press and the government have never been good friends since the press has always been unethical, irresponsible, and unprofessional. It further argues:

The Ethiopian independent press failed to play its role as an independent institution in the new system as it acted irresponsibly and unprofessionally against internationally accepted ethical and professional yardsticks of journalism. This behavior created a negative state-press relation where one considers the other as an archenemy. (Hallelujah, 2008:11)

2.6. The Ethiopian Media Ownership Patterns

Unlike the western press, which is best characterized by conglomerate and cross-ownership, ultra-business companies with multi-million dollar revenues, the Ethiopian media is known for its petty circulation, tabloid like sizes, deinstitutionalized, self-published ownership, low employment, disorganized management, inconsistent and short-lived.

Gebremedhin(2006:26) notes that “because of lack of transparency around ownership, it is not known whether ownership is diverse or concentrated in a few hands.” Up until recently, most of the Ethiopian press has been owned by individuals who act as owners, CEOs, reporters, as well as editor-in-chief of ‘their’ papers. It was in this year through the new press law that the then omnipotent individual newspaper owners were forced to leave their editorship positions and hire an editor who can be accountable and responsible exclusively, for the whole content of the paper.

By and large, the previous Ethiopian private media houses’ trend of administration could be categorized into three. The overwhelming majority of the newspapers were run by owners who acted as journalists and editors of their paper. However, there were papers run by owners that only take managerial works, leaving the content to editors. There is also the third category in which a group of journalists run and owned the paper and act as owners as well as editors. This situation, however, seems to change very soon following the new media regulation. According to recent Broadcast Authority’s regulation, owners shall not function as editor and deputy editors –in-chief, to guarantee the paper its independence from owners influence.

Therefore, the new media regulation has changed the stereotyped way of administrating media and separated the role of the publisher from the editors and journalists. Following this, publishers can act as only managers and managing editors of their paper, leaving the content matters to editors. The impact of this regulation that might have brought changes on newsroom culture of the private media houses is part of the subject of this study.

CHAPTER THREE

Methodology

Introduction

The previous chapter has attempted to review literatures related to the concept of editorial independence. In this chapter, the methodologies, methods, and data gathering techniques that were used to conduct this research will be discussed. It also refers to literatures to support and introduce the relevant research approaches used in the study.

3.1. Design of the study

The main agenda of this research is to assess the nature of editorial independence that prevails in the Ethiopian private press houses. It examines what sort of relationship really exists between owners and editors in the Ethiopian private press. Thus, the major approach selected to study this research is qualitative one.

Recent years have witnessed a wide choice of qualitative method of research, dominantly for mass communication researches. Jensen and Jankowski (1991: 4) argue that unlike quantitative method, qualitative approaches examine media meaning as a process which is “contextualized and inextricably integrated with wider social and cultural practice”. Both scholars contend that qualitative approach conceived meaning than information, and focuses on the occurrence rather than recurrence.

However, the relevance of each medium depends on the purpose and end goal of the research question. “While the medium of quantitative analysis is numbers and their numerical correlation, the medium of qualitative analysis is human language, expressing the concepts of everyday experience as they pertain to a specific context” (Jensen & Jankowski, 1991:6). Thus, for a research question which deals with the newsroom interaction, particularly editor-publisher relationship in the newsroom, qualitative method is ideal to observe things in their natural context.

Hence, in-depth individual interview, participant and simple observation and document analysis were selected as a major qualitative data gathering tools and implemented for this research.

3.2. Subject of the study and Sampling

The Ethiopian Broadcast Authority (2009) report shows that currently, there are 14 general interest private newspapers that circulate nationwide. Out of these, three Amharic and two English newspapers were selected as sample of the study.

The study applied purposive sampling method to select these five private press houses. Purposive sampling is a type of non-probability sampling in which the researcher uses his or her own judgment in the selection of sample members based on his or her prior knowledge of the subject (Baxter and Babble, 2004:164). Hence, these five newspapers were selected mainly for tactical reasons.

All the selected papers have an average circulation of more than ten thousand, except the English ones. The two English newspapers also have highest circulation record in their category. In addition to this fact, these newspapers are mainly selected based on their previous management structures, i.e. before the new media law started to be implemented. It is assumed that their previous management structure vis-à-vis the current structure partially tell us how the new media law has shaped the media houses. The following paragraphs briefly discuss the profile of the selected periodicals and the rationale for their selection.

Addis Admass: It is a weekly newspaper established some ten years ago. The paper is published and distributed under Admass Advertising Plc. According to the Ethiopian Broadcast Authority (EBA) 2009 report, the paper has the largest average circulation in the country, reaching 27 thousand and five hundred. Admass Advertising Plc owns sister companies like Admass Studio and Admass Graphics that function under the same roof. The paper has a unique administration structure among the selected papers in that, the

owners of the paper did not act as a journalist. This makes the paper peculiar from other private newspapers, because the overwhelming majority of the Ethiopian private newspapers used to be run by their owners who, at the same time, work as editors, Now, though, this situation has changed following the implementation of new media law which separately defines the role of the editors from publishers, vesting them on two separate bodies.

Addis Neger: It is a weekly Saturday newspaper owned and founded by seven journalists. It is published under Addis Neger Publishing Private Limited Company. Though it is a young paper, established just in October 2007, it has ranked second in circulation in the nation, amounting to 27 thousand on the average (EBA, 2009). This paper is unique for its ownership structure from other Ethiopian papers in that it was owned by a group of journalists who also work as sub-editors and reporters. This exceptionality of the paper in its ownership style is believed to create unique kind of interaction in the newsroom. Thus, the newspaper is selected as a sample partially due to the fact that it might reflect how media houses in papers that are owned and run by the same people could safeguard the editorial autonomy of its employees. In Such media houses, the core study point was “Does such kind of ownership blur editorial independence more than other type of ownership?”

Moreover, since the researcher works as freelance journalist in this paper, it gave him firsthand information on how news is produced and influenced by publishers. Hence, this paper also gave the researcher a special opportunity to apply participant observation method.

Ethio-Channel: it is a bi-weekly newspaper with average circulation of 12 thousand. The paper is owned by Z-Media Production and Promotion Agency, a parent company of Samson Advertising. Here, special focus was given to how owners with different interest companies exert pressure or otherwise, and how editors keep their integrity from the surrounding interest groups. The newspaper is found to be ideal to this research in telling

how owners with different business and other interests may safeguard their newspapers and editorial independence of their employees.

Fortune and Capital: Both papers are Sunday English weekly business newspapers with the highest circulation of 7 and 5 thousand, respectively. Capital newspaper is the earlier of the two, found in December, 1998 under Crown Publishing Plc. Fortune newspaper, established in May, 2000 is published and distributed by Independent News & Media Plc.

One of the reasons why both papers are selected is because they reserve huge advertising pages in their weekly publications that range 35-40 pages. Besides, since both papers are dominantly covering business stories, it is not surprising to expect high pressure towards editors. With such huge advertising space and intensive business story coverage, these papers gave the researcher special opportunity to investigate how editors protect their autonomy and how proprietors attempt to guard this independence against such business driven environment.

Since the purpose of this study is to examine the nature of editors' independence and owners' pressure in newspaper houses, the selected newspapers assumed to show different faces of the issue. From the outset of the study, the purposive selections of the papers were meant to investigate such various angles that might arise from their ownership structure and content variations. Moreover, in addition to circulation figures, ownership styles, language of publication and working environment of the papers, time and accessibility has also been taken into account.

3.3. Data gathering techniques

3.3.1. Simple and Participant Observation

Observation is an ideal data gathering tool especially to describe situations in their natural settings. Deacon et al. (1999: 257) points out that this tool is powerful in that it can record scenes in their actuality which could not be recorded otherwise. Newsroom activities including editorial meetings are lively moments which are uneasy to record

them with interview or other similar methods as comprehensively as in observation. For similar reasons, Deacon et al. (1999) further contends that observation gives special opportunity to the researcher because while researching, “The people observed are doing whatever they would be doing anyway” (p.258).

Hence, the researcher uses simple and participant observation method to gather newsroom activities especially while journalists are on editorial meetings and in newsroom activities. All selected newspapers held editorial meetings at least once a week in which all journalists are obliged to attend. Editorial meetings are meant to set agenda for coming issues, after revising the content of the already released issue. Therefore, the blueprint of the coming issue is often decided in editorial meetings. Taking a look at this meeting has depicted about the relationships journalists, editors and owners have among each other. In addition to editorial meetings, newsrooms activities were observed for two weeks in Addis Neger media house, one of the selected samples. The eleventh hours media houses, usually a day before they go to printing, often filled with full of activities. Journalists interact with their editors, editors with their sub-editors and vice-versa. Consequently, the researcher observed a series of ten editorial meetings and had spent a total of four weeks in Addis Neger newsroom as participant observant. Taking a close look at editorial meetings and newsroom activities in their natural settings gave the researcher direct opportunity to study editor- publisher relationship in the selected papers.

As mentioned above, In addition to simple observation technique in the four papers mentioned above, participant observation has also been administered in one of the selected private media houses, Addis Neger, for four weeks time, from April 23rd to 23 of May, 2009.

Participant observation can be one of the most exciting, challenging, and potentially rewarding of all mass communication research methods. Exciting because the method promises to provide a rare look into the inner sanctum of media production...how decisions are made (Hansen et al, 1998:35)

According to Hansen and et al (1998) participant observation draws qualitative meaning with context and interpretations. It records and makes “the invisible visible” (p.43). The fact that the researcher works as a freelance journalist in one of the selected private newspapers, is a good opportunity which would help the researcher to carry out participant observation technique in this paper and, this in turn gives a close eye as to how media decisions are taken.

3.3.2. Individual In-depth interview

With its qualitative nature, in-depth interview go hand in hand with different data gathering tools. Here also, unstructured in-depth interview is conducted to strengthen the data gathered by simple and participant observations. Deacon et al (1999) points out that semi-structured interview gives less concerns for standardisation and control, and give much space to active and open-ended dialogue.

In-depth interview is an important tool in the elaboration of data concerning respondents’ feeling and opinion, as well as value. The researcher used in-depth interview to gather information from editors as well as owners. In the discussion from editors, the core theme of the interview was to find out whether they really enjoy their editorial independence on the content of their paper. If not, what are the challenges that come as a threat from their employers? On the other hand, owners were discussed whether they have granted full independence to their editors and why. At what moments do they really tempted to breach that freedom? What major factors push them to violate the autonomy of their editors? (See discussion points on appendices 2 and 3, please)

Accordingly, within two month’s period, a total of ten editors- in-chief and private newspaper owners were approached and interviewed (See list of key informants on appendix 1, please). The interviews conducted were of semi-structured type. In this type of in-depth interview, informants are encouraged to explain freely what they feel without much restriction and standardization.

3.3.3 Document analysis

Document analysis is one of the methods that are used to gather information while conducting this research. The method specifically helped to substantiate the data, which was gathered through simple and participant observation, as well as individual in-depth interviews. The researcher tried to look at the editorial policy of the two selected private newspapers; since the others either do not have written editorial policy of their own, or just starting to draft one. Moreover, the new Mass Media and Access to Information Proclamation number 590/2008, is analyzed deeply along with the media law of 34/92 and other international media policies and code of conducts. The researcher wished to make Ethiopian journalists' associations' code of conduct part of the discussion, but found to be unavailable. The existing code of conduct is outdated as it was drafted during the Derge regime, and drafting a new code of conduct is underway (Meseret Atalay, personal interview. June 12, 2009).

In general, two media houses' editorial policies, the old and new media laws of the country, Extract of the Criminal Code of Ethiopia: Crimes Related with the Mass Media, some international media regulations in line with other selected international media houses' code of conduct are analyzed in the document analysis section.

3.4 Data Presentation and Analysis

The research design for this study is exclusively qualitative. Therefore, the researcher has attempted to make the result of the data more of explanatory, analytical and interpretative. After holding participant and non-participant observation in a series of editorial meetings, and conducting a thorough interview with private press owners and editors about issues related to the concept of editorial independence, both the observation and interviews were recorded through note taking and audio. Finally, both materials were transcribed and categorized according to their subject area.

Following transcription and categorization thematically, each topic was analyzed in line with two theories that are used as a pillar for the study. The result was finally discussed along with the data found through document analysis.

CHAPTER FOUR

Data Presentation and Analysis

4.1. Introduction

As highlighted in the previous chapters, this study aims to analyze the feature of editorial independence that prevails in the Ethiopian private press media houses, specifically from the point of view of editor – publisher interaction. Thus, this chapter will present data that are collected through observation (simple and participant), document analysis, and individual in-depth interviews, and analyze the findings of the study to answer the core research questions listed in chapter one. The theories and arguments from the review literature chapter are used here as a base for the discussion.

This chapter starts with reviewing the Ethiopian legal documents related to the concept of editorial independence. Then it discusses the press proclamations of the country and code of conducts/ media policies of the selected private media houses. The discussion will wind up after looking at the typical newsroom culture that prevails in the Ethiopian private press.

4.2 Editorial independence and its legal framework in Ethiopia

The idea of editorial independence has been a hot issue in a number of journalism literatures and media related associations. The core point of the debate rotates on the level of right and independence editors shall have over a given periodical. Editors often times complain about the evasion of their editorial rights by owners while the owners claim it is their right to control the content of their property. Editorial independence, as defined and perceived by various journal and newspaper editors have general connotation of the right and authority of editors to publish what they deemed appropriate regardless of the interest of publishers, as long as the material worth journalistic standards.

Hanlin(1992:37), to this effect, questions the extent of the right owners should be given in their own property. This includes:

- Should right of ownership go to right in the editorial sphere?
- Whatever their public promises, should publishers have the right to act as de facto editor-in-chief?
- Could a distinction between management and editorial functions be enforceable by law or in some other way?

The answer to the above questions might depend on the legal system of a country. But answering them seems a very good way to look in to the system that is existent to guarantee editorial independence. In the case of Ethiopia, as a democratic nation with a modern constitution that gives human rights a constitution basis and as such proclaims freedom of press at such a level, tries to place the foundations for how to frame the answers to these concepts.

Though the proclamation for press freedom dates back to 1992, editorial independence as a basic and independent topic of discussion is a recent phenomenon in Ethiopia. But the idea has been developed in the world for quite a long time. As has been seen in the earlier parts of this paper, the whole idea of editorial independence is very basic to the concept of freedom of the press. One cannot be very far from the truth if she/he says there is no press freedom without editorial independence. This is because often times, antagonists of press freedom try to smother the press indirectly by undermining editorial independence of the outlets and their practitioners. For this reason, it becomes necessary to talk about the legal frame under which press freedom in general is to function prior to the discussion of the legal context under which editorial independence functions. This is essential as they are inseparable concepts. Moreover, in addition to editorial independence being one basic element of press freedom, it is one of the major ways how it flows to the ground. Hence, we can say that without looking in to one, it is difficult to understand or place proper basis for the other. Therefore we will start by looking at the constitutional framework and continue to see the proclamation of press freedom and the editorial policies of some papers which will then be followed by discussion about newsroom culture of the paper which the researcher observed.

4.2.1 Constitutional framework

In Ethiopia, giving legal recognition to freedom of expression and the press dated back almost half a century. The first time the word used in the Ethiopian legal system was in the revised constitution of 1955, in its article 4, which clearly declares that “the right of all Ethiopians to free speech and freedom of the press is guaranteed.” But this did not bring about the realization of the rights as no private press flourished at the time. This continued to be true through the Military dictatorial regime of 1987 constitution article 49, which had even more elaborate laws, while the dictatorial regime continued its repressive rule , allowing no second opinion, and of course no private media. Therefore, one could say it is only after the coming in to force of the 1991 transitional government charter that the freedom of the press

started to be realized. The coming of the new democratic political system brought about the emergence of the new private or alleged independent media and the need to regulate it followed. The time is best known for its dramatic mushrooming of the private press. In this time and five years on, 200 private newspapers and 87 private magazines came in to life. (Shimelis, 2000:22)

After the 1992 press proclamation was brought in to force, the 1995 constitution of the FDRE clearly stated press freedom as a basic democratic right of the people of Ethiopia. The constitution did not stop there, in Article 9 (4) of the FDRE constitution, further goes to say that it considers all international agreements the country is a signatory too as part and parcel of the law of the land. This is an important point in relation to our point of discussion because it considers legal developments outside of the country as part of the frame work where even the local or the Ethiopian experience is less developed. This has also allowed the researcher to discuss the international and regional documents with in the constitutional frame work.

With this in mind, the researcher briefly considers, the Universal Declaration of Human Rights, (UDHR) and International Covenant on Civil and Political rights (ICCPR) from the international documents, while the African Charter on Human and People's Rights or what is commonly known as the Banjul Charter will be considered from the regional documents.

Article 19 of the *Universal Declaration of Human Rights*, (UDHR), protects Freedom of expression, as a fundamental human right. It states:

Everyone has the right to freedom of opinion and expression; this right includes the right to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.

Though this is not a binding document, it is said to have gained a status of customary international law and hence morally binding. And Ethiopia as a party to this historical document and the commitment of the constitution that gives international agreement a status of law, abides by the principle set in article 19 of this document. In addition to this, article 13 (2) of the FDRE constitution states that

The fundamental rights and freedoms specified in this Chapter shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights, International Covenants on Human Rights and International instruments adopted by Ethiopia.

The UDHR being clearly mentioned as the basic document of interpretation shows a big commitment on the side of Ethiopia. Hence the idea contained in article 19 of the UDHR, the

freedom to hold opinion, freedom of expression and the right to impart it through any media is seen being repeated in almost exact terms in the constitution.

This idea embodied in the UDHR was, however, given a legally binding effect in the International Covenant on Civil and Political Rights (ICCPR), which Ethiopia ratified in 1993; this document unlike the UDHR imposes formal legal obligations on state parties to respect its provisions. The substantive contents however are not that different from the UDHR. The ICCPR, also at Article 19, guarantees the right to freedom of expression. It states:

- (1) Everyone shall have the right to freedom of opinion.
- (2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice.

The ICCPR unlike the UDHR clearly states some means of expression, among those mentioned is the print media that is in consideration in this paper.

When we come to the regional documents The *African Charter on Human and Peoples' Rights* which Ethiopia ratified in 1998, guarantees the right to freedom of expression in article 9 as follows:

- (1) Every individual shall have the right to receive information.
- (2) Every individual shall have the right to express and disseminate his opinions within the law.

When we come back to the specific article of the FDRE constitution that deals with the freedom of the press, Article 29 guarantees right of thought, opinion, freedom of expression and the press in the following terms, under the title of democratic rights:

1. Everyone has the right to hold opinions without interference.
2. Everyone has right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his choice.

Our constitution in article 29 (1) states that everyone has the right to hold opinion without interference and this is again reasserted in the next sub article as one has not only the right to hold opinion but also to impart that information. This sub article is of particular importance to the researcher as it is the first one to mention writing and the printing press by name. As it clearly states that, inter alia, every one has the right to express their ideas in writing with out any interference of any kind from any one. This means that, not any one, even the owner cannot interfere with this right. This argument would be considered a strong one if one considers that, it is the constitution that is giving the guarantee. The constitution being the supreme law of the land means, the same standard is expected to be applied in all subsidiary legislation and any law or regulation that is contrary to it is considered null. Therefore the constitution sets a firm base for freedom of the press to be respected in all forms and instances.

3. Freedom of the press and other mass media and freedom or artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:

- a) Prohibition of any form of censorship.
- b) Access to information of public interest

This sub article is of particular interest as it deals particularly with the freedom of the press and the mass media. It even goes further to place a prohibition on censorship. When we look at the idea in relation with the idea of editorial independence, it states a basic point. The first important point is it shows how the idea of editorial independence is equivalent to press freedom. That is the interference on the 'freedom from any form of censorship', be it from the owner or any one else, is equivalent to interference with the general idea of press freedom. Usually this seems to be beside the point as censorship is understood in relation with government interference alone. The constitution however does not make ay distinction between government and private interference. But it makes a great effort to guarantee the right. It has gone to great length, to fill all gaps, considering that it does not include interference from owners or other private persons simply sounds like sneaking in unconstitutional ideas through cracks.

Some owners however argue otherwise, they say they have the right to control their papers. As owner they claim to have the right to make sure they know what is on their paper and that they want it there. But this seems against the constitution as well as the present press law that

we are going to see in a moment. As the constitution puts no exceptions, owners or otherwise, thinking along those lines might make one wonder how this is possible constitutionally. They say 'we retain the right to work as editors'. This argument is common with owners, who are journalists by profession and acted as editors-in-chief prior to the coming into force of the new 590/2008 proclamation.

On the other hand, however, some owners argue that though they do not want to go deeply into the content of each article and interfere with the editorial independence of the editors, they say, they at least need to check if the paper's content is of appropriate content. But how this is to be done, or what limits are to be laid down to such a power and what kind of mechanism is to be used in order to make sure the limit is observed might make it unconvincing for the sceptic. Owners, if start approving each page, are not expected to refrain from dictating their editors.

4. In the interest of the free flow of information, ideas and opinions that are essential to 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**.

6. These rights can be limited only through laws which are guided by the principle that **freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed**. Legal limitations can be laid down in order to protect the well being of the youth, and the honour and reputation of individuals. Any propaganda for war, as well as the public expression of opinion intended to injure human dignity, shall be prohibited by law.

The idea contained in these two sub-articles, 4 and 6 clearly shows that freedom of the press is considered basic in the constitution and that it cannot be interfered with by anyone, including the government and/or owners themselves. The value given to it is shown in the legal protection given to it as an institution to make sure that it sustains its diversity and operational independence. Obviously, the practical presence and strength of an institution is dependent on the internal strength of the institution. A given media institution, for instance, comprises of journalists whose job is to disseminate information. If the independence of each journalist is not guaranteed and protected, one cannot claim that the institution is functioning independently, because the independence of that institution for the most part is reflected by the level of independence its stakeholders enjoy. Based on this argument, one could conclude that the diversity of opinion which is basic to the existence of free press, according to sub-

article 4 of the constitution, is based on the principle of editorial independence. After all, the principle of editorial independence is all about the autonomy editors/journalists have against their employers/owners.

This clearly lead us to the idea that unless and otherwise editorial independence is respected, from within or outside, the ideas listed under article 29 (1-6) of the constitution are being violated. For instance, the idea that is declared under sub-article 4 that reads, "...the press shall, as an institution enjoys legal protection to ensure its operational independence and its capacity to entertain diverse opinions" could easily be eroded if owners of the private media deny their editors the autonomy to decide on the content of the paper. In a similar manner, if owners of the media outlets start to censor reports that journalists bring, simply to kill stories that are unfavourable to their personal or other interests, it is clearly the violation of sub-article 2 of this article, which generally talks about freedom of the press in addition to 3 (a), that is particularly about censorship. Ultimately, ideas on such media outlets which censor or deny editorial independence of journalists, will exclusively be those of the owners, and this will in turn, leads to the violation of article 29(4) of the constitution which advocates for the diversity of opinion.

However, the legal protection that is given is not without limits, in 29 (5), of the same is found a clear statement as to how this right is to be limited, it goes on to say that, the legal guarantee could only be taken down by the act of a clear law, and reasons as to content and the point of view expressed can not be reason enough to bring about such limitations. Hence, a clear mention of editorial independence, the owner can not, or any one else for that matter, prohibit the publishing of certain ideas based on how their personal interest might be affected or any other personal reason so long as there is a personal interest in expressing it.

As to the type of limitations that are to be laid down, there are some that might be in clash with some vested rights with in the constitution, while other limitations are already stated with in the same sub article, while still others are to be found in the press proclamation. However the basic document that places the limits is the criminal code of Ethiopia. It deals with the well being of the society as the whole and the reputation of individuals and it also serves as a document that also makes sure the press does its job properly by holding those who go beyond the limit liable. This is provided for in 29 (7) as follows:

7. Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law.

Next if we look at sub-article 5, it directly talks about the government media. It states:

5. Any media financed by or under the control of the State shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinion.

Though this article is towards state media, the principle however can also be applicable to the private media where the owner who is the ultimate authority in this case is also prohibited from preventing the press from entertaining diverse opinions. The next sub-article clearly asserts that the right of journalists cannot be limited by the publisher just because the owners deemed the material as something against his/her interest.

6. These rights can be limited only through laws which are guided by the principle that freedom of expression and information **cannot be limited on account of the content or effect of the point of view expressed**. Legal limitations can be laid down in order to protect the well being of the youth, and the honour and reputation of individuals. Any propaganda for war, as well as the public expression of opinion intended to injure human dignity, shall be prohibited by law.

The above sub-article contains a very basic concept in relation with the idea of editorial independence in that, the journalist should have an independent right to decide on the content of the paper. No one should control what should be published; owners cannot prescribe or affect negatively the diversity of opinions assuming the content will have an effect on their businesses or whatsoever, or because they dislike the point of view of the content. The constitution does not make any distinction what so ever, the owner or any other government organ. Therefore, this principle, stated under sub-article 6, of violating the right is also applicable in the case of owners who try to place undue influence on the editor or try to control the content of the paper.

In general, our constitution talks about freedom of the press in article 29 and states that the press shall enjoy “operational independence”. This may refer to any kind of interference on the work of the media house that might come from within or the government. On the other hand article 29 (6), states that information can not be limited on “account of the content or effect of the point of view expressed.” This also has something to do with the concept of editorial independence as proprietors sometimes might try to limit what story should and

should not be published just to fulfil their personal agenda. Of course, the constitution does not make any clear distinction as to where such interference comes from, but if one looks at articles 42 to 47 of the criminal code which makes the editor solely responsible for crimes that relate to the content of the media, it seems only reasonable to conclude as such.

Having said this, the next step is to look at the media proclamations. As stated earlier in the discussion, the constitution in its article 29(6) recommends the press to enjoy a legal protection. The press is said to enjoy a legal protection as an institution, partly through different legal mechanisms that are to guarantee its independence. One such instrument is the media proclamation.

4.2.2 The Ethiopian media law

4.2.2.1 Press proclamation 34/92

Looking in to that time, the transitional government enacted the freedom of the press proclamation No 34/92. This law was in place until recently when it was almost completely repealed by the new proclamation No. 390/2008, which we are going to look it shortly. Though the proclamation came in to force before the constitution, it is discussed after it in order to take a look at it along side the present press law.

The next big step forward in view of the freedom of the mass media in Ethiopia is proclamation No 34/1992, which was the first proclamation ever, independently meant for to regulate freedom of speech and press freedom, in accordance with the transitional government charter. This was the cornerstone of the legal framework that regulated the freedom of expression and that of the press, in democratic Ethiopian until the recent proclamation that repealed it.

As the proclamation stated in its article 5, sub-article 1, “Any person who is an Ethiopian national may, singly or jointly with other person having Ethiopian nationality, carry on any press activity.” Therefore, this media legislation was the first to attract hundreds of publishers to join the Ethiopian private media scene that was almost inexistent before TGE charter. Hence, this act is “justifiably be referred to as a landmark in the Ethiopian private press.”(Shimelis, 2000:21).

This proclamation, however, does not actually regulate editor – publisher relationship but deals with press freedom in general. According to this press law article 7, sub-article 1;

anyone who wishes to establish newspaper can do so after fulfilling the application which asks:

- a. the name of proprietor of the press; the editor-in-chief- and its deputy;
- b. the type of the press activity;
- c. the address of the press;
- d. the name of the press;
- e. The name and address of the publisher.

Though this press law, requests to indicate the names of the publisher, the editor-in-chief and the deputy editor- in-chief, there is no clear statements as to who has the role of what. Therefore, the culture of the day was owners, more often than not, were allowed to work as chief editors or deputy editors. And there were not clear line between the publisher, the owner, the chief editor and the journalists. Shimelis(2000: 28) noted in his survey of the then eleven Ethiopian private media houses during this proclamation was under function, that in most of the papers, a person simultaneously used to act as proprietor, editor-in-chief, deputy-editor-in-chief, senior reporter, advertisement and circulation manager. This was because the document did not place any particular restrictions on the interference on editorial independence or the role each has to play in the media house.

This situation and trend has continued until the new media law came in to function in December 4th 2008, in which proprietors are prohibited from jumping in into the newsroom.

4.2.2.2 Press proclamation 590/2008

This is the latest media act drafted six years ago and came to force in September 4, 2009, after years of discussions and fierce criticisms. This act is also the first to discuss directly and clearly the issue of editorial independence in more elaborated manner. The main mechanism through which the new proclamation tries to address editorial independence is through the separation of the persons of the editor and the owner. The basis for this differentiation is laid down under Article 2 (11) and (12) of the proclamation where the editor-in-chief is defined as the person with “exclusive editorial control”, while the publisher is said to be the person who “represents, owns, or has a substantial proprietor interests in the mass media”.

11. "Editor-in-chief" is the person who pursuant to article 6 of this proclamation exercises exclusive editorial control.

12. "Publisher" means any person who represents, owns or has a substantial proprietary interest in a mass media or carries on the business of management of mass media.

This separation of the two persons clearly is unique and not an accident but rather shows a policy choice to regulate editorial independence through law. The proclamation further clarifies the delimitation by dealing with the level of involvement of these two persons in articles 6 and 7. Article 6 talking about the duties of the editor-in-chief states that the editor is to be 'designated by the publisher', and supervise the publication, determine the contents, so that nothing will be published in the paper without his permission, even if the story is against the will of the publisher. It further goes to say that "no agreements to this effect shall be made" or will be considered null and void if made. 6 (3) further states that the editor in chief is fully responsible for the contents of the paper.

1/ the mandate of the editor in chief designated by the publisher encompass the power to supervise the publication of the periodical and to determine the contents thereof in such a way that nothing may be printed therein against his will. Any practice or agreement that restricts this power shall be null and void.

Proclamation 590/2008, article 6(1)

In this sub-article, the editor-in-chief is unequivocally the last person with regard to the editorial section of the paper. if the publisher, in any case try to influence the editor –in-chief or the two legal entities agreed implicitly to suppress this act, so that the publisher benefits of having a full control of the content, this agreement "shall be null or void". Therefore, it seems that there is no way for a publisher to go through the content and rule, according to this act.

3/ the editor-in-chief who has been appointed in accordance with sub article (2) of this article, shall have legal responsibility for the content of the mass media outlet and shall, notwithstanding the provisions of sub article(1) of this article, have the **power to veto** the publication of any material.

Ethiopian Broadcast Authority, Shiferaw Solomon further notes the two basic rationales behind the law:

First, this gives the journalist/editor-in-chief legal backing to be able to improve his professional capacity. We support the professional not to bend over with the economic interests of the publisher. If an investor establishes a hospital and there is a professional damage, the MD will be liable professionally, while the investor might be institutionally liable. But there has to be distinction between these two persons. But before you make the editor-in-chief liable for the professional risks he takes you have to give him legal protection to work freely, he has to be independent from people whose goal is profit making. Secondly, if the editor-in-chief acts against the law while acting in his professional capacity, he should be liable for his acts, and if he is out of the country, his deputy will be liable, if he also could not be found or lacks legal capacity, the publisher will be held liable. (Personal interview, May 20, 2009)

But this has not received so much appreciation by almost all publishers and even ironically by some editors-in-chief. The editor-in-chief of the weekly paper Addis Negera, Tamirat Negera, for instance, says:

What this law shows me is when a law is promulgated in Ethiopia it is based on the interest of a few people. It is a law that was designed to push a few people out of the media. How can you tell a medical doctor not to practice medicine in a hospital he established? How can you tell a journalist not to be an editor-in-chief in his paper? I do not believe this lends any support in institutionalizing newspapers. (Personal interview, June 5, 2009)

Some media scholars argue that for the media to function properly, there must be a clear distinction of business and editorial departments. These two arms of the media must interact as state and church relationship. One must not involve the other; and there should be a china wall between the two, though this is not the case in most private media houses (Kruger, 2004:104; Frost, 2000:92).

These two arms of the newspaper have been in the hands of publishers for the last 16 years or so. It was just some 10 months ago that this situation is made to change. However, many publishers stand against it. Owner and managing editor of the weekly Awrabma Times newspaper, Dawit Kebede argues that the new law which prohibits publishers not to run their paper as an editor has no significance and relevance in the Ethiopian private media context. He further notes:

Unlike in the West, those who want to work in the media and establish a newspaper in Ethiopia are people who are, somehow, in touch with the media. Where as, in some other countries, newspaper became billion-dollar business. Hence, there exists a china wall between media moguls and editors. However, we do not need this wall in here. In our case, where we have a publication history of just 17 years, it seems too early to implement this law. People who started the paper have been working as the owners, editors-in-chief, deputy editors, even distributors. The newspaper business is just in the infant stage, and has not yet been institutionalised. (Personal interview, June 2, 2009)

Some media owners even aggressively criticized the law considering it as something that is against article 29 of the constitution, which gives everyone the right to impart information. Tamirat Negera, the former shareholder and now, editor-in-chief of the paper bluntly criticize it saying “I have a blackboard; who the hell is to tell me what to write on it?”

Owners like Dawit Kebede of Awramba Times, also see the regulation as inappropriate which prohibits their freedom of speech approved by the constitution

The 1992 press law has not placed on restriction as to who could be an editor, but the new law has prohibited the owner from becoming the editor. This is against the constitution. In article 29, where the constitution talks about the freedom of expression, it does not group it between those who have money and those who do not; it is generally given to all. So if they want to bring such a change they need to change the constitution (Personal interview, June 2, 2009).

In a similar stand, Amare Aregawi, who owns the bi-weekly Reporter (Amharic) and the weekly, Reporter (English), argues that the new law which bans owners to act as editors is simply unfeasible.

In fact, since most of the owners had been editors in their respective newspapers for so long, almost from the papers' conception up until the new law came in to force, it is not unanticipated to hear concerns from the owners against the regulation. Moreover, the publishers had full control of the editorial as well as the business department of their media houses, and missing their authority, at least in the legal aspect, could not take it something minor.

Frost (2000:92) contends that those journalists responsible for running newspapers could not be driven by profit as their proprietors. As long as they feel they are feeding their readers

good stories, the rest is not their priority. However, as proprietors are primarily business people, they love to control every move of the paper, editorial as well as financial issues.

The unique feature of the Ethiopian private press is that publishers are dominantly journalists. They either work as a journalist before establishing the media house of their own or they had some kind of attachments to the work of the media in their past. Consequently, they should not be regarded as simply business people. Though, they did not go to journalism schools, they are considered to be old hands in the area. Therefore, they like to remain in the editorship title not only to control the content, but beyond that.

Omer Redi, editor-in-chief of the weekly English business newspaper, *Fortune*, believes that “when business people run a paper, probably the standard of a paper may go down. It is very good when people who are /have been journalists run a paper.” This is because, he says, “they help the paper in every way”. (Personal interview, May 25, 2009)

Amare Aregawi, on his side, argues that “some owners might not have any attachment with journalism; they could be simply ‘merchants from Merkato’; their involvement in the content could be harmful”, but he opposes that, “such regulation should not be drafted simply because there exists such owners; there are owners with life long media career.” (Personal interview, June 3, 2009)

Some media practitioners also speculate that prohibiting owners from editorship position might have a fireback effect towards the editors themselves. Tamirat Negera, to this end argues that the law, which was aimed to create empowered editors, has instantly created bogus editors. He further notes:

When you make a law that is not functional, you force people to surge to underground work. The mere making of an editorial law does not guarantee editorial independence. The law itself creates stunt (bogus) editors. The capital owner will not hire an editor who will disobey them and run according to his own will. What this law might bring is an adversary effect. It may stop journalists who have ideas, want to get together and own newspapers. It is going to keep journalist as servants of the people with money. (Tamirat Negera, June 5, 2009)

There are also others that contend the idea of editorial independence could not be realized through enforcing the law. One of those who hold this opinion is Eskinder Nega, A former columnist and a co-owner of *Asqual*, *Minelik* and *Satenawe* newspapers, the editor- in- chief

of the former Abesha newspaper, and Publisher of the former Ethiopis newspaper. He believes that for the media to function as a watchdog, the editorial independence is indispensable. However, he is suspicious of bringing the needed freedom through the law.

The law that the government promulgated, saying an owner should not be an editor, in principle is correct. The paper's editorial independence should not be compromised for anything. But when we ask if editorial independence could be brought through the law, the answer is, it is impossible. Editorial independence is not a mechanical thing, it is an internal matter of the paper, and the government can not interfere and make micro management. (Personal interview, May 6.2009)

Eskindir strongly believes that the concept of editorial independence is "an unwritten law between the publisher and the reader." He further elaborates this idea saying "the readers do not want to be lectured by the owner. The readers always implicitly pledge owners, not to dictate them". According to Eskindir, readers love to see the stand and interest of the owners only on the editorial column of a paper. But if owners keep on reflecting their agenda all over the paper unethically for the reason that they own the paper, "they might risk losing the market". Kittorss and Gordon (1999:220), contrary to Eskindir, argues that audiences do not base their reading on the credibility and ethical appeal of the given media; even they sometimes tend to prefer to more sensational and unethical papers. Therefore, it is hard to see the market having a direct linkage to a medium's ethical level.

Owner of the English weekly, Capital, Tigist Yilma holds similar opinion with Eskindir. She contends that if "a given periodical fails to be a forum for diverse ideas, and start to represent only the proprietor's interest; it is not the law that punish it. According to Tigist, "it is inevitable that readers will gradually boycott the paper." (Personal Interview, May18, 2009).

Tamirat Negera (Addis Neger), Amare Aregawi(Reporter), and Dawit Kebede (Awramba Times) all are disappointed about this law, simply for the reason that the government which failed to give a glimmer of editorial independence for its own media journalists, has no moral ground to do that in private press. Amare argues, "If the government is really concerned about editorial independence, why don't let editors of Addis Zemen and Ethiopian Herald enjoy it first; Why the private media?" (Personal interview, June 3, 2009)

Some private media stakeholders who comments on the new law which defines the role of proprietors, argue that the law is not timely and not the right choice to bring the aspired result

and as a result, it creates editors who are simply loyal to their publisher. Eskindir, who is one of the first publishers and editors of the private media, reminds that appointing a bogus editor is not something that comes following the coming in to force of the new media law. He witness that most of the private newspaper publishers of the early 1990s used to appoint nominal editors just to run away from continuous law suits by prosecutors. One of the renowned publishers of the time, Eskindir Nega reminds those days as:

We used to be publishers and as the same time chief editors of our paper. Earlier on, however, when they imprisoned us repeatedly and will not let us work, we started to hire cover editors. We used to call them “Tapelas” These were people who are ready to be imprisoned and might not know a thing about the paper. We used to pay them just for their willingness to put their name on editor’s post. We need them if we got sued. In doing so, we avoid spending unnecessarily our busy days in court. Moreover, since repeated criminal offence makes one to loss their right to bail, we used to change “Tapelas” editors every now and then. (Personal interview, May 6, 2009)

Ironically, similar trend has been put into practice these days in some of the private media houses following the press law. Owners who are threatened by the new media regulation of losing their editorship positions, has started appointing inactive editors who have no real power in the content of the paper. These editors get the post on the condition that they should be ready to wear their employer’s shoes and run on the truck made by their owners.

Following the new media regulation that empowers the editor with exclusive authority over the content, many media houses adjust their hierarchy in a way the owners can enjoy the same, but indirect control of the content. It was only Addis Admass and Fortune media houses that have not showed a change in their structure as they had appointed non-owner editor even before the regulation; whereas owners of Capital, Addis Neger, and Ethio-Channel newspapers were forced to appoint new individuals, as chief editor and deputy editors-in-chief. However, following this new media regulation, some of these media houses made simply a nominal change in appointing editors-in-chief. Instead of bringing a new empowered editor to the paper, some proprietors appoint individuals who have an implicit ownership status but just for the sake of the regulation, they registered these individuals as chief and deputy chief, as if they have only 2 per cent, and less share.

The new media regulation allows a person to be editor as long as it has less than 2 per cent share. Addis Neger, for instance, used to be owned by seven journalists including the now

editor-in-chief, Tamirat Negera, and deputy editor-in-chief Girma Tesfaw, but when the new regulation came into force, only two of the former owners, Abiy T. Mariam and Mesfin Negash, has been registered as the owner of the paper; whereas, the rest five journalists who used to be owners of the paper became reporters and section editors, simply for strategic reasons. The contemporary Editor-in-chief of the paper, Tamirat Negera, has asserted this fact saying:

Government cannot jump into the newsroom and try to manage things. That is by itself is an intrusion. You cannot bring editorial independence by enforcing the law. If you look at our paper, we were all owners of the paper. When the law came out, we did not hire a new editor. We just shift the ownership to the two of us, and made a strategic shift. That is why I am now working as an editor-in-chief. (Personal interview, June 5, 2009)

Probably, the nominal change made in the private media houses, like in Addis Neger, could be a vivid instance as to how the new media regulation has failed to bring the real change in most of the private media houses, with regard to defining the editor's and owner's responsibility. Other media houses also appointed loyal editors who only have the power to obey their masters over all issues of content. Empowering editors by law might bring long term positive impact in respecting editorial independence. However, the newspaper industry and the working culture in Ethiopian do not seem ready to adopt the new trend, partially because it is premature and partly because the media houses are tiny personal properties of the owners. Eskindir Nega, who spent a couple of decades in the private press as editor and publisher, shares this view.

The history of newspapers shows that newspapers started being owned by one person. When it became profitable, investors joined in, it is then that it moved to market consolidation. By then, Investors put aside a lot of money and hired journalists to do the job. At this point editorial independence started to become an issue. The journalists started to say the owner should not interfere in all editorial activities; he can not make journalists write everything he wants. He will give policy guidelines, and place his own ideas in the editorial column. But if he goes beyond that, he will be punishable by law. In Ethiopia, newspaper did not come to market consolidation. Here, the owner is not simply owner, but he is also a journalist, editor, sales person...of his paper. Therefore, editorial independence cannot be a burning issue. (Personal interview, May 6, 2009)

In most of the time, when the press is starting up, the owner is the journalist. Through time, the paper may penetrate in to the market and become profitable, and then the capitalists come in to the picture. The journalists usually do not have the money to keep the papers going, so they either get in to share holdings with the capitalists or they sell the entire ownership. It is at this stage that the issue of editorial independence may arise. This is due to the fact that the capitalists, with their huge interests, may intrude in to the newsroom and erode journalistic standards.

Eskindir notes that in the Ethiopian free press history, it was two high business people that dared to join the private press; Berhane mewa, with “Dewul” newspaper, and Fisseha Eshetu(Dr.) with “Eletawi Addis”. But both moguls left the newspaper business after a while. Eskindir reminds that one reason for the later to halt the paper was related to the issue of editorial independence. At the time of the late split of TPLF in 2001, publisher of Eletawi Addis, Dr. Fisseha Eshetu, told his journalists to refrain from reporting the issue. But his editors could not agree with his decision. They saw his rule as undermining their editorial independence. (Personal interview, May 6, 2009)

4.2.3 Editorial policies of the media houses

The ideas that are instituted by the international declarations, the constitution and media legislations would be meaningless without the practical realization of the ideas in the operation of the media. We will now go in to examining how these international as well as constitutional ideas of editorial independence are reflected in the editorial policies of the papers considered. We will also make a comparison with other African as well international media policies in this respect by looking at a few examples from a variety of sources that are considered to be representative.

A lot of media houses and journalists’ alliances in various countries have incorporated particular statements in their charters that highlights the significance of editorial independence. The American Society of Newspaper Editors (ASNE) ,for example, in its principle statment article II, declares that the freedom of the press belongs to the people not to the press owners; and to this end, it suggests:

It must be defended against encroachment or assault from any quarter, public or private. Journalists must be constantly alert to see that the

public's business is conducted in public. They must be vigilant against all who would exploit the press for selfish purposes. (ASNE, 1975)

As it reads above, the principle statement recommends journalists to watch out mainly in to their employers for the fear that proprietors might use their media houses for their personal purposes. "Vigilant against all who would exploit the press" also could again interpreted to mean that the public interest and not an individual owners or advertisers interest should guide the paper.

In Sweden how they tried to do it is a bit different. The code of ethics for the press, radio and television drafted and ratified by the Publishers' Club, the Swedish Journalists' Association, and the Swedish Newspaper publishers' Union, in 1978 recommends that journalists should show their trust on the editorial staff than the publishers. Its article 2(1) of the charter which talks about the integrity of journalists asserts that journalists "shall not accept an assignment from anyone outside the editorial staff leaders" (The Cooperation Council of the Sweden Press, 1978). This clearly asserts that the person, who is not in the editorial staff, including the publisher, shall not order the journalists on the content matter.

If we look at an example from Israel, the document of the Press Council of Israel, revised in 1996, states in its article 4(B) that "a newspaper and a journalist shall not refrain from publishing information where there is a public interest in its publication, including for reasons of political, economic or of other pressure or because of boycott or threat of boycott of advertising"(Israel press council,1996). In this idea, especially the last section is relevant to editorial independence that comes from the owner, as it is usually advertising interest that is affected. Owners push against news that might negatively affect the interest of potential advertisers. Where a newspaper has a substantive economic or other interest within or outside the field of communications in a particular matter being reported, it shall make a proper disclosure of that interest in a place adjacent to the said report. This document has a special interest to this research topic in that it describes the situations whereby editorial independence might put in danger. The charter further elaborates under the title "conflict of interest" article 5(B-D), what should be done to this effect:

5. B. A publisher of a newspaper and its owners shall once a year publish a proper disclosure of the substantive business and economic interests which they possess within and outside the field of communications.

5. C. Where a newspaper has a substantive economic or other interest within or outside the field of communications in a particular matter being reported, it shall make a proper disclosure of that interest in a place adjacent to the said report.

5. D. The names of the publisher, the owners and the editor of the newspaper shall appear in every issue thereof.

Israel press council (1996)

In the context of Africa, we find the Guinean Journalists code of ethics adopted by its press council. In article 4, under the topic “ the right to refuse” this document declares:

4. The Right to Refuse:

A journalist has a right to refuse any subordination, any manipulation [sic] that would be contrary to truth, to his own convictions and to the editorial policy of the medium which employs him/her. (The Guinean Journalists Code of Conduct, 2004)

This clearly states that a journalist is independent of even the owner, as it is the editorial policy not any other interest that governs the journalist.

In the case of Nigeria, another example from Africa, the code of ethics for journalist under the title “editorial independence” says, “decisions concerning the content of news should be the responsibility of a professional journalist”(Nigerian journalists’ code of conduct, No.1). This means the writer of the news and its editor should decide on the content. But if we look at our new law and try to see if this independently could provide for a proper safeguard, one can say that, where the owner is a journalist, it is not clear if it could actually bring about independence of other journalists. One could ask if this leaves a room for censorship by the owner.

Yet again with another example from Africa we find the South Africa largest newspaper group which publishes 15 newspapers, Independent Newspapers’ code of conduct in its article 24. It reads that “we report matters regarding ourselves and colleagues with the same vigour and candour as we would other institutions or individuals.”(Independent Newspapers’ code of conduct, 2000). This statement tells us that the newspaper, if necessary, might write about itself unfavourable stories towards the employer. This is usually where the level of editorial independence is measured and tested.

Now, it is particularly important in Ethiopia to check the editorial policies/statement of principles of each paper, as there is no independent regulatory body like media council or a generally applicable code of ethics. Hence the right place to check for the practical existence of editorial independence becomes the media houses. Unfortunately though, most of the media houses even lack in-house code of conduct/ statement of principles; out of the surveyed five media houses, only two of them (Addis Admass and Fortune) have their own code of conduct. Addis Neger for example, claims it has unwritten guiding principles as the staff is well understood each other. The rest argues that they are through developing their own. To this end, Gudeta (2008:71) noted that most of the private presses in Ethiopia have no culture of drafting guiding principles, or code of conducts or editorial policies of their own. He further highlights how ethical issues in these media houses are attempted to resolve. More often than not, he says “ethical issues are usually resolved through oral discussion with colleagues and in editorial meetings.... it is in this particular meeting that pertinent ethical issues and dilemmas are raised and discussed” (P.71).

The idea being placed at an editorial policy or guiding principle level brings it closer to the journalist, forcing the owners to understand and acknowledge it and the journalist to require it.

It seems there is a lack of all the understanding and acknowledgment by the owners and the boldness to require it by the journalists that results in the absence of editorial policies in the private media houses considered. Gudeta (2008) noted to this end:

Most of the codes of conduct are imposed on journalists without their active participation by media owners and chief editors. The active participation of journalists in developing codes of conduct will have a paramount importance in increasing their legitimacy and strict adherence (P.72-73).

We will now look at the editorial policies or code of conducts of the two media houses, Admass and Fortune, and their stands on the issue of editorial independence.

When we look at the editorial policy of the English weekly newspaper, Fortune, the first thing that we see is that, internal obstacles to editorial independence are not clearly dealt with in the editorial policy of the paper. But a constructive reader could infer from the articles in the editorial policy that deal with in “integrity” and “objectivity” sections of the document. Here, the concept of editorial independence has been implied between the lines. This is specifically important in the case of Fortune because it is a business weekly and if one could

specifically look at the preamble where it states “Fortune staff are required to perform with intelligence, objectivity, accuracy and fairness”. Here one can, with out being far from the truth say that, the ideals of objectivity, accuracy or fairness could not be achieved if one is under the influence of any one be it the owner or any other.

The preamble further goes to say that “At no instance shall individual interests conflict or appear to conflict with staff members professional duties at Fortune”. It particularly states that “the integrity of the paper evolves from the integrity of each member of staff.” This last statement of the document seems to be more explanatory towards the concept of editorial independence as there would not be a “free Fortune” unless the existence of a free, autonomous and independent journalists and editors confirmed. Accordingly, this could only be realized through respecting the editorial independence of the practitioners.

Though such indications could be positively interpreted to imply the existence of editorial independence, the omission of the duties and responsibilities of each member of staff and the lack to clear statements to the end of the principle of editorial independence leaves a lacuna in the editorial policy.

On the other hand, if we look at the editorial policy of one of the Amharic weekly Addis Admass, it seems to be a more comprehensive document regarding the concept under discussion. The editorial policy starts to place the basis for editorial independence in the “general editorial policy principles” section. It sets out by saying one of the principles is “to make sure that the paper continues to be free, and defend, by all means possible, all challenges that come on the editorial job of the paper.” It also particularly deals with challenges that might come from advertisers, which is one known area of conflict of interest with owners. The owner’s financial interest might be affected by conflicts with advertiser’s that could come from the content of the paper. This is clearly against the financial base of the paper and has proves to be a fertile ground for owner-editor conflict; and dealing with it clearly in the editorial policy could go a long way in reducing its recurrence if not its eradication.

Another area in the editorial policy of the paper where a safeguard for editorial independence has been placed is in the “work procedures” section of the document. The first principle placed is the separation of the editorial and advertising sections of the paper, which is the most troublesome area of the private media house. This section establishes an editorial board. That is distinctly separated from advertisement section. It is another indication of how the

paper has made a decision on the point. Then it goes to deal with a brief job description of each staff.

Here in the document, the editor-in-chief is made in charge of the editorial section and is given the final authority on the type and content of the paper. In relation with this, in the section that deals with the content of the paper, it is stated that the general content of the paper is the responsibility of the editorial board, which is accountable to the editor-in-chief. The editor-in-chief is made responsible for making sure to the extent possible whether the contents of the paper are accurate and balanced. He is also supposed to make sure that the paper does not become a propaganda tool or a means of attack by any individual or organization. This idea obviously includes owners who might like to use it to achieve their personal goals, and it further goes hand in hand with the press proclamation of the country, in which the editor-in-chief is exclusively empowered, accountable and responsible person regarding for all what appears in the paper.

In the editorial policy of Addis Admass, the owner of the paper comes in to the picture by way of an advisory board. According to this document, the board is to have five members from a variety of professions including law, but is to be headed by the owner. This section again clearly states that, the editor still has the final say in the content of the paper and that the authority of the board relates only to general policy guidelines.

The board is at least to have meetings bi annually. The meeting being prescribed to take place within such interval gives the editorial board, discretion on the content of the paper. Hence, in conclusion it could be said that the paper has properly dealt with the concept of editorial independence, giving it the necessary emphasis and focus it deserves.

4.2.4 Summing up

Generally, the Ethiopian legal documents, from the constitution to the new media regulation, have guaranteed unequivocally the press freedom and specifically the editorial independence. Article 29(6) of the constitution that reads, "... *the press shall, as an institution, enjoy legal protection to ensure its operational independence*", implying that journalists in the private press have the right to function independently without any pressure from the publishers or else one. In similar way, the new media regulation, Freedom of the Mass Media and Access to Information proclamation 590/20008, give a special right and authority to newspaper editors unlike before. The proclamation in its Article 2 (11) clearly empowers the editor-in-

chief over the content by defining it as the person with '*exclusive editorial control*'. In spite of this, owners of the contemporary private media houses seem not ready to leave the scene of their newsrooms due to different reasons. The publishers respond to this law by appointing bogus editors who are willing to obey them at all times. The chief and deputy chief editors who will be liable for all what appears in the content of the paper, kept on being passive and obedient individuals due to the fact that the publisher can fire them if they found to be disobedient.

Most private media houses lack their in-house principle statement, editorial policy, code of conduct etc. Those who own one try to state or at least imply the significance of respecting editorial independence in their respective media houses. However, their newsroom culture is almost contrary to their statement of principle, as we will see in the coming section.

Publishers in the Ethiopian private media houses have resisted the new regulation for different reasons. The fact that most of the publishers in their past were practical journalist and want to remain in their editorial authority rather than being merely publisher or business people; they could not adapt the new law with ease and failed to leave the newsroom in which they brought up with. Besides, the Ethiopian private media house seems too young to build a wall between its editorial and business departments partly due to the fact that the newspaper industry tends to be individual's property rather than an institution with public trust.

4.3 Newsroom culture

In the libertarian theory, as long as the free press does not work for the government, it is generally assumed that the private media is independent. For the libertarians what matters is whether the media is free from the government influence and control or not. Social responsibility theorists, however, assure that being free from the government influence does not necessarily guarantee independence of a given media house. But rather they suggest any mechanism to safeguard the media from its abusers and to function best based on the need of the society, this may include government's supervision, if necessary. The later argument is also supported by this specific research.

The social responsibility theorists criticize the trend of the libertarian press mainly on the point that the free press owners might use their media and power, for their own interest; the owners disseminate their own opinions at the expense of opposing views, through their

editors or by directly intruding in the newsroom. The findings of this research support this contention; especially the data collected through participant and simple observations assert that proprietors are keen to retain their power over the content, despite the fact that the law prohibits them from doing so. The coming three sub-topics will discuss the working culture in the newsrooms, the role of publishers in the media house, and how editorial meetings are conducted in the selected five media houses to further witness how publishers aggressively try to control the content of their respective papers. The data here is dominantly gathered through simple observation of ten series of editorial meetings in five media houses and through employing participant observation method in Addis Neger media house for four weeks time.

4.3.1 Working Environment of the Private Media Houses

Editorial independence, to what ever extent, can only be seen while practically functioning in the real context of the media houses. Here follows the overview of the media houses and review of their working environment.

The Ethiopian private media house is best known for its handful staff, with no or little specialization, poor office equipment, and the resulting tabloid size sheets with very limited circulation, basically confined to major cities. Most papers that have nationwide circulation, reach major cities like Gondar, Jijjiga, and Mekelle, from the capital, one or two days later from their publication day. Most media houses generate their income mainly by leasing their pages for commercials and partly (less than 1 per cent only) through copy selling. For a newspaper that sells a copy for five birr, which is the average price, the media house would earn a profit of 0.10 cents or less on average, based on its page number. Addis Neger newspaper, for example, sells a copy for 5 birr and 4.90 cents will goes to printing cost for 32 pages, and 50 cents goes to main distributors, so practically it is in a loss and only the profit that is collected from ads goes to the media house, as a net profit.

Therefore, commercials are the major and may be even the only means of income for most of the major newspapers. It constitutes 99 per cent of their income. Business newspapers like Fortune and Capital reserve most of their pages, to commercials; out of an average 50 pages or so, 35-40 pages are given to Ads. In these papers, a full page ad costs 3500 including VAT, In Addis Neger, similarly a full page ad costs 2875 birr per issue. These papers seldom receive ready made insertion ads (colorful hard paper ads prepared by the advertiser itself to

be distributed along the paper) and earn 1 birr per copy. Most of the papers are printed in the largest state owned printing house, Birhanina Selam Printing Enterprise, partly due to its less price, giant and efficient machine which can print 10,100 copies per hour. The Enterprise currently owns only two mega printing machines and the Saturday newspapers has to line up early on Friday to get their paper published and reach the readership on time. At times when National Examination papers are on print or if one of the mega machine is failed, only those which came soon can get published, and some Saturday newspapers might be print out on Sundays. The two government dailies, Addis Zemen and Herald, always have a priority in the printing house even if they came late to the spot. For instance, if a private paper is under printing and the two state newspapers came in the middle of the process, it is given that the publishing of the private paper will halt and leave the machine to the state papers.

Private media houses generally pay better salary than the government media. For instance, the weekly Fortune pays 8 thousand birr to an editor-in chief and 6 thousand for deputy editor-in-chief. Addis Neger, Addis Admass, Ethio-Channel and other mainstream media houses pay 3 to 5 thousand for similar posts.

Major newspapers like the ones under study are relatively equipped in a better way. Most of them have five to ten computers, a couple of printers, two or three telephone lines with fair internet access. However, this is only true to the major newspapers. Other media houses which cannot be categorized under mainstream media are poorly equipped. They work in single rooms, a single computer, in suffocating environment. The owners along with two or three staff work on in every aspect of the paper, including reporting, editing, photographing, layout and designing, and sometimes their job goes up to distributing the copies to wholesale centers.

But major private media outlets are relatively well equipped and with bigger offices. Addis Neger, for instance resides in a two story building with well equipped newsroom facilities. Fortune also resides in a comfortable looking newsroom with basic facilities. They pay 15 and 27 thousand for their office rent, respectively. Ethio-channel, Capital, and Addis Admass media houses also reside in villas primarily built for residence. None of the papers however owns their office space. Consequently, some of the media houses might face challenges from house owners at times of political turmoil, or when the owners think the paper featured stories unfavorable to their business or if they believe that the paper which is antagonist to the government might bring spillover effect on them.

These private media houses have a handful of journalists, ranging five to twelve, with no specialization among them. A sports page reporter might be a political page editor or vice versa. One reporter also works in all kinds of pages ranging from economy, social, political, education, sports or entertainment pages. There is no editorship hierarchy which is very common else where. Journalists may directly talk to the proprietor or to the editor-in-chief instead of talking to section editors, about every detail of their story. Addis Neger newspaper has five section editors, namely social page editor, political page editor, economy page editor, news section editor as well as new media editor (website editor). Each reporter is expected to talk to the respective section editors about his/her story, based on the theme of their story. Section editors are also expected to consult the deputy editor-in-chief or the chief editor about a given a story idea; however, the final say always goes to the executive managing editor, who is the co-owner of the paper. In fact, this entire hierarchy is not often practiced presently. Reporters may directly talk to the managing editor or to the executive editor, who are the two registered owners of the newspaper. The editor-in-chief has relatively less say and power in the content of the paper and decision making than the two executive editors, who ultimately are the registered owners of the paper.

The paper has a relatively large number of staff; five editors, two layout and design professionals, six reporters, one cartoonist, five columnists, two salespersons, one printing and publication coordinator and two finance and managing staff. But this is not common in the rest of the major private media houses. Most even lack their own professional photographers, and cartoonists and therefore, reporters have to do it by themselves. And in some media houses, they share tape- recorders and camera from other media houses.

Some of the media houses under the study often undertake their newspaper work along with other comparable business in the same premise or under the same roof. For instance, Addis Admass Plc has sister advertising and recording companies. Consequently, Admass Studio, Admass Graphics, and Admass Advertising parent companies share the same premise for their daily activities. In a similar manner, Samson Advertising shares the newsroom of Ethio-channel news paper, because Z-press, publisher of the newspaper, is a sister company of Samson Advertising. Hence, the paper works in the same roof with the advertising company, Samson advertising. Here it is basic to examine the relationship and the effect on the working environment of the two sister companies, beyond observing owner-editor relationship in the newsrooms.

In the working environment like Ethio-Channel, where the media houses share the same roof with parent companies, it is common to see the two companies support each other in different ways. One way would be promoting the sister company's work through the newspaper. To this effect, new works produced by Samson Advertising get large coverage on the paper, published by a sister company called Z Press and Promotion. New music releases produced by the company get intensive coverage on the ad pages in the newspaper. Moreover, the advertising company helps the owner to establish a good rapport with the business community and this has, at times made the owner to refrain from writing unfavourable stories towards these contacts.

Samson Mamo, the owner of the two companies and managing editor of the paper, also does not deny the negative impact of running an advertising company and a newspaper under the same roof. He says,

We Ethiopians have a close social life .and it gets very difficult to write something negative about someone you have a business relation with. It is difficult to escape such pressure, how do you go and write a negative thing about someone for whom we are working as advertisers, it would be a lie to say we are bold enough to write on such people too, or with the same vigor.
(Personal interview, June 10, 2009)

He then continues to say, "For this reason we planed to separate the two in to different sections working from different places". But if this would have any real impact so long as they are both owned by the same person and editors have no autonomy to decide in the content, is to be questioned.

Addis Admass newspaper also faces similar challenges towards independence. One of the confrontations is that the paper, as in Ethio-channel, works under the same roof with other sister business companies that could be seen as a threat to ideals of the field of journalism as a whole as well as the editors. Admass Studio produces various music and movies by different Ethiopian artists. The paper also dominantly covers such issues related to music and movies as it describes itself as an infotainment (information and entertainment) newspaper. And some of these music and movie pieces that got covered in the paper are produced by the same or sister company and also advertised by sister Advertising Company, Admass Advertising; and same work may get coverage in the paper under commercial and advertorial columns. This phenomenon creates a tense situation among journalists and editors, on how to

handle stories on such productions. This gets even more difficult where criticisms or unfavourable stories are presented towards such pieces.

Solomon Gebre-egziabiher, senior editor of Addis Admass newspaper, however comments otherwise:

I wish the paper works independently from other sister companies. However, we always have ample advertisement; the publishers need not pressure us for the sake of advertising interests or interest from other sister companies. On the other hand, we all want the paper to be profitable; we do not see profit as an enemy of the paper's standard. We want to be profitable equally with the publishers. (Personal interview, May 19, 2009)

In addition, both Addis Admass and Addis Neger, encourage their reporters to hunt for potential advertisers while they are on their job of reporting. Both media houses encourage journalists and editors who were able to convince and bring advertisers to the paper; by paying 10 to 15 percent from the total income of the commercial they brought. Hence no reasonable person could expect editors or writers who have received a lucrative bonus from such ads to have full courage to write unfavourable stories towards potential advertisers and existing customers in that line. As the researcher have learnt and practiced it, there is also a trend among journalists in the Ethiopian private media in which journalists negotiate with business firms to give positive coverage about the organization, and in turn, the firm will give months of ads to the paper. Reporters work as brokers between the firm and the media house. By doing this, it is considered all the business organization, the journalist, and the media house will all benefit.

Kruger (2004:97) notes that business journalists work in high temptation environment and thus, to report fairly could be tough as their way of reporting may move markets instantly.

Pressures from advertisers also become tenses among business newspapers like Capital and Fortune. Umer Redi, the editor-in-chief of the largest weekly business newspaper, Fortune, says:

Especially when you work on a business paper your integrity and editorial independence come to clash with independence in a lot of instances. Some people call me to advertise on our paper and tell me to write a story about their businesses along side. There are people who tell you not to write stories that are not good for their business. In such cases we inform people that the

editorial and the commercial department of the paper are different. (Personal interview, May 25, 2009)

In general, it could be said that the private paper's working environment is full of temptations that undermine and compromise editorial autonomy of editors. Owners of newspapers run other parallel businesses like advertisement and promotion, in the same premise or in the newsroom which create tense environment towards the independence of editors and journalists.

Libertarian press theory contends that the public, as a rational society, is very capable of accepting or rejecting what is true or false; as long as the media is free from any government intervention. However, the reality goes beyond this. Readers might be put in to illusion if they are fed the mix of facts and unfound allegations. If editors are not free and independent in their decision and start to report according to the wishes of owners who have huge business interests, the truthfulness of the output of the media will be at stake.

4.3.2 The practical role of publishers

Shimelis (2000:29) observed the administrative structure in his survey of the Ethiopian private press that exists from 1991-1999. He noted out that the then press has no boundary between management and editorial staff, or rather "extremely diffused". In fact, by then period, there was no media rule that defines the role of publishers and of editors. However, this is not so in the contemporary media regulation.

Freedom of the Mass Media and Access to Information Proclamation 590/2008 in its definition section, defines the publisher as "any person who represents, owns or has a substantial proprietary interest in a mass media or carries on the business of management of mass media". Moreover, she/he has no power to rule on the content as the publisher is obliged in the same document to assign chief editor who will have exclusive power on the content. Nevertheless, the practical reality is diametrically opposite to the regulation, in almost all the private media houses. The exception to this, in this research might be said Addis Admass media house, where the publisher has no or limited involvement in the content. Solomon Gebre-egziabiher, senior editor of the paper notes that the publisher has no place in the content matter at all.

In our paper the owner has never interfered with the content of the paper. There is an editorial policy prepared by the publishers of the paper. Whenever a journalist starts to work here, he has to be willing to abide by that law, after that there is no need for any contact with the owner. The publisher looks at us as partners, she gives us a lot of freedom. The owners are good readers; after the paper comes out in Saturday they call in like any other reader and give comment. (Personal interview, May 19, 2009)

Genet Gossaye, publisher of the paper also asserts similar thought. She notes that the management of the company has no record of ever interfering with the content of the paper. She further notes:

I wish every journalist cares about the financial success of the paper. I do not practice journalism, thus I hire journalists but leave them to do their job with trust. I am the owner of the paper but I know nothing about journalism, I am a business woman so I have no professional ground to undermine their editorial freedom. But I give general guidelines.... But I have never dictated, forced or influenced them. (Personal interview, May 22, 2009)

This is not, however, true to the other media houses under study. For instance, Umer Redi, editor-in-chief of the weekly English newspaper Fortune, admits that the publisher of the paper, Tamirat Gebregiourgis, has a huge involvement in the daily routine of the paper. He confesses that, “even though the new media law prohibits publishers to stay away from the content of the paper, for fear of clash of interest with independence, my boss is not someone to be told so.” He further notes:

In our paper because the owner has worked as a professional journalist for a long time, it makes it easy to work with him, he respects the editorial independence of the journalists. As he is a professional journalist he involves in all aspects of editorial decisions positively. He deals with every story component; he is not someone we can tell to stay away because the law says so. (Personal interview, May 25, 2009)

In a similar manner, the publisher of Awramba Times, Dawit Kebede, admits that his editor-in-chief always consults with him about each story, before it goes to printing.

When I was an editor and owner at the same time, we never publish something because I want it, it is the strength of the news that matters. We publish every story after a lot of discussion and debate. Now, am not the editor-in-chief, but it is our old staff we made the editor and deputy. We just shifted place to fit the requirements of the law; but in reality nothing has changed. We still discuss every issue in detail. Because we have been working together for a

long time we have an understanding of what things we want to focus on, which stories to cover, which news we want to prioritize, it is all the same and known, it is a change of nomenclature alone. (Personal interview, June 2, 2009)

Table 1. The role of publishers in five private newspapers

No.	Publisher's role	Addis Admass	Addis Neger	Ethio-Channel	Fortune	Capital
1	Owner	X	X	X	X	X
2	Editor		X	X	X	X
3	Feature writer		X		X	
4	Manager	X	X	X	X	X
5	Reporter			X		
6	Managing editor		X	X	X	X

Source: Interview with owners and observation of the media houses

In the Ethiopian private press working system, it is almost impossible to get rid of owners from the content of the paper due to mainly two reasons. Firstly, it is very common in the history of newspaper that a journalist starts his/her own paper being owner as well as editor of the paper. Since the private press is just 17 years old, it is not matured enough to the stage of being “a big business”, so that owners will leave the newsroom to professionals and run only the business side of the paper. Publishers in the Ethiopian private press are not merely owners, but journalists too. For instance, owners of different periodicals like Samson Mamo (Ethio-channel), Abiy Tekelemariam and Mesfin Negash (Addis Neger), and Tamirat W/ Giorgis (Fortune) were known journalists in different Ethiopian media scenes before they were able to set up their own papers. Therefore, it is very tough to keep away such personalities or their influence from the newsroom all in all.

Shimelis (2000:28) notes that the private press in Ethiopia has unique organizational structure to run newspaper. With small staff and working journalists, owners engage in overlapping duties that ranges from editorial wing to financial and management arm of the paper.

Dawit Kebede for instance, says the following to this effect:

We do not need a China wall between the editor and I, the editors talk to me about which news to select; this should not be 'the state and church' relationship. If you say the owner's duty is to pay the bill and put the profit in the bank, I do not believe this is a workable idea. (Personal interview, June, 2009)

Eskindir Nega, comments that "In many African countries owners of newspapers are also the editors-in-chief. In our country the idea of newspapers has not reached the stage of market consolidation." He further attests that "If you look at some African countries, like Kenya's Star and Nation, you can clearly see the distinction between the journalist and the publisher, like we see in the West. It is too early to think like that in Ethiopia". (Personal interview, May 6, 2009)

Partly due to the above mentioned reasons, the Ethiopian private media houses are run exclusively by publishers. Samson Mamo, for instance puts what he considers his role in his paper in the following way:

In this newsroom every one is equal .Every journalist is free to write what they believe to be right. Any one could criticize me or others as they like. But I have to look at the final story in order to check for grave mistakes editors may commit, which might cause misunderstanding. (Personal interview, June 10, 2009)

And when asked whose idea is reflected in the paper, he states:

The paper's stand is mainly reflected in the editorial, that stand is mine. I created the paper. It is people who follow my dreams that read the paper. The editor-in-chief would then lead the paper based on my interests. (Personal interview, June 10, 2009)

It gets a little difficult here to understand how an editor- in -chief who is supposed to run the owner's interest could in any way be considered to be free and independent, control the paper in any way let alone lead it, or even . The idea of editorial independence seems to be blurred in many of the papers under discussion even as an idea let alone in practice, as owners do not seem to consider it a big issue and its interference a problem. Publishers sometimes wrongly

assume that appointing editors for the paper by itself is respecting editorial autonomy. Since the new regulation which bans owners from being editors of their paper, media houses have brought to the editor posts some willing individuals who are ready to work according to the will of their masters. Hanlin(1992:45) contends that “proprietors invariably seek to safeguard their position through the appointment of an editor who shares or at least accepts their opinions on general policy.” In this way, publishers try to retain the power they had over the content of their paper.

Publishers in the Ethiopian private media with a few exceptions, approve every page of the paper before it goes to printing. Choose news items for the front page, and guide journalists on what to write, how to write it, and what not to write. Their involvement even goes to the extent of attending important press conferences. Publishers of Addis Neger, Ethio-Channel, and Fortune attend high profile press conferences like the PM’s briefing sessions. Halnin(1992:47) strongly argues that the major strategic decisions of a given media on issues like political alignment can never be left to editors-in-chief even in the well matured mainstream media. According to Halnin, it is given that proprietors in practice could only respect editorial independence of their editors on minor routines of their work and day-to-day matters of style, but they jump into the newsroom to settle the major issues related to their business and political interests.

Some publishers do not want their editors neither to criticize the government nor the oppositions harshly, even if there exists strong evidences to that effect, they fear that their business might be put to risk by such acts. Genet Gossaye, Manager and publisher of Addis Admas, admits that she wants her paper to take “the middle way, rather than confrontation.” Addis Neger is known for its critical comments on political issues towards the government. Even so, there are times the researcher witnessed that owners of the paper disagree with reporters and editors about publishing certain stories, even when they are backed with strong evidence, fearing they may put the paper at risk financially. For example, featuring achievements of the incumbent in front pages is considered to make the circulation lower. At such times, owners of the paper jump in to the newsroom and try their best to persuade sub-editors and/or writers to drop or smooth the tone of the story. When such stories which are considered to affect the circulation of the paper are considered, it is the owners of the paper, not the editor-in-chief who has the power to make the decision. But still, unlike the other newsrooms, Addis Neger’s editors enjoy better editorial independence partially due to the

fact that they are allegedly still owners of the paper, though their names are not listed as owners in the registration form, as they were the owners of the paper before the regulation comes in to effect. It is also in this particular newsroom that the researcher was able to see strong team work and group decisions, though the two owners seems to have a much more strong voice than others as this might be due to the fact that the two have more share than others.

The researcher also witnessed that the publishers, in addition to their direct intrusion to the newsroom, tactically mold, edit, tune and craft the final versions of important stories to their thought and interest. However, reporters in the private media houses do not bravely question, this shift of power, when they learn that the tone and angle of their story is being changed, as long as it is done by the proprietor. Ironically, they boldly question such a move if the same is done by the editor-in-chief. The trend is, however, publishers often edit important stories after the chief editor takes a look at it or the chief editor is assigned to decide on insignificant pages. It is not uncommon to see and hear such claims at the time of editorial meetings. Crafting the reporters' story can be done by the editor-in-chief or deputies after understanding the interest and choice of the proprietor through time. Halnin(1992) notes that:

In the normal news-room procedure, particularly in the popular press, stories from reporters are collated and rewritten for publication by sub-editors and the backbench of senior editorial executives. Political edges can be smoothed new facts inserted, the angle of the story subtly changed. Even before this, the selection of stories to be covered and their assignment to particular journalists can ensure that the political line decided by the proprietor or the presentational angle determined by the editor can be imparted without direct instruction. (p.46)

In all the media houses under discussion, publishers either dictate their editors what to write and how to write it, or tell politely with mutual respect, what they want and do not want on their paper. The editors-in-chief are often times the first to receive this message, but as there is no clear hierarchy in most of the newsrooms, reporters also accustomed to do stories on the basis of the publishers' choice.. Halnin(1992) notes to this end:

While editors certainly bear the burden when relations with proprietors are rough, ordinary staff journalists usually have little scope to challenge the policy of the paper on political or ethical grounds even in normal circumstances.... If difficulties do arise and cannot be resolved in discussion with the editor, reporters have only two choices: to resign or to remove their by-line from the published story. Resignation is, not surprisingly, very much a

last resort: pragmatic acceptance of the statuesque is the way to self-preservation and the safeguarding of employment prospects. (p.45)

The culture of resigning when editorial independence is interfered with is not yet developed in our country. Editors tend to be believed and accepted their role as simply employees of an organization, no more no less. The employers choose what they want and they are there to serve that interest. The power that the law gives is not realized let alone respected. Therefore, editorial independence is not even recognized, by many even in its breach. The media law, which gives exclusive power to editors of the newspaper, has been left aside to become only a paper tiger. However, Ato shiferaw Solomon remarks:

If you look at the criminal law, which talks about crimes related to the mass media, it is the editor –in- chief that is held liable. Therefore it will not be fair not give him protection against the owner and still hold him liable. If you look at the experience of other countries, editors resign when they encounter pressure from owners. Though we might see this in the future with the growth of the industry, we are not at that stage now. (Personal interview, May 20, 2009)

4.3.3 Editorial meetings

Most private media houses have a trend of gathering at least once in a week to plan what to cover in the next issue, to evaluate the already published issue and to assign reporters to respective events and press conferences, if any. It is here that some papers draft what is to appear at the editorial column of the paper, which is conceived to be the stand of the paper. This gathering is commonly called editorial meeting. This special assembly is very important in that it tells more comprehensively the over all look of a paper. It is only the editorial staff along with the owner that is allowed to attend as it is believed the meeting might converse the secrets of the media house. For example, Fortune, Capital, Addis Neger and Addis Admass newspapers don't even allow their important columnists to attend this meeting. The researcher also would like to confess here that it was the most challenging job he had to do, having to convince owners to let him access these meetings. Some have boldly told him that they have a suspicion they might be being spied by the government's security people. Howsoever, the researcher managed to attend ten series of editorial meetings in four different media houses and observed the role publishers have in the overall planning and evaluation process of the papers. Here follows the summary of the observations.

4.3.3.1 Addis Neger

The editorial meeting is held every Sunday (sometimes Monday) from morning till late afternoon. All reporters, layout and design professionals, sub-editor and editors, avail themselves in the meeting. The executive editor and managing editor of the paper also attends the meeting regularly, though they are owners of the newspaper. Most of the time, either the executive editor and co-owner of the paper, Mesfin Negash or deputy editor-in-chief of the paper, Girma Tesfaw heads the meeting. For an hour or so, all members of the meeting forward their evaluation of the previous publication to the chairperson. There is fierce debate and criticism among all participants of the meeting on ideas. But the evaluation part takes less time than the planning.

The second phase of the meeting is planning. Each reporter tells the gathering what he/she plans for the coming issue. Tough questions are raised on the reporter on the value and worth of the planned idea, and evaluated based on the strength of the idea, the level of acceptance it might receive by the readership etc. Finally, a reporter who brought the idea might be told by the respective editors and mainly by the owners some of the following points:

1. The angle of the story
2. The points to include and exclude
3. The tone of the story
4. Whom to talk to and whom to consult, (sometimes this includes addresses of such persons).

In the editorial meetings, it is crystal clear that the editor-in-chief has less voice and acceptance than the two registered owners. However, all of those who are found in the status of editorship (section editors and editors) have substantial say in the assembly. The researcher had noticed that often times, political stories brought by reporters that are believed to be favourable to the incumbent, are more likely made to drop or else the reporter will be recommended to outshine failures than success of the issue. There seems a belief in the house that the duty of the independent press is more of to watchdog and criticize the government than be grateful for.

Owners of the newspaper dominantly take part in every discussion and guide editors to the end, the overall look of the coming paper. These owners are also the renowned political

writers of the paper, and have their permanent column beside their role of heading the two arms of the staff, editorial and management.

4.3.3.2 Addis Admas

Here, unlike the other newspapers considered, the publisher does not attend the editorial meetings, as these meetings exclusively raise content matters of the paper. In this particular media house, it is either the deputy editor-in- chief or the senior editor that heads the meeting. Every Monday afternoon, all reporters are obliged to be present at the meeting. After reviewing the previous issue, everyone puts forward their story ideas for the coming week and based on that, other journalists and editors enrich the idea in different ways. The owner has no representation in the editorial meeting and no reference is made was towards her. Consequently, the business side of the paper like circulation figures, advertisement quantity, and the like were not heard during the researcher's presence. The meetings were brief and purely journalistic, focusing on content only.

4.3.3.3 Fortune

This media house has the longest editorial meeting of all, which have three phases. Evaluation, planning, and follow up. Every Monday, from morning to late afternoon, the evaluation and planning phase is undertaken. Then there is a follow up session every Wednesday. The language of communication in the meeting is usually English. This has its own drawbacks as most of the reporters find it difficult to express their point in English with ease. However it seems the copy editor being a foreigner, might be one reason why the meetings are conducted in English, which is other than the reason that it is an English language weekly.

The publisher of the newspaper chairs these meetings and in his absence, the editor-in-chief takes the centre. The owner is everywhere in the meeting from designing to editing, from story selection to assigning reporters. The owner harshly criticizes reporters on all aspects, from journalistic to technical errors, he seems to be teaching and guiding them in all aspects of their work, as he is one of the veteran journalists in the private media scene. Therefore, he is not perceived by reporters and editors as merely an owner, but a teacher and a veteran editor. This perception could be one reason that makes editors not to claim their autonomy even at the time of ownership pressure and intrusion. His" big image" in the newsroom is reflected even in his absence. The researcher witnessed how reporters take in all what he said

and did on the content. While one of the editorial meetings was underway, a reporter questioned the editor-in-chief about a front page story, featured under his by-line which reads: “Woman files one of the highest civil suits ever, 300 Million Br” (Fortune: Volume 10, Number 483). He claimed that the story is completely changed. The editor-in-chief however, told him that it was the owner’s decision, not his; and this made the reporter to drop his concern.

Incidents like this seem to show that what ever the owner says is considered as right and justifiable. The reporters are there merely to serve the owner and not the reader. The editors also do not mind or even notice their editorial independence as being challenged. Rather challenging the owner is considered as putting their job security at stake.

4.3.3.4 Capital

Similar to Fortune newspaper, editorial meetings in this media house have three phases, namely evaluation, planning and follow up. But unlike Fortune, the three phases are undertaken in three different days. Monday morning is reserved for evaluation and planning, Wednesday morning and Friday morning are reserved for more planning and follow up. The researcher attended two consecutive editorial meetings, one at the presence of the publisher and other at her absence; as she had left the country for a meeting. As the owner was absent at the first editorial meeting, it was chaired by the copy editor who is a British national.

Even in her absence, journalists made her a reference point for their failure and success. On the first editorial meeting she was absent in, journalists use the owners name and her likings to support their arguments. These statements were a direct record from the meeting during the researcher’s presence:

“She likes this chart (budget allocation); we should move this to the front”

“I don’t think she will agree with the theme of this story”

“She told you not to use this colour too much, didn’t she?”

Even if she was physically absent, her voice echoed loud and clear in the newsroom. The strength of a story is proved by attaching her name next to each argument.

The second meeting was held on May 18, 2009 in the presence of the publisher. The editor-in-chief was reported to be out of the country for a long time and the publisher acts as deputy

editor-in-chief of the paper. The publisher declined to comment on why she is assuming both posts. In this meeting, the researcher witnessed that she tells each journalist what to write and how to write it in a military-like command. Issues ranging from letter omission to photo size, content and perspective, and all other minor issues are judged up on by the publisher. She scolds journalists for their failures of what she asked them to. All aspects of the paper from planning, evaluation, follow up, story selection to story placement are monitored and administered by the same publisher. The publisher acts as the master of the newsroom. Every journalist approaches her for tiny journalistic ABCs, seemingly seeking an approval. The researcher has also witnessed that the publisher, after her coming back from abroad, insists her journalists to try their best to write on issues related to the meeting she went on.

During the editorial meetings, journalists poorly try to justify their work and defend their alleged mistakes. They show clear fear and lack of confidence, and apologize for their “unfavourable stories”, if any. The idea of editorial independence in this media house seems to be unheard of. In Capital, there is no other hierarch except the owner and the ‘others’, it is her paper, her content, her choice, written by “others”.

4.4 Summing up

Publishers might exert two kinds of influence over the press, direct and indirect. In the case of Ethiopian private media houses, the later is less observed than the earlier, before and after the implementation of the new regulation. Most owners do not feel bad while jumping in into the job of the editor; they simply feel that they are doing their job. Observations conducted in the selected media houses, during editorial meetings and newsroom activities, witness that publishers participate in every routine of editors, give instructions; and more often than not, they prefer to do all duties of the editor, from story selection to story placement and designing, by themselves.

The researcher has also learnt that most stories in the two English newspapers, Capital and Fortune, are often primarily written by reporters in Amharic language and it is the copy editors who are the native English speakers, along with the publishers that translate these stories in to English. Such incidents obviously let publishers tune, and craft stories towards their interests.

The newsroom culture and working environment of the private press is full of threat for editorial independence of the staff. Publishers, who often hesitate to leave the newsroom to

the chief editors, run parallel business in the middle of the newsroom. Media houses are often times fenced with advertisers and other personal properties of the publisher. Hence, editors and reporters are always tempted to be part of the business. They either hunt potential advertisers through luring them by offering positive story, or refrain from writing unfavourable story towards them; so that they would be able to live peacefully with the publisher. The private media, by and large, is simply a property of an individual, the publisher, and the staff is technically speaking seems to be employees who execute only what is told by the publisher.

Data gathered through observation revealed that in most of the media houses, publishers are kings of the content, even above the editor-in-chief. As most editors work in business-driven environment whereby owners run parallel companies using the newsroom as the head office of the parent companies, this obviously, put journalists' integrity in to question. Publishers, who practically run the content of the paper, also administer the business side of the paper as well as other parent companies, which not only creates tense situation towards the working environment of the editors but it might lead the publishers to abuse the paper only to their business interest.

McQuail (2005:177) argues that the libertarian theory neglects the economic barriers and abusers of media like publishers and advertisers. This press theory does not state a clear answer to: who shall really benefit the right to freedom and to what extent the newspaper proprietor shall dictate its periodical? What about the role and freedom of editors and journalists?"(P.177) Starting up from the shortcomings of this theory, the social responsibility theory comes up with some kind of solution, i.e. the government should somehow prescribe the free press, when it becomes abusive, to safeguard it from owners' pressure. To this end, Lister(2007:3) argues that editorial independence is an absolute non-negotiable; regardless of the ownership patterns, editorial independence must be guaranteed as the Declaration on Principles of Freedom of Expression in Africa states media owners and media professionals should be encouraged to reach agreements to guarantee editorial independence and to prevent commercial considerations from unduly influencing media content. In line with this argument, the Ethiopian press law attempts to protect the editorial staff from the intrusion of publishers who have a primary goal of making business. However, the law in its half a year journey in practice does not seem to bring tangible change in the working culture of the Ethiopian private media houses.

CHAPTER FIVE

Conclusion

This study has been conducted to examine the nature of editorial independence that exists in the Ethiopian private media houses, and to find out whether publishers intrude newsrooms and undermine editorial independence of their editors. To this end, the research took five major private media houses of Ethiopia and closely investigated their working culture. Besides, the researcher implemented simple and participant observations, attended a series of editorial meetings, and conducted in-depth interviews with ten publishers and editors-in-chief. As participant observant, the researcher worked as reporter and editor (informally) in Addis Neger media house for four weeks. The researcher has also consulted some important documents like the Ethiopian media legislations (old and new), code of conducts and editorial policies of two media houses' along with a few international media regulations to further substantiate the findings.

The result of the study shows that contrary to the Ethiopian media law, which clearly places separately the role of the publishers and that of the editors-in-chief stating under article 6, the publishers of most of the private media houses rule, manage, and control the newsrooms of their papers with exclusive supremacy. Publishers act as the “big boss” for the entire content of their newspaper, but appointing “bogus editors” who cannot say a word about the final look of “their” papers, unless they are allowed by their publishers.

In variance to the libertarian theory which dominantly assumes that the free press can be healthy by itself as long as the government keeps itself away from it, this study asserts that, the free press may lose its independence by its own proprietor, and may fail to function properly. Editors-in-chief, though legally empowered as “A person who exercise exclusive editorial control” (Proclamation 590/2008, Part one, No.11) have very little or no authority to rule over the content of the paper. Publishers often lean on editors to manage less sensitive and more of entertainment columns only, and retain the power to decide on decisive contents of the newspaper. Front page news selection and placement

and choice of pictures are the ultimate choices of proprietors. Editors-in-chief are expected to consult proprietors in every decision they take, if any.

As the research found out, Addis Admass, by far, gives much independence to its editors. And the intrusion of publishers on the content of this paper is limited. The publisher, having once established the guidelines and tone of the paper, engages only in the business side of the paper. Where as, in periodicals like Fortune, Capital, Addis Neger, and Ethio-Channel, the publishers are “kings” of the content in their respective newspapers. All of them attend crucial press conferences, write the front page headlines, and decide the angle and tone of each top story, suggest story placement and layout of the paper. Though the extent varies, they all engage in every routine work of the journalists and editors. This newsroom culture is the extension of the former trend that still seems to linger. That is, before the coming into force of the new media law, in which it was possible for publishers to be editors in their papers.

Besides, most of the private media houses are confronted with a clear dilemma from their proprietor’s financial and other personal interests. The line between the advertisement and editorial departments is blurred in most cases, while it has completely disappeared or never thought of in others. Journalists are encouraged by proprietors to attract potential advertiser. This is usually done while working on a report. Some media houses even commissioned their reporters and editors 15 to 20 per cent of the advertisement benefits if they are able to bring a new advertiser. This possibly leads to lack of courage among editors and reporters to write a negative story against the proprietor’s potential customers, i.e. advertisers. It may even be said that they start to share the fears of the owner as they also become financial partners too, or start to have personal interests from the advertiser.

The existence of editorial and advertising departments under the same roof, coupled with the presence of head offices of sister companies in the same premise create a tense and business-driven environment. Proprietors, who are often CEO’s of both the editorial and business arm of the media house, work in an atmosphere that forces them to take into account their business goal before making any decisions on the content of their

newspaper. For reporters and editors, it is also unlikely to be independent amidst such an intertwined environment.

Those Proprietors who act as the practical editors-in-chief of their papers, though behind the curtain, feel alright about their intrusion in the content, most even do not consider it inappropriate. This is due to the fact that most of the proprietors were/are journalists and used to be editors-in-chief before the new law came into force. And they became reluctant to give away their former positions to a strange, just like that. They feel that it is unfair to bring someone strange and let them have the final say on their “own property”. There seems to be unofficial agreement among the medial actors that, the media was working just fine and there was no need to change how it was functioning, hence no, not even those the law is trying to empower show the vigor to challenge it, or see it as a negative in the first place. No one sees the problem or the difference, especially where the owners are practicing journalists as is in most cases.

Editors-in-chief generally are prefer to ‘live in peace’ by writing/working in the interests of the proprietor, though they are more or less conscious about their right of saying no. This is due to the fact that, if they act against the interest of their employers, they know that they might lose their job instantly. Most of them believe that claiming their editorial independence would lead them to be jobless. They claim any types of independence can only be gotten from the person who has the power to fire and hire. This makes them say, though the law is well meaning and is ideal are precious, law can not guarantee editorial independence, as it is impossible to forge a legal system that will bring about a publisher who would not fire those who do not act according to his interests. And so long as that does not exist, all the owners have to do is fire when their arm twisting is not working.

This is made even more difficult where the owners are journalists and turning a blind eye on the contents of the paper is impossible. Hence, as the conclusion indicates editorial independence has not been achieved through the law, as evident from the findings of this study. The industry through its own development should move the stake out of the individual owner and then the need to work in an independent environment. Otherwise

they would say, editorial independence is not, a piece of bread that the government could give out piece by piece, it rather is a big piece of the general system that needs to develop. The law, as it is, will be a big asset for the concept and development of editorial independence, though it is not an end by itself. The public trust, the press council, in-house ethics and statement of principles, strong owners/editors associations, should rule the game that would allow independent media to benefit, pushing others out of the market.

The Ethiopian private media being in its infant stage has not reached a point where it can be called a business, and hence does not abide by most rules of the market/ business. Private press in Ethiopia has been established by individuals who used to be journalists in the various governments or other private press. Therefore, they usually find it unfair to appoint an editor above themselves on “their own property”; while they believe they are fit for the job.

Thus, proprietors often give a military like command to their editors-in-chief and to their reporters, not only about what to write and what not to write, but also how to write it. Most private media houses, especially political newspapers, fear that if they run a story which is contrary to the belief and expectation of their readership, the paper might suffer from lack of readership, and this in turn leads to low circulation record. Therefore, they prefer to listen to the heartbeat of the readership, even if the reality is against what is stated the fact. The owner and managing editor of Ethio-Channel Newspaper, Samson Mamo states this fact by saying “Readers do not even let you appreciate single success of the incumbent, if you do that with courage, they label you as a mouthpiece of the government and this puts the paper at risk of market loss ”.

Therefore, golden standards of journalism like impartiality, truthfulness, fairness and balance will be at stake, as they can be put into practice by editors only when the publisher wants them to. Editors-in-chief, for fear of risking their job have no courage to say “no” to the publishers on any point, despite their indisputable power recognized by law. Owners often times simply change and craft stories to fit their interest without

consulting the writer or even the editor-in-chief. However, both the editors-in-chief and journalists are not willing to question. Ironically, they measure the quality of the piece they present on the basis of the publisher's preference of the given story. Those topics which bring them to the attention and admiration of the proprietors are the ones that are repeatedly picked by most journalists. Publishers also give clues on their general interest and follow that up, or sometimes simply state, which stories journalists should shed positive image on or otherwise.

Theoretically and preferably, a separation of editorial department from management department for a given media helps much to safeguard as well as to expand the editorial autonomy of its practitioners. Especially, this management structure is ideal and recommended in the well developed media which has relatively high number of staff, with corporate management level, and multi business chains with the media being a sideline business. It is undeniable that the existence of a "China Wall" between the two arms of such media and creating a kind of church-state relationship between editors and proprietors perceived to be justifiable in a big media. However, it seems too hypothetical and unpractical in the case of the Ethiopian private media as its founders and owners are everything of their paper; publishers, editors, reporters and sometimes wholesalers. This is partly due to the fact that the Ethiopian private media is just a "nineteen-year old youngster" and "a poor property of poor individuals" who are just trying to nurture it.

The Ethiopian mainstream private media is best characterized by individual property rather than corporate system or wealthy ownership, dependent on petty income from advertisement and copy sell. There is no a single Ethiopian private paper that won a national distribution. All have a very narrow circulation confined only to the major towns of the country. No single Ethiopian paper has a circulation of 50 thousand and above except in few occasions like in election time or at times of political turmoil. There is no a single Ethiopian private paper that is to be called daily. Currently, only two are able to run bi-weekly, and all the rest are weekly newspapers. Almost all Ethiopian private press is also owned by journalists, who are not in the stage to be called a "businessmen."

In modestly developed media of the West, publishers never fail to declare their liberality regarding the editorial autonomy they give to their editors, though they allegedly try to impose their ideology subtly through different mechanisms. This may include appointing editor-in-chief who can fit the publisher's outlook, or hiring their "man" at senior editor position who represent and protect exclusively their interest. Even Some liberal proprietors try to influence the editor-in-chief through gentle persuasion and polite suggestion.

In the Ethiopian private media trend, however, publishers do not try to influence the editors subtly and indirectly. They rather jump into the newsroom directly and involve in every routine of editors. The hesitation and strong resistance of proprietors not to leave their "old throne" in the newsroom, though the media law of the land required them to do so, partially implies that the regulation is untimely and impractical in the Ethiopian private media context. Ironically, the regulation is not applauded by editors-in-chief, in spite of its favor towards them. They commonly perceived it as something like a pie in the sky, since the power of hiring and firing is still remains in the hands of publishers.

Besides, the fact that the Ethiopian private media is a handful in quantity, it is understood that an editor-in-chief who is fired for claiming its right of editorial independence against a publisher will not have a chance of moving to another media house, but quitting the profession. The wide existence of bogus editors-in-chief, commonly known as "Tapelas", in the Ethiopian private press also asserts the aforementioned argument. In fact, nothing can disclose better how the new media law failed to bring the editorial independence in respective media houses than witnessing the influx of "Tapela" editors-in-chief to the Ethiopian press newsrooms whose duties are executing the wish of the proprietor and representing the paper in court.

With all this immaturity of the private press, one cannot say the media law of the country is harsh or wrong regarding its attempt to bring about editorial independence in the newsroom through defining editor-proprietor relationship, as laws by their nature assumed things ahead of time. The Ethiopian private press is in a process of evolution

and growth, financially and professionally, heading to be nervous system of the democratic process of the country. By then, the significance and relevance of the law might be clear and justifiable.

Obviously, the media regulation that wishes to amplify the importance of editorial independence has stated glamorous articles to that effect. However, the law in the last a year and half time only became paper tiger as the executive power of hiring and firing is ultimately in the hands of the proprietors.

Undermining editorial independence aggravates in a situation whereby the public has no way to know who owns a certain media and what other business interests that proprietor has. To add insult to a wound, in a situation where code of conducts and in-house media policies are not in effect as there is no strong professional association and press council which at least would have guided and pursued the media houses to function in a professional way, the private press and its editorial staff may not seem to have another option than being praise prayers of their respective publishers. This might leads to a conclusion which once stated by A.J. Liebling: "Press freedom is guaranteed for those who own one".

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Appendix - 1

List of key informants

1. Amare Aregawi: Manager of Reporter newspaper. Director of HAPI. June 3, 2009.
2. Dawit Kebede: Owner and managing editor of *Awramba Times* newspaper. June 2, 2009.
3. Esikindir Nega: Publisher and editor-in-chief of the former *Ethiopsis* and *Habesha* newspapers. Columnist and co-owner of the former *Asqual*, *Menilik*, and *Satenaw* newspapers: May 6, 2009.
- 4 Genet Gossaye: Owner and manager of *Addis Admas* newspaper. May 22, 2009.
5. Omer Redi: Editor-in-chief, Fortune newspaper. May 25, 2009.
6. Samson Mamo: Co-owner and Managing Director of *Ethio-Channel* newspaper. June 10, 2009.
7. Shiferaw Solomon: Media Expansion Study and Licensing Work Process Coordinator, Ethiopian Broadcasting Authority. May 20, 2009.
8. Solomone Gebregziabher: Senior Editor, *Addis Admas* newspaper, May 19, 2009.
9. Tamirat Negera: editor-in-chief, Addis Neger newspaper, June 5, 2009.
10. Tigist Yilma: Managing Editor and owner, Capital newspaper, May18, 2009.

APPENDIX - 2

Interview guide questions for editors-in-Chief

1. What does the process of doing a story look like in your media house?
2. How do you evaluate and select news items that appear on your paper?
3. What role does the owner/publisher play in the overall functioning of the paper?
4. How has the new media law affected your paper with regard publisher-editor relationship?
5. How do you believe the new media law tries to guarantee editorial independence?
4. Do you real feel fully authorized to have the final say on the matter of content than the publisher?
5. Do you ever have to consult the publisher on issues related to content?
6. Which issues do you think the publisher might be sensitive to? Issues related to his/her personal life, issues related to the publishers' financial interest, issues related to the publisher's political agenda, issues related to ethnic and political matters...etc
7. What acts would you consider as interference on your editorial independence?
8. To what extent would you tolerate interference on your editorial independence?
9. Does the publisher's commercial interest ever overlap with editorial decisions?
10. Could you comment on how editorial independence could better be guaranteed?

APPENDIX - 3

Interview Guide Questions for Publishers

1. How is the culture of your newsroom look like? Who takes what?
2. To what extent do you think your involvement is needed in the newsroom?
3. What changes the new media law brought to your media house in relation to the relationship you and your editors working habit.
4. Who is the real boss in your paper's content?
5. To what extent do you let your editor to rule and command on your paper?
6. How often and why do you browse your paper before it goes to printing?
7. How do you evaluate the new media law its attempt to safeguard the editorial independence of journalists?
8. Has there ever been any temptation of compromising stories which would be against your personal interest? What solution do you take in such incidents?
9. How do you safeguard the newsroom from the advertisement and other business interests of yours?

በየጊዜው ለሚወጣ ህትመት የምዝገባ
የምስክር ወረቀት ጠያቂዎች የሚሞላ
የማመልከቻ ቅጽ

ቅፅ 01

የኢትዮጵያ ብሮድካስት ባለስልጣን

ጥር ዓ.ም.
አዲስ አበባ 1

ቅፅ 01

የኢትዮጵያ ብሮድካስት ባለስልጣን

በየጊዜው ለሚወጣ ህትመት የምዝገባ የምስክር ወረቀት ጠያቂዎች የሚሞላ የማመልከቻ ቅጽ

1. የአመልካች ድርጅት ስም _____

አድራሻ፣ ክልል _____ ፣ ክፍለ ከተማ _____ ፣ ቀበሌ _____ ፣
የቤት ቁ. _____ ፣ ፖ.ሣ.ቁ _____ ስልክ _____ ፣
ፋክስ _____ ፣ ኢሜል _____

2. ቅርንጫፍ ጽ/ቤት ወይም ጽ/ቤቶች ካሉት
2.1. አድራሻ 1

ክልል _____ ፣ ክፍለ ከተማ _____ ፣ ቀበሌ _____ ፣
የቤት ቁ. _____ ፣ ፖ.ሣ.ቁ _____ ስልክ _____ ፣ ፋክስ _____
_____ ፣ ኢሜል _____

2.2. አድራሻ 2

ክልል _____ ፣ ክፍለ ከተማ _____ ፣ ቀበሌ _____ ፣
የቤት ቁ. _____ ፣ ፖ.ሣ.ቁ _____ ስልክ _____ ፣ ፋክስ _____
_____ ፣ ኢሜል _____

2.3. አድራሻ 3

ክልል _____ ፣ ክፍለ ከተማ _____ ፣ ቀበሌ _____ ፣
የቤት ቁ. _____ ፣ ፖ.ሣ.ቁ _____ ስልክ _____ ፣ ፋክስ _____
_____ ፣ ኢሜል _____

3. የአመልካች ድርጅት ህጋዊ አቋም (ከታች ካሉ ሳጥን ውስጥ አንዱ ላይ ምልክት ያድርጉ)

ኃላፊነቱ የተወሰነ የግል ማህበር አክሲዮን ማህበር

ሌላ _____ 2

4. በአመልካች ድርጅት ከሁለት በመቶ (2) የበለጠ የአክሲዮን ድርሻ ያላቸው አባላት ዝርዝር።

ተራ ቁጥር	የአባሉ ስም	አድራሻ	ዜግነት	በድርጅቱ ውስጥ ያለው ካፒታል መጠን በብር	በድርጅቱ ውስጥ ያለው አክሲዮን መጠን በመቶኛ
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APPENDIX - 5

Editorial Policy of Fortune

A Statement of Principles

March 2003

PREAMBLE

Fortune is a newspaper published and distributed by Independent News & Media Plc., a private publisher. It is created with a view that it can contribute to the general economic prosperity of not only Ethiopia, but also other countries in the region as a whole. It believes in the creation and growth of a vibrant private sector that helps bring such prosperity.

It promotes individual accumulation of wealth through legitimate manner. Hence, it aims in popularizing the crucial role a free enterprise system plays in a society. It also recognizes the positive role other stakeholders play to the growth of such sector. As a media organization and a newspaper, it understands its role in collecting and disseminating information relevant to its purpose of existence, in addition to being a forum for constructive debate and exchange of opinion.

In doing so, it promotes a journalism that demands of its practitioners not only industry and knowledge but also the pursuit of a standard of integrity proportionate to the journalist's singular obligation. It believes that our staffs involved in the editorial process of Fortune carry obligations that require them to perform with intelligence, objectivity, accuracy, and fairness.

In no instance shall individual interests conflict or appear to conflict with staff members professional duties at Fortune. The integrity of this newspaper evolves from the integrity of each member of the staff.

To this end Fortune sets forth this Statement of Principles as a standard, encouraging the highest ethical and professional performance.

RESPONSIBILITY:

The primary purpose of gathering and distributing news and opinion by Fortune is to serve the general welfare by informing the public and enabling them to make judgments on the issues of the economy and related issues. Our journalists who abuse the power of their professional role for selfish motives or unworthy purposes are faithless to that public trust.

Fortune was made free not just to inform or serve as a forum for debate but also to bring an independent scrutiny to bear on the forces of power in the society, including the

conduct of official power at all levels of government must avoid impropriety and the appearance of impropriety as well as any conflict of interest or the appearance of conflict. We should neither accept anything nor pursue any activity that might compromise or seem to compromise our integrity.

TRUTH AND ACCURACY:

Good faith with the reader is the foundation of good journalism. Every effort must be made to assure that the news content is accurate, free from bias and in context, and that all sides are presented fairly. Truth is our ultimate goal. Editorials, analytical articles and commentary should be held to the same standards of accuracy with respect to facts as news reports. There should not be any excuse for inaccuracies or lack of thoroughness. Thus, significant errors of fact, as well as errors of omission, should be corrected promptly and prominently.

Objectivity in reporting the news is another goal that serves as the mark of an experienced professional. It is a standard of performance toward which we strive. We honor those who achieve it. Our headlines should be fully warranted by the contents of the articles they accompany. Photographs should give an accurate picture of an event. Partisanship in editorial comment that knowingly departs from the truth violates the spirit of journalism. We should recognize our responsibility for offering informed analysis, comments, and editorial opinion on public events and issues. We accept the obligation to present such material by individuals whose competence, experience, and judgment qualify us for it. Special articles or presentations devoted to advocacy or the writer's own conclusions and interpretations should be labeled as such.

IMPARTIALITY:

To be impartial does not require us to be unquestioning or to refrain from editorial expression. Sound practices, however, demand a clear distinction for the reader between news reports and opinion. Articles that contain opinion or personal interpretation should be clearly identified.

FAIR PLAY:

We should at all times show respect for dignity, privacy, rights, and well being of people encountered in the course of gathering and presenting the news. We respect the rights of people involved in the news, observe the common standards of decency and stand accountable to the public for the fairness and accuracy of our news reports. Persons publicly accused should be given the earliest opportunity to respond, and we should not communicate unofficial charges affecting the reputation or moral character without doing so. We recognize the public's right and encourage to voice its grievances against our reporting. We do encourage open dialogue with our readers.

ETHICS:

Our editors, reporters, columnists, freelancers and all contributors must be free of obligation to any interest other than the public's right to know the truth.

1. Gifts, favors, special treatment or privileges can compromise our integrity. Nothing of value should be accepted.
2. Secondary employment, political involvement, holding public office, and service in community organizations should be avoided if it compromises the integrity of our journalists. We should conduct our personal lives in a manner that protects us from conflict of interest, real or apparent. Our responsibilities to the public are paramount. That is the nature of our profession.
3. So-called news communications from private sources should not be published without substantiation of their claims to news values.
4. We should seek news that serves the public interest, despite the obstacles. We should make constant efforts to assure that the public's business is conducted in public and that public records are open to public inspection.
5. We acknowledge the newsman's ethic of protecting confidential sources of information.
6. No reporter is allowed to show third parties (source, interviewee or any third party out of the editorial members of Fortune) stories before they get published. The editors could consider exceptions when the issue involves clarity of accuracy of stories.
7. Plagiarism is dishonest and unacceptable.

THOROUGH STANDARDS:

We, staff members of Fortune, are not to engage in outside activities which;

- (1) Consist of or include services performed for any medium in competition with Fortune. The first obligation of staff members is to perform the duties for which we are employed by Fortune. Any outside employment should not put us in a possible conflict of interest.
- (2) Exploit our connection with Fortune. We should not use our connections with Fortune to receive any benefit or advantage in commercial transactions or for other personal gain. Example: it is improper to use Fortune letterheads to write a personal complaint to a merchant or public agency. In a personal complaint situation or business transaction, avoid any implication that you are acting for Fortune or threatening to use your newspaper connections for personal gain.
- (3) Are performed for any noncompetitive employer to the embarrassment of Fortune. In any such employment, a staff member's title or assignment at Fortune is not to be exploited. There is a risk of conflict of interest or the appearance of such conflict of interest in work in publicity or public relations, whether paid or unpaid, in involvement in boards of directors, committees, etc., even of charitable and/or boards and commissions having to do with public policy.

We should not serve as official scorers or contest judges or have oilier official involvement in an event Fortune is covering. Staff members faced with such invitations or personal interests should advise, as appropriate, the editorial council.

FREELANCING:

Freelancing for publications not in direct competition with Fortune usually is permissible. Staff members writing or photographing on a continuing basis for a noncompetitive newspaper or magazine should advise the editorial council of such continuing relationships.

CONTESTS:

Staff members may not enter articles or photographs published in the Fortune in contests that are not sponsored by professional journalistic organizations. An exception would be a contest of journalistic excellence sponsored by a foundation deemed by the appropriate editors previously listed to be free of commercial or sell serving interests.

INVESTMENTS:

A stair member could embarrass Fortune business wise and exploit his or her connection with it by having a business relationship with a news source or by making news decisions of that investment. Staff members with investments or business interest in companies should avoid making news decisions that involve businesses in which he or she has a personal investment.

POLITICAL ACTIVITIES:

Our profession demands impartiality. If a staff member is a candidate for public office, whether the office is nonpartisan or unpaid, or is working for pay or as a volunteer, in a political campaign or organization or has a close relative (spouse, parent, child, brother or sister) in a political campaign or organization, the staff member should not report on or make news judgments about such a campaign or organizations if there is a possibility of a conflict of interest or the appearance of a conflict of interest.

A staff member should not display in the news of editorial departments candidate posters or placards supporting or denouncing a candidate, political party or public issue. To do so could give the impression, intended or not, of partiality. No staff member is allowed to impose ones personal subscription of religious or political view on any of the other stall. We do recognize that these are issues that should be contained in our personal space.

RELATIONSHIP:

A member of Fortune staff should not write or photograph or make news judgment about any individual related to him or her (spouse, parent, child, sibling or in-laws), or with whom the staff member has a close personal relationship.

TRAVEL:

Free trips are prohibited except in the circumstances where only with the approval of the editorial council. Allowances and per diems involved in travel for news coverage or background information will be paid by Fortune. Staff members may not use their Fortune connections to solicit trips or special press rates or press fares from airlines or other transport or travel organizations, hotels, agencies and domestic or foreign governments. Staff members are to use common sense and discretion in emergency situations.

TICKETS:

We pay our own expenses to cover the news. It is improper for staff members who are not on assignment to attend events as nonpaying spectators or to accept free meals provided by news-source organizations. Free tickets or passes to sports events, movies, theatrical productions, fairs, circuses, and other events for which the public pays shall not be accepted by staff members and their families. When tickets to such events are delivered to a Fortune editor, the tickets should be returned with a letter courteously declining them and with an explanation of our policy. Staff members who attend the events for professional reasons will pay for tickets and will be reimbursed by Fortune.

Nightclub admission or cover charges and costs of meals and other refreshments incurred in professional work (including for Restaurant Reviews) will be paid by Fortune. When it is socially awkward or even impossible to pay for a meal, refreshments or entertainment, a staff member should use good judgment in how far to go in insisting on paying. When someone insists on buying a staff member a meal or a drink, the staff member should try to reciprocate at a later date.

GIFTS:

We accept no work-connected gifts of significant value. We do not accept free lodging, sample merchandise, special press rates or any other reduced rate or no-pay arrangements not available to the general public. Gifts of insignificant value - key chain, pencil holder, calendar, etc. that are produced and distributed to the general public as promotion materials - may be kept. Gifts of significant value will be returned to the donor with an explanation of our policy. Where it is impractical to return a gift, it will be given to a charity. Gifts of liquor, wine and beer are considered of more than token value and may not be kept. Any gift item that is produced, distributed or on sale by the donor should not be accepted.

BOOKS, RECORDS AND SAMPLE PRODUCTS:

Books and records sent to Fortune for review or sample products sent by manufacturers or agents for media exposure are considered to be news handouts or releases. They are not to be sold. The person to whom the review is assigned may keep a book, a record or a

tape. Books and recordings not reviewed are to go to departmental editors, then to the managing editor's secretary. Staff members may then check out the material from the newsroom resource place. Periodically, the accumulated books and recordings will be sent to charity organizations. Books of reference value (arts, science, architecture, medicine, etc.) that would be helpful to a reporter or editor dealing with such subjects may be kept in such specialists' files at Fortune. This includes the sample products.

MEMBERSHIPS:

Staff members may not accept free or reduced-rate memberships in private clubs or other organizations when such memberships involve or appear to involve a staff member's position at Fortune. Fortune will pay the costs when such memberships are considered by the editors to be necessary for news or editorial purposes. All staff members are required to disclose names of governmental and non-governmental organizations and their roles in them so as to avoid any appearance of conflict of interest in our ability to report. Fortune believes these guidelines should be easily understood. They are not intended to deter any staff member from participating actively in civic or charitable organizations, provided they have no impact on or connection with Fortune. The same applies to political organizations or government advisory boards for the average staff member - but news or editorial members would be expected to refrain if there was a connection with issues covered by our newspaper or if his or her superior did not provide prior clearance.

USE OF PRODUCTS:

Because of their Fortune status, staff members sometimes are offered free or reduced-rate purchase of products, merchandise or services not available to the general public. Staff members should not take advantage of such offers. If there is felt to be a need for clarification, staff members should review the policy with an appropriate editor. Examples of such products include cameras or other photographic equipment and supplies, automobiles, furniture, sporting goods, appliances and clothing. With the permission, as appropriate, of the editorial council, a staff member may use for a short time a product to test or evaluate it for news or feature articles or for photograph.

OWNERSHIP OF WORK PRODUCTS:

Any material produced by a Fortune employee that is within the scope of his or her employment is considered 'work for hire,' whether or not published in Fortune, and copyright belongs to Fortune. Such material may not be sold, licensed, or otherwise authorized for republication except by permission of Fortune and on such terms as it may specify as copyright owner.

First and foremost, all materials by staff members, cartoonists, columnists and contributors or Fortune is deemed to be strictly the newspaper's property. It includes not only the fruits of their own and colleagues' work, but also information on plans for running items and articles on particular companies and industries and advertising schedules in future issues. Such material must never be disclosed to anyone outside the

newspaper, including friends and relatives, viewing information as the newspaper's property should avoid a great many of the obvious pitfalls.

CONTRIBUTIONS:

Fortune does not contribute directly or indirectly to political campaigns or to political parties of groups seeking to raise money for political campaigns or parties, and it does not and will not reimburse any staff member for any political contribution made by him or her.

CONFIDENTIALITY:

Staff members should not use, directly or indirectly, for personal financial gain or other anticipated benefit, any information about Fortune which they obtained in connection with Fortune's employment. Further, employees should not disclose to anyone confidential information obtained in connection with Fortune's employment until such information has been made available to the public.

ACCOUNTABILITY:

All staff members will comply with Fortune's accounting principles, procedures and controls and no false, artificial or misleading entries in our books and records shall be made for any reason whatsoever. No Fortune staff member will (a) issue or authorize any document that is false or misleading; (b) knowingly accept and treat as accurate a false or misleading document prepared by a person outside Fortune; and (c) knowingly make false or misleading statements to our external, internal or other auditors.

EDITORIAL COUNCIL:

The editorial council is composed of the managing editor, the editor-in-chief and the editorial page editor, with the chairpersonship of the managing editor. The above are standards of professional conduct for Fortune editors, reporters, columnist, cartoonists, contributors, freelancers, photographers, designers and staff members that already conform to high standards of journalistic integrity. Though they cannot cover every circumstance or answer every question involving professional conduct, these standards set forth guidelines of honorable conduct and the tone for what is expected of everyone in the news, editorial and other departments. Editors should make sure that columnists, contributors and freelancers whose work appears in the Fortune are not in violation of our policies. These principles are intended to preserve, protect and strengthen the bond of trust and respect between all employees of Fortune and our readers.

APPENDIX - 6

Draft Editorial Policy of Addis Admass

(Translated from Amharic)

Introduction

The name of our paper shall be called Addis Admass.

The paper is based on the vision of a new and better future for our country. The motto of our editorial policy is infotainment. This is about presenting information and entertainment in an interlinked manner.

Content

The focus of the paper will be local entertainment and information. It considers the social, economic, political, cultural, artistic, and entertainment interests of our people. We bring topics that draw the attention of readers. We provide information that gives basic knowledge and create the feeling of responsibility and reasonableness. We will provide concrete information that will generate credible information for which is useful while being entertaining.

We will also make sure the information we provide does not create unnecessary resentment, we will rather focus on making our news appealing through positive and true amusement. We will not be critical of change just because it is new, but at the same time we also know that all that is old is not useless. We will look in to the future and see what is useful while recognizing our history as our basis for the future.

Our content will be balanced and all rounded, incorporating the views of all interested parties. We will also give credit to the privacy of individuals and the well being of the society as a whole. We will also make an effort to avoid emotionalism and reporting based on mass denunciation or praise.

Choice of content

The content of the paper is going to be based on the realistic situations of our society and the life and interests of our people. We will also try to see the direct or indirect relevance of our content to the life, interests and the goals of our society. The internationally renowned principles of news paper content selection of timeliness, proximity, impact and prominence will be used.

Presentation

Our presentation will be artful and attractive manner but that does not go beyond the ideas contained, giving way to the content. And will be presented in a clear and appropriate language. There will be various columns that are devoted to the social,

economic, and cultural and other aspects. We will also use proper language and all mistakes that are seen in the speeches or writings of individuals will be corrected.

We will also use a form of presentation that clearly shows the difference between views and facts. We will also make sure all views that are presented as facts are at least supported with founded in formation and /or in the least leave room for reasonable discussion. General principles of journalism will also be employed to tell advertisement from the main content of the paper.

1. Policy

The policy is based on international principles that are meant to help for general practice of the profession. These are meant to reflect the high moral standard of the profession and the every day activities of the paper are also be designed so as they will practiced with in these ideals.

1.2. Editorial policy and general principles

1. Making sure Addis Admass is out every Saturday morning. In addition trying to arrange the circumstances where it might be possible to have it printed twice a week.

2. Keeping the proud culture and level the paper was based on and gained acceptance on and improving it. Incorporating international developments in the area, in line with the circumstance of our country, we work hard so as to make Addis Admass continue to be the prominent newspaper in the country.

3. To make sure the paper continues to be free, defend any pressures that come on editorial independence of the paper from all and sides. Specially be careful of one sided pressure from advertisers and political organizations that could affect negatively the content of the paper. Ideas that are entertained on the editorial and other columns of the paper would be free from one sided views and unnecessary influences.

4. make sure that the content of the paper are edited based on the international principles of journalistic profession.

5. Presenting news that will help create citizens who have basic understanding on social, economic, artistic, and cultural issues. For this purpose, we follow journalistic principles to present fresh news. Help in creating an informed society by providing legally correct and informative news.

6. Since the oral culture of the society is informative of its every day life, collect information for the infotainment aspect of the paper, from the tails, jocks, idioms and others and present them. This is meant to develop our cultural values in addition to sending information in an easy manner.

7. In addition give columns that invite readers to participate

2. Procedures

2.1. Organization and duties

1. Addis Admass is going to have two departments. These are the editorial and the advertisement departments. The advertisement department will work independently of the editorial department. The editor however has the power to forbid commercials with illegal contents from appearing on the paper. The editorial department led by the editor in chief will prepare news and other columns. The editor will also control and lead the editorial as well as the designing staff.

2.2. Editorial board

The editorial board is permanently led by the editor in chief and the deputy, but it could also be organized to make the reporters and columnists participate.

2.3. Columnists

The duties of columnists are to prepare articles for their column and choose and edit articles they are presented with. Where they are faced with confusing stories, they present them to the editor in chief for decision.

2.4. The editor in chief

The editor has a duty to lead and organize the editorial board and the staff. The editor has a duty to check all the content of the paper is are well edited. The editor has a duty to determine the necessary space for each column.

The final authority to determine the on the content and type of the articles lies with the editor in chief.

2.5. The reporters and other staff

All the staff of the paper has the right to give any ideas and topics that they consider useful to the paper.

2.6. Advisory board

1. The advisory board of the paper gives recommendations about policy matters. It comprises of 5 members and is to be led by the owner and is to comprise of lawyers, media professionals and others with general knowledge on a variety of fields.

2. The members of the media board can in no way be individuals with a particular political view or members of a political party or individuals in similar media works.

3. The editorial board holds meetings at least biannually on topics of general policy matter and gives its advisory opinion.

4. As is stated the editorial board gives advisory opinion only on general policy matters and does not in any way intervene with the editorial freedom of the editor in chief and can in no way give decisions on editorial matters. The final decision on the content of the paper is always the editors.

2.7. The content of the paper

1. The final authority with things that relate to the content of the paper is the editorial boards. The editor in chief has a duty to check that all articles in the paper are balanced and are based on facts. It is also the editor's duty to make sure that the paper does not become the propaganda instrument of any organizations or individuals; in the same respect it should not also be used as an instrument to attack any one.

2. Ideas reflected on the paper do not necessarily reflect the views of the editorial staff.

2.8. Editing

1. Columnists have a duty to edit their articles at least twice before presenting them to the editors.

2. After receiving the articles from the writers the editors give corrections or editing on ideas or wording.

2.9. Affirmation

Reporters and columnists have to clarify information they find from their sources. If there is a difference between the information they were able to confirm and the news item they have to take to the editor for decision on whether it should be published or not. The staff of the paper has a duty to give balanced information and show no favoritism and have also had to introduce them as the staff of Addis Admass news paper.

Duties of the editor

The editor has the following duties in relation with the approach and presentation of the paper.

- Identify and collect topics of interest from reports and all other sources.
- Check for the validity of topics of interest based on international principles of news criteria like relevance, impact and proximity.
- Test topics against the general law and press freedom, and when necessary require the help of a legal professional.

Approach

- Identify better approaches of selecting topics of interest.
- Test the approaches in line with international standards of good journalistic reporting ethics.
- Organize and follow up works.
- Talk about works with the responsible reporters.

Presentation

- Based on the editorial policy make sure that the news criteria and professional ethics are fulfilled and see if coherence, clarity, and readability are seen in addition to other basic principles of editing. And give corrections according to those.
- Make at least two rounds of editing before the paper is ready for publishing.
- In line with the respect that should be paid to the reporters style of writing, making an article fit in to the general picture of the paper and the type of the column, in addition to giving the necessary editorial correction.
- Based on the known presentation and editorial principles, decide on the size of an article, a picture, title, and captions with the help of the lay out designer.



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FEDERAL NEGARIT GAZETA

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

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14th Year No. 64
ADDIS ABABA 4th December, 2008

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PROCLAMATION NO. 590/2008.

የመገናኛ ብዙሃን እና የመረጃ ነፃነትን
ለመደንገግ የወጣ አዋጅ

A PROCLAMATION TO PROVIDE FOR FREEDOM
OF THE MASS MEDIA AND ACCESS TO
INFORMATION

በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ
ሕገ መንግሥት ሀሳብን በነፃ የመግለፅና የመገናኛ
ብዙሃን ነፃነት የተረጋገጠ በመሆኑ፤

WHEREAS, the Constitution of the Federal
Democratic Republic of Ethiopia, guarantee freedom of
expression and of the mass media ;

መገናኛ ብዙሃን በነፃነት ለመንቀሳቀስ ይችላሉ
ዘንድ የቅድሚያ ምርመራ ገደብ እንዳይጣልባቸው
ሕገ-መንግሥቱ ዋስትና የሰጠ መሆኑን በአጽንኦት
በመገንዘብ፤

Noting that, by prohibiting censorship, the
Constitution promotes a free mass media;

የወጣቶችን ደህንነት፣ የሰውነት ክብርና መልካም ስም፣
ብሔራዊ ደህንነትን፣ የህዝብ ሰላምና ፀጥታን እንዲሁም
ሌሎች ተነጻጻሪ መብቶችና ጥቅሞችን ለማስጠበቅ ሲባል በግልጽ
በሚደነገጉ ሕጎች ብቻ ሃሳብን በነፃ በመግለፅና በመገናኛ
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መንግስታዊ መርህ በማረጋገጥ፤

Reaffirming the constitutional principle that
restrictions on freedom of expression and of the mass
media shall only be based on laws which secure and
preserve the wellbeing of the youth, honour and
reputation of persons ,national security , public order
and other overriding rights;

በዜጎች መሀከል በሚደረገው ነፃ የሀሳብና የመረጃ
ለውውጥ እንዲሁም በመገናኛ ብዙሃን የአስራር ነፃነት
ላይ መሰናክል የነበሩ ተቋማዊ እና መዋቅራዊ ችግሮችን
በማስወገድ በነፃ ሀሳብን የመግለፅና የመገናኛ ብዙሃን
ነፃነትን አስመልክቶ ያዳበርናቸውን አዎንታዊ እና ገንቢ ልምዶች
የመጠበቅና ይበልጥ የማጠናከርን አስፈላጊነት በመረዳት፤

Cognizant of the necessity of preserving and
consolidating past achievements and positive practices
pertaining to freedom of expression while removing
structural and institutional impediments that hinder the
independent operation of the mass media and the free
exchange of information and ideas

የንዱ ዋጋ 10.00
Unit

ነጋሪት ጋዜጣ ፖ.ሣ.ቱ. ፱ሺ፩
Negarit G. P.O.Box 80001

በሀገራችን ዴሞክራሲያዊ ስርዓትን ለመገንባት የሚደረገው ጥረት ስኬታማ የሚሆነው መተኪያ የሌለው ታላቅ ሚና መጫወት የሚችል ራሱን በከፍተኛ ስነምግባር በማነፅ በከፍተኛ ሙያዊ ብቃት የሚንቀሳቀስ ነፃና ፈርጆ ብዙ የመገናኛ ብዙሃን ሲኖር ብቻ መሆኑን በመገንዘብ፤

መገናኛ ብዙሀን በሀገ መንግስቱ ለተረጋገጡ መሰረታዊ ነፃነቶችና መብቶች መከበር እንዲሁም ለሰላም፣ ለእኩልነት፣ ለፍትህና ለዴሞክራሲ የቆሙ መሆኑን በመረዳት፤

መገናኛ ብዙሃን አጋላጭ የሆኑትን ጨምሮ መረጃዎችን የመሰብሰብና የማሰራጨት መብት ያላቸው መሆኑን በመገንዘብ፤ በህዝቦች መካከል ነጻ የሃሳብና የመረጃ ልውውጥን የሚያመቻቹትን ዜጎች በነጻ መረጃና አስተያየትን ለመሰብሰብ፣ ለመቀበልና ለማስተላለፍ ያላቸውን መብት ሙሉ በሙሉ እንዲያረጋግጡ የሚያስችላቸው ጤናማ የመረጃ ስርዓት ያፈተገደበ ዲሞክራሲያዊ የህዝብ ውይይት መድረክ በመሆን ለሚያገለግል ነጻ የመገናኛ ብዙሃን ህልውና እጅግ አስፈላጊ መሆኑን በመገንዘብ፤

የመንግስት ግልፅ አሰራር፣ በተለይም የማንኛውም ግለሰብ በመንግስት አካላት እጅ የሚገኙ መረጃዎችን የማግኘት መብት ለዴሞክራሲያዊ ሀብረተሰብ ያለውን መሰረታዊ ጠቀሜታ በመረዳት፤

በሀገመንግስቱ የተረጋገጡትን ግልፅ የመንግስታዊ አሰራርና የተጠያቂነትን እሴቶች ለማዳበርና ይበልጥ ለማጠናከር እንዲሁም የህዝብ ጥቅምን የሚመለከቱ ጉዳዮች ይፋ ወጥተው ህዝብ እንዲወያይባቸው ለማድረግ ይቻል ዘንድ፤ የመንግስት ኃላፊዎች ለግለሰቦችና ለመገናኛ ብዙሃን መረጃዎችን የማቅረብ ግዴታ በህግ እንዲጣልባቸው ለማድረግ፤

በስራ ላይ ያለውን የፕሬስ አዋጅ በማሻሻል በኢትዮጵያ በመካሄድ ላይ ከሚገኘው ዴሞክራሲያዊ ሥርዓት ግንባታ ጋር በሚጣጣም አዲስ ህግ መተካቱ አስፈላጊ መሆኑን በመረዳት፤

በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገ መንግሥት አንቀጽ ፶፭(፩) መሠረት የሚከተለው ታውጇል፡፡

ክፍል አንድ
ጠቅላላ

፩. አጭር ርዕስ

ይህ አዋጅ "የመገናኛ ብዙሃንና የመረጃ ነፃነት አዋጅ ቁጥር ፳፻፲፱/፳፻፩" ተብሎ ሊጠቀስ ይችላል፡፡

Aware that a free, independent and diverse mass media with high ethical standards and professional competence plays an indispensable role in the national endeavour to build democratic order in Ethiopia;

Recalling the role of the mass media in ensuring respect for the fundamental rights and freedoms guaranteed by the Constitution, and in promoting peace, democracy, equality and justice;

Recognising the right of the media to collect and disseminate information, including of a critical nature; realizing that an independent mass media that serves as a public forum for uninhibited democratic dialogue thrives on a viable freedom of information system that facilitates the free flow of information and ideas among citizens by enabling them to exercise their right to seek, receive and impart information and opinions freely;

Affirming the fundamental importance, in a democracy, transparent conduct of government affairs and, in particular, the right of individuals to access information held by public bodies;

Determined to promote and consolidate the values of transparency and accountability in the conduct of public affairs, as guaranteed by the Constitution, and to impose a legal obligation on public officials to facilitate access to individuals and the mass media to information so that matters of public interest may be disclosed and discussed publicly;

Convinced of the need to amend the existing press law and to replace it by a new law that is commensurable with the ongoing democratic transformation that is taking place in Ethiopia;

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

PART ONE
General Provisions

I. Short Title

This Proclamation may be cited as the "Freedom of the Mass Media and Access to Information Proclamation No. 590/2008"

፩. ትርጓሜ

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡-

፩/ "የመገናኛ ብዙሃን" ማለት በየጊዜው የሚወጡ ህትመቶችንና ብሮድካስቶችን የሚያካትት የህትመት ሥራ ነው፡፡

፪/ "የህትመት ሥራ" ማለት መገናኛ ብዙሃንንና እንዲሁም ለህዝብ እንዲደርሱ ታስበው የሚሰራጩ የሙዚቃ ስራዎችን፣ የአዲዎ፣ የቪዲዮ ወይም የአዲያቪዮዎል ሥራዎችን፣ ስዕሎችን፣ ተውኔቶችን፣ ካርቲኖችን፣ መጽሀፍትን፣ በራሪ ጽሁፎችን፣ ፊልሞችን ፣ ፖስተሮችን፣ የንግድ ማስታወቂያዎችን፣ የዜና አገልግሎትንና ማንኛውም አይነት ሌሎች ህትመቶችን የሚያካትት ሲሆን፤

ሀ/ በሀገር ውስጥ በዳኝነትና በሕግ አስፈጻሚ አካላት ታትመው የሚወጡ ይፋዊ መግለጫዎችን፣ ማስታወቂያዎችን፣ ቃለ ጉባኤዎችን፣ ሪፖርቶችን ወይም ውሳኔዎችን ወይም

ለ/ ለንግድና ለትራንስፖርት ለቤት ውስጥ አገልግሎትና ለማህበራዊ ጉዳዮች ታስበው የሚታተሙ ፎርምዎችን፣ የዋጋ ሰንጠረዦችን፣ የንግድና የቤተሰብ ማስታወቂያዎችን፣ ፖስት ካርዶችን፣ ተባዝተው የሚሸጡ ስእሎችን፣ የንግድና አስተዳደር አመታዊ ሪፖርቶችን ወይም የምርጫ ሰነዶችን፣ አያካትትም፡፡

፫/ "በየጊዜው የሚወጣ ህትመት" ማለት አንድ ቋሚ ስያሜ በመያዝ በተወሰነ የጊዜ ክፍተት ሳይቋረጥ በተከታታይ እንዲወጣ ታቅዶ ቢያንስ በዓመት ሁለት ጊዜ የሚታተም፣ አጠቃላይ ስርጭት ያለውና በጠቅላላው ህብረተሰብ ወይም በአንድ በተወሰነ የህዝብ ክፍል እንዲነበብ ታስቦ የሚሰራጭ ጋዜጦችንና መዕኔቶችን የሚያካትት የሕትመት ሥራ ነው፡፡

፬/ "ብሮድካስተር" ማለት የግል ወይም የመንግስት ድርጅትን ውስጣዊ ግንኙነቶችን የማያካትትና ምድር ለምድር አስተላላፊ ትራንስሚተሮችን፣ ኬብሎችንና ሳተላይትን በመሰሉ ማሰራጨዎች አማካይነት በሬዲዮ ወይም በቴሌቪዥን የብሮድካስት መልእክት መቀበያዎች ወይም በሌላ ኤሌክትሮኒክስ መቀበያዎች አማካይነት በክፍያ ወይም ያለክፍያ የብሮድካስት ፕሮግራሞችን በአንድ ጊዜ ህዝብ እንዲያደምጣቸው እና እንዲመለከታቸው ወይም እንዲሰማቸው የሚያስረጭ ሰው ማለት ነው፡፡

2. Definition

In this proclamation unless the context requires otherwise:

1/ "Mass Media" means printed matter that includes periodicals and broadcasters

2/ "Printed Matter" means all material intended for public distribution, including mass media but also other printed material—including musical works, plays, pictures, cartoons, books, pamphlets, posters and commercial advertisings as well as audio, visual and audiovisual recordings, motion pictures and the likes, excluding;

a) official printed matters, notices, minutes, reports, and decisions of legislative, judicial or executive organs; or

b) materials only intended for the purpose of commerce and transport, domestic and social life, such as forms ,price lists , printed advertising matter, family advertisements, post cards, pictorial reproductions, annual business and administrative reports, as well as election documents.

3/ "Periodical" means printed material which is scheduled to appear in regular sequences of at least twice a year, which has a fixed title and which has a general distribution aimed at the entire public or a section thereof, and includes newspapers and magazines.

4/ "Broadcaster" means a body which disseminates broadcast programming, including through terrestrial transmitters, cable or satellite, for public consumption and for simultaneous reception, whether or not by subscription, through a radio and/or television broadcast receiver or other related electronic equipment, but does not include communications internal to a private organization or a government body.

፩/ "የመንግስት አካል" ማለት በፌዴራል ወይም በክልል ሕገመንግስት ወይም በሌላ ሕግ መሰረት የተቋቋመ ወይም በፌዴራል ወይም በክልል መንግስታት መዋቅር ውስጥ በየትኛውም እርከን ላይ የሚገኝ ወይም በፌዴራል ወይም በክልል መንግስታት የባለቤትነት ይዞታ ስር የሚገኝ ወይም ዋነኛ የፋይናንስ ምንጩን በቀጥታ ወይም በተዘዋዋሪ ከነዚህ አካላት የሚያገኝ ወይም ተጠሪነቱ ለፌዴራል ወይም ለክልል መንግስት የሆነ ማንኛውም አካል ማለት ነው።

፪/ "መረጃ" ማለት በማናቸውም አይነት ቅርፅ የተቀናበረ ማንኛውም ሰነድ ማለት ነው።

፫/ "ሰነድ" ማለት በማንኛውም አካል በማንኛውም ጊዜ የተፈጠረ ወይም የተዘጋጀ ቢሆንም በመንግስት አካል ይዞታና ቁጥጥር ስር የሚገኝ፡-

ሀ/ ማንኛውንም መዝገብ፣ ፋይል፣ በእጅ ወይም በማሽን የተጻፈ ረቂቅ፣

ለ/ ማንኛውንም ማይክሮ ፊልም፣ ማይክሮ ሮፊሽ እና በኤሌክትሮኒክስ ዘዴ የወጣ የመዝገብ ግልባጭ፣

ሐ/ የሳሉ ቢሆኑም ባይሆኑም፣ ማንኛውም በነዚህ ማይክሮፊልሞች ውስጥ ያሉ ምስሎች ቅጅ፣

መ/ በኮምፕዩተር ወይም በሌላ በማንኛውም መሳሪያ በመታገዝ የሚታዩ፣ የሚነበቡ፣ የሚደመጡ ወይም የሚታወቁ መረጃዎችን ወይም

ሠ/ በማንኛውም አይነት ቅርፅ ወይም የማስተላለፊያ ዘዴ የሚገኝ፣ ማንኛውንም መረጃ ያካትታል።

፭/ "የግለሰብ መረጃ" ማለት ተለይቶ የሚታወቅ ግለሰብን የሚመለከት ሆኖ፡-

ሀ/ የግለሰቡን የህክምና፣ የትምህርት ወይም የአካዳሚክ፣ የሥራ አገልግሎት፣ የሙያ፣ የወንጀል ታሪኩን የሚመለከት መረጃን ወይም ግለሰቡ ያደረጋቸውን የንግድ ግንኙነቶች የሚመለከቱ መረጃዎችን ወይም

ለ/ የግለሰቡን ዘር፣ ብሔር፣ ማህበራዊ ምንጩን፣ እድሜ፣ እርግዝና፣ የጋብቻ ሁኔታ፣ የቀዳ ቀለሙን፣ የፍትወት ዝንባሌውን፣ አካላዊና አእምሮአዊ ጤንነቱን፣ የጤና ብቃቱንና ጉድለቶቹን፣ ሀይማኖቱን፣ እምነቱን፣ ህሊናውን፣ ባህሉን፣ ቋንቋውን፣ ልደቱን የሚመለከት መረጃን ወይም

5/ "Public Body" means any body established under the Federal Constitution or state constitution or any other law which forms part of any level or branch of the federal or regional state or owned, controlled or directly or indirectly substantially financed by funds provided by the federal or regional governments or accountable to the federal or regional states

6/ "Information" means any material recorded in any form.

7/ "Record" means regardless of who created it or when it was created, any recorded information in the possession and under the control of a public body and includes:

a) any document, file or manuscript;

b) any microfilm, microfiche or facsimile;

c) any reproduction of images embodied in microfilms, whether enlarged or not;

d) any other information which may be watched, read, listened to or otherwise comprehended only using a computer or any other technical device; or

e) any other information recorded in any other form or medium.

8/ "Personal Information" means information about an identifiable individual, including, but not limited to

a) information relating to the medical, educational or the academic, employment, professional or criminal history, of the individual or information relating to financial transactions in which the individual has been involved;

b) information relating to the ethnic, national or social origin, age, pregnancy, marital status, colour, sexual orientation, physical or mental health, well-being, disability, religion, belief, conscience, culture, language or birth of the individual;

ሐ/ የግለሰቡን የመለያ ቁጥሮች፣ ምልክቶች ወይም ሌላ መለያዎች፣ አድራሻውን፣ አሻራውን ወይም የደሙን አይነት የሚመለከት መረጃን፣ ወይም

መ/ ስለሌላ ግለሰብ ወይም ሌላ ግለሰብ የማእረግ እድገት፣ ሽልማት ወይም የገንዘብ ድጋፍ እንዲያገኝ በቀረበ ሀሳብ ላይ በሰጣቸው አስተያየቶች፣ አመለካከቶች ወይም አማራጭ ሀሳቦች ውስጥ የማይካተቱ የግል አስተያየቶችን፣ ሀሳቦችን ወይም ምርጫዎችን የሚመለከቱ መረጃዎችን፣ ወይም

ሠ/ የአስተያየት ሰነድ ስም የተወገደበትና ግለሰቡን የሚመለከቱ ወይም ግለሰቡ የገንዘብ ድጋፍ፣ ሽልማት ወይም የማእረግ እድገት እንዲያገኝ በቀረበ ሀሳብ ላይ ሌላ ግለሰብ የሰጣቸው የግል አስተያየቶች፣ አመለካከቶች ወይም አማራጭ ሀሳቦችን የያዘ መረጃን፣ ወይም

ረ/ ሌላ ሰው ስለግለሰቡ ያለውን አመለካከት ወይም የሰጠውን አስተያየት የያዘ መረጃን፣ ወይም

ሰ/ ግለሰቡን በሚመለከቱ ግላዊ መረጃዎች ጋር የተያዘውን ወይም መግለፅ በራሱ ግለሰባዊ መረጃን የመግለጽ ውጤትን ሊያስከትል የሚችል የግለሰብን ስም የያዘ መረጃን፣ የሚያካትት ሲሆን በምንም ሁኔታ ከሞተ ጳዓመት የሞላው ግለሰብን የሚመለከት መረጃን ግን አያካትትም።

ዘ/ "ሶስተኛ ወገን " ማለት ከመረጃ ጠያቂው ውጪ ወይም መረጃውን ከተጠየቀው የመንግስት አካል ውጭ የሆነ ማንኛውም ሰው ወይም ማንኛውም የመንግሥት አካል ማለት ሲሆን፣ የውጪ ሀገር መንግሥትን፣ መንግሥታዊ አካልን፣ ድርጅትን ወይም አለም አቀፍ ድርጅት ወይም አካልን ያካትታል።

ረ/ "የጠላትና የአማጺያን እንቅስቃሴዎች" ማለት፡-

ሀ/ በሀገሪቱ ላይ የተቃጣ የወረራ ድርጊት፣

ለ/ በሀገሪቱ ወይም በህዝቡ ወይም በሀገሪቱ ስትራቴጂካዊ ጥቅሞች ላይ ያነጣጠሩ የውስጥ ወይም የውጪ የአሻጥር ወይም የሽብር ተግባራት፣

c) information relating to any identifying number, symbol or other particular assigned to the individual, the address, fingerprints or blood type of the individual;

d) the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;

e) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual;

f) the views or opinions of another individual about the individual or,

g) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual.

but excluding information about a person who passed away before 20 years,

9/ "Third Party", means any person other than the requester or the public body to which the request is made and includes a foreign government, organization, an international organization or an organ of that government or organization

10/ "Hostile or Subversive Activities" means:

a) aggression against the country;

b) any act of sabotage or terrorism aimed at the people or a strategic interest of the country whether inside or outside the country;

ሐ/ ህገ መንግስታዊ ስርዓቱን በኃይል ወይም በአመጽ መለወጥን ዓላማው ያደረገ እንቅስቃሴ፣ ወይም

መ/ ማንኛውም የውጭ ሀገር የስለላ ተግባር ራት ወይም የጠላት እንቅስቃሴ፣ ማለት ነው።

፲፩/ "ዋና አዘጋጅ" ማለት በዚህ አዋጅ በአንቀፅ ፮ በተደነገገው መሰረት ሙሉ የኤዲቶሪያል ስል ጣን ያለው ሰው ነው።

፲፪/ "አሳታሚ" ማለት መገናኛ ብዙኃኑን የሚወክል ወይም መገናኛ ብዙኃኑ ባለቤት የሆነ፣ በድርጅቱ ውስጥ የጎሳ የባለንብረትነት ጥቅም ያለው ወይም የድርጅቱን የሥራ አስተዳደር የሚመራ ማንኛውም ሰው ነው።

፲፫/ "አታሚ" ማለት የህትመት ስራዎችን ለማተም በአሳታሚው የተሾመ ወይም ከአሳታሚው ጋር የተዋዋለ ማንኛውም ሰው ነው።

፲፬/ "አከፋፋይ" ማለት የህትመት ሥራዎችን በጅምላ ለማከፋፈል በአሳታሚው የተሾመ ወይም ከአሳታሚው ጋር የተዋዋለ ሰው ነው።

፲፭/ "አስመጪ" ማለት የመገናኛ ብዙሃን ወጤቶችን ሀገር ውስጥ ለማስረጨት በማሰብ ወደ ሀገር የሚያስገባ ወይም በሀገር ውስጥ የሚሰራጩ የውጭ ህትመቶች ወኪል የሆነ ማንኛውም ሰው ነው።

፲፮/ "የህዝብ እንባ ጠባቂ" ማለት በአዋጅ ቁጥር ፪፻፲፩/፲፱፻፲፪ መሠረት የተቋቋመ የህዝብ እንባ ጠባቂ ተቋም ነው።

፲፯/ "ክልል" ማለት በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ህገ መንግስት አንቀጽ ፵፯ መሰረት የተቋቋመ ክልል ሲሆን ለዚህ አዋጅ አፈጻጸም ሲባል አዲስ አበባና ድሬዳዋን ይጨምራል።

፲፰/ "የህዝብ ግንኙነት ኃላፊ" ማለት የህዝብ ግንኙነት ስራን ለማከናወን በመንግስት አካል የተመደበ ወይም የተሾመ የህዝብ ግንኙነት ኃላፊ ወይም ሌላ ኃላፊ ማለት ነው።

፲፱/ "ሰው" ማለት የተፈጥሮ ሰው ወይም በህግ የሰውነት መብት የተሰጠው አካል ነው።

c) any activity aimed at changing the constitutional order by the use of force or violence; or

d) any foreign or hostile intelligence operation

11/ "Editor-in-chief" means the person who, pursuant to Article 6 of this Proclamation exercises exclusive editorial control.

12/ "Publisher" means any person who, represents, owns or has a substantial proprietary interest in a mass media or carries on the business of management of a mass media.

13/ "Printer" means any person who has been appointed by or enters into a contract with a publisher for the purpose of printing any printing matters.

14/ "Distributor" means any person who has appointed by or enters into a contract with the publisher for the purpose of wholesale distribution of printing matters.

15/ "Importer" means any person who imports mass media products from abroad with a view to distribute them in Ethiopia or who is an agent of foreign publications circulated in Ethiopia.

16/ "Ombudsman" means the Institution of the Ombudsman established under Proclamation No. 211/2000.

17/ "Region" mean a regional state established under Article 47 of the Constitution of the Federal Democratic Republic of Ethiopia. and shall ,for the purpose of this Proclamation ,include Addis Abeba and Diredawa

18/ "Public Relation Officer" mean a public relation officer or any other officer designated by the public body for the purpose of caring out the tasks of a public relation officer under this Proclamation.

19/ "Person" mean a physical or juridical person.

፫. ስለጾታ አገላለጽ

በግልጽ የተደነገገ ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ በወንድ ጾታ የተደነገገው የሴትንም ጾታ ያካትታል።

፬. መገናኛ ብዙሃን ነፃ ስለመሆናቸው

፩/ የመገናኛ ብዙሃን ነፃነት በሕገ መንግሥቱ ፅድቅና አግኝቷል። ቅድመ ምርመራ በግንኛውም መልኩ የተከለከለ ነው።

፪/ በመገናኛ ብዙሃን ነፃነት ላይ ገደቦች የሚጣሉት ሕገ መንግሥቱን መሠረት በማድረግ በሚወጡ ሕጎች ብቻ ይሆናል።

፫/ ግንኛቸውም የመንግስት አካላት የመገናኛ ብዙሃን ማህበራዊ ተግባራቸውን ለመወጣት፡-

ሀ/ ዜና ወይም መረጃን የመሰብሰብ፣ የመቀበልና የማሰራጨት፣

ለ/ በልዩ ልዩ ጉዳዮች ላይ አስተያየት ወይም ትችት የማቅረብ፣ ወይም

ሐ/ የተለያዩ ሌሎች ዘዴዎችን በመጠቀም የሕዝብን አስተያየት በመቅረጽ ሂደት የመሳተፍ፣

መብታቸውን ማክበር ይኖርባቸዋል።

፬/ በዚህ አንቀፅ በንዑስ አንቀጽ /፪/ መሰረት በግልፅ የተደነገጉ ህጎች ከሌሉ በስተቀር የመገናኛ ብዙሃን ነፃነትን የሚያስተጓጉሉ ማናቸውም አስተዳደራዊ ርምጃዎች ተከልክለዋል።

፭. የማሳተምና የመደራጀት ነፃነት

፩/ በዚህ አዋጅ በአንቀፅ ፯ የተደነገገው እንደተጠበቀ ሆኖ ግንኛውም ዜግነቱ ኢትዮጵያዊ የሆነ ሰው የመገናኛ ብዙሃን ስራ የመስራት መብት አለው።

፪/ ጋዜጠኞች በመረጡት የሙያ ማህበር ራሳቸውን የማደራጀት መብት አላቸው።

3. Gender Reference

Unless otherwise expressly provided under this Proclamation provisions referred in the masculine gender shall also apply to the feminine gender.

4. Freedom of Mass Media

1/ Freedom of the mass media is constitutionally guaranteed. Censorship in any form is prohibited.

2/ Restrictions on the freedom of the mass media shall only be made by laws issued in accordance with the Constitution.

3/ All public bodies shall have regard to the right of the mass media, in fulfilling its public function, to:

a) seek, receive and impart news or information;

b) express opinion or criticism on various issues or;

c) participate in the process of forming public opinion through other means.

4/ Unless otherwise stipulated by express provisions of laws enacted in accordance with sub article (2) of this Article, administrative measures that impair freedom of the mass media are forbidden.

5. Right to Publish and Organize

1/ Without prejudice to the provisions of Article 7 of this Proclamation, every Ethiopian national has the right to establish a mass media.

2/ Journalists have a right to organize themselves into professional associations of their choice.

ከፍል ሁለት
በመገናኛ ብዙሃን ሥራ የመሰማራት መብት

፮. ዋና አዘጋጅ

፩/ በመገናኛ ብዙሃን ዋና አዘጋጅነት የሚሾም ሰው ሥዕጣን የሚታተሙትን ህትመቶች ይዘት የመቆጣጠርና ማንኛውም ነገር ያለፈቃዱ እንዳይታተም ማድረግን ያካትታል። ይህን ሥልጣን የሚገድቡ ማንኛውም አሰራሮች ወይም ስምምነቶች በህግ ፊት ውድቅና ፈራሽ ናቸው።

፪/ የመገናኛ ብዙሃን ዋና አዘጋጅ በማንኛውም ምክንያት የተሟላ የህግ ችሎታ የሌለው ከሆነ የተሟላ የህግ ችሎታ ያለው ሃላፊ አዘጋጅ መሾም ይኖርበታል።

፫/ በዚህ አንቀጽ በንዑስ አንቀጽ ፪ መሰረት ለሃላፊነት የተሾመው ዋና አዘጋጅ ለመገናኛ ብዙሃን ውጤት ይዘቶች ሙሉ የህግ ተጠያቂነት ያለበት ሲሆን በዚህ አንቀጽ በንዑስ አንቀጽ ፩ የተደነገገው ቢኖርም ማንኛውም ነገር ያለፈቃዱ ታትሞ እንዳይወጣ የማድረግ ስልጣን አለው።

፯. የመገናኛ ብዙሃን ባለቤትነት

፩/ ለአገር አቀፍ ወይም ቁጥሩ ከ፳፻፲ በላይ የሆነ የተመዘገበ ነዋሪ ለሚገኝ በት አካባቢ ወይም ክልል የብሮድካስት ፈቃድ ከያዘ ከባንያ ጠቅላላ ካፒታል ወይም አክሲዮን ውስጥ በቀጥታም ሆነ በተዘዋዋሪ ውጤታማ ቁጥጥር ያለው ማንኛውም ሰው ተመሳሳይ ፈቃድ በያዘ እና በተመሳሳይ ወይም በተደራራቢ የገበያ አካባቢ የብሮድካስት አገልግሎት ከሚሰጥ ሌላ ከባንያ ጠቅላላ ካፒታል ወይም አክሲዮን ላይ በቀጥታም ሆነ በተዘዋዋሪ ውጤታማ ቁጥጥር ሊኖረው አይችልም።

፪/ ለአገር አቀፍ ወይም ቁጥሩ ከ፳፻፲ በላይ የሆነ የተመዘገበ ነዋሪ ካለበት አካባቢ ወይም ስፍራ የብሮድካስት አገልግሎት ፍቃድ በያዘ ከባንያ ካፒታል ወይም አክሲዮን ላይ በቀጥታ ወይም በተዘዋዋሪ ውጤታማ ቁጥጥር ያለው ማንኛውም ሰው በዚህ አካባቢ ወይም በተደራራቢ የገበያ አካባቢ የሚሰራጭ በየጊዜው የሚወጣ ህትመት ስራን ከሚሰራ ሌላ ማንኛውም ከባንያ ጠቅላላ ካፒታል ወይም አክሲዮን ላይ በቀጥታ ወይም በተዘዋዋሪ ውጤታማ ቁጥጥር ሊኖረው አይችልም።

PART TWO

Right to Engage in Mass Media Activities

6. Editor-in-chief

1/ The mandate of the editor in chief designated by the publisher encompasses the power to supervise the publication of the periodical and to determine the contents thereof in such a way that nothing may be printed therein against his will. Any practice or agreement that restricts this power shall be null and void.

2/ Where the editor-in-chief of a mass media does not, for any reason, have full legal capacity, another editor-in-chief who has full legal capacity shall be appointed .

3/ The editor-in-chief who has been appointed in accordance with sub article (2) of this Article, shall have legal responsibility for the content of the mass media outlet and shall, notwithstanding the provisions of sub article (1) of this Article, have the power to veto the publication of any material.

7. Mass Media Ownership

1/ Any person who exercises direct or indirect effective control over a company possessing a nation- wide broadcasting license or a broadcasting license for an area with a recorded population of more than 100,000 inhabitants, may not exercise direct or indirect effective control over another company holding such a license and servicing the same or an overlapping market.

2/ Any person who exercises direct or indirect effective control over a company holding a nation- wide license or a license for an area with a recorded population of more than 100,000 inhabitants may not exercise direct or indirect effective control over a company operating a periodical servicing the same or an overlapping market

፫/ በዚህ አንቀጽ በንዑስ አንቀጽ 1፩/ እና 1፪/ የተደነገገው እንደተጠበቀ ሆኖ በየጊዜው የሚወጣ ሕትመት ስራን የሚሰራ ከባንያ ካፒታል ወይም አክሲዮን ላይ በቀጥታም ሆነ በተዘዋዋሪ ውጤታማ ቁጥጥር ያለው ማንኛውም ሰው በተመሳሳይ ቋንቋ በሚታተምና በተመሳሳይ ወይም በተደራረቢ ገበያ የሚሰራው የህትመት ሥራን ከሚሰራ ሌላ ከባንያ ካፒታል ወይም አክሲዮን ላይ ውጤታማ ቁጥጥር ሊኖረው አይችልም።

፬/ በዚህ አንቀጽ ከንዑስ አንቀጽ ፩ እስከ ፫ ባሉት ድንጋጌዎች የተመለከተው የአክሲዮን ውጤታማ ቁጥጥር የሚወሰንበትና የመለኪያ ቅኝቱ የሚያከናውንበት ሥነ ሥርዓት በሕግ ተደንግጎ እስኪወጣ ድረስ ሌላ ተቃራኒ ማስረጃ ካላቀረበ በስተቀር ማንኛውንም ከባንያ ወይም ድርጅት አክሲዮኖች ወይም ካፒታል በቀጥታም ይሁን በተዘዋዋሪ ከ፲፭ በመቶ በላይ የያዘ ማንኛውም ሰው ውጤታማ ቁጥጥር እንዳለው ይገመታል።

፭/ በዚህ አዋጅ አንቀጽ ፭/፩/ አፈፃፀም ሲባል አንድ ከባንያ ኢትዮጵያዊ ከባንያ ነው የሚባለው የከባንያው የካፒታል ምንጭ ሙሉ በሙሉ ከሀገር ውስጥ የሆነ እና የአክሲዮኑ ባለድርሻዎች በሙሉ ኢትዮጵያዊ ዜግነት ያላቸው እንደሆነ ሲሆን የውጭ አገር ሰዎች የአክሲዮኑ ባለድርሻዎች የሆኑ በት ድርጅት ማህበራት የሆኑበትን ከባንያ አያካትትም። በተመሳሳይ አንድ ማህበር የሀገር ውስጥ ማህበር ነው የሚባለው በበጎአድራጎት ድርጅቶችና ማህበራት ሕግ መሰረት እንደ አገር በቀል ማህበር ሲመዘገብ ነው።

፮/ በሕግ የሰውነት መብት ከተሰጠው አካል ወይም ድርጅት በስተቀር ማንኛውም ሰው የብርድካስት አገልግሎት ስራን፣ በየጊዜው የሚወጡ ሕትመቶችን ወይም የዜና አገልግሎት ስራን ለመስራት አይችልም።

፯/ ሀገር ውስጥ ለማሰራጨት ሲባል ወደ ኢትዮጵያ የሚገባና ዋናኛ አትኩሮቱ በሀገር ውስጥ ጉዳዮች ላይ የሆነ ማንኛውም የውጭ ሀገር የመገናኛ ብዙሃን ላይ የዚህ አንቀጽ ድንጋጌዎች ተፈፃሚ ይሆናሉ።

፳. ልከፋፋዮች

በየጊዜው የሚወጡ ህትመቶችን የማከፋፈል ስራ የሚሰሩ ድርጅቶች የህትመቶቹን ይዘት መሰረት በማድረግ የአገልግሎትም ሆነ የክፍያ ልዩነት ማድረግ የለባቸውም።

3/ Without prejudice to sub article (1) and (2) at this Article any person who exercises effective direct or indirect control over a company operating a periodical may not exercise effective direct or indirect control over another company running a periodical published in the same language and servicing the same or an overlapping market

4/ Untill the procedure for determining and assessing effective control referred to in sub articles (1) to (3) of this Article shall be laid down by specific law, in the absence of evidence to the contrary, a person shall be regarded as exercising such control if he either directly or indirectly holds fifteen percent or more of the shares or capital of the entity .

5/ For the purpose of Article 5(1) of this Proclamation, a company is of an Ethiopian nationality if its total capital originates from a local source or persons holding its capital or voting rights are Ethiopian nationals and it does not include a company whose capital or voting rights are held by a locally registered business organization in which foreign nationals acquired voting rights. Similarly an association is considered as local if it is registered as local association in accordance with the charities and associations law.

6/ Any person who is not a juridical person may not own a broadcasting service, news agency service or periodicals.

7/ The provisions of this Article shall also apply to a mass media from abroad which facus primarily on domestic issues and which have been produced primarily for local audiences.

8. Distributors

Entities which offer distribution services to periodicals shall not discriminate in either the provision of those services or the fees charged for them on the basis of the content of a periodical.

፱. የምዝገባ የምስክር ወረቀት

፩/ ማንኛውንም በየጊዜው የሚወጣ የህትመት ሥራ ወይም የዜና አገልግሎት ስራ ለመስራት የሚፈለግ ሰው በዚህ አንቀጽ በንዑስ አንቀጽ/፫/ የተመለከቱትን መረጃዎች በማቅረብ የምዝገባ ምስክር ወረቀት የሚያገኘው ስርዓቱ ከአንድ ክልል በላይ ከሆነ ከማስታወቂያ ሚኒስቴር ሲሆን ስርዓቱ በአንድ ክልል ውስጥ ብቻ የተወሰነ ከሆነ የምዝገባ ምስክር ወረቀት የሚያገኘው ከክልሉ ማስታወቂያ ቢሮ ይሆናል።

፪/ ማንኛውም አካል ወይም ድርጅት ወይም መንግ ሥታዊ አካል ዓላማውን ለማራመድ ወይም በሌላ የተሰጠውን ተግባር ለማከናወን በየጊዜው የሚወጣ ህትመት ማሳተፍ ካስፈለገው በዚህ አንቀጽ በንዑስ አንቀጽ /፩/ መሰረት እንደተመዘገበ ይቆጠራል።

፫/ የምዝገባ ማመልከቻው የሚከተለውን ዝርዝር መያዝ አለበት፡-

ሀ/ የአሳታሚውን ወይም የዜና አገልግሎት ድርጅቱን ስምና አድራሻ እንዲሁም ቅርን ጫና ጽህፈት ቤቶች ካሉ አድራሻቸውን

ለ/ በየጊዜው የሚወጣው ህትመት ወይም የዜና አገልግሎት ድርጅቱ ስም፣ እና

ሐ/ በአሳታሚው ወይም በዜና አገልግሎት ድርጅቱ ከ፪ በመቶ የበለጠ የአክሲዮን ድርሻ ያላቸውን ሰዎች ስም፣ አድራሻና የአክሲዮን ድርሻቸውን መጠን።

፬/ አስቀድሞ ከተመዘገበ በየጊዜው ከሚወጣ ህትመት ጋር አንድ አይነት ወይም ተመሳሳይ በሆነ ስም ወይም አርማ ሌላ በየጊዜው የሚወጣ ህትመት አሳትሞ ለማውጣት የምዝገባ ሰርተፊኬት ጥያቄ የቀረበ ከሆነና የሁለቱ ህትመቶች መመሳሰል የሚያሳስት ከሆነ በየጊዜው የሚወጣው ህትመት በሌላ ስያሜ ወይም አርማ እንዲመዘገብ ይደረጋል።

፭/ የማስታወቂያ ሚኒስቴር ወይም የክልሉ ማስታወቂያ ቢሮ ማመልከቻ በቀረበለት በ፱ ቀናት ውስጥ የምዝገባ የምስክር ወረቀት ካልሰጠ ወይም ያልሰጠበትን ምክንያት በጽሁፍ ለአመልካቹ ካሳገደው በየጊዜው የሚወጣው ህትመት ወይም የዜና አገልግሎት እንደተመዘገበ ይቆጠራል።

9. Certificate of Registration

1/ Anyone who desires to publish a periodical shall register such periodical by providing the information referred to in sub article (3) with the Ministry of Information where the proposed distribution goes beyond one regional state, or with the Information Bureau of the Region where the proposed distribution is restricted to one regional state.

2/ Where the activity given by law to or the purpose of any entity or public body or organization requires publishing a periodical, such organization or public body shall be deemed registered in accordance with sub article (1) of this Article.

3/ The application for registration shall include the following particulars:

a) the name and address of the publisher or the news agency organization as well as of any branch offices if any;

b) the name of the periodical or the news service agency; and

c) the names and address of the person holding more than 2% of the shares of the publishing company or the news agency and the amount of their share

4/ Where the proposed name of the registering periodical so closely resembles the name or emblem of another periodical which has already been registered that the two may easily be confused, another name or emblem shall be registered.

5/ The periodical or news agency shall be deemed registered where the Ministry of Information or the regional bureau of the region fails to issue certificate of registration within 30 days from the date the application is submitted, or fails to notify in writing the applicant the grounds for refusal to issue it within such period .

፮/ በዚህ አንቀጽ በንዑስ አንቀጽ ፫ በተዘረዘሩት ሁኔታዎች ላይ ለውጥ ሲደረግ በየጊዜው የሚወጣ ሕትመት አሳታሚ ወይም የዜና አገልግሎት ድርጅት ለውጡ በተከሰተ በ፲፭ ቀናት ውስጥ ለመዝጋቢው አካል የተደረገውን ለውጥ ማሳወቅ አለበት።

፯/ የምዝገባ ሰርተፊኬት ሊሰረዝ የሚችለው፡-

ሀ/ በየጊዜው የሚወጣ ሕትመት ወይም የዜና አገልግሎት ስራ ሲሆን አሳታሚው ወይም ድርጅቱ ስራውን ማቆሙን በጽሁፍ ሲያሳውቅ ወይም

ለ/ በየጊዜው ለሚወጣ ሕትመት ወይም የዜና አገልግሎት ስራ የምዝገባ የምስክር ወረቀት የተሰጠው ሰው ከተመዘገበበት ጊዜ ጀምሮ ባለው አንድ አመት ጊዜ ውስጥ ሕትመቱን ማውጣት ያልጀመረ ወይም የዜና አገልግሎት ስራውን ያልጀመረ እንደሆነ ነው።

፰/ የዚህ አንቀጽ የንዑስ አንቀጽ /፯/ ድንጋጌ እንደአግባቡ በዚህ አንቀጽ በንዑስ አንቀጽ /፪/ ላይም ተፈጻሚ ይሆናል።

፲. በሕትመት ላይ የሚገለጹ ነገሮች እና ያለ ክፍያ የሚሰጡ ቅጂዎች

፩/ ማንኛውም አይነት በየጊዜው የሚወጣ ሕትመት በእያንዳንዱ እትም ላይ የአሳታሚውን፣ የአታሚውን፣ የዋና አዘጋጅን ስምና አድራሻ፣ የሕትመቱን ቅፅ፣ ቁጥር፣ ሕትመቱ የሚወጣበትን ጊዜ እና ታትሞ የወጣበትን ቀን፣ ወርና አመተ ምህረት በግልጽ በሚታይ ቦታ ላይ ማስፈር አለበት።

፪/ ማንኛውም ብሮድካስተር በእያንዳንዱ ፕሮግራም ራም መጀመሪያና ማብቂያ ላይ የጣብያውን ስምና ፕሮግራም፣ የፕሮግራሙን መሪ መግለጻል ይኖርበታል ።

፫/ ማንኛውም በአዲስ አበባ የሚሰራው ወይም አገር አቀፍ ስርጭት ያለው በየጊዜው የሚወጣ ሕትመት ታትሞ በወጣ ከሆነ አራት ሰዓት ባልበለጠ ጊዜ ውስጥ የእያንዳንዱን እትም ሁለት ቅጂዎች ያለክፍያ ለብሄራዊ ቤተ መዛግብትና ቤተ መጻሕፍት ኤጀንሲ መስጠት አለበት።

፬/ በየጊዜው የሚወጣው ሕትመት ስርጭት በአንድ ክልል ብቻ የተወሰነ ከሆነ ታትሞ በወጣ ከሆነ አራት ሰዓት ባልበለጠ ጊዜ ውስጥ የእያንዳንዱን እትም ሁለት ቅጂዎች ያለክፍያ ለክልሉ ቤተመዛግብት ወይም ማስታወቂያ ቤቱ መስጠት አለበት።

6/ Any changes to the information provided under sub-article (3) of this Article shall be reported by the publisher company or the news agency to the registering body within fifteen days.

7/ Certificate of registration shall lapse where:

a) the publisher or the news agency provides written notification of the discontinuance of the publication or its operation ; or

b) the registered periodical or news agency fails to commence publication or rendering its service within one year of registration.

8/ The provisions of sub-article (7) of this Article shall apply, mutatis mutandis, to sub-article(2) of this Article.

10. Imprint and Gratuitous Copies

1/ Periodicals shall, on each publication, carry the name of the publisher, printer and editor-in-chief, and the volume and number of the periodical periodicity and date of publication in a descensible manner.

2/ Broadcasters shall indicate the station name at the beginning and end of each programme, along with the name of the producer.

3/ Periodicals with national distribution or based in Addis Ababa shall, within twenty four hours of dissemination, deposit two gratuitous copies of every volume with the Agency of the National Archives and Libraries .

4/ Where the circulation of periodical is confined within the bounds of a riginal state two gratuitous copies of every volume shall be deposited within twenty four hours of dissemination, either with state public library or to the state cultural bureau.

፮/ መሰናን ወይም ሌላ ሕገ ወጥ አስራርን፣ የሥራ አፈጻጸም ብቃት ጉድለትን፣ የግለሰብን ወይም የድርጅትን ቅሬት ለመሸፈን ማንኛውንም ሰነድ በምስጢር እንዲያዝ መወሰን ክልክል ነው።

ክፍል አራት
የመገናኛ ብዙሃን መብቶችና ግዴታዎች

ሿ. የእርማት ወይም መልስ የመስጠት መብት

፩/ በመገናኛ ብዙሃን በቀረበ የፍሬ ነገር ዘገባ መልካም ስሙና ክብሩ የተጎዳበት ማንኛውም ሰው ዘገባው በቀረበበት መገናኛ ብዙሃን ላይ ያለክፍያ መልስ የመስጠት መብት አለው።

ሀ/ በየጊዜው የሚወጣው ህትመት ዋና አዘጋጅ ወይም ምክትል የተላኩትን ምላሽ ዕለታዊ ጋዜጣ ከሆነ በ፫ ቀናት ውስጥ፣ ሳምንታዊ ጋዜጣ ከሆነ በ፱ ቀናት ውስጥ ወይም በሌላ አይነት ህትመት ከሆነ በቀጣዩ እትም ያለእርማት የሚውጣት ግዴታ አለበት።

ለ/ ለመልሱ መነሻ የሆነው ዘገባ የተላለፈው በቴሌቪዥን ወይም በሬዲዮ ፕሮግራም ከሆነ ኃላፊ የሆነው አዘጋጅ ምላሹ ከደረሰበት ቀን ጀምሮ ባለት ፲፬ ቀናት ውስጥ በቀጣዩ የፕሮግራሙ ክፍል ወይም በተመሳሳይ ፕሮግራም ያለዕርማት ምላሹን በነፃ የማስተላለፍ ግዴታ አለበት።

ሐ/ የሚቀርበው መልስ ከዘገባው ጋር የተያያዘ፣ ተመጣጣኝና ህጋዊ ይዘት ያለው መሆን ይኖርበታል።

መ/ ዘገባው የተሰራጨው ምርጫ በሚካሄድበት ወቅት ከሆነ በዚህ ንዑስ አንቀጽ /፩/ (ሀ) እና (ለ) የተጠቀሰው የ፫ ቀን የጊዜ ገደብ ወደ ፳፬ ሰዓት፣ የ፲፬ ቀን ገደብ ደግሞ ወደ ፵፰ ሰዓት ዝቅ እንደተደረገ ይቆጠራል።

ሠ/ የዚህ ንዑስ አንቀጽ /፩/ /መ/ ድንጋጌ ተፈጻሚነት የሚኖረው ምላሹ ለመገናኛ ብዙሀን የደረሰው ምላሹ የሚወጣበት ህትመት ወይም ፕሮግራም ለመታተም ከመላኩ ወይም በአዋቂ ከመለቀቁ ስድስት ሰዓታት ቀደም ብሎ ከሆነ ብቻ ነው።

፪/ መልስ የመስጠት መብቱን የተነፈገ ማንኛውም ሰው የሕትመቱ ወይም የፕሮግራሙ አዘጋጅ ተገዶ መልሱን እንዲያወጣለት ለፍርድ ቤት ለማመልከት ይችላል።

6 It is prohibited to make any document confidential in order to cover corruption, contravention of laws, organizational or personal incompetence, inefficiency or scandals.

PART FOUR
Rights and Responsibilities of the Media

40. Right of Reply or correction

1/ Where any factual information or matter injurious to the honor or reputation of any person is reported in a mass media, such person shall have the right to have his reply inserted, free of charge in publication in which the report appeared:

a) The editor or his deputy shall have a duty to publish free of charge and with out correction any reply addressed to him, incase of a daily news paper within three days of receipt or, incase of a weekly news paper within nine days of receipt and in other publications in the next issue appearing after receipt;

b) Where the statement which has given rise the reply is made in broadcasted radio or television program, the responsible program editor shall, free of charge and with out correction, insert the reply in the next part of the program or other similar program within fourteen days of receipt;

c) Any reply shall be proportional, relevant to the report that has given rise to it and shall have a lawful content.

d) if the report or information is disseminated during the election process, the time limit referred to in sub-article (1)/a/ and /b/ shall be educed ,in the case of the three days limit to twenty four hours, in the case of fourteen days limit to forty eight hours;

e) the provisions of sub-article (1)/d/ shall only apply when the reply is submitted to the mass media six hours before the publication goes to print or the program on which it is to appear is on air .

2/ Any person whose right of reply is refused may apply to the court to compel the chief editor of the periodical or program to insert the reply in the press.

፫/ ማመልከቻው የቀረበለት ፍርድ ቤት ውሳኔውን በ፲ ቀናት ውስጥ መስጠት አለበት። ሆኖም በምርጫ ወቅት ከሆነ ፍርድ ቤቱ ማመልከቻው በቀረበለት በ፳፱ ሰዓት ውስጥ በጉዳዩ ላይ ውሳኔ መስጠት አለበት።

፬/ በወንጀል ህግ አንቀጽ ፵፫ መሰረት ኃላፊ የሆነው ሰው መልሱን ለማውጣት ፈቃደኛ አለመሆኑን ከተረዳ ፍርድ ቤቱ ቅጣት ሊወሰንበት ይችላል።

፭/ የዚህ አንቀጽ ድንጋጌዎች በፍትህ-ብሔር ሕግ ቁጥር ፪፻፵፱ የተመለከቱትን ከተፈጸሙ ሚኒስትሮች አያስቀሩም።

፮/ በዚህ አንቀጽ ከንዑስ አንቀጽ (፩) እስከ (፭) የተመለከቱት ድንጋጌዎች ተፈጻሚነት የሚኖሩ ራቸው ቅሬታ የፈጠረው የመገናኛ ብዙሃን ውጤት ከተሰራጨበት ቀን ጀምሮ ባለው ሰስት ወር ጊዜ ውስጥ መልስ የማውጣት ጥያቄው ለመገናኛ ብዙሃን የቀረበ ከሆነ ብቻ ነው።

፯/ የዚህ አንቀጽ ድንጋጌዎች ማንም ሰው እርሱን የሚመለከቱና በፍሬ ነገር ይዘታቸው ትክክለኛ ያልሆኑ የመገናኛ ብዙሃን ዘገባዎች እንዲታረሙ ለት ለማድረግ ባለው መብት ላይም በተመሳሳይነት ተፈጻሚ ይሆናሉ።

ክፍል አምስት
ህጋዊ እርምጃዎችን ስለመውሰድ

፵፩. ስለ ተጠያቂነት

፩/ በመገናኛ ብዙሃን አማካኝነት ለሚፈፀም የወንጀል ድርጊት ወይም የፍትህ-ብሔር ጉዳት በወንጀል ህግ አንቀጽ ፵፫ በተደነገገው መሠረት ተጠያቂነት ካለበት ሰዎች ጋር የመገናኛ ብዙሃን ድርጅቱ በተደራቢነት ተጠያቂ ሊሆን ይችላል።

፪/ መገናኛ ብዙሃን አማካኝነት ለሚደርስ የሰም ማጥፋት ጉዳት የፍታ-ብሔር ክስ ከተመሠረተ እስከ ብር ፩፻፺ /አንድ መቶ ሺህ ብር/ የሚደርስ የህሊና የጉዳት ካሳ ሊወሰን ይችላል።

፫/ በዚህ አዋጅ ክፍል አምስት እና ስድስት በተመለከቱ ድንጋጌዎችና በወንጀል ህግ ድንጋጌዎች መሀከል ግጭት ከተፈጠረ የዚህ አዋጅ ድንጋጌዎች ተፈጻሚ ይሆናሉ።

፬/ የወንጀል ክስ በይርጋ ቢታገድም ሆነ ውድቅ ቢደረግ እንኳን በመገናኛ ብዙሃን አማካኝነት ለደረሰ ጉዳት የፍትህ-ብሔር ክስ ሊቀርብ ይችላል።

3/ The court before which the application is lodged shall give its decision within ten days from the day the petition is submitted to it however during election period the court shall pronounce its decision within twenty four hours

4) The court may when the responsible person under Article 43 refuses to comply with its order to insert the reply render him liable to punishment.

5) The provisions of this article shall not affect the provision of Article 2049 of the civil code.

6) The provisions sub article (1) to (5) are applicable only if the request for insertion of a reply is made to the mass media within three months from the day the report which has given rise to it was published or went on air.

7) The provisions of this article shall mutatis mutandis apply to enforce the right of a person to correct any incorrectly reported factual statement regarding him.

PART FIVE
Taking lawful easures

41. liability

1) The media establishment may incur joint criminal or civil liability with the responsible person under Article 41 of the Penal Code for a criminal offence committed through the mass media or a civil damage caused by the media

2) In an action for defamation through the mass media the court may award, having regard to the seriousness of the moral damage, compensation up to 1000,000 birr having regard to the seriousness of the damage.

3/ In case of conflict between the provisions of the Penal Code and the provisions of this Proclamation under Part 5 and 6 the latter shall prevail

4/ A claim for damage caused by the mass media may be made even if the criminal prosecution under this Proclamation is barred by the period of limitation or the prosecution is defeated.

ግጂ. የእገዳ እርምጃዎችን ስለመውሰድ

፩/ በሌላ ህግ በሌላ ሁኔታ የተደነገገ ቢኖርም በዚህ አንቀፅ ከተደነገገው ውጭ በየጊዜው የሚወጣ ህትመት ወይም መፅሀፍ ሊታገድ አይችልም።

፪/ እንደነገሩ ሁኔታ የፌዴራል ወይም የክልል አቃቤ ህግ በብሄራዊ ደህንነት ላይ ከስርጭት በኋላ በማስቀጣት ሊቀለበስ የማይችል ግልጽና ድርስ የሆነ ከፍተኛ ጉዳት የሚያስከትል በየጊዜው የሚወጣ ህግ ወጥ ህትመት ወይም መፅሀፍ ሲሰራጭ መሆኑን ለማመን በቂ ምክንያት ሲኖረው የህትመት ውጤቱ እንዳይሰራጭ ፍርድ ቤት እንዲያዝ ማመልከት ይችላል።

፫/ አቃቤ ሕግ ከነገሩ አጣጣሪነት የተነሳ ጉዳቱን ለመከላከል የፍርድ ቤት የማገኛ ትእዛዝ በፍጥነት ማግኘት ባልቻለ ጊዜ በየጊዜው የሚወጣው ህትመት ወይም መፅሀፍ እንዲታገድ ትእዛዝ መሰጠት ይችላል። ሆኖም አቃቤ ሕግ አንድን በየጊዜው የሚወጣ ህትመት ወይም መፅሀፍ ከስርጭት እንዲታገድ ውሳኔ ሲሰጥ ውሳኔው በተሰጠ በ፵፰ ሰዓት ውስጥ ለፍርድ ቤት ማስታወቅ አለበት። ፍርድ ቤቱ የአቃቤ ሕግ የእገዳ ማስታወቂያ ከደረሰው ጊዜ ጀምሮ በጾቧ ሰአት ውስጥ የስገዳ እርምጃውን የሚያወጥ መሆን አለመሆኑን በውሳኔ ማሳወቅ አለበት።

፬/ ፍርድ ቤቱ በየጊዜው የሚወጣው ህትመት ወይም መፅሀፍ እንዲታገድ በአቃቤ ሕግ የተሰጠው ትእዛዝ ሲቀርብለት፡-

ሀ/ በየጊዜው የሚወጣው ህትመት ወይም መፅሀፍ ህገወጥና ከፍተኛ ጉዳት የሚያስከትል ሆኖ ካገኘው የአቃቤ ህግን ትእዛዝ በማዕደቅ አቃቤ ሕግ የማገድ እርምጃ ከወሰደበት ጊዜ ጀምሮ ባለው የሁለት ሳምንት ጊዜ ውስጥ ክስን እንዲመሠርት ወይም ሕትመቱ እንዲወረስ ማመልከቻ እንዲያቀርብ ማዘዝ አለበት። አቃቤ ሕግ በተሰጠው ትእዛዝ መሠረት ካልፈጸመ ፍርድ ቤቱ በየጊዜው የሚወጣው ህትመት ወይም መፅሀፍ እንዲያዝና ስርጭቱም እንዲቋረጥ የሰጠውን ትእዛዝ ያነሳል።

ለ/ በየጊዜው የሚወጣው ህትመት ወይም መፅሀፍ ሕግን የማይተላለፍና ከፍተኛ ጉዳትን የማያስከትል ሆኖ ካገኘው በአቃቤ ህግ የተሰጠውን የእገዳ ትእዛዝ ውድቅ በማድረግ የታገደው ህትመት እንዲለቀቅ ትእዛዝ ሊሰጥ ይችላል። ፍርድ ቤቱ የሰጠው ትእዛዝ በይግባኝ ሰሚ ፍርድቤት ካልታገደ በስተቀር ትእዛዙ በተሰጠ በ፫፻ ሰአት ጊዜ ውስጥ ይፈፀማል።

42. Impounding

1/ Notwithstanding any contrary provision in any other law, no periodical or book shall be impounded except as provided for in this article.

2/ where The Federal or Regional public prosecutor ,as the case may be , has sufficient reason to believe that a periodical or a book which is about to be disseminated contains illegal matter which would, if disseminated, lead to a clear and present grave danger to the national security which could not otherwise be averted through a subsequent imposition of sanctions , may issue an order to impound the periodical.

3/ In cases of extreme emergency, where it is not possible to obtain a court order in time to prevent the harm, the public prosecutor may order the periodical or the book to be impounded, provided that he shall notify a court of the order within 48 hours and the court shall determine within 24 hours whether or not the prosecutors order shall be upheld.

4/ the court to which the an order to impound a periodical or a book issued by a public prosecutor, is submitted may:

a) if it deems that periodical or the book contains unlawful matter that is likely to cause serious danger, uphold the public prosecutors measure and order that criminal proceedings be instituted, or application for confiscation of the printed matter be submitted, within two weeks from the date on which the court pronounced its decision. if the public prosecution fails to take such action, the court shall revoke the order to seize the periodical or the book and bar its dissemination

b) if it deems that the content of a periodical or a book is lawful and not likely to cause any damage ,revoke the impoundment order issued by the public prosecutor and may order the the release of the publication. Unless otherwise the a stay of execution is issued by an appellate court the order shall be executed after the lapse of 72 hours.

፮/ በየጊዜው የሚወጣ ህትመት ወይም መፅሀፍ ላይ የወንጀል ክስ ከተመሰረተ ወይም ውጤቱ እንዲወረስ ማመልከቻ ከቀረበ ፍርድ ቤቱ ሕትመቱ እንዲያገዛና እንደአስፈላጊነቱ ቀጣይ እትሞቶን ከማውጣት እንዲታገድ ወይም የህትመት ስራው እንዲወረስ ሊወሰን ወይም በዚህ አንቀፅ በንዑስ አንቀጽ /፫/ መሠረት የህትመቱ ስርጭት እንዲታገድ የሰጠውን ውሳኔ ለመሰረዝ ይችላል።

፯/ በመገናኛ ብዙሃን አማካይነት ወንጀል ከተፈፀመና በወንጀል ህግ መሰረት ኃላፊ የሚሆነው ሰው ካልተገኘ የግል ተበዳዩ ወይም አቃቤ ህጉ የወንጀል ክስ ከሚመሰረት ህትመቱ እንዲወረስ ለፍርድ ቤቱ ማመልከት ይችላል። ለወንጀል ኃላፊ ለሚሆነው ሰው በሀገር ውስጥ መጥሪያ ለመስጠት በማይቻልበት ጊዜም በተመሳሳይ ማመልከቻ ማቅረብ ይቻላል ።

፲/ በእገዳው ከሚሸፈነው ጉዳይ ባህሪ ወይም በሌላ በቂ በሆነ ምክንያት የተነሳ አቃቤ ህጉ በዚህ አንቀፅ በንዑስ አንቀፅ /፱/ በተመለከተው ጊዜ ውስጥ ክሱን ለማቅረብ የማይችል ከሆነ በአቃቤ ሕጉ ጥያቄ ፍርድ ቤቱ የክስ ማቅረብያ ጊዜውን እስከ ሁለት ሳምንት ሊያራገጠው ይችላል ።

፷/ በየጊዜው የሚወጣ ህትመት ወይም መጽሐፍ ስርጭት ላይ የሚሰጥ የእገዳ ትእዛዝ ለትእዛዙ መነሻ የሆነውን አንቀፅ ወይም አንቀጾች፣ የህመቱን ቅፅ ፣ጽሑፉ የወጣበትን እትም መግለፅ አለበት።

፱/ በየጊዜው በሚወጣ ህትመት እና መፅሀፍ ላይ የሚሰጥ እገዳ ለስርጭት በተዘጋጁ ህትመቶች ላይ ብቻ ተፈጻሚ ይሆናል። የእገዳ ትእዛዙ በፖሊስ አማካይነት ወዲያውኑ መፈፀም አለበት።

፲/ አቃቤ ህግ በዚህ አንቀጽ የተሰጠውን ስልጣን አግባብ በፊለው መንገድ የተጠቀመበት እንደሆነ በህግ ይጠየቃል።

፵፫. ከመገናኛ ብዙሃን ጋር የተያያዙ ክሶች ስለሚቀርቡበትና ስለሚሰሙበት ሁኔታ

፩/ በመገናኛ ብዙሃን አማካኝነት የወንጀል ድርጊት በመፈፀም የተጠረጠረ ማንኛውም ሰው ጠቅላይ ዐቃቤ ሕጉ ካልወሰነ በስተቀር በወንጀልኛ መቅጫ ሥነ-ሥርዓት ሕግ ቁጥር ፶፱(፪) እና (፫) ድንጋጌዎች መሠረት ለተጨማሪ ምርመራ በእስር እንዲቆይ ሳይደረግ ክሱ በቀጥታ ለፍርድ ቤት መቅረብ አለበት።

5/ Once criminal proceedings have been instituted for offences committed through media periodical or a book or an application is made to the court for a periodical or a book to be confiscated, the court shall have the power to order the publication to be impounded and its further dissemination be barred, or revoke an order, that has been issued under sub article 3 .

6/ If an offence has been committed by a mass media product and no one is liable under article 43 of the penal code for the offence, the public prosecutor or the private complainant may apply to have the publication confiscated instead of instituting criminal proceedings. The same applies if no summons can be served in Ethiopia on the person liable for the offence.

7/ If the time referred to in sub article (4) is insufficient having regard to the nature of the impounded matter or for any reasonable cause, the court may, on the request of the prosecution, permit an extension of the period up to two weeks.

8/ An order for the impoundment of a periodical or book shall contain a statement indicating the offending passage or passages in the publication which occasioned the order and shall specify the volume, part, issue, or installment in which these passages occur.

9/ An order for the Impoundment of a periodical or book shall relate only to copies intended for dissemination. The police shall execute an impoundment order forthwith.

10/ The prosecutor shall be legally liable for a malicious exercise his powers under this article

43. Manner of Instituting and Hearing Mass Media Related Cases

1/ Unless the attorney general decides otherwise any person who is suspected of committing an offence through the mass media shall be brought before the court without being remanded for further investigation in accordance with Article (59)/2/ and /3/ of the Criminal Procedure Code.

- ፪/ ክስን ለመስማት ሥልጣን ያለው ፍርድ ቤት የክስ ማመልከቻው በቀረበለት በ፲፭ ቀናት ውስጥ ክስ እንዲሰማ ማድረግ አለበት።
- ፫/ ፍርድ ቤቱ ክስ ከመስማቱ ቢያንስ ከአምስት ቀናት በፊት የክሱን ማመልከቻ ግልባጭ ወይም ቅጂ እንዲሁም የቀረቡ ማስረጃዎች ካሉ ለተከላኹ እንዲደርስ ማድረግ አለበት።
- ፬/ ክስን የሚሰማው ፍርድ ቤት ክስ መስማት ከጀመረበት ቀን አንስቶ እጅግ ቢበዛ በአንድ ወር ጊዜ ውስጥ ፍርድ መስጠት ይኖርበታል።
- ፭/ ተከላኹ በአድራሻው ባለመገኘቱ የተነሳ መጥሪያውን ለማድረስ ያልተቻለ እንደሆነ ፍርድ ቤቱ ተከላኹ በ፯ ቀናት ውስጥ ካልቀረበ ጉዳዩ በሌለበት ታይቶ የሚወሰን መሆኑን የሚገልፅ መጥሪያ በጋዜጣ እንዲወጣ ትእዛዝ ይሰጣል።
- ፮/ ተከላኹ በሌለበት በተሰጠው ውሳኔ ቅሬታ ካለው በዚህ አዋጅ በአንቀጽ ፵፬ መሰረት ይግባኝ የማቅረብ መብቱ የተጠበቀ ነው።
- ፯/ የወንጀል ክስ ለመመስረት የግል ተበዳይ አቤቱታ ከማያስፈልጋቸውና በሀገር መንግስቱ በተቋቋሙ የሀገር አውጪ የሀገር አስፈጻሚ ወይም የፍርድ ቤቶች ባለስልጣኖች ላይ ከሚፈፀሙ የሰም ማጥፋትና የሀሰት ወንጀል ድርጊቶች በስተቀር በግለሰቦችና በግል ድርጅቶች ላይ በመገናኛ ብዙሃን አማካኝነት የሚፈፀሙ የሰም ማጥፋትና በሀሰት የመወንጀል ክሶች በራሳቸው በግል ተበዳዮቹ መቅረብ አላባቸው።
- ፰/ ፍርድ ቤት በዚህ አንቀጽ በንዑስ አንቀጽ ፬ መሰረት የሰጠውን ውሳኔ ለማስታወቂያ ሚኒስቴር ወይም ለክልል ማስታወቂያ ቢሮ እንዲደርሰው ማዘዝ አለበት።

- 2/ The Court having jurisdiction over the case shall commence the hearing of the case within 15 days from the filing of the charge.
- 3/ The court shall cause the accused person to obtain a copy of the charge ,together with a copy of other evidences, if any ,at least five days before the commencement of the trial..
- 4/ The court shall pronounce its judgment within one month from the commencement of the trial.
- 5/ Where the accused person has not been duly summoned because he was not found at his address, the court shall order the publication of the summons notifying that the hearing shall proceed in his absence should he fail to appear within seven days.
- 6/ Where the person is not satisfied by the judgment given in default, he may lodge an appeal in accordance with Article 44 .
- 7/ save otherwise for prosecutions for false accusations and defamation against the constitutionally established legislative, executive or judicial authorities prosecutions for defamation and false accusation committed against individuals or private organization through the mass media shall be instituted and conducted by the private complainants.
- 8/ The court shall, cause the copy of the judgment it renders pursuant to sub-article (4) of this article to be sent to the Ministry of Information or concerned Information Bureau of the Regional state..

፵፬. ስለ ይግባኝ

44. Appeal

- ፩/ በተሰጠው ፍርድ ቅር የተሰኘ ወገን የይግባኝ ማመልከቻውን ፍርድ ቤት በ፱ ቀናት ውስጥ ለሚመለከተው ፍርድ ቤት ማቅረብ አለበት። ፍርድ ቤቱ የሰጠው ፍርድ ቤትም አመልካቹ ይግባኝ ለማቅረብ የሚፈልገው መሆኑን ካሳወቀበት ጊዜ ጀምሮ በ፳፬ ሰዓት ውስጥ የፍርድ ግልባጭ ለአመልካች መስጠት አለበት።
- ፪/ ይግባኝ ሰሚው ፍርድ ቤት ይግባኝን በቀረበለት በ፲ ቀናት ውስጥ ውሳኔ መስጠት አለበት።

- 1/ The party who is aggrieved by the decision of the court shall lodge his memorandum of appeal to the appellate court within thirty days of the rendering of the decision, and the rendering court shall give the appellant copies of the decision within 24 hours of receiving the party's notice to appeal.
- 2/ The appellate court shall give decision within 10 days of the receiving the memorandum of appeal.

፵፭. ስለቅጣት

፩/ በዚህ አዋጅ ከአንቀጽ ፯(፩) እስከ (፫) የተደነገገውን የተላለፈ ማንኛውም ሰው ከብር ጽሕፈት (ሀያ ሺህ ብር) ባላነሰ ከብር ፪፻ሺ (ሁለት መቶ ሺህ ብር) ባልበለጠ የገንዘብ ሙሉ ይቀጣል።

፪/ የዚህ አዋጅ አንቀጽ ፯(፪)ን በመተላለፍ ሃላፊነት የሚቀበል አዘጋጅ ያልሰየመ ወይም በአንቀጽ ፱(፮) የተደነገገውን ግዴታ የሚያጣስ ወይም በአንቀጽ ፲ የተመለከቱትን ግዴታዎች ያላሟላ በየጊዜው የሚወጣ ህትመት አሳታሚ ወይም ብሮድካስተር እስከ ብር ፲፭ሺ /አስራ አምስት ሺህ ብር/ በሚደርስ የገንዘብ ሙሉ ይቀጣል።

፫/ በዚህ አዋጅ በአንቀጽ ፵ መሰረት በህትመቱ ላይ እንዲያወጣው የተላከሉትን መልስ ወይም ማስተካከያ ያላወጣ ዋና አዘጋጅ ወይም የፕሮግራም አዘጋጅ እስከ ፲ሺ ብር (አስር ሺህ ብር) በሚደርስ የገንዘብ ሙሉ ይቀጣል። ጥፋቱ የተፈፀመው በምርጫ ወቅት ከሆነ እስከ ብር ፲፭ሺ (አስራ አምስት ሺህ ብር) በሚደርስ የገንዘብ ሙሉ ይቀጣል።

፬/ በዚህ አዋጅ የአንቀጽ ፯(፩) ወይም የአንቀጽ ፳ ድንጋጌን የተላለፈ ማንኛውም ሰው እስከ ብር ፲፭ሺ (አስራ አምስት ሺህ ብር) በሚደርስ የገንዘብ ሙሉ ይቀጣል።

፭/ በመገናኛ ብዙሃን አማካይነት በተፈፀመ ወንጀል ተከላኝ ጥፋተኛ መሆኑን ካረጋገጠ የጥፋተኝነት ውሳኔው ታትሞ እንዲወጣ ሲጠየቅ ፍርድ ቤቱ ውሳኔው በህትመቱ ላይ እንዲወጣ ትዕዛዝ መስጠት ይችላል።

፮/ ፍርድ ቤቱ ጥፋተኝነቱ የተረጋገጠበት ወይም ህተመቶቹ እንዲያዙ ትእዛዝ የተሰጠበት የመገናኛ ብዙሃን ውጤት እንዳይሰራጭ ሊያግድ ይችላል።

፵፮. ስለ ይርጋ

፩/ በሕገ መንግስቱ አንቀጽ ፳፰/፩/ የተደነገገው እንደተጠበቀ ሆኖ የዚህን አዋጅ ድንጋጌዎች በመተላለፍ የሚፈጸሙ የወንጀል ጥፋቶች ህትመቶቹ ከተሰራጩበት ወይም ከተላለፉበት ቀን አንስቶ እስከ አንድ ዓመት ባለው ጊዜ ውስጥ ክስ ላይ ካልቀረቡ በይርጋ ቀሪ ይሆናሉ።

፪/ በብሮድካስት አማካይነት ለሚፈፀም ጥፋት ጥፋቱ የተፈፀመበት ፕሮግራም ከተላለፈበት ቀን ጀምሮ ባለው ስድስት ወር ጊዜ ውስጥ የወንጀል ክስ ካልተመሰረተ ክስ በይርጋ ቀሪ ይሆናል።

45. Penalties

1/ Anyone who has contravened the provisions of articles 7(1)-(3) shall be punished with a fine of not less than 20,000 birr and not exceeding 200,000 birr.

2/ Any publisher of a periodical or broadcaster who, in violation of article 6(2), failed to appoint a responsible editor, failed to comply with obligations set out under article 9(6) or violates the obligations provided under article 10 shall be punished with a fine up to 15,000 birr

3/ Where an editor in chief or program editor has improperly failed to publish or broadcast a reply or correction sent to the mass media pursuant to article 40 of this Proclamation, shall be fined up to 15,000 birr.

4/ Any person who violates article 6(1) or article 8 may be fined up to 15,000 birr.

5/ If in an offence committed through a mass media the defendant is convicted, the court may, up on request by the party, issue an order for the verdict to be published in that mass media outlet.

6/ The court may issue an injunction forbidding further dissemination of mass media output in respect of which a conviction or order of impoundment has been issued.

46. Statute of Limitation

1/ Subject to Article 28(1) of the Constitution, no criminal proceeding for an offence committed through a periodical may be instituted after the lapse of one year from the date when the offending matter was published.

2/ For broadcasters, the period in sub-article (1) shall be six months from the date when the program was broadcast.

ክፍል ስድስት
ልዩ ልዩ ድንጋጌዎች

ዓ፯. የአፈፃፀም ወሰን

፩/ ይህ አዋጅ በማንኛውም የሕትመት ስራዎች ላይ ተፈፃሚ ሊሆን የሚችለው፡-

ሀ/ ለሕትመት ስራው በዚህ አዋጅ መሰረት የምዝገባ ምስክር ወረቀት የተሰጠ ጠውከሆነ፤

ለ/ የህትመት ስራው የተባዛ መሆኑን፤ የአሳታሚውን ወይም የአታሚውን ማንነት፤ የታተመበትን አድራሻና ዓመተ ምህረት የሚገልፅ ፅሁፍ ያለ በትኩረት ከሆነ፤ ብቻ ነው።

፪/ የህትመት ስራዎች እንደመገናኛ ብዙሃን የሚታዩት ተባዛተው ለስርጭት ወይም ለሽያጭ ሲቀርቡ ወይም ብሮድካስት ሲደረጉ ነው።

፫/ በዚህ አዋጅ በሌላ ሁኔታ የተደነገገው እንደተጠበቀ ሆኖ ከፅሁፍ ጋር አብሮ የወጣ ባይሆንም ማንኛውም ስዕል እንደሕትመት ስራ ይቆጠራል።

፬/ በሽያጭ ወይም ያለክፍያ የተሰራጩ ማንኛቸውም ወሲብ ነክ ይዘት ባላቸው ሕትመቶች ላይ ይህ አዋጅ ተፈፃሚ አይሆንም። ስለእነዚህ የህትመት ስራዎች ስርጭትና ህትመት በሚመለከት ዝርዝሩ በሌላ በሀገር ይወሰናል።

ዓ፰. የመሸጋገሪያ ድንጋጌ

፩/ ይህ አዋጅ ከመውጣቱ በፊት ተቋቁሞ የፕሬስ ስራ በማካሄድ ላይ የሚገኝ ማንኛውም ፕሬስ ይህ አዋጅ ከጸናበት ቀን ጀምሮ ባለ-ትጅቀናት ውስጥ በዚህ አዋጅ አንቀጽ ፱ በተመለከተው መሰረት መመዝገብና የምዝገባ ምስክር ወረቀት ማግኘት አለበት።

፪/ አስፈላጊ የሆኑ ሁኔታዎችን ለማዘጋጀት ሲባል የዚህ አዋጅ ክፍል ሶስት ድንጋጌዎች ተፈፃሚ የሚሆኑት አዋጁ በነጋሪት ጋዜጣ ታትሞ ከወጣበት ቀን ከሁለት ዓመት በኋላ ሲሆን የሀዘብ ተወካዮች ምክር ቤት እስፈላጊ ሆኖ ሲገኝ ከአንድ አመት ላልበለጠ ጊዜ ሊያራዝመው ይችላል

Part Six
Miscellaneous Provisions

47. Scope of Application

1/ the proclamation shall be applicable on periodicals if

a) The periodical obtains a certificate of registration

b) The publication duplicated and bears the name of the publisher ,the printer , the place of publication and the date and year of its publication,

2/ Printed matters shall be regarded as mass media only when they are disseminated. Periodicals shall be deemed to have been disseminated when they are delivered for sale or distribution and broadcasts shall be deemed to have been disseminated once they have been disseminated over the airwaves.

3/ Without prejudice to the provisions of this Proclamation, a picture, whether it is not together with written material, shall be regarded as printed matter.

4/ This Proclamation shall not be applicable to pornographic printed matters, whether they are offered for sale or free of charge.

48. Transitory Provisions

1/ Periodicals in operation prior to the coming into force of this Proclamation shall bring themselves into conformity with Article 9 within ninety days of the coming into force of this Proclamation.

2/ In order to provide public bodies an opportunity to put in place the necessary arrangements to facilitate implementation. Part III of this Proclamation shall enter into force one year after the date this Proclamation is published in the Negarit Gazeta. The House of Peoples' Representatives may extend this period for a duration of not more than one year .

፵፱. ከአዋጅ ጋር ስለሚቀረኑ ህጎች

ከዚህ አዋጅ ጋር የሚቃረን ማንኛውም ሕግ፣ ደንብ፣ መመሪያ፣ ትእዛዝ ወይም የተለመደ አሰራር በዚህ አዋጅ በተመለከተ ጉዳዮች ላይ ተፈጻሚ አይሆንም።

፶. ስለተሻሩ ሕጎች

የዚህ አዋጅ ክፍል ፫ ድንጋጌዎች በስራ ላይ እስከሚውሉበት ጊዜ ድረስ ተፈጻሚ ከሚሆኑት የፕሬስ አዋጅ ቁጥር ፵፱/፲፭ አንቀጽ ፰ እና ፲፱ በስተቀር ቀሪዎቹ የአዋጁ ድንጋጌዎች በዚህ አዋጅ ተሽረዋል።

፶፩. አዋጁ የሚጸናበት ጊዜ

ይህ አዋጅ በፌዴራል ነጋሪት ጋዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል።

አዲስ አበባ ኅዳር ፳፭ ቀን ፪ሺ፩ ዓ.ም

ግርማ ወልደጊዮርጊስ

የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ፕሬዚዳንት

49. Conflict with Other Laws

Laws, regulations, directives, orders and practices which are inconsistent with this Proclamation shall, to the extent of that inconsistency, not be applicable.

50. Repeaed laws

Except Articles 8 and 19 of the Press Proclamation No. 34/1992 which shall remain in force until the coming in to force of the provisions of Part Three of this Proclamation all the remaining articles are hereby repealed.

51. Effective Date

This Proclamation shall enter into force up on the date of publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this 4th day of December, 2008

GIRMA WOLDEGIORGIS

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

ብርሃንና ሰላም ማተሚያ ድርጅት

Declaration

I, the undersigned, declare that this thesis is my original work and all the sources of materials used for the thesis have been duly acknowledged.

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Signature: _____

Date of submission: November, 2009

Place of submission: Addis Ababa, Ethiopia