

Self-Regulation of the Media in the SADC -Region

Experiences with Media Councils in Southern Africa¹

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¹ These considerations were the result of a regional workshop with members of regional media councils, held in Johannesburg/South Africa, April 2008.

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1. Genesis of self-regulatory bodies

It is notable that in all countries surveyed, self-regulatory systems were put in place only after governments threatened to introduce statutory regulation: "They are reactions to government's action". In some cases, vigorous efforts were undertaken to establish a Media Council to fight authoritarian media bills – only to die a more or less sudden death as soon as such bills were off the table, and then be revived in the face of renewed calls for statutory regulation.

What real prospects of success is an institution likely to have that is meant to be voluntary but was established in a somewhat un-voluntary fashion as a means of defence? Does it mean that those who initiate(d) it are not really convinced of the merits of the idea of self-regulation? Is this a reason why in some countries a Media Council "is always a still born baby"?

2. The status of self-regulation in the region

Notwithstanding the above critical remarks on the genesis of media councils, self-regulation now seems to be very much part of the furniture of the media setup in the region (apart from Namibia, where attempts to get a council going are still under way, and Mozambique, which has a different media history). This was not to be expected just a few years ago.

Apart from a few bi-lateral activities (e.g. Tanzania assisting Zimbabwe in setting up a Media Council), there has been no regional cooperation, exchange or mutual moral support among the various bodies (of the kind that was so crucial for the establishment of the independent press in Southern Africa in the early nineties when MISA was launched). The workshop in Johannesburg was the first of its kind.

3. Mandate of self-regulatory bodies

All Media Councils in the region regard the promotion of professional standards - to further "excellence in journalism" - as their core mandate. Their main tool for doing that is to take up and deal with complaints from the public through arbitration and/or adjudication processes.

The question is whether Media Councils should also embark on other activities such as lobbying for media freedom and/or training. The danger is that they might then face a number of challenges: they could (1) overreach their capacity; (2) be seen as encroaching on areas which are the domain of other bodies such as MISA; (3) suffer damage to their credibility if they take sides as lobbying groups.

In some cases (e.g. Tanzania) media councils have taken up other activities because professional organisations which provided training and/or served as advocacy bodies were defunct. In other cases (e.g. Zambia) training on ethics was included in their list of activities at the request of media associations themselves.

In South Africa, the Press Council is actively lobbying for self-regulation of the media, thereby playing a 'partisan' role in the public discourse. Such a role, however, is legitimate: judges or law societies, for example, also lobby to protect the independence of the judiciary against attempts of unwarranted (state) intervention without losing their credibility. To avoid any misperceptions, the South African Press Council keeps adjudication on complaints from the public strictly separated from ordinary council business by having two structures with different members and tasks. The Press Council is the "political face" that sells the idea of self-regulation and opposes any attempts to introduce statutory mechanisms, while the Press Appeals Panel deals exclusively with cases for adjudication. Self-regulatory mechanisms in other countries have similar structures. In Zambia, however, the Board of the Media Council constitutes itself as the Ethics Committee – a somewhat unfortunate construct in view of the above considerations.

There was consensus that Media Councils can/should embark on other activities apart from arbitration/adjudication, such as training (limited to ethical and professional standard issues) and lobbying for self-regulation of the media – if it is done in a way that does not overstretch capacities and distract from the core mandate.

4. Advertisements - part of the mandate of a Media Council?

Most countries in the region have no body that deals with advertising standards. Media Councils – like the one in Botswana – may therefore find themselves in the position of being confronted with complaints about advertisements.

Media Councils are set up to deal with editorial issues. If they deal with complaints about advertisements, are they not contributing to the tearing down of the crucial Chinese wall between editorial and commercial departments - which is already getting more porous by the day? On the other hand: With advertisements being part of media content, is it not logical that a *Media* Council should deal with them as well, given that in such cases the respondent would be the publication and not the company which placed the ad?

In Tanzania, advertisers and the Media Council together developed a Code of Ethics for advertisements. Where that is the case and if advertisers are part of the self-regulatory body, a Media Council could take up such complaints. But: Would the inclusion of advertising agencies in a Media Council not open the door

for interests other than editorial – and thus again break down the separation between commercial and editorial responsibilities?

5. Internet – part of the mandate of a Media Council?

The promotion of professional standards of on-line publications of media houses whose print or broadcast products fall under the jurisdiction of the Media Council can and should certainly be part of its mandate.

Personal websites or blogs are a different matter. Practically, they are impossible to police given the sheer numbers and the fact that most are anonymous. Legally, bloggers should be seen as the "modern-day version of speakers at Hyde Park" and there are laws in place that deal with people shouting at street corners and, e.g., defaming others. Regardless of the fact that among the millions of bloggers there are certainly some that put out work of the highest quality, their products cannot be seen as "media" as defined by Media Councils. Self-regulatory bodies of the media are set up voluntarily to protect the public against breaches of codes of professional standards committed by members of the council themselves and those who subscribe to these codes. One of the defining characteristics of blogging is that it is not regulated in any way, voluntarily or otherwise – even if that were possible in the first place.

6. Pro-active or re-active?

The Media Council in Zambia takes up cases of alleged misconduct of media houses without waiting for a complaint if that is "in the public interest". This was done once so far in regard to the daily "The Post" which does not subscribe to the Media Council but agreed to cooperate in this case. The paper's exposé of a controversial remark by a minister caused so much public debate that the Council saw it fit to take the case up. It appointed a special committee of people from outside the council to investigate allegations and counter-allegations. On the basis of the committee's findings, the Council came to the conclusion that the Post's coverage had been professional and ethical.

In Tanzania, the Council monitors the press and takes pro-active steps where a newspaper comes close to breaching the Code of Ethics. This usually takes the form of private conversations between the chairman of the council and the editor in charge. The motive for this stance is to ensure that the reputation of the media in general is not damaged and to protect the media outlet in question against any more serious action taken against it.

The policy of being pro-active raises a number of questions. How can monitoring be organised in a way that avoids the Media Council being perceived as "Big Brother watching you"? How can it be done in a fair manner in countries where there are many media outlets and little capacity for such an exercise?

In "public interest cases", how can the principle of separation of prosecutor and judge – an indispensable pillar of the rule of law – be safeguarded? In Zambia, the board of the council decided to take up the case in question ("laid charges"), then a specially appointed committee investigated the charges (as "police/prosecutor") and the board constituted as the Ethics Committee adjudicated (as "judges"). If Zambia had a separate Ethics Committee, the different roles would be more clearly defined.

7. Members

In most countries all the relevant media houses are members of the Media Council. If a paper does not want to join, e.g. The Post in Zambia, they remain outside at their peril and the council should go ahead regardless. Where, as is the case again in Zambia, the government threatens to introduce a statutory body because the self-regulatory mechanism is said to be not "representative", government should be reminded of the fundamental right of freedom of association which also includes the right not to belong to an organisation.

Some questions on the composition of membership arise: What are the criteria for associate members? Is simply agreeing with the aim and mission of self-regulation enough? Or should there be more commitment, such as material support? How does one attract associate members? What about institutions such as MISA or teaching institutes: should they be able to become full or rather associate members? What about the associate membership of businesses which could sponsor activities – would that create conflicts of interests?

8. Organisational structures

Mandate and nature of membership will determine the organisational structures of Media Councils, office size etc. Does one really need six permanent staff as in Tanzania or will just two be enough as for example in South Africa? How many people should sit on the boards and on the complaints commissions? Does one really need 13 commissioners as in Swaziland to be inclusive – or does such a large number hamper efficiency?

9. Special cases: Angola and Mozambique

Due to their colonial history and the inheritance of Portuguese legal traditions, Angola and Mozambique do not have self-regulatory bodies for the media. In Mozambique, for example, a Statutory Media Supreme Council was set up in 1991 under the Press Law to protect the public interest against "media excesses" and to ensure rights of the media. The latter task, however, is most often neglected in favour of the former. In all cases, the Council is "pro-active" and

lambasts media for alleged breaches of professional standards without receiving any complaints from the public.

In order to give the public a channel to complain about the performance of the media and to counter the unilateral activities of the statutory bodies, media activists in both countries should consider setting up voluntary self-regulatory bodies – also to catch up with media policy standards followed in other SADC countries.

10. Relations with governments

Relations of most Media Councils with governments remain precarious. In some countries though, such as Botswana, the Press Council enjoys recognition and is represented in the highest advisory structures of government. The question is how far such an embrace by state authorities should go and at what stage this will create conflicts of interest or allow pressure or coercion being brought to bear. In Malawi, government media policy mandates the Media Council to work with government towards the accreditation of journalists. But should a self-regulatory body cooperate with government on an issue which clearly belongs within the ambit of self-regulation? (If such accreditation is deemed to be necessary in the first place, that is: freedom of expression means that anybody can be a journalist, so accreditation limits freedom of expression).

11. Public awareness

In most countries, the public at large is not aware of the existence of a body to deal with complaints about the performance of the media. For this reason, continuous public awareness campaigns are necessary. A first step could be the commitment of media houses to place a box with the necessary information ("If you have a complaint about this newspaper, please contact ...") just next to their imprint (as it is done in South Africa). In the case of broadcasting, operators should regularly air spots to that effect. Other measures could be participation in appropriate public fora (as, e.g. in Zambia), encouraging regular coverage in the media, putting up small billboards in places where papers are being sold and the like. Creativity is asked for.

12. Funding

Most Media Councils charge membership fees – structured according to the size of the various media houses – and they are successful in collecting them (see attached table).

This income, however – apart from South Africa where the Council is fully funded by Print Media SA – is usually not sufficient. Government subsidies, as suggested by some, are no option because such a form of funding would endanger the independence of the self-regulatory bodies from the state.

Some Media Councils, therefore, take up tasks which are not necessarily part of their core mandate. In Tanzania, for example, the Media Council manages Press Clubs around the country for an initial period of three years and is remunerated by donors for this work. In Zambia, the Media Council is considering to enter into business ventures such as Internet cafés. This seems to be a rather desperate approach as running such businesses is a full-time job and highly risky.

There is an urgent need to develop a funding strategy which – like it or not – will have to involve the international donor community. There is really no other way but to get mid-term donor funding of current costs at least for basic infrastructure such as a modest office and core staff (coordinator, assistant). Such a secure financial base would help to get Media Councils going where they are not functional yet and support activities where they are working.

13. Regional networking of Media Councils

- The most promising strategy to procure funding for the basic needs of Media Councils is a regional approach. The aim should be to secure enough funds for an initial three years to ensure survival. The various Media Councils could then raise additional funds needed for activities but not covered by membership fees. Most donor countries active in the region have a Good Governance component in their development strategy and it could easily be argued that Media Councils are and should be part and parcel of good governance. It is therefore suggested that a Strategic Plan be developed with the objective to secure basket funding on a regional level for the infrastructural needs (office plus small staff) of Media Councils at national level for three years. The host organisation for such a basket should be the Regional Secretariat of MISA.
- A data bank of constitutions of Media Councils, codes of professional standards, adjudications and the like should be created.
- A follow-up workshop to deal with all the questions unanswered by this workshop should be considered.
- Media Councils in the region should assist sister organisations in their advocacy campaigns, for example in Zimbabwe.
- A Task Team comprising Abigail Gamanya (Zimbabwe), Patrick Semphere (Malawi), Anthony Ngaiza (Tanzania), Werani Zabula (MISA)

and Rolf Paasch (FES) is mandated to pursue the above matters, with the Strategic Funding Plan to be addressed as a priority issue.



SUBJECT	BOTSWANA	MALAWI	MOZAMBIQUE	NAMIBIA	SOUTH	SWAZILAND	TANZANIA	ZAMBIA	ZIMBABWE
					AFRICA				
1. HISTORY				•	•		•	1	•
1.1 Time/ occasion of foundation of MC	Threat of statutory Press Council in Mass Media Bill compelled media to establish a self- regulatory Press Council. Deed signed in 2002.	1996 first attempts; Council closed in 2001/2002; 2006 stakeholders decided to revive MC; USAID and UK funded process; 2007 relaunch	No voluntary self regulation. Statutory Media Supreme Council set up in 1991 under the Press Law to protect public interest against "media excesses" and to ensure rights of the media.	No Media Council at present. MC was set up before in 1992, but never became fully functional. Part-time media ombudsman installed on initiative of MISA, also never became functional. The only professional body is National Editor's Forum: 17 founding members, all major media represented.	Mid 1960's the apartheid government threatened to start a statutory council. Press countered by setting up their own body. 1997 Ombudsman system created; revised August 2007; new Press Council launched.	"A child was still born". There are initiatives only in reaction to government action. 1997 Media Council bill provided for licensing of journalists and punitive measures. Parliament select committee, however, recommended that media regulate themselves. 10 years later (2007), MISA together with the Swazi Association of Journalists and media owners declared a Media Complaints Commission to be "now operational", because government came up again with a Media Council Bill.	MCT was founded in 1995	From 1991to 1993 concerns were raised by government about the need to have a media regulatory body in Zambia. A constitution review commission stated in 1993 that if a media regulatory body was to be set up, it should be an independent and self-regulatory body. However in 1995 government wanted to establish a statutory "Media Association of Zambia (MAZ); opposed by media. The media took the matter to court. In 1997 the court ruled that the media should regulate themselves. Media then started thinking about establishing a self- regulatory body. The self-regulatory body	First attempt in 1995, collapsed in 1997. Media took freedom of expression for granted. In 1999 new attempt by Minister of Information, in 2002, did not allow state media to take part. Process ground to a halt. In 2002, the Access to Information and Privacy Act (AIPPA), established a Media and Information Commission to register newspapers and journalists. The consequence: Newspapers closed, journalists jobless, many left the country. June 2007: Launch of the new Media Council.
								was formed in 2004, and a secretariat	
								established in 2006.	
1.2 Driving	MISA	MISA main driver		Editors' Forum, in	After apartheid,	Editors' Forum, Swazii		MISA Zambia, Press	MISA, Zimbabwe
actors of				cooperation with the	media organisations	Association of		Association of Zambia,	Union of Journalists,
setting up MC				Legal Assistance	set up a commission	Journalists, MISA,		Zambia Union of	Media Monitoring
				Centre – is on a fact	to investigate new	media owners (apart		Journalists and	Project of Zimbabwe



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				finding drive on how to set up a complaints mechanism – meant to be a lean and mean body.	form of self- regulation. Main actors were print media and other media organisations. National Association of Broadcasters has its own Broadcast Complaints Commission.	from state broadcasters).		Zambia Media Women Association	formed the Media Alliance of Zimbabwe (MAZ) in 2004 and decided to lobby for a Media Council. After consultations, state editors came on board but had to pull out later.
1.3 Main obstacles in setting up MC	Government argues Press Council does not have enough teeth. Some media people did not want self-regulation because they object the regulation of any sort.	Funding		Media are not really interested – pre-occupied with own activities such as marketing.	None	Funding – media houses are not agreed on how much each should contribute. Therefore the Media Complaints Commission Is still not working.	Government was the main obstacle, and by implication also the state media.	Government with its announcements was always ahead of media – until 2004.	Polarised situation.
1.4 Role of MISA	MISA very supportive – politically and materially; Press Council would not exist without MISA	Pioneered by MISA		MISA supports the Editor's Forum attempts.	Indirectly via office bearers who ar e members of SA National Editors Forum. Two prominent members of MISA are on the Press Council, representing SANEF.	Always instrumental	Very influential and supportive	Key player. Until 2006, complaints went through MISA offices who agreed to the use of its facilities for meetings. All ground work for the establishment of the council secretariat was done by MISA.	Not in isolation but a s member of MAZ; MISA offered legal advice.
1.5 Role of Government	While Government was threatening to set up a statutory body, line	Supportive thus far; 2003 media policy acknowledges role of		Ruling party SWAPO in Nov 2007 resolved "to direct government	None but now threatening a statutory media	Government is against self-regulatory mechanism claiming	Government continues to argue that the Media Council "has no teeth" –	Constant threats of establishing a statutory body.	Hostile



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	minister at the time	MC, mandates the MC		to establish a Media	appeals tribunal	that it has "no teeth".	but it is a moral authority		
	supported the Press	to work with		Council to regulate the			respected across the		
	Council. Now Council	government towards		activities and			board.		
	enjoys full recognition	accreditation of		operations of the					
	and is represented in	journalists.		media". Reasons					
	highest advisory			given: "Misuse of					
	structures of			media contrary to					
	government.			reconciliation, peace					
				and stability". New					
				opposition party					
				makes SWAPO					
				nervous. Government					
				declared that it will					
				take the initiative to					
				create a statutory					
				body. Editors will					
				reject a unilaterally					
				established Media					
40 1		M P 1		Council.	T : 1: 1: 1	17 17 1	N. C. J. J.	7111	11 0
1.6 Involve-	-	Media – private and	-	Union dormant	Two journalists'	Very much involved	National and	ZUJ was among the	Hostile
ment of		government – were			unions and the		international	stakeholders.	
journalists'		united in pressing for MC			Editors' Forum		organisations worked		
union and other		IVIC			helped create the		together; established		
civil society					Ombudsman's		code of ethics.		
organizations		Previous MC had not		Madia in Nassibia ant	system. N/A	Media still to			
1.7 Reasons for Failure/	-	been registered (no	-	Media in Namibia not under serious threat so	IN/A		-	-	-
relaunch/		legal recognition),		far. Therefore no		complacent.			
				reason for pronounced					
falling dormant of MC		membership was not clearly spelled out and		solidarity.					
OI IVIC		included not only		Solidarity.					
		institutions but also							
		individuals some of							
		whom were made							
		councillors (juniors							
		without standing).							
		without standing).							



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2. LEGAL CONTEXT / FRAMEWORK									
2.1 Threat of stator MC	The Draft Mass Media bill which provides for a statutory body is still pending and has been deferred for more than 4 years now.	Not evident at the moment.		See above.	Ruling party ANC in December 2007 proposed a Media Appeals Tribunal; concept is still very vague; it will not fly because it goes directly against the constitution. The media will fight it up to Constitutional Court, because any regulation from outside the media would limit freedom of expression.	A draft Media Council Bill is being considered by government to enact a statutory mechanism.	Constant rumblings – but incumbent president supportive of Media Council.	See above.	SADC talks brought cosmetic changes to AIPPA such as that accreditation of journalists is no longer compulsory. The Media and Information Commission is replaced by a Zimbabwe Media Council, appointed by President. Self regulatory body then had to be renamed; now Voluntary Media Council of Zimbabwe
2.2 Press Law	See above		Constitutional amendment made Media Supreme Council	No law as such	None	New constitution did not remove laws infringing on the media because there is no law reform commission.	27 pieces of legislation to be amended or scrapped.	-	-
2.3 Defamation legislation	Civil defamation only; high number of defamation cases in court – many economically driven		Penal code Recent escalation of cases suggests orchestrated move to intimidate media	Common law	Common law	Criminal libel		Criminal libel and common defamation law.	-
2.4 Security legislation	Very vague and far reaching; intelligence and security acts accord the security bodies status outside the normal legal framework; their actions cannot be challenged in	Over 60 pieces of legislation restrict press freedom	No specific legislation		Leftovers from old apartheid system still in place but not used	Leftovers from colonial days		State Security Act, Sedition Law	



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	courts of law.								
2.5 Protection of sources	Generally observed by the courts	No legislation	Guaranteed in Press Law	No specific legislation	Law does not protect confidential sources but an informal agreement between SANEF and government offers limited protection.	No law		No specific law to protect whistleblowers.	
2.6 Accreditation of journalists, if any	No regulation	MC will handle accreditation – still under discussion	No	Ministry accredits journalists by issuing a press card for privileged access to events	No accreditation, because freedom of expression means that anybody can be a journalist, accreditation would limit freedom of expression.	No accreditation but visiting journalists should seek permission from the Head of the Information Office Broadcasting and Information Services	Media Council wants to remove accreditation from government	No licensing of journalists; Zambia News and Information Services (government) issues press cards to allow access to certain functions	
3. ORGANI- ZATIONAL STRUCTURE OF MC									
3.1 Mandate	To cover all print and broadcasting media; to promote professionalism and ethics	Promoting freedom of media, code of ethics, resolution of disputes, accreditation and training.			Press Council concentrates on adjudication of complaints through the Ombudsman and the Press Appeals Panel The Press Council's mandate is to promote system of self-regulation and to fight for media freedom. Broadcasting Complaints Commission of the National Association	Mandated to deal with complaints against both print and broadcast media.	Overseer of code of ethics; adjudication; training and research; promotion of quality journalism; media monitoring to allow Media Council to be proactive; management of press clubs in initial stages; assistance in establishment of independent Media	Core mandate is arbitration/adjudication of complaints. Others are promoting professionalism, freedom of the press, understanding between the media and the public, gender equity and equality, training and research	Adjudication as primary focus; in addition training on ethics and professionalism; media monitoring in coop with MMPZ



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					of Broadcasters		Councils in Africa	In charge of print and broadcast media.	
3.2 Code of Conduct	In existence	Established by MC in 1999, presently under review	Media fratemity in the process of developing a code of conduct of its own	There has been an attempt by MISA to develop a code for all. But not all media houses support MISA, therefore the draft was not adopted by the industry.	South African Press Code exists	Developed and in place	Code of ethics in place – codes of conduct are inhouse documents	In place	Endorsed by Media practitioners
3.3 Member-ship	All major media including government media	43 houses – both private and state, print and broadcasting; institutional membership – media houses, training institutes, associations, press clubs			Nearly 700 publications subscribe to this system, including all major newspapers and magazines; in case of complaints against non- member s(estimated 600) Ombudsman asks editor if he/she wants to be adjudicated in terms of the Code.		More than 90 members; all major media (print and broadcasting) on board, including state media	So far indirect membership only (through associations). New constitution opens membership to direct institutional membership of media houses.	MISA, ZUJ, MMPZ as founding members. Institutional and associate members
3.4 Number of staff	1 administrator	5 members of staff – Director, Programme Officer, Finance Officer, administrative assistant and office assistant			Ombudsman and Personal Assistant Administration/Finan ce done by Print Media SA	Proposal is to have two officers: Secretary and Administrative Assistant	6 permanent staff	Executive Secretary and Office Assistant	5
3.5 Board (size, composition, appointments procedure)	9 members: 4 media, 5 non-media representatives; elected at AGM every 2 years	Board of Trustees; national governing council (7 members – 3 media, 4 public (NGOs); ethics and complaints committee; membership committee.			Press Council: 6 public, 6 media members. Media organisations nominate media representatives. An appointments panel comprising 3	General Council (nominees of founding organisations) to hold office for 3 years. Chooses a board of governors for 2 years. Secretariat	Governing Board has 13 members. Board forms Ethics and Finance Committees. Committee on Programmes is to be established in July 2008.	National Council comprises executive members of media associations including Media Council board members and Secretariat. Council appoints 9 board	13 members – 6 media- 7 public – appointed by founding member



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					council members and a judge. appoints public members on the basis of nominations in response to advertisements in the press			members from Law Association, church, corporate world, print and broadcast, chiefs and gender movement.	
3.6 Complaints Commission (size, composition, appointment procedure)	Complaints and appeals councils set up by appointments panel which is advertised (CLARIFICATION PLEASE). Complaints council comprises of 8 members: 4 media, 4 public; appeals council: 4 members, (3 public, 1 of which must be practising attorney)	6 eminent people from public and media; chaired by retired High Court judge			First instance: Ombudsman. If he cannot resolve the case, he holds a hearing with two Appeals Panel members. Any of the parties may take the decisions at the Ombudsman's level on appeal to the Press Appeals Panel, headed by retired judge. The adjudication mechanism is separate from Press Council.	Chairman (judge) and 12 commissioners (2 media, 10 public).	7 board members (representatives from public and media) form Ethics Committee headed by a retired judge.	Board reconstitutes itself as Ethics Committee. Chair is expected to be a person with legal background.	3 legal practitioners appointed by the Board.
3.7 Funding	Ad hoc and programme based	Donors: USAID provided funding for secretariat; DFID one year grant for running costs; membership fees3-tier system			Funded by press industry itself (Print Media SA)	Start will depend on funding	10% from media industry; 90% donors (Sweden, Denmark, Switzerland, Norway)	Crisis situation, surviving on shoestring budget. Funding and investment committee to be established.	Mainly donor funding: EU, SIDA, NORAD; Membership fees.
3.8 Member- ship fees	Pula 1000 per year R 1200	according to size of media: Highest fee: K200.000 (US\$1400)			No individual fees	R2500 per annum (proposal)	year; others less	No structured fees yet	Still to be worked out



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4. OPERAT-						ı		1	
IONS OF MC									
4.1 Adjudication process (procedure, duration)	14 days to contact complainants; 28 days period within which case must be adjudicated.	Process to establish structures presently under way.			See above. Cases have to be resolved as soon as possible, but some take up to 3,4 months		3 months on average	Complaints must be filed within 30 days after it was published or broadcast. Late complaints accepted on good reasons. Defendant must respond within 7 days. Process can take to four months to dispose complicated cases. There are public	Still working on modalities.
4.2 Number of	14 cases in first year; dropped dramatically to 3				200 more serious		About 20 – not all go to the committee	interest cases, i.e. the Council takes up alleged breaches of code without waiting for complaints. 2007: 7 cases	
cases per year	last year – since 2005 23 cases in all				cases; now escalation due to recent publicity.		the committee		
4.3 Kinds of sanctions and enforcements	Publication of judgements				Apology, corrections, right of reply, publication of judgements. Broadcasting Complaints Commission can impose fines of up to 50.000 Rand	Apology; Right to reply; judgements to be published	Moral authority. Memorandum of Understanding with editors/owners that they will respect outcome of adjudication	Apologies, corrections and retractions	Apologies and corrections
4.4 Public Awareness activities	Very few and very scarce based mostly on what members can afford	PR strategy in place: big launch being planned; remarkable support from media houses, e.g. free space for			Tremendous support from media— both print and broadcasting. Print media carry regular boxes with		Own publications like Media Watch	Press statements, collaboration with media houses (columns in newspapers), attending every media	Meetings with civil society and news rooms; advertisements in various independent newspapers.



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		advertisements			information on the			related forum. Difficult	
					Press Council			to reach rural areas	
								where the council is	
								still not widely known.	
5. CHALLEN- GES									
5.1 Funding	All major media	MC generates its own			See above	Lack of funding	"Self sustainability is a	Media Council tries to	Donors are cautious
	organisations contribute	income					dream" - not possible	venture into business	but Media Council is
	 but still not enough 						because media councils	such as running an	slowly able to win
	funds						are service institutions.	internet café.	them over.
5.2 Member-	No problem- all major	See above			See above		Membership is	See above	See above
ship	media houses are members						representative		
5.3 Public	Minimal; not able to	There was a lot of					Media Council enjoys	Seems good	Access to media
Acceptance	educate people	pessimism; but now					public trust		difficult
	countrywide.	support is							
		"overwhelming"							
5.4 Relations	See above				State presidents	No so good.	Usually not very good	Government for now	Founding members
with					(Mandela, Mbeki),			supports Media	seen as "regime
government					cabinet ministers,			Council provided	change activists"
					provincials premiers			media are serious in	
					have made use of			managing their self-	
					the system.			regulation; in March 2008 minister of	
								information clarified	
								that government does	
								not want to interfere	
5.5 Profes-	Very supportive;	National Governing			Very well known		High calibre board which	High standing and	High calibre of
sionalism of	members make	Council and Board of			and highly regarded		is highly respected	respectable in society.	members; well known
Board	themselves available	Trustees have			by members of the				senior journalists;
	whenever necessary.	members of high			media and the				have to sign
		standing society.			public.				declaration of conflict
									of interest