

How to Note



Media and Freedom of Expression

1. PREFACE

The promotion of freedom, democracy and respect for human rights are key priorities in Danish development cooperation. Denmark's strategic priorities for support to democratisation and human rights identify the deepening of democracy and realisation of human rights as the two focus areas for Danish engagement.

The purpose of this How to Note is to provide hands-on guidance and inspiration on how to put these strategic priorities into practice in Danish development cooperation.

The Note focuses on one particular aspect of the support to deepening democracy: freedom of expression through the promotion of a free and diverse media. The Note also pays special attention to media support in conflict affected areas and fragile states.

Support to the media alone will rarely be enough to achieve and sustain democratic governance. Instead, it should complement other related governance efforts – such as electoral reform, justice and legal reform, parliamentary strengthening and the promotion of democratic political processes through support to political parties and civil society. Further guidance on support to some of these areas is provided in separate How to Notes.

This Note introduces the purpose of Danish support to the media and freedom of expression (section 2), lists key questions to consider prior to initiating such support (section 3), suggests possible entry points (section 4), identifies possible elements of support (section 5), provides guidance on how to monitor and evaluate support (section 6) and concludes with suggested further reading (section 7).

Danida's How to Notes provide brief technical guidance and inspiration for programming choices in Danish development cooperation. This and other How to Notes are available at www.danidadevforum.um.dk.

Contributions aimed at enhancing the content of this Note can be sent by email to the Technical Advisory Service of the Ministry of Foreign Affairs of Denmark at devforum@um.dk.

Key Messages

Danish support to the media and freedom of expression should be:

- Implemented in partnership with national partners.
- Coordinated with other media donors.
- Based on a holistic approach to media development to increase long term impact.
- Carefully and rigorously monitored and evaluated so as to document results.

2. THE PURPOSE OF SUPPORT

Freedom of expression is a cornerstone of any democratic society and a universally accepted human right. Together with the right of access to information, freedom of expression is a fundamental precondition for a nuanced, inclusive and transparent public debate - and for the exercise of other human rights. A particular challenge in this regard is to ensure that poor people and marginalised groups have both the opportunity to participate in public debates and the means to assert voice and influence.

Danish support to freedom of expression and a free and diverse media is intended to contribute to the development of a platform for democratic debate, to reduce poverty and to promote peace and security. When functioning properly in a democracy, the media can play vital roles, including:

- Providing access to information – which highlights the importance of a diverse media presenting news, information, in depth reporting and entertainment accurately and ethically to all groups of society.
- Channelling voice and opinion - by encouraging people, including the poor and marginalised groups, to participate in the development of a democratic society.
- Acting as a watchdog – by holding authorities, politicians and vested interest groups accountable.
- Furthering peace, dialogue and stability - by creating a democratic and inclusive public sphere and allowing for conflict in society to be expressed, and argued, in a non-violent manner.

3. KEY QUESTIONS TO CONSIDER

The identification and design of media support programmes should be based on an understanding of the media landscape and its context. Key questions include:

What is the legal, regulatory and institutional framework for the media? The starting point for any support must lie in a detailed understanding of the legal, regulatory and institutional framework for the media. This includes assessing:

- **Whether the legal framework provides for freedom of expression and access to information.** These rights are guaranteed at the international level by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. It is important to assess whether these have been adopted or ratified, and whether they have been translated into national legislation guaranteeing freedom of expression, including on the Internet, and access to information. It is also important to assess whether the relevant legislation is being implemented and enforced. Are public authorities, for example, willing to be transparent and provide information to the public?
- **Whether the law restricts freedom of expression and encourages censorship.** The legislation or common law on defamation (such as prohibitions against slander and libel) differ from country to country and will in many cases serve a legitimate purpose of protecting individual reputations. The degree to which the law is manipulated to restrict legitimate speech and suppress dissent should however be assessed to see what it says and how it is enforced in practice. This also includes assessing the type of penalties imposed for violations – notably whether severe penalties such as imprisonment are systematically imposed in cases where for example payment of damages could be considered. Organisations such as ARTICLE 19 and PANOS provide important information and analysis relevant to many of the issues related to the legal framework.
- **Whether licensing and behaviour of the media are overseen by independent bodies** such as a media council or self-regulating bodies. Some developing countries have established independent media regulatory bodies to hold the media accountable for their content and to ensure technical compliance for the broadcast media. Others have reformed their media sectors by relaxing licensing restrictions for broadcasters. The

level of independence of regulatory bodies varies greatly from one country to the next and needs to be assessed.

What is the socio-political context? The identification of entry points for possible media support will need to take the socio-political context into consideration. Key questions in this area include:

- **To what extent is society dominated by conflict and fragility?** The actual or potential level of conflict should be assessed. In societies dominated by conflict, it is essential to determine whether media support would fuel polarisation or, alternatively, whether it will allow conflict in society to be expressed and debated through peaceful means.
- **To what extent can the security and safety of media professionals be guaranteed?** Media professionals and their families face intimidation, arrest, physical attack and even murder throughout the world - in both conflict and peace-time settings. In many countries, the perpetrators of such crimes are never identified or convicted. The harassment of media professionals often leads to self-censorship – forcing members of the media to avoid important but contentious political issues to stay alive or simply to be able to continue publishing or broadcasting. Organisations such as Reporters Without Borders, the International Federation of Journalists, and the Committee to Protect Journalists regularly publish data on these issues.

How diverse and independent are the media? A mapping of the media organisations publishing and broadcasting information should be made to assess how independent and inclusive they are. The following issues should be assessed:

- **How is the media sector made up?** What is the balance between state, public, private and community media? How important are digital media platforms (the Internet and mobile phone platforms)? A key development is the rapid increase in Internet access and use of mobile phones, which has made on-line newspapers, blogging (websites on which ordinary people share information) and social media (such as Facebook, Twitter and YouTube) increasingly important.
- **Do people have access to the media?** This involves assessing the circulation of newspapers, the infrastructural capacity of TV and radio, the level of electrification and the level of internet and mobile telephone penetration. When assessing this, special

attention should be paid to the level of access for poor and marginalised groups as well as any indigenous peoples with particular language needs. Levels of literacy and Internet literacy also need to be assessed – for example, are people able to access and share information via social media and blogs?

- **Is the diversity in society properly reflected?** Do media and their distribution channels – print, broadcast or Internet-based - present a wide range of political opinions? Is there a tradition for properly researched investigative journalism and public interest reporting? How are gender issues reflected in the media - and is there discrimination against women in the media profession in terms of the topics female journalists typically cover? It will also be relevant to assess how the views of marginalised groups are represented in the media.
- **How independent is the media?** Privately owned media often dominate in countries that have recently liberalised media regulations and licensing. Some of the new forms of private media are subject to highly concentrated ownership that risks monopolising the market. Many media rely heavily on revenue from public and private sector advertisements that may compromise journalistic integrity. The media can also be affiliated with political parties – overtly or covertly. Public service broadcasting (broadcasting media financed and controlled by the public) has struggled in many countries to make the complicated transformation from state controlled media. Public service broadcasting can serve as a fundamental building block of democracy though – but only if pluralism, programming diversity, editorial independence and appropriate funding can be guaranteed.

Who are the key stakeholders? For any intervention to be effective, it is important to identify the key stakeholders and prevailing power relations in the media sector - and beyond. Such analysis should assess the role, capacity, resources and interests of stakeholders, including:

- **Authorities** - including relevant ministries and regulatory authorities
- **Media institutions** - including media councils, journalist unions, press clubs, media research institutions and media watchdog institutions.

- **Media** - including journalists, editors, publishers, managers and media owners.
- **Civil society organisations and coalitions** engaged in media monitoring and advocacy.
- **Media donors and international media organisations.**

What are the opportunities for capacity development? It is important to determine what educational and capacity-building opportunities exist for journalists and editors, and to identify the organisations already working in this area. This involves assessing:

- **The quality and outreach of existing training and research programmes** - including university degree courses, academic courses and opportunities for continuous professional media training.
- **The communication infrastructure and technical equipment** available to those institutions providing media related capacity development.

4. POSSIBLE ENTRY POINTS FOR SUPPORT

The initial analysis should provide the basis for deciding whether, and how, to include support for the media in Danish support programmes.

Specific entry points can be identified in terms of target group, processes and support modalities. These entry points should be seen as complementary – that is, a specific media support programme can be defined in terms of its **target group**, the **modality** through which support is provided and the **processes** being supported.

In terms of target group, support can be directed at one or more of the following institutions and actors:

- **Decision makers (such as legislators), judicial staff** and others responsible for developing, upholding, and enforcing the legal, regulatory and institutional framework.
- **Press councils, media commissions, regulatory bodies and journalist associations.** It is important to ensure though that any regulating mechanisms to be supported are sufficiently independent from the government.

- **Media professionals** - including journalists, editors, photographers, bloggers, and ‘citizen journalists’.
- **Media.** Building sustainable, independent media is crucial to strengthening transparency and accountability. Support to private media should, however, always be carefully assessed because of the possible distortion of the often very fragile media markets – especially in countries that have recently liberalised their media sector.
- **Civil society** such as human rights organisations and advocacy groups. These can play vital roles in monitoring the media and advocating for freedom of expression and access to information.

Support modalities, partners and intermediaries. Danish support to the media will often be integrated into other Danish programme areas in partner countries. For example, it could be integrated into broader governance programmes involving support to parliament, political parties, the justice sector, decentralisation and civil society. Support to the media can also be channelled to more focussed media development interventions financed through geographical programmes such as the ‘Partnership for Dialogue and Reform’ and the ‘Neighbourhood Programme’.

Support will often be provided in collaboration with other development partners through intermediaries such as media funds and media organisations. For example:

- **National and regional media institutions** - including press centres (like the Norbert Zongo Press Centre in Burkina Faso) and intermediaries (such as the Tanzania Media Fund). Such institutions may also need capacity building and can therefore be both instruments and targets of support.
- **International institutions and organisations** can also act as intermediaries or instruments for support. Examples include UNESCO and its International Programme for the Development of Communication (IPDC), the UNDP and international non-governmental organisations like International Media Support.

In addition to financial support, a significant and important contribution can also be made through policy dialogue – especially when the objective is to support legal reform processes related to freedom of expression and access to information.

Actual support will typically be provided to one or more of the following processes:

Legal and regulatory reform to ensure that freedom of expression and access to information (for both traditional media and on the Internet) are guaranteed in national legislation. For example, such assistance could be provided by supporting government and organisations working with legal reform in the media area. Legal reform can also be encouraged by supporting civil society and others advocating for such reform.

Development of journalistic standards and ethics. Support can be directed towards developing codes of conduct and other initiatives to codify, communicate and enforce a common set of standards for ethical behaviour and reporting. This could be particularly relevant in the run-up to elections.

Promotion of capacity development. This involves a broad range of themes and delivery methods and can be targeted at media professionals, managers and media institutions. External support to capacity development should be demand driven though. Whenever possible, it should be provided as an integrated part of any media support programme to avoid stand-alone interventions with limited sustainability.

Increasing media outreach. Such support can aim at expanding the outreach of media. In this regard, the opportunities offered by digital communication and the Internet in enhancing the reach and sustainability of the media should be considered - to make media more operationally secure and independent, and better able to generate income.

Accountability processes. The media can be an effective partner in programmes designed to strengthen transparency and accountability in the public sector. For example, the media could be involved in public sector management programmes to act as a watchdog over public authorities - by ensuring dissemination of findings from audit reports, reporting on the work of scrutiny committees and by providing a voice to the public.

Protection and security. Denmark's media support in countries such as Sri Lanka, Yemen, Iraq, Pakistan and Afghanistan clearly shows the need for strengthening mechanisms and procedures that increase security and protection of journalists, editors and other media professionals.

In Sri Lanka, persecution of journalists, impunity and intense censorship have been part of daily life for the media during the past 30 years of civil war. Scandinavian donors, including Denmark, have supported two independent media institutes with training, a self-regulating press complaints commission and advocacy work to promote freedom of expression. More information can be found at i-m-s.dk/content/sri-lanka

5. KEY SUPPORT ELEMENTS

Guiding principles for Danish support to the media and freedom of expression include that support should be:

- **Based on a thorough and rigorous analysis of the local context as a point of departure.** The potential problems and political implications of any support should always be assessed.
- **Locally owned.** National partners should be closely involved in the design, delivery and management of support programmes.
- **Provided in a long-term perspective with sustainable results.** As with any support to democracy building, promoting a more independent and diverse media requires consistent support over several years. At the same time, interventions should include an exit strategy to promote and ensure sustainability.
- **Harmonised with the support of other development partners.** Danish support to the media and freedom of expression should be provided in close coordination with other development partners.
- **Responsive to gender imbalances** - by mainstreaming gender and including gender specific activities, where relevant, to ensure that women are better represented in all aspects of media development.
- **Based on a mutual commitment to accountability and transparency.** Information on the type and amount of media support should be made publicly available. Similarly, accountability and transparency should be required from direct beneficiaries and any intermediaries entrusted with the management of donor funds.

Support to the media in conflict affected and fragile states. In addition to the guiding principles already listed, special consideration is required in fragile states and in situations of conflict and tension. Support to the media in such states should be assessed for its potential to increase ethnic, class, caste or other imbalances in society. The liberalisation of the media can potentially undermine state-building and fuel divisions in society – especially in the presence of so-called ‘hate media’. It is therefore important to focus on the dual role of the media as a platform for debate, and as an actor within the debate itself.

Key support elements. There is no template for designing a programme for media support. Still, based on the outcome of the initial analysis and available entry points, it is recommended that support programmes include a properly sequenced combination of at least some of the following:

Assistance to strengthening the legal and normative framework. While the decision to revise or adopt new media legislation is taken by national partners, external partners can support this process - through dialogue and by making legal expertise and experience from other relevant countries available. Expertise and support can also be provided to develop and implement codes of conduct or similar normative frameworks.

Support to media institutions. Press freedom, access to information and the promotion of media ethics can also be achieved by supporting media institutions (such as trade unions, associations and media councils). For example, the Association of Community Broadcasters in Nepal and the Sri Lanka Press Institute have both been supported by Denmark. Depending on the capacity and mandate of the institution in question, such support could be provided as core support against strategic institutional plans or towards specific activities such as audience research or media monitoring, particularly during elections.

Support for civil society advocacy. Civil society and other watchdog groups can play an important role in holding authorities accountable and advocating for legislative reform related to freedom of expression and access to information. Specific support can be provided to human rights organisations to strengthen their general advocacy capacity or to support specific advocacy activities related to the media.

Development of journalistic skills and standards. Capacity development for journalists and editors is a dominant feature of many media support programmes. Investigative journalism

is a particularly important topic that will contribute directly to strengthening the media’s watchdog role. Specific skills are required to generate ideas, develop angles and conduct research to uncover, for example, allegations of corruption. The ability to use information and communication technologies is increasingly important in this context. Other relevant capacity development topics include public interest journalism, gender responsiveness, election observation, coverage of court proceedings and journalism ethics. Moreover, journalists increasingly rely on Internet or mobile phone based sources when producing content for traditional media channels. As a result, an important skill is the ability to produce and make sense of Internet and mobile phone based content such as blogs, social media and Internet based newspapers.

Building management capacity. In addition to training in technical skills, media can also be supported to upgrade their general management skills. Capacity development in the areas of income generation, financial management, human resources management and business planning are essential aspects to improve the sustainability of media.

In terms of delivery, capacity development can be provided in a variety of ways. For example, training can be useful and effective provided it is focussed on building specific skills and linked to the development of specific journalistic content. It should be provided by trainers who understand the political and institutional context in which they operate. It is also important to ensure that editors - and media owners, where relevant - are introduced to journalistic training concepts to appreciate the implications that the training may have for daily journalistic routines. Capacity development can also be effectively provided through coaching and mentoring. Sustainability can be increased through capacity and curriculum development for existing training institutions and universities. Twinning is also an effective option - if explicitly requested by the institution in question, and provided that a partner with the necessary capacity and insight can be found.

Content production. Capacity development will go a long way towards increasing the quality of journalistic content. Still, additional support may be required to enable media to produce and disseminate professional content (from films to investigative journalism) that might otherwise be too expensive to produce - or that might be restricted in other ways. Such specific support should go hand-in-hand with other capacity development interventions as illustrated by the box overleaf.

SCOOP – supporting investigative journalism.

Eastern and South-eastern Europe and the Caucasus are the home regions of SCOOP – a network of investigative journalists. SCOOP provides funding to organisations for investigative journalism to assist journalists with coaching, financing and legal assistance to produce investigative stories. It also helps to protect journalists and support them to avoid self-censorship. SCOOP was founded in 2003, is managed by the Danish Association of Investigative Journalism (FUJ), and is funded by Denmark through International Media Support.

Source: i-scoop.org

Provision of equipment to increase outreach and distribution is a capital-intensive aspect of media development. Exchanging old and heavy TV equipment for new, light, digital equipment opens possibilities for increased field documentation, live programming and other formats involving ordinary people. Any support should be provided as part of a more holistic package involving capacity development interventions. To avoid market distortion, such support should be carefully assessed and mainly provided to public service broadcasters, community radios or institutions providing media training – all of which should be selected based on clear and transparent criteria. Beneficiary institutions should also be required to make a credible commitment to maintaining any equipment provided.

The following additional support elements can also be considered in conflict affected areas and fragile states:

Support to the protection of journalists and media houses. This can involve training of journalists in safety measures and precautions, and providing hotlines and safe-houses for journalists and their families. Providing legal assistance to journalists being prosecuted by authorities can also enhance their safety and security.

Capacity development in conflict sensitive reporting, ethics and international media standards. Such support may include initiatives to combat radicalisation through social media. For example, radical movements in Afghanistan, Lebanon and in Gaza are using social media and other media channels to promote radicalisation. The same platforms can, however, also be used to illustrate and inform people of the negative consequences of radicalisation.

Finally, support to media in exile can be a viable option - especially in countries where the domestic media is controlled by the state and prevented from reporting independent and sensitive stories. International Media Support has provided templates that can be used to design media support programmes in conflict-affected areas of the world.

6. MONITORING AND EVALUATION

Monitoring and evaluation are important management tools to learn lessons and continually improve the relevance, effectiveness and sustainability of external support to media development.

It is essential to identify indicators at the outset to provide a baseline. Indicators should be agreed in dialogue with programme partners and may include outcome level indicators such as ‘adoption of reformed legislation’ or impact level indicators that may relate to change in behaviour such as a ‘number of attacks on journalists reduced’.

A number of publications provide information on media-related indicators, including the ‘Media Development Indicators’ published by UNESCO.

Aggregated, cross-country indicators such as the ‘Press Freedom Index’ developed by Reporters Without Borders are useful to broadly categorise the state of press freedom in a given country. However, due to their aggregated nature, these are rarely useful for tracking year-on-year changes associated with specific interventions.

Challenges also exist in identifying realistic ways of measuring change and in proving that a particular intervention contributed to observable change. In-depth case study evaluations may prove useful in assessing success and attribution.

Lastly, the Ministry of Foreign Affairs of Denmark has published a technical note on monitoring and evaluation of media programmes (2007) – which includes an annotated bibliography.

How to Note on Media and Freedom of Expression
June 2011

Publisher
Ministry of Foreign Affairs
of Denmark
Asiatisk Plads 2
DK-1448 Copenhagen K
Denmark

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Design: Ministry of Foreign Affairs of Denmark
Print: Ministry of Foreign Affairs of Denmark
Photo: Jørgen Schytte

The publication can be downloaded or ordered from:
www.danida-publikationer.dk

The text of this publication can be freely quoted

ISBN -978-87-7087-539-4 (print version)
ISBN -978-87-7087-540-0 (internet version)

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7. FURTHER READING

DfID (2008) *Media and good governance - A DfID Practice Paper*, London: Produced by BBC World Service Trust in collaboration with DfID, May 2008

Ministry of Foreign Affairs of Denmark (2007) *Monitoring and indicators of communication for development - Technical Notes*, Copenhagen: Technical Advisory Services, Danish Ministry of Foreign Affairs

Swiss Agency for Development and Cooperation (2007) *Media – A Key Player for Realising Social Accountability – Orientation Guide*, Berne: SDC (also available in French and Spanish)

UNDP (2006) *Communication for Government: developing media strategies in support of vulnerable groups – Practical Guidance Note*, Oslo: UNDP Oslo Governance Centre

UNESCO (2008) *Media Development Indicators: A Framework for Assessing Media Development*, Paris: UNESCO

Internet sites

ARTICLE 19 - www.article19.org

Committee to Protect Journalists - www.cpj.org

Global Forum for Media Development - www.gfmd.info

International Federation of Journalists - www.ifj.org

International Media Support - www.i-m-s.dk

International Press Institute - www.freemedia.at

PANOS – www.panos.org

Reporters Without Borders - www.en.rsf.org

UNESCO - www.unesco.org

World Association of Community Radio Broadcasters – www.amarc.org

World Association of Newspapers and News Publishers - www.wan-ifra.org