

Memorandum on the transformation of state newspapers

There is general consensus in Southern Africa that freedom of expression is a fundamental human right and that the media play a key role in promoting the free flow of information and ideas – as recognized in the Declaration of Principles on Freedom of Expression by the African Commission on Human and Peoples' Rights of October 2002. In particular there is agreement on

- the indispensability of an independent and pluralistic press (Windhoek Declaration of 1991),
- the need to transform state broadcasters into public broadcasters (African Charter on Broadcasting 2001).

While an independent press is flourishing and the transformation of state broadcasters is under way in a number of countries, there has been little or no discussion on the future of state controlled/owned newspapers.

- In order to structure the debate and take it forward;
- with a view to ensuring a diverse media landscape; and
- in recognition of the fact that the media serve a public interest,

we, media stakeholders from Southern African countries meeting in Stellenbosch/South Africa on 28/29 May 2005, resolve the following in a first memorandum that needs further in-depth debate, including the future role of state-owned news agencies:

- State controlled/owned newspapers as a legitimate tool of communication for governments have outlived their purpose in view of the multitude and plurality of independent media voices.
- Governments' responsibility to inform citizens on government issues is best served through their professional public relations departments.
- Governments have the responsibility to create an enabling environment for a free press and must ensure a level playing field for all sectors, e.g. in regard to use of government facilities, access to capital, taxation, (duty free) import of newsprint and equipment as well as the widest possible distribution of newspapers. All government advertising should be placed by a commercial agency (selected through a tender process) according to criteria of impact. Government publications should not carry commercial advertising.
- Governments should not own, control or operate newspapers.

- Viable state newspapers should be privatized. This process should be based on
 - decisions by an institution that operates at arm's length from government;
 - documentation submitted by the bidder in regard to editorial independence and professional quality standards;
 - the avoidance of monopolies and undesirable foreign ownership with a view to increasing media diversity and pluralism.

- The process of privatization will take different forms according to specific circumstances in the various countries (e.g. vibrancy of private market, number and types of state newspapers):
 - State newspapers should not necessarily be sold to the highest bidder.
 - Additional conditions could be set to ensure editorial independence through boards of trustees and/or editorial staff rights in appointing top editorial staff.
 - Shares could be offered to citizens in general in certain (limited) amounts for each individual/group, with restricted rights of resale, to ensure broad based ownership.
 - Staff and management could be offered a buy out.

An appropriate solution might also be a mix of the above options.

- Wherever such a transformation is presently not possible due to lack of political will, the danger of creating a new (now private) monopoly, or no buyer being found, as a transitional solution state newspapers should be transferred to a public legal entity. This entity must be accountable to the public at large through a board protected against any political or economic influence and appointed in an open and transparent manner involving the participation of civil society.

- Whenever the information needs of citizens are not sufficiently catered for by the mainstream press, media development agencies should be put in place to promote community and local media. Such agencies must be independent even if public funds are used.

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