

# AFRICAN MEDIA BAROMETER

The first home grown analysis of the  
media landscape in Africa

## GHANA 2017





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# The African Media Barometer (AMB)






The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on home-grown criteria derived from African Protocols and Declarations like the Declaration of Principles on Freedom of Expression in Africa (2002) by the African Commission for Human and Peoples' Rights. The instrument was jointly developed by fesmedia Africa, the Media Project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The African Media Barometer is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB-reports are then integrated into the work of the 19 country offices of the Friedrich-Ebert-Stiftung (FES) in sub-Saharan Africa and into the advocacy efforts of other local media organisations like the Media Institute of Southern Africa.

## Methodology and Scoring System

Every three to four years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1½ days they discuss the national media environment according to 39 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB-report.

After the discussion of one indicator, panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

<b>1</b>	Country does not meet indicator	
<b>2</b>	Country meets only a few aspects of indicator	
<b>3</b>	Country meets some aspects of indicator	
<b>4</b>	Country meets most aspects of indicator	
<b>5</b>	Country meets all aspects of the indicator	

The sum of all individual indicator scores will be divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores.

### **Outcome**

The final, qualitative report summarizes the general content of the discussion and provides the average score for each indicator plus sector scores and overall country score. In the report panellists are not quoted by name to protect them from possible repercussions. Over time the reports are measuring the media development in that particular country and should form the basis for a political discussion on media reform.

In countries where English is not the official language the report is published in a bilingual edition.

Implementing the African Media Barometer the offices of the Friedrich-Ebert-Stiftung (FES) and – in SADC countries the Media Institute of Southern Africa (MISA) – only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

In 2009 and again in 2013 the indicators were reviewed, amended, some new indicators were added and some were replaced.<sup>1</sup>

By the end of 2016 the African Media Barometer had been held in 31 African countries, in some of them already for the fifth time.

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<sup>1</sup> Consequently, the comparison of some indicators of previous reports is not applicable (n/a) in some instances in which the indicator is new or has been amended considerably. Furthermore sector scores are not applicable (n/a) as indicators have been moved.



*See above 31 AMB Countries (2005-2016)*

# African Media Barometer Ghana 2017

## Summary

The Ghanaian Constitution, in Chapter 12, protects both freedoms of expression and of the media. The freedoms stipulated, amongst others, include the prohibition of censorship, the freedom to establish private media, insulation of the media from the government's control or interference, editorial freedom by the media and independence of the state (public) broadcaster. The government has also repealed libel laws. As a result of these far-reaching guarantees of media freedom, Ghana remains one of the few countries on the continent where the government steers away from interfering in the media. However, there are few laws to support these constitutional guarantees. For instance, Ghana is one of the few countries on the continent without an access to information, legislation and broadcasting law. Although criminal libel provisions in the Criminal Code of 1960 have been repealed, some sections that prohibit the media from publishing information that may disturb the public peace remain on the statute books. These sections have been invoked under both Presidents: John Kofi Agyekum Kufuor and the late John Evans Fiifi Atta Mills.

A measure of a healthy democracy in any country is the level of freedom of expression among its citizens. Ghana does have the space for people to express themselves. Radio, in particular, is the main platform where people can freely speak their minds. Another platform is social media, which has expanded the avenue for freedom of expression on political-economic and social issues. However, there are some limitations to this freedom, not least from pressures arising from politics and cultural practices. With regards to the former, family or social pressures may act as hindrances to free speech. Women, especially, are discouraged to speak out and many of them, especially in rural and peri-urban areas, shy away from doing so. There is also great respect for traditional authority, with a large number of people steering clear of criticising traditional leaders.

In the political arena, fear of speaking out is becoming prevalent. Journalists are increasingly facing intimidation from the police and from politicians, simply for expressing themselves. Business people, bureaucrats and government workers are also scared to speak out for fear of losing contracts or their jobs.

The freedom of expression guaranteed in the constitution and the relative freedom to speech citizens have, is undermined by the lack of access to information legislation. Although the Constitution states that "all persons shall have the right to information", the absence of policy and legislation make it very difficult for both journalists and ordinary citizens to access it. This is compounded by poor record keeping and knowledge management. Efforts by lobby groups over the years to push for an access to information law have not yielded results.



The existence of media pluralism in Ghana is characterised by the coexistence of privately-owned, state-owned and public broadcasting services, as well as an overabundance of print media publications. For instance, there are 345 operational FM radio stations, 79 community radio stations and 31 public radio stations. There are also hundreds of newspapers. However, accessibility and affordability are major problems. In terms of newspapers, their distribution is often urban-centred and with a price tag of 2.5 cedis (US\$0.65), the same as the cost of a loaf of bread, many Ghanaians consider newspapers unaffordable. Affordability and accessibility are also factors in the area of digital media; the Internet is considered expensive for the average Ghanaian citizen, and as a result, the internet penetration rate remains low, with access being limited mainly to regional capitals. Although more people are able to access the Internet through smartphones, this does not come cheap; with 1.5 gigabytes (GB) of data costing about 19GH¢ (USD4.27).

However, this media pluralism is not accompanied by media diversity. Although society is given a full spectrum of alternatives to access media, there is a lack of diversity of voices and a growing homogenisation of media content. Voices of women, rural citizens, the disabled, minority, ethnic and religious groups are marginalised in the media. This is captured in a statement from one panellist, who stated that the media is dominated by “able-bodied, middle-aged, heterosexual, Christian, southern Ghanaian”. Content diversity also has to do with language; English and Twi from the Ashanti region dominate across all media. Politics also dominate media content, and stories focusing on health, education and social issues receive little space in the media.

The deterioration of the diversity of opinion in media is also caused by cross-ownership. Ghana does not have a competition law and the National Media Commission (NMC) does not have the mandate to curb monopolisation or media concentration. Large media groups and individual moguls are rapidly buying up the media. The Excellence in Broadcasting (EIB) Network (the owners of *Starr FM*, *GH1 TV*, *the Daily Heritage newspaper*), for instance, is owned by former Finance Minister Kwabena Duffour, who also owns several other companies in other sectors.

The lack of broadcasting legislation in the country has created a murky regulatory environment. The two bodies created to oversee various facets of the broadcasting sector; the National Communications Authority (NCA), focusing on technical and licencing issues and the National Media Commission (NMC), concentrating on content, seem to operate in a broadcasting legislative vacuum. There is tension between the NCA, which is seen as politically compromised due to its mandate falling under the Ministry of Information, and the NMC, which is perceived as independent. The NCA has been criticised for awarding licences to people with political connections. Although the independence of the state (public) broadcaster, the Ghana Broadcasting Corporation (GBC), is guaranteed in Article 167 of the Constitution, the GBC is largely seen as a subservient mouthpiece of

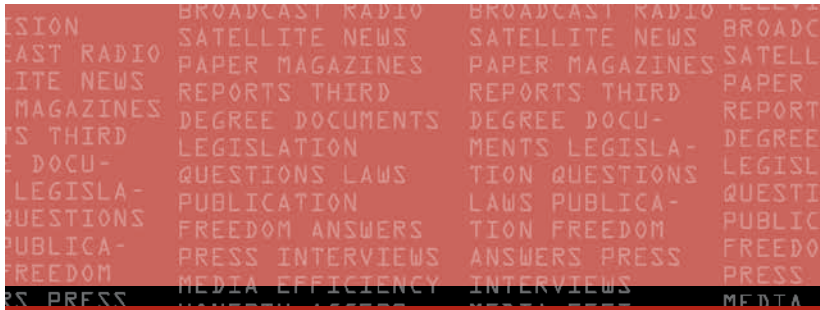
the government in power, created by the one-party rule and military regime that dominated Ghana. The country needs a well-conceptualised broadcasting law that protects a three-tier broadcasting system, promoting public, commercial and community media. The current Broadcasting Bill drafted in 2003 is obsolete and out-dated.

As the continent moves towards digital broadcasting, Ghana has advanced considerably in this area; although it missed the June 2015 digital migration deadline stipulated by the International Telecommunication Union (ITU). The deadline is now September 2017. Currently, the government is working to create awareness on the digital switchover and has offered free digital decoders to selected members of the public. The geographic extent of the television (TV) signal in Ghana is 59.39 percent coverage of the land area and 79 percent of the population. The digital rollout has future plans to extend the coverage area and to close the gaps in the existing analogue system.

On the whole, Ghana's media environment is open, free and vibrant. However, the sector faces challenges. One major issue is in the area of ethics and professionalism. The heightened level of unethical and irresponsible journalism is a cause for concern and the public is increasingly questioning the credibility of newspapers, magazines, and broadcast news. The Ghana Journalists Association (GJA) Code of Ethics has been often ignored. Three basic journalistic principles seem to be compromised: Objectivity, cross-checking of facts and the separation of comments from fact. There is also a fair amount of corruption in the media. For example, the practice of 'solidarity' (*soli*), a synonym for 'brown envelope' in Ghanaian vernacular, seems to be becoming an accepted practice, to the extent that some journalists believe taking *soli* is their right. The other challenge pertains to journalist's reluctance to organise themselves in effective associations. This is quite evident in the fact that the country does not have a national journalist union, and only has the GJA. Women media practitioners have also failed to organise themselves in an association, and thus there are very few gender and media activities in the country. Many newsrooms have no sexual harassment policies or policies that work to promote women to editorial and management levels. This lack of a national union for journalists has also meant that low salaries and poor working conditions for journalists cannot be resisted collectively.

Since the last African Media Barometer (AMB) discussion in 2013, very little has improved; this could be one possible reason for lower scores. Going forward, media freedom activists and journalists in Ghana need to harness opportunities that often come when a new political administration comes into power. President Nana Addo Dankwa Akufo-Addo of the New Patriotic Party (NPP), who was elected into power in December 2016, has vowed "not to let Ghanaians down," and promised to put Ghana, "back on the path of progress and prosperity". The push for enabling media legislation that will give meaning to media freedom provided in the constitution needs to be intensified.





# SECTOR 1:

**Freedom of expression, including freedom of the media, is effectively protected and promoted.**



# Freedom of expression, including freedom of the media, is effectively protected and promoted.

## 1.1 Freedom of expression, including freedom of the media, is guaranteed in the Constitution and supported by other pieces of legislation.

Ghana's Constitution guarantees both freedoms of expression, and freedom of the media.

Chapter 5, Article 21 (1) of the Constitution, which outlines Fundamental Human Rights and Freedoms, states that:

*"All persons shall have the right to freedom of speech and expression, which shall include freedom of the press and other media."*

Chapter 12 of the Constitution guarantees the freedom and independence of the media, protects the media from censorship, and guarantees the right for media houses to be established without impediment; with Article 162 (1 to 4) of the Constitution stating the following:

1. Freedom and independence of the media are hereby guaranteed.
2. Subject to this Constitution and any other law not inconsistent with this Constitution, there shall be no censorship in Ghana.
3. There shall be no impediments to the establishment of private press or media; and in particular, there shall be no law requiring any person to obtain a licence as a prerequisite to the establishment or operation of a newspaper, journal or other media for mass communication or information.
4. Editors and publishers of newspapers and other institutions of the mass media shall not be subject to control or interference by Government, nor shall they be penalized or harassed for their editorial opinions and views, or the content of their publications.

Article 162 (5) upholds the media's role in keeping government accountable to the public, by stating that:

*"All agencies of the mass media shall, at all times, be free to uphold the principles, provisions and objectives of this Constitution, and shall uphold the responsibility and accountability of the Government to the people of Ghana."*

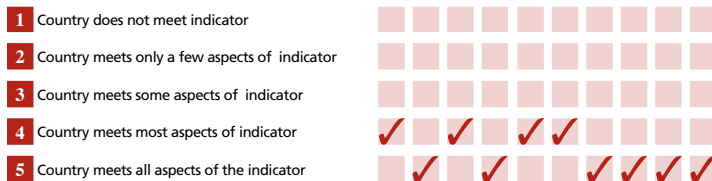
However, while these chapters clearly ensure that Ghana's citizens and media are free, there is insufficient legislation, aside from the National Media Commission (NMC) Act and the Whistleblowers Act, to support these constitutional clauses. For example, the constitution notes that the NMC should register newspapers, "but the rules, criteria, and qualifications of registering media remains very weak."

To date, despite years of consultation and advocacy to this effect, Ghana still does not have a Right to Information or Broadcasting law.

Although libel laws were repealed back in 2001, laws such as 'the causing fear and panic law' in Section 208 of the Criminal Code of 1960 remain on the statute books.

## Scores:

### Individual scores:



### Average score:

4.6 (2006:4.2; 2008:4.5; 2011:4.0;  
2013:4.3)

## 1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear.

"This is the only country in Africa where you can insult the president and get away with it."

"There is a space for people to express themselves without fear, and some may even go overboard."

Panellists agreed that to a large extent Ghanaians are expressing themselves, with radio being the main platform for airing their views, as "they can go on air and speak their mind without fear of a backlash."

In fact, particularly on radio, there is concern that the media may “go overboard”, with, “stories being exaggerated, blown out of proportion, and ‘massaged’” to attract additional listeners.

“There is an element to our media practice, where we allow phone-ins and text messaging, and this has become so much accepted, that it has become the occupation of some people to text views and make phone-ins. This certainly promotes citizen journalism.”

There are, however, various limitations to this freedom; citizens feel more open expressing strong opinions in private than in public, officials who provide information do not want to be named, and family pressures may be placed on a person to not speak out because of the “transferred malice on those associated with you”. Despite constitutional guarantees, journalists too, “do not dare to do certain stories.”

“The cost of living is biting, the economic climate has gotten worse; there’s a high level of dependence on a few income earners, and high unemployment. In situations like this, people are careful when they have to open their mouths in public.”

Although the right to freedom of expression is guaranteed in the constitution, this right is not always asserted without fear. “The very powerful people and those with nothing to lose are able to exercise [do so] without fear. But if for example, you go to a school with terrible infrastructure, that school’s principal will be scared to speak about those conditions because they don’t want to offend political class or government, as they fear losing their jobs.” Instead, they will say things like “it will give me problems if I speak on this, it may affect my job or my business, and so forth.” This compromises the quality of reporting, because experts on certain issues may not speak out, even to simply provide context, for fear of negatively impacting their careers. Politicians are then sought to respond to issues, “The content suffers and listeners are misled somehow.”

Journalists, too, have faced intimidation, including by the police, for expressing themselves in their professional and or private capacity. Media practitioners on the panel noted receiving death threats from those who do not agree with what they have said or published.

There are other factors that affect freedom of expression.

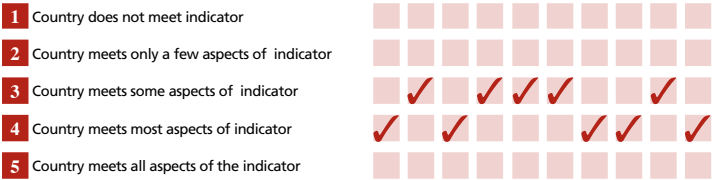
From a cultural standpoint, in assessing who is free to speak and accepted for expressing his or her views, freedom of expression varies based on age, sex, etc. “From a gender perspective, women would not be tolerated when they say certain things in public. We need to think about who is free to speak. There was a programme on Peace FM, for example, in which a lady participated very freely. But then people felt that she shouldn’t be saying certain things as a woman, and started calling her names and insulting her.”

Continuing on the notion of cultural expectations, it is expected that the youth should not insult their elders. In addition, there is great respect for traditional authority, with citizens steering clear of criticising traditional leaders.

Geographical location also plays a part, "Beyond Accra, can people really speak their mind?" one panellist asked.

### Scores:

#### Individual scores:



**Average score:** 3.5 (2006:3.3; 2008:4.8; 2011:3.6; 2013:3.7)

## 1.3 There are no laws or parts of laws restricting freedom of expression such as excessive official secrets, libel acts, legal requirements that restrict the entry into the journalistic profession or laws that unreasonably interfere with the functions of media.

Ghana does not have any laws that specifically restrict access to information.

However, although criminal libel provisions in the Criminal Code of 1960 have been repealed, Section 208 (1) of the Criminal Code of 1960 (Act 29) remains on the statute books and states that:

*"Any person who publishes or reproduces any statement, rumour or report which is likely to cause fear and alarm to the public or disturb the public peace, knowing or having reason to believe that the statement, rumour or report is false is guilty of a misdemeanor."*

Panellists noted that there have been instances – under both the John Kufuor and the John Mills’ presidencies – in which people were arrested based on this law,



but the case could not go to court. The police have also tried to use this law to provoke fear.

A panellist pointed out, however, that “because the guarantee of freedom of expression is essentially coming from the constitution, although there are issues in the Criminal Code, ultimately, by and large, the constitution promotes freedom of expression because the Criminal Code can’t override the constitution.”

Further, Article 164 of the Constitution qualifies Articles 162 and 163 by noting that:

*“The provisions of articles 162 and 163 of this Constitution are subject to laws that are reasonably required in the interest of national security, public order, public morality and for the purpose of protecting the reputations, rights and freedoms of other persons.”*

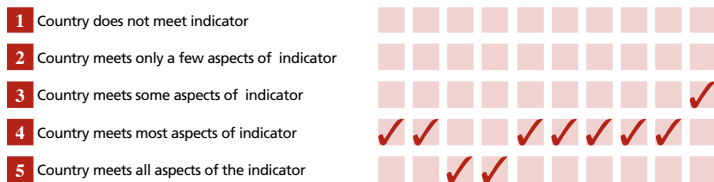
The constitution does not specifically define ‘public interest’.

Panellists noted that the absence of a specific law restricting freedom of expression “does not mean that there are not any factors present that interfere with freedom of expression”, noting that it should not be ignored that other factors exist that may impose certain restrictions on freedom of expression; including societal issues, low literacy rates, etc. “There are invisible values that are set as ways of living, and we need to reconcile the two.”

There are no laws that restrict entry into the journalistic profession, and the Ghana Journalist Association (GJA) has supported the notion that no law should be created to this effect.

## Scores:

### Individual scores:



### Average score:

**4.1 (2006:n/a; 2008:n/a; 2011:n/a; 2013:4.0)**

## 1.4 The government makes every effort to honour regional and international instruments on freedom of expression and freedom of the media.

Ghana has signed a number of international instruments. "We are always the first to sign." However, little effort is made to domesticate these laws or to report on them in line with the requirements set out.

"Ghana tried to maintain a good image, but it takes civil society to take government up on these laws. I find that by tracking it, you can see where the gaps are, and can then hold government accountable in this regard. But only a few people know and track government's commitments."

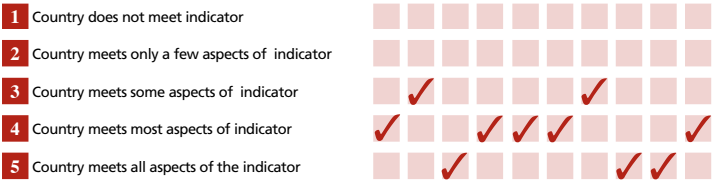
Importantly, the Ghanaian Constitution comes above all else with regards to the law. "There is nothing that the government will act on merely because of these [regional and international] instruments. From the discussion of the law or even in public practice, it is the constitution that matters." Furthermore, Ghana has a unique situation in that treaties are an executive act, while legislation is a parliamentary act, "Until ratified by parliament, these instruments have no application. So even if we sign on these, they have no meaning until parliament takes it up."

With regards to laws that protect media freedoms, Ghana, "is not doing well in making the necessary effort, especially with respect to the right to information."

Notably, Ghana is party to the Universal Declaration of Human Rights (UDHR) as well as the African Charter on Human and Peoples' Rights (also known as the Banjul Charter), both of which highlight freedom of expression as a right.

### Scores:

#### Individual scores:



**Average score:**

**4.1 (2006:n/a; 2008:n/a; 2011:3.3; 2013:4.2)**

## 1.5 Print publications are not required to obtain permission to publish from state authorities.

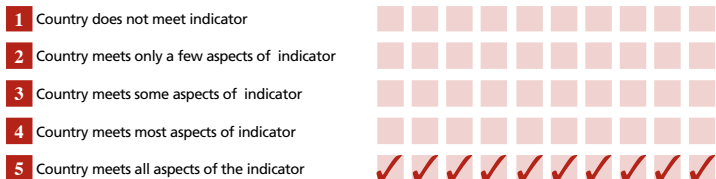
“The law does not require registration [and or] authorisation prior to publishing. But there is a requirement that notification be given within a period after.”

In the Ghanaian context, no prior permission is required for print publications to publish.

The NMC, which is an independent, constitutional body, requires print publishers to register with it at least four months after their first publication but does not require prior authorisation to publish. Furthermore, when registering their publication, the NMC does not deny a publisher from publishing; registration serves more as notification of publication, rather than as a request for permission to publish.

### Scores:

#### Individual scores:



#### Average score:

**5.0 (2006:n/a; 2008:n/a; 2011:5.0; 2013:4.5)**

## 1.6 Confidential sources of information are protected by law and/or the courts.

There are no specific legal protections for confidential sources of information.

The GJA's Code of Ethics, however, stipulates that sources should be protected. “It is not a law, but it is persuasive. If you go before a judge, he[or]she will give thought to this.”

Case law also supports the protection of confidential sources of information, and a precedent has been set in this regard. “In almost every case involving confidential sources, counsel has pressed for disclosure. There was a case for example that went to Supreme Court, where the outcome was not for disclosure, and this allows for the High Court to rule that confidential sources of information

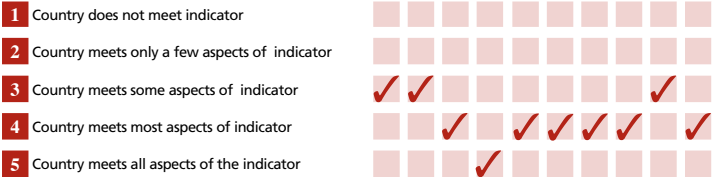
should not be disclosed. We can confidently say, therefore, that there have been no cases where disclosure was forced.”

A journalist on the panel related a 2015 experience in which they were “serving as a prosecution witness for the state. The lawyers were impressing upon me to reveal my sources. But the source had spoken to me in confidence, and the judge said that I would not have to reveal this source.”

The Whistleblower Act of 2006 protects whistle-blowers from victimisation, provides for their protection by the police, and protects them from civil and criminal action related to their disclosure. However, the Act does not make special provision for the protection of sources of the media.

**Scores:**

**Individual scores:**



**Average score:** **3.8 (2006:1.4; 2008:1.1; 2011:2.8; 2013:1.9)**

**1.7 Public information is easily accessible, guaranteed by law, to all citizens.**

Ghana does not have an Access to Information Law. Nevertheless, there is a provision in Chapter 5 Article 21 (1) (f) in the Constitution in that states:

*“All persons shall have the right to information, subject to such qualifications and laws as are necessary in a democratic society.”*

But while the right to information is guaranteed in the constitution, “accessibility is the issue”, as there are no laws that provide for the parameters and or the implementation of this article.

“In practice, it is not easy to get information. For example, the Public Procurement Authority [PPA] and the Youth Employment Agency [YEA] have both argued in the past to journalists that ‘there is no law compelling us to give this information to you.’”

“You can go to court and have the information released, but there is nothing that promotes this.” In addition, for journalists that are forced to take this route, their investigations are exposed.

Beyond being able to access information, “record keeping is really bad. Sometimes people are willing to give you the information, but they themselves can’t access it.”

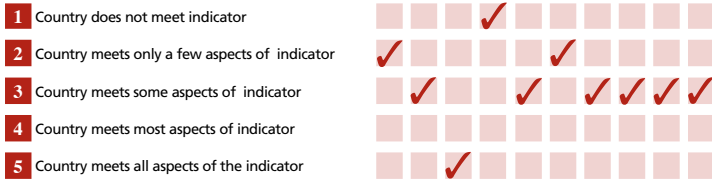
There are also different levels of accessibility for the media, depending on what the information is being used for. For public relations pieces, accessing information is easier because the organisation will be presented in a more positive light. However, accessibility is more difficult when doing investigative pieces that may compromise the affected organisation or individual.

“As a general rule, ministers and government officials are accessible, and in a typical day’s broadcast, one can get two or three ministers to speak on an issue. The real difficulty is in accessing higher levels of information that promote transparency; such as in matters about procurement, or big money issues.”

“Have we ever seen anyone being promoted for giving too much information? Certainly not.”

## Scores:

### Individual scores:



### Average score:

**2.8 (2006:1.2; 2008:1.4; 2011:2.4; 2013:2.3)**

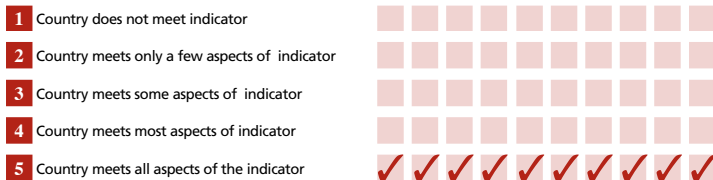
## 1.8 Websites, blogs and other digital platforms are not required to register with, or obtain permission, from state authorities.

Currently, there is no requirement in Ghana for websites, blogs and other digital platforms to register with or obtain permission from state authorities in order to operate.

“With digitisation, we don’t know how the future landscape will be though.”

### Scores:

#### Individual scores:



#### Average score:

5.0 (2006:n/a; 2008:n/a; 2011:5.0; 2013:4.7)

## 1.9 The state does not seek to block or filter Internet content unless in accordance with laws that provide for restrictions that serve a legitimate interest and are necessary in a democratic society, and which are applied by independent courts.

“Here in Ghana, we do not block anything.”

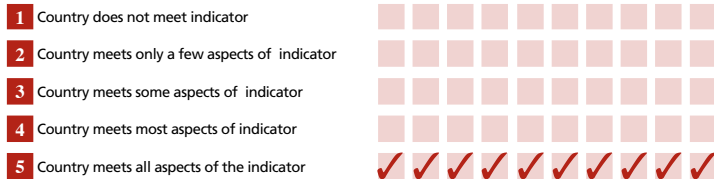
Panellists agreed that the state has not blocked or filtered Internet content and that there has been no recorded incidence of this happening.

Following the 2016 elections, “the Former IGP [Inspector General of Police] has repeatedly denied the claim that the government wanted to block social media [despite reports of his intention to do so]. NMC conducted an audit of police systems, and satisfied themselves that no attempt to block or filter Internet content had been made.”

Whether the state has the capacity to block Internet content is also questionable.

## Scores:

### Individual scores:



### Average score:

**5.0 (2006:n/a; 2008:n/a; 2011:4.8; 2013:4.8)**

## 1.10 Civil society in general and media lobby groups actively advance the cause of media freedom.

A small number of civil society actors actively advance the cause of media freedom, with the most notable groups being the Media Foundation of West Africa (MFWA) and the Ghana Journalists Association (GJA).

Advancing the cause of media freedom has become more complex in past years, due to the nature of increasingly tabloid-style reporting that may often forego media ethics.

“Media advocacy should hold a balance between free and responsible media.”

Recently, three journalists were sentenced for contempt of court. “Everyone was condemning what they had done, as they had persistently carried content that by any fair standards was close to hate speech.” Following their criticism of Supreme Court judges and the court justice on electoral commission issues, the three were brought before the Supreme Court for contempt of court and were handed custodial sentences of about 3 months each. Their media houses were also fined. “In the history of Ghana, this was probably the most harsh sentence on the media,” and divided the media fraternity because, on one hand, it dealt a blow to media freedom, while on the other hand, this freedom was seen as having gone to the extent of irresponsible and unethical reporting. Following a petition, a reprieve was given by the president for early release.

Panellists also noted that some media advocacy groups are selective about when to speak out on media freedoms, seemingly forgetting about the cause to protect free expression when it impacts them negatively.

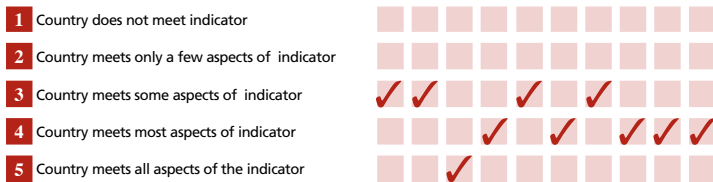
“When we talk about the cause of media freedom and maintaining balance with responsible reporting, we need to see what media freedom is intended to achieve.”

Furthermore, media lobby groups are not very consistent in their advocacy efforts. “Media groups advance the cause when it’s tough. But when things are going well, they are not very active.”

In summary, while organisations such as GJA and the Media Foundation for West Africa actively promote media freedoms, panellists agreed that more can and should be done, while simultaneously emphasising responsible and ethical reporting.

## Scores:

### Individual scores:



### Average score:

**3.7 (2006:3.7; 2008:2.5; 2011:5.0;  
2013:3.6)**

## 1.11 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups.

Under the current constitution, Ghana has not seen many attempts at changing or enhancing media legislation. The most substantive media legislation to have emerged during this time is the Broadcasting Law and the Content Standards Regulation (LI2224). The Right to Information Law is applicable to all citizens, but can also be counted amongst laws impacting the media.

In bringing about the Broadcasting Law, a number of debates and discussions were held. A panellist noted that perhaps there was even “over-consultation” in this respect and that this over consultation may have become a tool for political inaction. It is understood that there will likely be another series of consultations. This raises an important question, “consultation amongst who?”

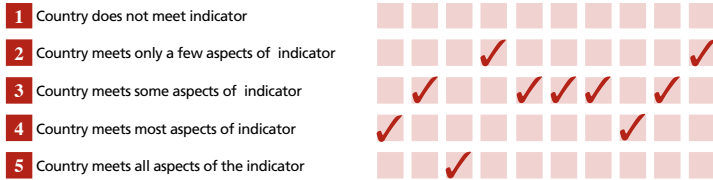


“When we hold any of the consultations, several groups don’t find space in those consultations. It becomes consultations of the dead! As such, it is not meaningful.”

“They consult just to tick a box, but in reality, there is no meaningful consultation.”

### Scores:

#### Individual scores:

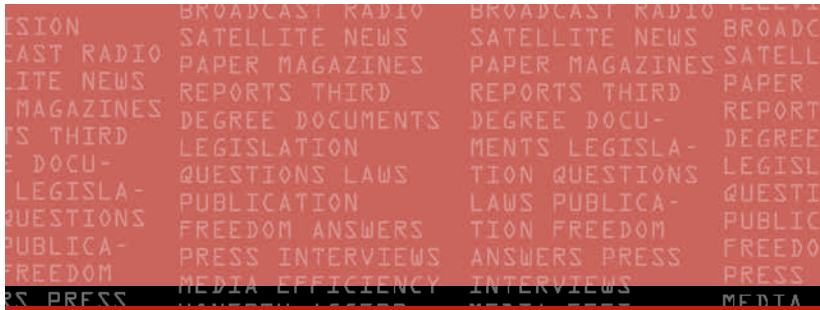


#### Average score:

3.2 (2006:n/a; 2008:n/a; 2011:4.6; 2013:3.5)

#### Average score for sector 1:

4.1



# SECTOR 2:

**The media landscape, including new media, is characterised by diversity, independence and sustainability.**



## The media landscape, including new media, is characterised by diversity, independence and sustainability.

### 2.1 A wide range of sources of information (print, broadcasting, internet, mobile phones) is accessible and affordable to citizens.

Ghana has an overabundance of information sources, but their accessibility and affordability differ from one medium to the next. Several of these news sources pop up around election time, so although there are hundreds, if not thousands of registered media outlets, not all of them are operational.

“Access varies depending on social standing, and so forth, etc. There are some who can’t afford television, print or Internet, but would have access to radio, for example.”

“Years ago, I grew up in a home where we didn’t have TV or electricity. Now, even simple mobile phones have radios, some commuter vehicles have TV sets, and those with smartphones can access Internet sources.”

#### PRINT

Numerous print publications exist, including both newspapers and what can be described as news pamphlets. The NMC registers about 100 newspapers per week, and even more when it comes to election time. However, several of these publications also go out of print frequently, “The birth rate of newspapers is matched by the mortality rate!”

The government owns two daily newspapers; the *Daily Graphic* and *The Ghanaian Times*. Popular privately-owned papers include the *Daily Dispatch*, *The Ghanaian Chronicle* and the *Daily Guide*.

With a price tag of about 2.5 cedi’s (USD 0.56), the cost of a loaf of bread, newspapers are not considered to be very affordable, especially for the poor. Neither are they widely accessible, with newsstands being found only in a few towns and regional capitals. If they happen to find their way to rural areas, only a few copies are available and are usually late.

“The ordinary citizen wouldn’t find it everywhere.”

Most print media are published in English, and the low rate of functional literacy further hampers meaningful access. “There have been some attempts at newspapers in local dialects, but these have proven futile.”

## RADIO

Radio is the most accessible and affordable information source in Ghana and has a large audience.

Since the last AMB discussion in 2013, several new radio stations have been set up, and there are currently 481 authorised FM stations in the country, of which 354 are operational; according to NCA data as at December 2016. The NCA notes the breakdown of these numbers as follows: 31 Public radio stations, 5 Public (Foreign) radio stations, 79 Community radio stations, 21 Campus radio stations and 345 Commercial radio stations.

Some of the more popular stations include the state-owned GBC's radio stations as well as the privately-owned *Peace FM*, *Joy FM*, *Citi FM*, *Sunny FM*, and others.

However, access is not even across the board. One panellist noted that in some rural areas, many women still do not have access to radio, unless through their husbands.

## INTERNET

The Internet is considered expensive for the average Ghanaian citizen. For this reason, the internet penetration rate remains low, with access being located mainly in regional capitals.

Approximately 3.5 to 5 million Ghanaians access social media. (In 2013, the World Bank published Ghana's population as standing at 26 million). With smartphones, more people are able to access the Internet, but this does not come cheap, with 1.5GB of data costing about 19GH¢ (USD4.27).

Even when the means of access are available, accessibility of internet in rural areas is poor, "In the village, it's definitely very slow."

## MOBILE PHONES

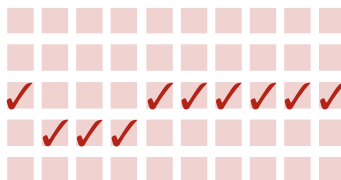
"Ghana has more mobile phone sets than people", with many Ghanaians owning more than one phone. Panellists noted that this could be due to problematic network connections, and the need to be connected to different service providers for assured access.

The use of mobile phones as an information source is not yet at its full potential. "Many people will have phones, but literacy issues still exist. So, they won't use it effectively because they are functionally illiterate. They may use WhatsApp and so on, but having a phone should go beyond this."

## Scores:

### Individual scores:

- 1** Country does not meet indicator
- 2** Country meets only a few aspects of indicator
- 3** Country meets some aspects of indicator
- 4** Country meets most aspects of indicator
- 5** Country meets all aspects of the indicator



### Average score:

3.3 (2006:3.3; 2008:3.2; 2011:3.4;  
2013:4.0)

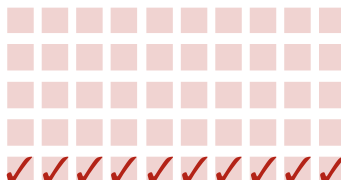
## 2.2 Citizens' access to domestic and international media sources is not restricted by state authorities.

There are no legal restrictions on citizens' access to domestic or international media. In fact, several foreign stations' programmes are broadcast on local stations.

## Scores:

### Individual scores:

- 1** Country does not meet indicator
- 2** Country meets only a few aspects of indicator
- 3** Country meets some aspects of indicator
- 4** Country meets most aspects of indicator
- 5** Country meets all aspects of the indicator



### Average score:

5.0 (2006:5.0; 2008:4.8; 2011:5.0;  
2013:4.6)

## 2.3 The editorial independence of print media published by a public authority is protected adequately against undue political interference.

The state publishes two print publications: The Ghanaian Times and the Daily Graphic.

Article 162 of the Constitution guarantees the freedom and independence of all media, with 162 (4) noting that:

*“Editors and publishers of newspapers and other institutions of the mass media shall not be subject to control or interference by Government, nor shall they be penalised or harassed for their editorial opinions and views, or the content of their publications.”*

“The NMC oversees the operations of the state media, and the law enjoins NMC to ensure they are independent. We can’t discuss the independence of state media without discussing NMC.”

Articles 166 and 167 “give oxygen to” the guarantee of media independence by bringing the NMC into being and empowering it “to insulate the state-owned media from governmental control.” The constitution further tasks the NMC with the appointment of board members and editors of state-owned media. The NMC’s independence is assured in Article 172 of the Constitution.

Although Article 166 of the Constitution sets out the parameters of how the NMC should be constituted, its independence has come into question. One panellist posited that “the independence of NMC is not as strong as it would appear. In the formal structure laid out by the constitution, it may look like it only has three representatives from government, but there could be many more, indirectly increasing government’s influence over NMC.”

“There may be subtle interference. Strong interference would be resisted!”

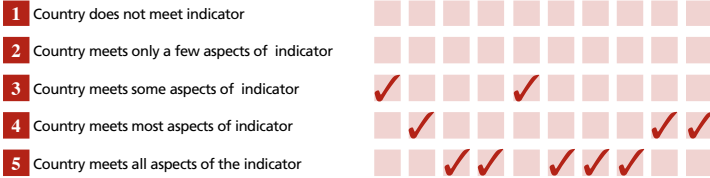
Despite these constitutional guarantees, however, state-owned media houses may still be subject to political interference. “Some things are out of the hands of the NMC, and the media may be influenced indirectly, for example in the placement of adverts, and so on. But depending on how you take on the state, you may experience it differently.”

“We have strong institutions, but very weak men and women”, noted one panellist, who argued that despite the presence of an independent NMC, some journalists and editors are not bold enough, and so allow for ‘self-censorship’ or other forms of political influence.

On the whole, it is believed that for the most part, editors of state-owned media houses feel that they can operate fairly independently.

**Scores:**

**Individual scores:**



**Average score:** **4.3 (2006:3.6; 2008:4.6; 2011:3.7; 2013:4.2)**

## **2.4 Transparency of ownership of media houses in print/broadcasting is guaranteed by law and enforced.**

“There is no law that keeps you from finding out who owns what, but transparency is the issue. You have to use your own journalistic skills and connections to see how best you can access this information. If you don’t find a way to deal with this, you may find it difficult.”

That said, there are no laws that guarantee and or enforce transparency of ownership, nor are there any provisions that enjoin the regulator to publish a log of all media and their owners; whether in print or in broadcasting (wherein the absence of a broadcasting law remains conspicuous).

Although newspapers are required to register with the NMC within 4 months of starting publication, they are not required to be registered as companies. As such, information on media ownership cannot always be obtained from the company register. The NMC has no mandate to publish media ownership and has in the past refused to disclose the ownership of a media house for fear of compromising the freedoms of the said media house and its ownership.

LI2224, the Content Standards Regulation Law proposed by the NMC and adopted by Parliament in December 2015, contained provisions to regulate broadcast media, including the requirement for operators of public electronic media communication and broadcasting services to obtain authorisation from

the NMC before publishing any content. However, certain aspects of this law contained provisions that were deemed unconstitutional in terms of Article 162 of the Constitution on media freedoms and was struck down by the court in November 2016 in a ruling in favour of the Ghana Independent Broadcasters Association (GIBA). It was noted by a panellist that the regulations would have provided for greater transparency in terms of broadcast media ownership.

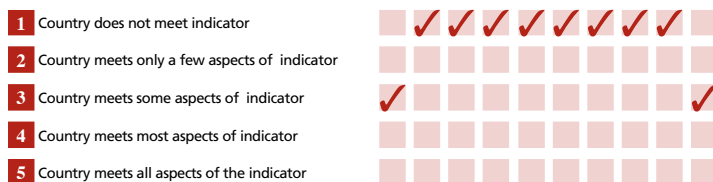
The government has stated a commitment to implementing a beneficial ownership transparency regime, and in July 2016, was in the process of amending the Companies Act to ensure this. The amendment has to be gazetted, and it is understood that the Register General's office will be tasked with collecting information on ultimate beneficial ownership.

"Media ownership determines everything, so the public is entitled to know who owns the news sources they are exposed to. This is, however, complicated by the fact that secrecy laws are still in place."

"Diversity and pluralism are important in democracy building, and it is important that everyone knows who owns what."

## Scores:

### Individual scores:



### Average score:

1.4 (2006:n/a; 2008:n/a; 2011:n/a;  
2013:3.0)

## 2.5 Adequate competition legislation/regulation seeks to prevent media concentration and monopolies.

Ghana does not have a competition law, and the NMC does not have the mandate to curb monopolisation or media concentration. The National Communications Authority (NCA) Act does not carry any provisions around competition, and a panellist noted that "there was an internal policy to this effect that did not survive."



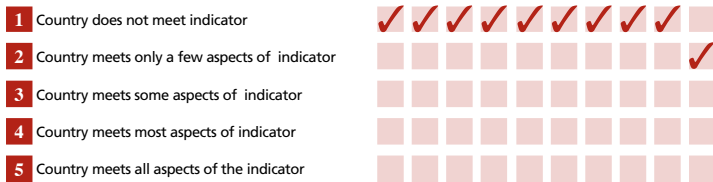
This issue has come up in the on-going Broadcasting Bill debate, and GIBA has made it known that it is “completely opposed” to any anti-concentration provision.

Several examples of cross-ownership exist. An example is The Excellence in Broadcasting (EIB) Network, which owns *Star FM*, *GH1 TV* and the *Daily Heritage* newspaper. Groupe Nduom also owns media across these three platforms., and Western Publications, which owns the *Daily Guide*, plans to open a television station soon.

Highlighting the difficulty with tracking real ownership of the media, one panellist lamented, “Nobody knows who owns what radio station[s] anymore!”

## Scores:

### Individual scores:



### Average score:

1.1 (2006:2.0; 2008:2.5; 2011:2.9; 2013:3.3)

## 2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets.

The government is rather hands-off when it comes to the media, and steers away from interfering in the media landscape; even when it means promoting media diversity. “I have not seen any country in my work that has the kind of environment that we have. Here, the constitution has almost retrenched government from the media. So, the government stays out of the media space in many ways.”

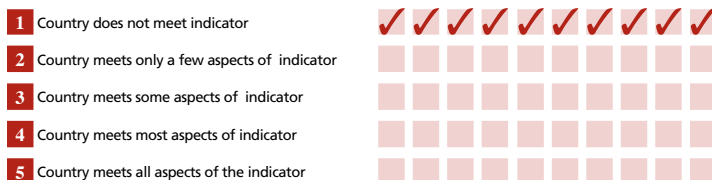
At one point, the previous government administration announced the creation of a Media Development Fund (MDF), but this never took off and was surrounded by controversy when questions arose about how funds dedicated to the fund had been spent by the Ministry of Information. Questions as to whether the NMC or the Ministry of Information should control the fund also arose.

One panellist noted, “We’re not comfortable with the media fund in the Ghanaian context unless it is used to enhance access.”

Other panellists simply felt that government should not have to play a role in promoting a diverse media landscape, “Government should not have to support the media.”

## Scores:

### Individual scores:



### Average score:

**1.0 (2006:n/a; 2008:n/a; 2011:1.9;  
2013:2.7)**

## 2.7 All media fairly represent the voices of both women and men.

“The answer is no!”

“Empirical studies have shown that women’s voices in the media were not more than 7 percent across all media platforms in the last election. It is easy to see that we don’t meet this indicator.”

The media tends to tolerate men more than women, and men are sought after to a much greater extent than women as information and news sources. When women express strong views, they often face public scrutiny and greater criticism than men for these views. “This tends to subdue a lot of women, to the extent that when doing a Vox pop [voice of the people] on a small topic, women are more likely to shy away from the camera or microphone than men.” This criticism of women is societal and extends “even to fellow women, who will say things like ‘oh, she talks too much’.”

Media ownership, executive management and editorship are male-dominated. “Even when women are news editors, they don’t want to be seen covering women’s issues because these are seen as soft issues, and not the hard-core stories that prove that you are good.” This extends to the newsroom, where, although more women than men enrol in journalism training, men still outnumber women,

with women often using their degrees in the public relations space, rather than in journalism.

Panellists noted structural discrimination that exists against women when it comes to media coverage or representation. “Basically, every aspect; ownership, representation, voice, subject matter, is cut off from women. So, it’s not just about the environment being hostile to women.”

“When you look at news values, there is a clear negative stereotyping of women. Women’s issues are, therefore, not put high on the agenda.”

“Effort must be made towards removing patriarchal barriers.”

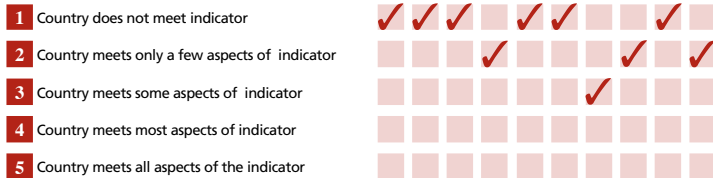
“If you are lucky, you’ll find one woman on a breakfast show, but this may depend on subject matter. Things that are important to women are not covered as being important to society.”

“They’ll even discuss issues concerning women’s lives, without women.”

“There is a trivialisation of women’s issues, where they are seen as unimportant and not meriting headline status.”

## Scores:

### Individual scores:



### Average score:

**1.5 (2006:n/a; 2008:n/a; 2011:2.5; 2013:2.2)**

## 2.8 All media fairly represent the voices of society and its minorities in its ethnic, linguistic, religious diversity.

Panellists generally agreed that although there has been some improvement over time, the media still does not fairly reflect all voices in society. One panellist summarised this view by stating that “able-bodied, middle-aged, heterosexual, Christian, southern Ghanaian men,” dominate the media.

With respect to religion, although there is Christian or Islam-related media, on average, coverage that fully reflects and embraces Ghana's religious diversity is lacking.

In most mainstream media, the voices of religious minorities are silenced or completely ignored. "If within a certain defined space, Islamic and Christian clerics spoke, most media would focus on the Christian views. For example, some years ago, there was a debate on religion in schools. The Islamic Federation held several press conferences on this topic, and the Christians didn't speak as much. But in the end, the media slant was definitely pro-Christian."

In terms of geography, there are many more private media houses, particularly radio broadcasting stations, in the regions, and media are no longer only concentrated in Accra. To a large degree, this has given voice to a demographic beyond the capital. "Community radio stations are also springing up," creating the space for more diverse views across various platforms to be heard.

That said, the Southern region still dominates. "Ghanaian media generally covers northern Ghana the way BBC [British Broadcasting Cooperation] covers Africa." Panellists noted concerns and complaints raised about the way in which the media have covered the Bimbilla issue.<sup>1</sup> "When they cover the north, it's covered in such an exaggerated or extreme way[s], which reinforces stereotypes."

When it comes to language and ethnicity, while it was noted that statistically more Ghanaians speak Akan than any other local language, panellists also acknowledged that there is a need to move beyond the population debate, and to make a greater effort towards ensuring the representation of minority groups.

"I have never seen a programme or paper that portrays the Fulani in Ghanaian media in a good light."

"We need to start challenging our personal assumptions."

Much remains to be done in truly capturing Ghana's diversity, even, e.g., in its music. "In terms of music, art and culture, if you travel in northern Ghana, you'll find some of the most beautiful authentic rhythms. But you never hear these in mainstream media."

"The media has reduced Ghanaian culture to a small representation regarding music, food, and so forth."

Greater effort needs to be made in respecting Ghana's ethnic and linguistic diversity, one example is simply in the pronunciation of names from smaller ethnic groups. "The way we mention a northern name or an Ewe name wrongly! If such

<sup>1</sup> On the 9th February 2017, two days before the AMB, 11 people died over a chieftaincy conflict in Bimbilla, a small town and the capital of Nanumba North district, a district in the Northern Region of north Ghana.

mistakes were made saying an Akan name, you'd be corrected by your media house. But northerners are marginalised and outright disrespected."

On the issue of Lesbian, Gay, Bisexual and Transgender (LGBT) rights, "generally Ghanaians are opposed to the practice of LGBT." The state prohibits homosexuality by law, and there is general condemnation on both mainstream and social media platforms of LGBT communities. "The LGBT community is not given space in the media. There's an active silencing of this community, and this only aggravates the societal issues around homosexuality."

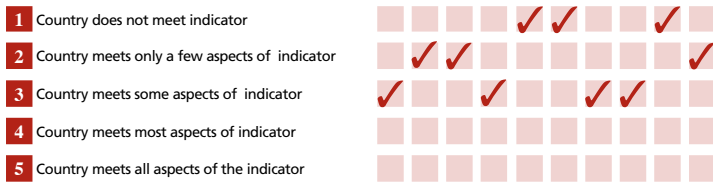
"The silencing is complete and final."

"One can't even come out to breathe the issue."

A few broadcasters, *Joy FM* included, have made documentaries on LGBT issues. A panellist emphasised that in covering sexual minorities, there is a need for the media to adopt a human rights perspective. "On the one hand, we abhor discrimination, but when we speak about sexual discrimination, all our prejudices come to the fore. Just because I don't like what you do, doesn't mean I should treat you as less of a human being."

## Scores:

### Individual scores:



### Average score:

**2.1 (2006:n/a; 2008:n/a; 2011:2.7; 2013:2.8)**

## 2.9 Media cover the full spectrum of economic, cultural, political, social, national and local perspectives and conduct investigative stories.

“We have a situation where institutions aren’t able to rise above political things.”

Investigative journalism is lacking on the media landscape, with most stories being reports of what happened, rather than in-depth investigations. “Ghanaian media don’t help you understand anything.”

There is a certain disregard with respect to the coverage of social issues because politics often takes centre stage, “and journalists want to be associated with political news for status.” Although human interest stories are popular, politics dominates news content, and features on health, education and social issues receive little space in the media; unless a political connection can be struck. “If you do a feature story, no matter how interesting it is, they will say ‘oh, it’s too long’. But there was a time we did a political story for 18 minutes. 18 minutes! And they let it through.”

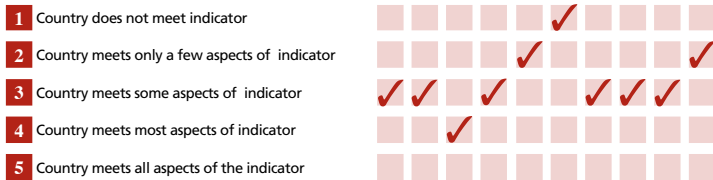
In media houses based in regional capitals, broad, local perspectives, are hard to come by. “There is too much reliance on ‘experts’ and not on the people on the ground, and who were affected by the incident. For example, there was a big fire at the trade fair in December [2016]. But we still don’t know the victims.”

In terms of geo-economic context, “If you had to go strictly with what the media says, you’d believe that all the bad things happen in poor areas [and] all good things happen in affluent areas.”

That said, some media outlets have done a good job in going beyond politics to cover interesting features that speak to the fuller spectrum of topics and incorporate local perspectives.

## Scores:

### Individual scores:



### Average score:

**2.7 (2006:4.0; 2008:3.2; 2011:2.8; 2013:3.6)**

## 2.10 Private broadcasters deliver a minimum of quality public interest programmes.

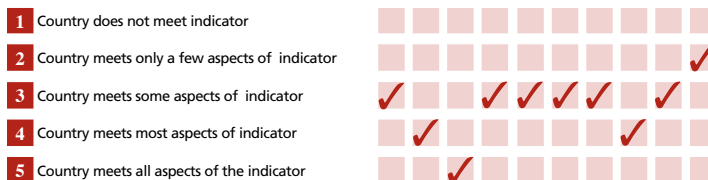
Neither the NMC nor the NCA prescribes what type of content broadcasters should carry. The NMC, however, has a document outlining Broadcast Standards, but the emphasis of this document, viewed as out-dated and with a need for review, is on the public sector.

Nevertheless, there are private broadcasters who cover public interest topics. In fact, a panellist noted that “some do this better than state-owned media, who focus more on public relations for government.” For instance, in a political dispute, opposition rallies might be covered more effectively and objectively in private than in public media.

Panellists were divided on how well the private media deliver cultural, environmental and health programmes. Stations such as *Oman FM*, *UTV*, and *TV Africa* were highlighted as providing cultural programming on their stations.

## Scores:

### Individual scores:



### Average score:

3.3 (2006:n/a; 2008:n/a; 2011:n/a;  
2013:4.3)

## 2.11 The country has a coherent ICT policy and/or the government implements promotional measures, which aim to meet the information needs of all citizens, including marginalised communities.

Ghana's Information and Communications Technology (ICT) Policy, the Ghana ICT for Accelerated Development (ICT4AD) Policy, was adopted in 2003. In 2005, the National Telecoms Policy (NTP) came into being, with the overarching objective that "every citizen and resident of the Republic of Ghana shall have available, high quality and affordable access to information and communication services, to help transform Ghana into a knowledge-based society and technology-driven economy." In this vein, the Ghana Investment Fund for Electronic Communications (GIFEC) was set up to promote universal access to the Internet. "In terms of national capacity, we've landed 5 submarine cables for data connectivity. And at the moment, only 5 percent of national capacity is utilised, so there is huge capacity," and the NCA has awarded licences to various Internet Service Providers in this regard.

Outside of the GIFEC Fund, the state's approach is to let the private sector drive access. "This means that once [the] state does its bit in ensuring the right policies are there, the question becomes how well private sector has done in terms of these policies and deploying them fully."

But while good policies and infrastructure are certainly in place, Ghana "is not a society driven by access to information through technology," and, "government does not use technology appreciably in terms of how it conducts itself."

"Yes, students can access their exam results online, but beyond that, government does not bother with bringing citizens in contact with technology."



The Ghana Open Data Initiative was set up in 2012 by the National Information Technology Agency (NITA) to enhance public access to government data and to make it more accessible to everyone. Panellists noted, however, that the project had been stalled due to funding issues. "It's not just a funding issue, but one of political will and interest."

"There's been a lot of talk that government would set up data community centres so that schools would be able to latch into it, but nothing has happened."

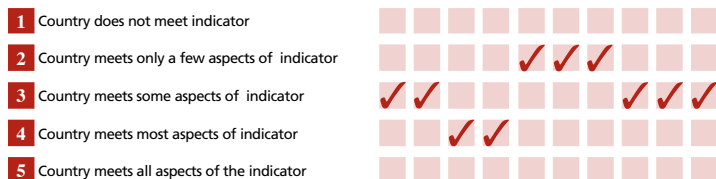
Much remains to be done in meeting the information needs of marginalised communities. "We've come far over the years. What is left now is getting Internet to the majority, and moving away from urban areas to the rural areas. There also needs to be more meaningful training with respect to the use of ICTs, in order for meaningful change to happen."

Ghana's deadline for digital migration was shifted from 2015 to September 2017. In this regard, "the state has advanced considerably in terms of deployment, but there are other pertinent issues that need to be addressed." There are small media houses that on their own cannot develop what is needed to support migration; and given that content producers no longer need a frequency, there is no licencing regime. In addition, definitions around the relationship between media houses and multiplex holders have not been established. According to a panellist, it was to address some of these concerns that the Content Standards Regulation (LI2224), ruled unconstitutional by the Supreme Court, was developed. "There are real complicated issues in this context."

"In terms of the construction of infrastructure, Ghana is 80 percent done, but we need to come to a secondary level of policy and regulation to have a good and free system."

## Scores:

### Individual scores:



### Average score:

**2.9 (2006:n/a; 2008:n/a; 2011:3.5; 2013:3.5)**

## 2.12 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.

There is no set government policy on advertising, but “our country is such that the government of the day will deny advertising to those critical of it.”

“If you are seen to be against the government of the day, there are subtle ways to even prevent advertising.”

In the past, certain government officials have questioned as to why the government advertises in media that are critical of the establishment, with one panellist stating that “they ask questions like ‘do you know that you are empowering our enemies by giving them adverts?’”

As an example of the government’s tendency to support those who report favourably on them, panellists cited *Oman FM*, a radio station aligned to the New Patriotic Party (NPP). Before the 2016 election which brought the NPP to power, “you would hardly hear government ads”. *Munty FM* and *Gold FM*, on the other hand, which were aligned to the National Democratic Congress (NDC) which was formerly in power, were seen to receive much government advertising expenditure because of their support for the former leading party. It remains to be seen how government advertising expenditure will shift under the new dispensation.

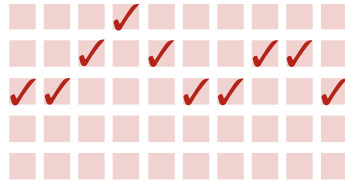
“Some media houses are well resourced. But when you see changes in government, you also see changes in the resourcing of media houses.”

Media houses that are seen to be more balanced in their coverage appear to receive government advertising, even if they carry programming that is now favourable of government.

## Scores:

### Individual scores:

- 1** Country does not meet indicator
- 2** Country meets only a few aspects of indicator
- 3** Country meets some aspects of indicator
- 4** Country meets most aspects of indicator
- 5** Country meets all aspects of the indicator



### Average score:

**2.4 (2006:4.6; 2008:3.5; 2011:4.6;  
2013:2.1)**

## 2.13 The advertising market is large enough to support a diversity of media outlets.

The size of the advertising market is large enough to support a diversity of media outlets, but given the scope of Ghana's media landscape, the advertising expenditure cannot stretch far enough to support all of them.

"A lot of papers come and go because they can't sustain themselves through advertising."

In 2011, the size of Ghana's advertising market was estimated at USD177.4 million (Oxford Business Group, 2012).

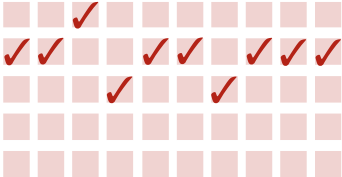
Telecommunications companies account for a large chunk of advertising expenditure, and with the various emerging platforms, they can now advertise on their own networks, enabling them to carry other entities' advertising.

Advertising expenditure is increasingly moving to the digital arena, decreasing the size of the advertising market to some extent for traditional media.

# Scores:

## Individual scores:

- 1** Country does not meet indicator
- 2** Country meets only a few aspects of indicator
- 3** Country meets some aspects of indicator
- 4** Country meets most aspects of indicator
- 5** Country meets all aspects of the indicator



## Average score:

2.1 (2006:2.6; 2008:2.7; 2011:2.0; 2013:2.9)

## Average score for sector 2:

2.5



# SECTOR 3:

**Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.**

# Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster.

## 3.1 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.

Ghana has no broadcasting legislation, and the Broadcasting Bill drafted in 2003 "is obsolete, and so behind on any developments. Even if we pass this bill, it does not address the important issues."

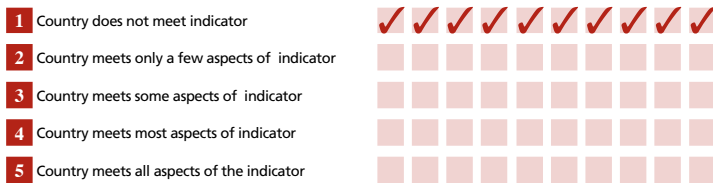
"That document is close to archaic, and we need to look at the new way of doing things."

Panellists agreed that much advocacy is needed around the development of a more contemporary broadcasting legislation that considers the ever-changing media environment.

"There's no use passing a law that can't work. It needs to be revisited."

### Scores:

#### Individual scores:



#### Average score:

**1.0 (2006:1.2; 2008:1.2; 2011:1.0; 2013:1.3)**

### **3.2 Broadcasting is regulated by an independent body that is adequately protected by law against interference and whose board is not dominated by any particular political party and is appointed – in an open way – involving civil society and not dominated by any particular political party.**

Ghana does not have broadcasting legislation, but the NCA and NMC oversee various facets of the broadcasting industry; the NCA focuses on technical oversight, while the NMC focuses on content.

The NCA, established in terms of the National Communications Authority (NCA) Act of 2008, is tasked with “licensing and regulating communications activities and services in the country.” Amongst the many functions listed in Clause 3 of the Act, the NCA has a mandate to:

- a. *establish and monitor the implementation of national communications standards and ensure compliance accordingly;*
- c. *grant communication licenses;*
- d. *regulate and monitor licensees, holders of frequency authorisations in consultation with the NMC where appropriate;*
- e. *ensure fair competition amongst licensees, operators of communications networks and service providers of public communications;*
- j. *establish a frequency plan and monitor any frequency allocated to the communications industry;*
- m. *establish quality of service indicators and reporting requirements for operators and service providers;*
- r. *issue guidelines and standards from time to time;*
- x. *(i) and to advise the Minister on matters related to the communications industry within the country and globally.*

The legal status of the NCA is that of a corporate entity, but it does not operate independently. In line with Section 14 (1) of its Act:

*“The Minister may give written directives to the Board on matters of policy and the Board shall comply.”*

According to the Act, the governing body of the Authority is a Board consisting of the following people, who are appointed by the president:

- a. *the chairperson;*
- b. *the Director-General appointed under Section 16;*
- c. *one representative of the*



- i. *the National Security Council,*
- ii. *the National Media Commission,*
- iii. *Ministry of Communications, not below the rank of a director.*
- d. *one person with experience and expertise in communications; and*
- e. *three other persons at least one of whom is a woman and each of whom has knowledge or expertise in electrical engineering, law, business or public administration.*

Given the structure outlined above, the NCA is not entirely protected from interference, and because of the appointing authority and the fact that it reports to the Minister of Information, may be present on the board based on their affinity to the political party in power at the time. As noted in indicator 3.3 below, the NCA is viewed as being biased towards the political elite.

Panellists were divided on how independent the NCA really is, with most asserting that as “an agency of the Ministry of Information”, “it would be hard to say that they are entirely independent.”

By constitutional law, as well as in terms of Section 3 of the NMC Act, the NMC is an independent body. It is made up of the following members, as contained in Section 5 of the Act:

- a. *one representative each nominated by:*
  - i. *the Ghana Bar Association;*
  - ii. *the Publishers and owners of the Private Press;*
  - iii. *the Ghana Association of Writers and the Ghana Library Association;*
  - iv. *the Christian Group (the National Catholic Secretariat, the Christian Council, and the Ghana Pentecostal Council)*
  - v. *the Federation of Muslim Councils and Ahmadiyya Missions;*
  - vi. *the training institutions of journalists and communicators;*
  - vii. *the Ghana Advertising Association and the Institute of Public Relations of Ghana;*
  - viii. *the Ghana National Association of Teachers;*
  - ix. *the National Council on Women and Development;*
  - x. *the Trade Unions Congress; and*
  - xi. *the Association of Private Broadcasters;*
- b. *two representatives nominated by the Ghana Journalists Association;*
- c. *two persons appointed by the president; and*
- d. *three Persons nominated by Parliament.*

Section 6 (3) of the NMC Act stipulates that:

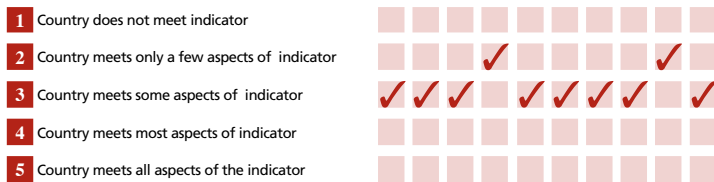
*“A person, who is a founding member of a political party, is a leader or a member of its executive or holds any office in a political party, shall not be qualified to be a member of the Commission.”*

The NMC, perceived as more independent and somewhat less likely to be interfered with by government, has been “audacious in that it is willing to test the law.” That said, it is “not financially liberated, and depends on the state for its funding. The grants, however, do not fully meet the needs of the Commission. “If they had the money, they would be able to do a lot more.”

One panellist suggested, however, that “financial weakness and independence are two different things”, and pointed out that the NMC, “has been creative in its search for funds” by occasionally partnering with other organisations to help carry its costs, as programmes funded by donors alone are not sustainable.

## Scores:

### Individual scores:



### Average score:

**2.8 (2006:n/a; 2008:n/a; 2011:1.3; 2013:2.5)**

## 3.3 The body, which regulates broadcasting services and licenses, does so in the public interest and ensures fairness and a diversity of views broadly representing society at large.

The NCA deals with awarding broadcast licences but has been criticised for favouring those with political connections and for not being transparent in the award process. “There’s a sort of segregation when it comes to licencing, and this results in conglomerations in some of these media.”

In 2015, the NCA issued an ultimatum, calling on licence holders to use their licences, or have them taken away from them. It is unclear what the results of this exercise were.

The Authority falls under the mandate of the Ministry of Information.

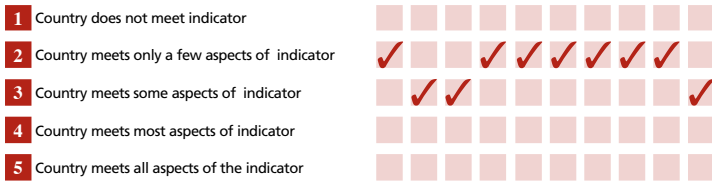
State institutions such as the military, police, fire service, customs division and others have been denied licences. Such denial has been within the context that

“the whole history of coup d’état has been around capturing the radio and or information system”, and that any state entity should communicate through the state-owned media, rather than their own platforms. Rejections of other licence applications have been made on the basis of over-subscription in the areas in which the application was made.

The NMC, an independent body set up by the constitution, is charged more with content oversight, is perceived to be more independent than the NCA and is considered to operate in the public interest; although the ruling of the NMC’s proposed LI2224 may have created the perception that it seeks to overregulate.

**Scores:**

**Individual scores:**



**Average score:** 2.3 (2006:1.3; 2008:3.2; 2011:1.7; 2013:2.5)

**3.4 The state/public broadcaster is accountable to the public through an independent board which is representative of society at large and selected in an independent, open and transparent manner.**

The NMC appoints the board of the Ghana Broadcasting Corporation (GBC), and although the NMC is itself independent, panellists debated whether the GBC Board is fully independent and accountable to the public.

On the one hand, some panellists felt that “ ‘the representative nature of the GBC’ “is a problem because when you look at the spectrum, you see the same old faces involved in discourse on the media. You don’t see civil society or the public at large being well represented.”

On the other hand, however, other panellists noted that “we should not lose sight that the NMC representation is well-represented,” and that, “we think that they need to be accountable to the people through the independent NMC.” One panellist added that the NMC consults with recognised bodies in and out of the

broadcasting profession (civil society actors, etc.), in seeking nominations to the board. When a list is generated, it is then shared with the president, and “the president’s lawyers are very careful in making sure the list is respected, as it would become difficult for the president if he were to insist that he amends the list. There is limited political involvement there.” Where concerns have been raised by national security, the NMC has stood its ground where necessary.

One panellist bluntly stated that in determining full independence, “the big issue is not so much about who is on the board, but who is chairing that board.”

Panellists on both sides of the debate agreed that “the public requires more information on the process of selecting board members to the GBC.”

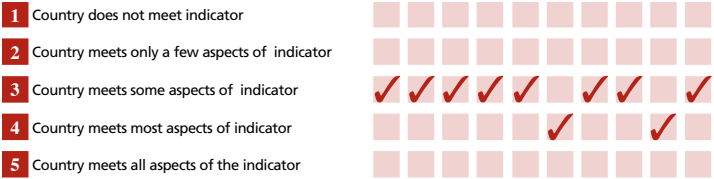
The board is made up of nine members, and all agreed that in terms of representing society at large, much remains to be done.

“There is no youth component in terms of the GBC nominations. Youth take up a large percentage of the population, but they are not nurturing new faces. There is no deliberate action to bring in youth, and it likely won’t happen anytime soon.” Youth groups and student groups are ‘neglected’ in the nomination process.

Furthermore, equal gender representation is lacking. Only three of the nine board members are women, which, as with the lack of youth representation, does not reflect society at large.

**Scores:**

**Individual scores:**



**Average score:**

**3.2 (2006:4.3; 2008:3.8; 2011:2.5; 2013:3.2)**

### 3.5 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised to ensure balanced and fair news and current affairs programmes.

Article 167 of the Constitution, which highlights the functions of the NMC, guarantees the independence of the state/public broadcaster through the independent regulation of the NMC, which is tasked with “insulating the state-owned media” from government influence. Parts (a) to (c) of this Article read:

*The functions of the National Media Commission are:*

- a. *to promote and ensure the freedom and independence of the media for mass communication or information;*
- b. *to take all appropriate measures to ensure the establishment and maintenance of the highest journalistic standards in the mass media, including the investigation, mediation and settlement of complaints made against or by the press or other mass media;*
- c. *to insulate the state-owned media from governmental control.*

In addition, Article 163 of the Constitution calls for fairness by the state-owned media, by prescribing that:

*“All state-owned media shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinions.”*

Parts (11) and (12) of Article 55 of the Constitution, which deals with political parties, also speaks to the fair treatment of all political parties by state-owned media:

*(11) The state shall provide fair opportunity to all political parties to present their programmes to the public by ensuring equal access to the state-owned media.*

*(12) All presidential candidates shall be given the same amount of time and space on the state-owned media to present their programmes to the people.*

Case law has also set the precedent for the fair treatment of different political parties, per the 1993 case of the New Patriotic Party (NPP) vs. Ghana Broadcasting Corporation (GBC)<sup>2</sup>, in which the court ruled in NPP’s favour, emphasising the importance of the neutrality of the national broadcaster.

However, while these guarantees exist in law, in practice, this is not always the case, “influence on the ground cannot be denied.”

<sup>2</sup> The NPP took the GBC to court after the national broadcaster denied time on air to a political candidate to share their views on the national budget of 1993, and to respond to the justification provided by the ruling party at the time.

“It is difficult to have a news bulletin that highlights situations or events that go against the government in power, which other private media could easily do.”

As one of the media panellists noted: “I worked with GBC as an intern for about 3 years. In the 2008 election, the propaganda secretary of NDC came with a commercial ad, and in that ad, the content said things like the NPP had destroyed the economy and there were no jobs. GBC rejected the ad. But then in the run-up to the election[s], NPP was running ads [on GBC stations] in which NDC was being called a party of murderers, and so on. When NDC won, the heads of the TV station were removed, and there was an internal side-lining of people believed to be critical of the new ruling party. So, the law is good, but the practice is terrible.”

Another added, “What I saw when I was there was that any change of government brings its own interference because of fear of victimisation and transfers. This is not unique to NDC, but all the parties; although NDC, may be more crude in how they do things.”

A panellist posited that Ghana’s political history may have something to do with this bad practice. “One party rule and the military regime dominated for a long time and used the GBC as [a] mouthpiece for whoever is in government.”

“One of the issues is the identity crisis of GBC. It is not identified as a public service broadcaster and rather operates under the name of a state broadcaster. In all records of NMC, GBC is referred to as a public broadcaster. But GBC names itself in all its own records as a state broadcaster. Because of this, the government thinks it can interfere in the running of GBC. This is a leadership problem.”

Beyond the party politics and how those in power try to use state machinery to influence the masses, those being influenced also have a role to play. “Politicisation is pervasive. One can’t blame government directly, but also those working within.” Some panellists noted instances in which staff at media houses might name drop (e.g. the president’s name) in order to have greater coverage, or in which colleagues’ report on each other to the powers that be, on political affiliation.

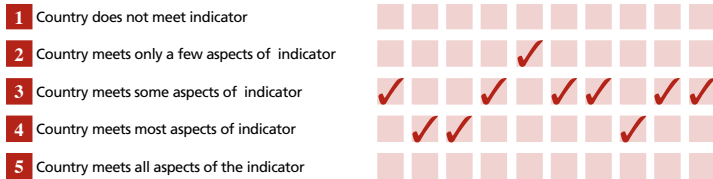
In this regard, panellists highlighted a need for changing the institutional culture that exists, in order to attract journalists who are more accountable to the public, rather than to their positions, pockets and some politicians.

“In the current transition, for example, government wanted to invite media heads to account to the Minister of Information. The media responded ‘no, we don’t account to you.’ Journalists need to understand their societal role better in being more accountable to the public.”

The Ghana Broadcasting Corporation does not have an editorial charter.

## Scores:

### Individual scores:



### Average score:

3.2 (2006:n/a; 2008:n/a; 2011:n/a;  
2013:3.4)

## 3.6 The state/public broadcaster is adequately funded in a manner that protects it from political interference through its budget and from commercial pressure.

GBC depends on government grants to cover its major costs.

GBC personnel salaries are paid for by the government, as are infrastructural expenses; while utilities and other less major costs are covered by GBC's advertising revenue.

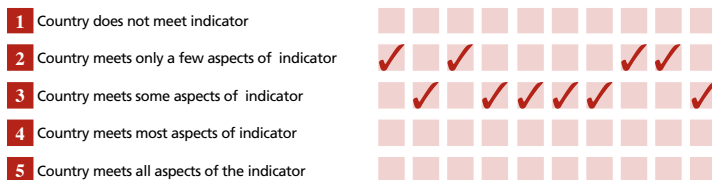
"I wish we could get to a point where they begin to fund themselves."

"GBC has the best technicians, infrastructure and equipment, but they're not innovative, and have no sense of drive to make things happen. Corruption probably plays a role too, because if you look at the ads that exist, and the amount associated, it would only seem that money must be missing or is not accounted for in the books." Panellists noted that with far fewer resources, smaller private broadcasters are able to operate profitably, produce high-quality programmes, and create more public interest stories with objective coverage free of commercial intent.

Until about 2016, GBC had stopped collecting licence fees "because the economy had outrun the fee". However, when the TV Licence Act was reviewed and a new figure was proposed last year, there was a national outcry. The public questioned as to why it had to pay a licence fee when there are many private radio stations to whom no fee is paid, why it needed to pay a fee for content that was not always up to par, and what the practical mechanism for collection of this fee would be.

## Scores:

### Individual scores:



### Average score:

2.6 (2006:n/a; 2008:n/a; 2011:2.1;  
2013:2.0)

## 3.7 The state/public broadcaster offers diverse programming formats for all interests including local content and quality public interest programmes.

Programming offered by the state broadcaster is diverse, but the quality is poor. "There is no creativity or innovation. Sometimes, you even have people virtually fighting in the studio." This is despite GBC having more reporters in almost all the regions, better infrastructure and equipment than most private broadcasters, and a bigger budget within which to operate.

Programmes such as 'Talking Points' are popular, as they cover a wide range of issues in the public interest. But with respect to quality, various issues abound. On shows with panel discussions, e.g. the panellists selected for the programme can be questionable. "What goes into the selection of panellists?"

Several young staffers at GBC have complained that they are kept from producing more creative stories, making them complacent and compliant to the status quo. GBC no longer builds production sets, and "quality and creativity are missing."

"When people get into the system, it's the culture that dominates, and they don't feel motivated to do anything. They are more motivated to do work outside of GBC than inside. At other institutions, you wouldn't be able to get away with doing one story a day and survive."

A panellist noted that the culture at the GBC is essentially one of "me baa ha akye." (meaning "I have been working here for ages").

Panellists highlighted that the state of affairs at the national broadcaster could point to a leadership vacuum. "If you look at the antecedence of how people get to these positions and keep growing, but don't have competence to look at things from an economic perspective, what do you expect? Elsewhere, if you

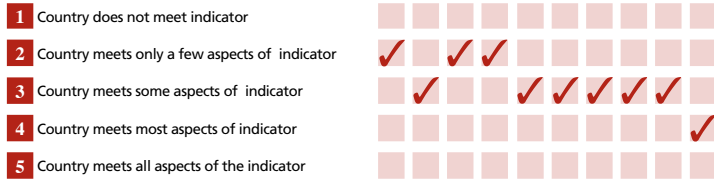


get to a certain position, you will be forced to go to improve your management skills, etc.”

“There needs to be an MD [managing director], who is supported by the board and by NMC, saying this is the result we want” for the growth and sustainability of the broadcaster.

## Scores:

### Individual scores:



**Average score:**

**2.8 (2006:n/a; 2008:n/a; 2011:n/a; 2013:4.6)**

**Average score for sector 3:**

**2.6**

# SECTOR 4:

The media practise high levels of professional standards.

## The media practise high levels of professional standards.

### 4.1 The standard of reporting follows the basic principles of accuracy and fairness.

The standard of reporting differs from one media organisation to the next. “We all have preferences, and some of that is based on how good of a job they do.”

“I’ve weeded out the news sources that I consider to be inaccurate.”

Panellists noted that one of the major issues in reporting is not so much the issue of accuracy, but rather that stories are often incomplete. “For example, there was a story on the Bank of Ghana hastily allocating a switch contract to a business. The article talked about the contract and what the issues are, but they provided no detail on who it was that they were talking about. No context whatsoever.”

Inaccuracies feature constantly, and all too often reports on the same story, including from the same media house, will carry different figures, different spellings for names, and lots of other mistakes; people will challenge media houses in terms of what they have produced and sources who have been interviewed will call the media house, “saying that I didn’t say this or that.”

“I’m not enthused about the level of professionalism here. There are serious accuracy issues. A journalist writes an article based on a company and fails to mention who owns the company, for example. This is a major slip up on the bigger story.”

Accuracy is also threatened by the sensationalism and agenda-setting that exists in the media. “Too much ‘opinionating’ takes place in the news media. Journalists will start a story with some phrase or epithet to throw the story and sensationalise it. For example, one very well-respected presenter opened a story saying that in an apparent reprisal attack [after someone had been killed in Kumasi], someone has gone to shoot so and so. But the police are yet to ascertain information surrounding this shooting, making clear that no information [was] available. But he still started by saying it’s a reprisal attack.”

To deal with the many inaccuracies experienced with reports on her organisation, a panel member explained that, “We now give them a media kit to use as a guide. We want to enhance the understanding of the reporter that is taking on the assignment, but they tend to highlight something else, rather than what we have provided. It always seems like we are directing the person, and that shouldn’t be the case.”

Chapter 12 of the Constitution gives the public some recourse for inaccurate reporting, by stating that media shall be obliged to publish a rejoinder from a person about or against whom publication was made. "Sometimes NMC will ask that the rejoinder receive the same prominence as the original publication. But this can be difficult because you can't place a rejoinder on the front page. So, the media try to hide the rejoinder elsewhere as a means to also maintain their credibility."

One panellist suggested that with the polarisation of the media, some of the inaccuracies that exist might, in fact, be intentional, with media owners pursuing a certain agenda. "Political inaccuracies are sometimes done deliberately because most media houses are owned by politicians themselves. Censorship is then done to please the powers that be. Journalists are sent out, for example, and told to look for a certain comment."

Continuing on this thread, another panellist noted that "if a good reporter wants to do a story, the quantum of error lessens. But if a story has to start and end on partisan interests, then the level of fairness is low. People that organise press conferences are not interrogated about what they've said. For example, when the current vice-president held a press conference on the Electoral Commission (EC), the media quickly ran at full scale demonising the EC. When the table was set to go against and prove that what he said was false, no media house made the follow-up. This is the canker! There is no fairness and no accuracy."

The ill-preparedness of journalists compromises the quality of reporting, and many panellists blamed this on journalists simply being lazy and or not doing their work. "There have been many occasions where they'll come and ask questions without having done the background work."

"Sometimes they just take things from social media, without cross-checking it."

Panellists also noted that journalists often ask for an opinion on a certain issue, without providing the interviewee with clear context; or will ask for a comment on a statement that the interviewee has not read or is unprepared to respond to. "Fairness gets lost because you only hear one side of the story. But increasingly, because of the work of the NMC, some journalists are making a greater effort to hear the other side of the story."

Much is also left to be desired when it comes to fairness. Panellists noted occasions where a journalist has tried to lead them in a certain direction as they push for a certain angle for their story, thereby sacrificing fairness.

"Reporters can try to be so fanciful sometimes that it doesn't even make any sense. Sometimes, there's nothing that stops you from just holding on to talk to the person, but since you want to get out first, you don't wait for an additional opinion. In the end, they make it seem that person has something to hide if they can't talk to you at that point."

Reporting also lacks sufficient depth and may become sensationalised for the sake of generating an audience. “I’ve read very disappointing reports on GMOs [genetically modified organisms], in which the journalist doesn’t deal with the real issues, but rather with the people making the statements.”

“When you have a presser and expect in-depth questions to come out, it doesn’t happen. They don’t ask the questions you’d expect. There’s this haste to be ahead and to break the news first, thereby sacrificing accuracy for the need to get ahead.”

That said, panellists also noted some positive achievements with respect to the quality of reporting. “I get the impression that but for the political polarisation; there is increasing effort to check each other and to shame a few people for not doing well enough.” With respect to fairness, “there is some sort of attempt to get both sides of the story.”

Single source or same source stories are also a concern, with media practitioners often seeking the same people over and over again for an opinion on different issues. “Networking is bad with a lot of our journalists. They don’t appreciate relationships and always go to the usual faces for comment on something. It’s the same people all the time.” For example, “No media house has had a conversation with the parliamentary correspondent.”

There is a concern that because of this laziness, journalists can be easily manipulated, simply because they do not seek great depth in their reporting, or because they do not fully understand the information they are reporting on. “You can see institutions like IMANI [a policy think tank based in Accra] can rule the space because they produce information in a style of language that can be intimidating. So, journalists won’t question this information.”

Social media has been both a blessing and a curse in impacting the accuracy and fairness of mainstream media. On the positive side, social media can serve as a check on mainstream media. “It is becoming more difficult for mainstream media to lie. Mainstream media are no longer first to break the news, and this is a good challenge for them to do more than simply reporting.” However, on the negative side, at times, “conclusions are made on social media before they’re even brought into the mainstream” thereby compromising fairness. “Media houses have been dropping the bar, resulting in several story retractions.”

While media practitioners on the panel acknowledge that a great deal more needs to be done in bringing media reports to the standard at which they should be, they also highlighted some of the difficulties that journalists face.

Amongst others, they highlighted how some media houses are overstretched because of the low number of staff (particularly qualified staff), poor resource management (e.g. in having a research team or having up to date, digitised archives that can be easily accessed), and a lack of resources. Under these

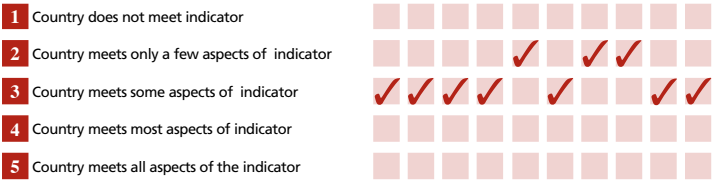
conditions, it is especially difficult to produce high-quality investigative reports, which would take more time and resources. One media panellist described having to travel to Burkina Faso to investigate a piece; "But not many media houses in Ghana can afford to send their journalists out to do this, nor can many journalists do this themselves."

Additional constraints can include news sources too. "Sometimes you want to get their side of the story but no one is talking, and they're keeping information from journalists."

Panellists agreed that journalists can and should do better. "Lots of media houses are settling cases out of court. This is expensive, and it is, in fact, avoidable. A lot of this is just based on recklessness."

**Scores:**

**Individual scores:**



**Average score:** 2.7 (2006:2.8; 2008:2.5; 2011:2.5; 2013:2.9)

**4.2 The media follow voluntary codes of professional standards, which are enforced by independent/non-statutory bodies that deal with complaints from the public.**

Both the GJA (to which journalists subscribe as individual members) and GIBA (which is an association of owners, not practitioners) have codes, but these are not well publicised, and members of the public do not have confidence in their ethics committee.

The GJA Code of Ethics is considered ineffective by some, and various media houses have come up with their own codes. "By and large, the main established stations have their own codes of ethics, but many journalists themselves don't know them well."

However, most members of the public prefer to use the courts for compensation when they have a problem with the media. “One reason that the public doesn’t have confidence in the GJA is that they don’t have a mandate to sanction a media person. They have no teeth to bite. So, people are never happy with the outcomes.”

“Sometimes they can’t even locate media houses to issue complaints.”

NMC receives about 20 complaints per year regarding the media and their practice.

But, “Ghana’s media does not submit itself to anything at all.”

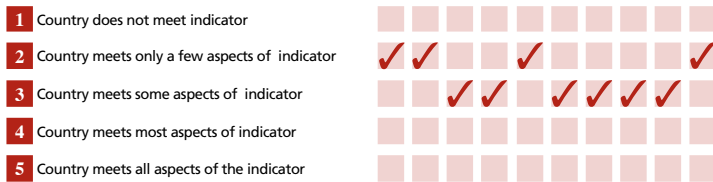
“Telling people to go to court is not something that you should do on the regular. They just do things and cross the bridge when the consequences come, but the consequences don’t come, so they just keep doing things.”

One panellist noted submitting various issues to GJA, “for example, on-going plagiarising in the blogging community; who think that if they can just get away with it, that’s power.”

It is unclear as to whether the presence of these bodies has reduced court cases.

## Scores:

### Individual scores:



### Average score:

**2.6 (2006:2.8; 2008:2.9; 2011:2.9; 2013:2.5)**

### 4.3 Salary levels and general working conditions, including safety, for journalists and other media practitioners are adequate.

Salary levels at most media establishments are poor. According to one panellist, “If you add their salaries to solidarity payments, then maybe it’s enough.”

At state-owned media houses, entry-level journalists earn about 500 to 600 GH¢ per month; senior reporters earn about 1 400 GH¢, and editors take home 3 500 to 4 000 GH¢, along with additional benefits. A panellist stated that the *Daily Graphic* pays much more than *The Ghanaian Times*, and explained that this has to do with the business approach that the media house has taken. The *Daily Graphic* pays close to double what *The Ghanaian Times* pays.

In private media, entry-level journalists earn about 200 GH¢ per month and are often expected to first volunteer for a period of time. Senior reporters earn about 2 000 to 3 000 GH¢, and editors take home more.

“There is a huge disparity between the top level and the people [and or] reporters who actually do the legwork and come to the press conferences. Much of the real work is done by those who don’t even get paid anything.”

Freelancers get paid even less. “I started off as a freelancer, and they acted as if they were doing me a favour, rather than the other way round. I even had to give them tips to get a story through.”

Freelancers and entry-level journalists, for the most part, receive no benefits.

Additionally, few media houses, if any, make provisions for the safety of their staff. In fact, safety and health policies are not very prevalent across media houses.

“When media houses send reporters to places where there could be tensions [and or] harm, they don’t provide for the reporters’ security. The burden of security is placed on the organisers.”

“If a journalist gets hurt on the job, the editor may provide something, and will likely take up the bill.” Some media houses, notably *The Ghanaian Times*, GBC and the *Daily Graphic*, provide a ‘risk allowance’ of about 100 GH¢.

Because of the low level of pay, journalists often ask for “solidarity” (or *solli* for short). This is a term used to describe the ‘transport allowance’ requested by journalists of the organisations or individuals whose events they cover. A civil society member of the panel stated that “when we have pressers, we always have people asking for *solli*.”

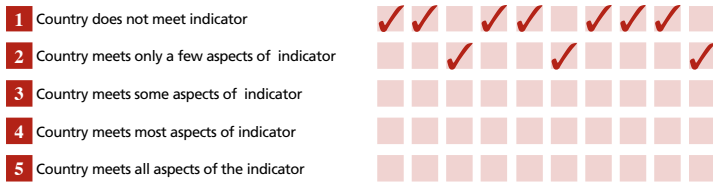


Some media houses will provide journalists with incentives and or bonuses if they win awards, and so forth.

Media houses will also often cover costs related to court cases lodged against a journalist and or the media institution itself.

## Scores:

### Individual scores:



### Average score:

**1.3 (2006:n/a; 2008:n/a; 2011:2.2; 2013:1.9)**

## 4.4 Journalists and other media practitioners are organised in trade unions and/or professional associations, which effectively represent their interests.

Various professional associations exist in the media industry.

The Ghana Journalists Association (GJA) is an association of journalists from across the media landscape. Defining its role and function took time, as the association debated on whether it should be a union or an association. “At end of day, it decided to remain an association, but noted that it would provide support to those who want to unionise.”

Panellists were divided as to whether the GJA is really representative of journalists. “On general matters, such as policy, it is representing journalists.”

“But it is not proactive! It is very reactionary in how it represents journalists.”

Panellists also noted that “some believe that GJA panders to political leadership.”

Some media houses, such as the GBC, the *Daily Graphic* and *The Ghanaian Times*, have in-house unions, and “since they had unions already, they were not interested in joining on to another, more representative union.”

“People also thought that the Multimedia Group would become the next organising group, but they saw themselves as an elite group that didn’t need to unionise, so the idea of unionising gradually fizzled out.” It is understood that at Multimedia, the staff were eager to form a union, but management was not keen.

Journalists working in state-owned media houses are also members of national unions. The unions are considered to be effective when it comes to pay-related issues, “but there are challenges about who is representing who.”

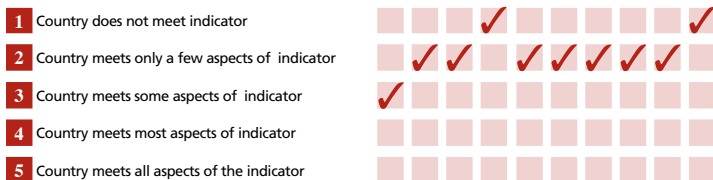
It was stated by one panellist that a union specifically for journalists is not necessarily required. “We do not have to have a National Union of Journalists in order for the national interests of journalists to be taken up,” as unions such as the Trades Union Congress (TUC) have media practitioners as members, and can address many of their concerns.

Panellists noted that the polarisation of the media is partly responsible for the divides that exist with respect to unionisation. Many media owners have also blocked efforts to form internal unions that would have a more powerful, unified voice, “because they don’t want a situation where employees come together as unions and push on salaries.”

Other associations that exist include: GIBA, which is an association of owners/proprietors in broadcasting, an association of publishers of private newspapers, the Editors Forum, Ghana, (EFG), which is also seen as “a CSO [civil society organisation] enclave for media debate on media policy”, and Women in Broadcasting, which also conducts training programmes each year. The Association of Women in the Media (ASWIM), “has been quiet for a while.”

## Scores:

### Individual scores:



### Average score:

**2.0 (2006:4.7; 2008:4.0; 2011:3.5; 2013:2.3)**

## 4.5 Journalists and media houses have integrity and are not corrupt.

Corruption and the lack of integrity exist in Ghana's media, and "the indicators discussed above create a fertile ground for corruption to take place." Corruption does not only include money but may also come in the form of favours, i.e., houses, cars, school fees, etc. People will pay for certain stories not to be covered, for certain agendas to be pursued, and so forth.

It is important to note that not everyone in the media is corrupt. "For some, it's a calling. And you can tell, somehow, who is getting something extra."

Panellists noted that media houses and journalists are challenged by the fact that they are visible and reachable by powerful people, making it easy for media houses to buckle under pressure.

"In the last administration, the chief of staff did an engagement with the media. He said that he had arranged transport for them, and hoped that they would go out and report. Envelopes of money were given to the journalists, and when questioned on this, the journalists said 'but the money they gave us was small, it's not going to influence us'."

This mindset that small amounts of money given to journalists will not influence their reporting has, over time, appeared to normalise the practice of journalists receiving *solì*, or organisations providing it to journalists; a practice that would otherwise be seen as corruption. Panellists noted different levels of corruption that exist, with some (*solì*, for example), appearing more tolerable than others that involve larger sums.

One panellist argued, "In all organisations, you'll find a few that are corrupt and who do things that undermine the integrity of the association. But to generalise that they are corrupt with the only reason of taking *solì* is unfair. When journalists cover a function and are given a stipend, yes, this could have an effect, naturally. But as to the actual report and how to report it, depends on the individual person. It's not always skewed by the *solì* [or] freebies."

Another argued that "they reduce the policy to only *solì*, but they don't talk about freebies, and that is where the corruption can really be." Some media houses, such as Multimedia, have policies on freebies and on *solì*. The company does not allow its journalists to receive *solì* and reimburses them for any transport costs incurred.

However, corruption does not only happen at journalist level. Panellists pointed out that in many instances, media owners themselves may be involved in corrupt dealings. "The power brokers don't approach the journalists. There are people that are prepared to be corrupt. The businessperson that is held up as a role

model, for example, and doesn't want a story to come out, will pay anything to get the story shelved. It happens in every media house. The advantage that some of us have is that those at the top will stand strongly by the story."

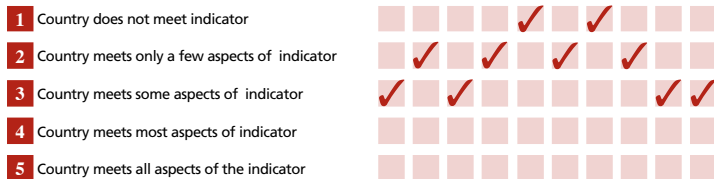
"Some of these media houses are set up to be available to political power and to be vulnerable."

It was noted that there is corruption of the news itself, which undermines the integrity of news houses. "There is an over-concentration of political stories, and this is a corruption of the news in itself. We need to fight against this. They follow power, which is a corruption of the news."

This is especially problematic because of the high level of faith that the public have in the media. "The general public demonstrates a lot of faith in the media. When anyone is under attack by a state authority, they run to the media instead of the police. We've seen where environmental issues are ignored for years; government is forced to address this because of the media. When it comes to assessing the question of integrity by the media, the public faith in the media is huge. The media should be balanced against everything else we are hearing."

## Scores:

### Individual scores:



### Average score:

**2.2 (2006:n/a; 2008:n/a; 2011:2.9;  
2013:2.4)**

## 4.6 Journalists and editors do not practise self-censorship in in the private broadcasting and print media.

Self-censorship takes place in both private and public media houses, and at different levels within those media houses. It occurs due to various factors; due to fear, to carry favour with the elite, or due to corruption.

To highlight this, a report on the presidential committee on Article 71 of the 1992 Constitution convened by former Ghanaian President John Maramba Mahama<sup>3</sup> was not publicised to the extent that it should have, in order to appease those in power. “They sit on information they know should be available in [to] the public, and this may not be because of fear, to carry favour, or even for corrupt reasons; but will do it to protect parliament and to stay on good terms with it.”

Media houses also self-censor for financial reasons. “It does happen that stories affecting a big advertiser might not be given prominence, or may be shelved altogether, due to fear of losing advertising.” In fact, there have been instances where major advertisers have withdrawn advertising expenditure due to unflattering reporting. Recently, a major company, Melcom, withdrew advertising from media houses that reported the collapse of one of its buildings which led to the death and injury of some people.

“Sometimes, the marketing staff will give you a call, and in a very amiable way, try to ask you to be more lax about presenting a story.”

It was also noted that in some media houses, editors will have a sense of how certain journalists will cover a story and will assign a story on that basis; to some extent controlling what might or might not come out of the story. “You can look at censorship in different ways, and at the basic level, who is chosen to cover an assignment may have some level of self-censorship.”

“Each paper has its own editorial policy [...] when recruited, won’t cover certain issues [...] e.g. religious issues, chieftaincy and land disputes [...]so know which areas not to touch on.” (*The Daily Dispatch*)

Journalists may also suffer the consequences of refusing to self-censor. “One of my students at Metro TV was suspended for a month because she refused to drop a story about latex foam.”

Self-censoring ends up being an injustice to the broader public, who the media are supposed to serve by informing and educating. For the journalist, having a piece altered or shelved by his or her editors “can be very painful, especially when you’ve spent a lot of time on a story. I wrote a story once on girls being

<sup>3</sup> Former Ghanaian President John Dramani Mahama, in accordance with Article 71 of the 1992 Constitution, appointed a five-member Presidential Committee to determine the salaries of Article 71 Office Holders. The Committee’s report proposed an annual increase of 10% from 2013 to 2017 for the political class listed under Article 71 of the 1992 Constitution.



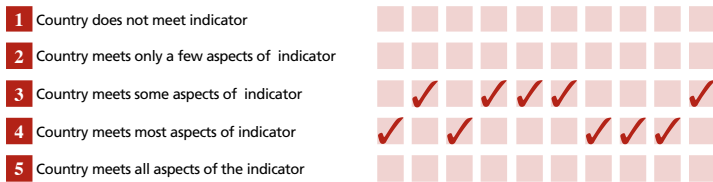
Panellists highlighted a need to ensure that media education is more practical, rather than just theoretical. An example was noted, whereby, “There was a student that after dealing with confidentiality and protecting children, went and wrote a story about a child who had been defiled. They gave the child a fictitious name, but still gave the real name of the sister and played [the] child’s voice.” Enhancing the practicality of training may have averted a case like this, it was argued.

The University of Ghana also provides Masters level training, with an intake of about 40 students per year. However, the quality of students applying for the programme leaves much to be desired. According to a panellist connected to the university, “We have noticed that people coming to do the M.A. [Masters of Arts] programmes are weak from the very beginning, especially those coming from the private universities. We get many who qualify, but those on the waiting list often end up coming in because of payment issues.”

Some media houses, such as *The Ghanaian Times* and the *Daily Dispatch* (more research focused), have in-house training programmes. The GBC has an internal radio training school, along with a programme that allows its students to go for training outside Ghana.

## Scores:

### Individual scores:



### Average score:

**3.5 (2006:4.7; 2008:3.8; 2011:3.5; 2013:3.8)**

## 4.8 Equal opportunities regardless of race or ethnicity, social group, gender/sex, religion, disabilities and age are promoted in media houses.

Equal opportunities are not promoted to the extent that they should be, and large discrepancies still exist with respect to gender, disability and religion.

Very few people with disabilities work in the media sector, and only two could be named during the AMB panel. A panellist noted that the shortage of disabled media practitioners may point to problems at the training level. "If they are not enrolling, it may also be that the schools are not friendly enough for their enrolment."

With regards to gender, males continue to dominate the top ranks of media houses as editors and managers. "The faces of media houses are male."

The important issue of the unfriendliness of media houses for women was raised; "One thing we fail to recognise is that there is a lot of sexual harassment of women in the media, both in-house and by the people they are covering. For women, it's not easy in the newsroom or on the field," as such, "there are many women in the newsroom, but they often shift to public relations and advertising."

Most media do not have gender policies on sexual harassment.

Training institutions such as the University of Ghana (UG) have affirmative action policies, which have resulted in more women entering the field. At UG, "this academic year, there are nine men in a Masters class of 40 students. But representation in the media is unfair. In terms of ownership, very few women own the media. Women do well as presenters on TV, but very few women's voices are reflected in the media."

It was pointed out that there is a lack of advocacy in terms of equal opportunity. "The reason that we are not advocating is not visible, but there are so many indirect forms of discrimination, and the media itself is not taking it up."

With respect to religion, "most media houses don't cover Islam."

"Even in terms of hiring, you won't find this particular group of people across all media."

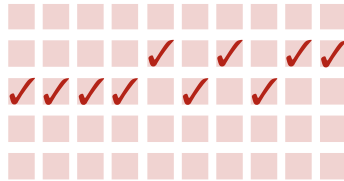
With regards to age, "in public radio, things are quite free, with people of all ages taking part." Panellists lamented, however, that many of the more experienced journalists have moved away from their media houses, or do not focus on tasks considered as less important (e.g. press conferences), which has also compromised the quality of reporting.



## Scores:

### Individual scores:

- 1** Country does not meet indicator
- 2** Country meets only a few aspects of indicator
- 3** Country meets some aspects of indicator
- 4** Country meets most aspects of indicator
- 5** Country meets all aspects of the indicator



### Average score:

2.6 (2006:n/a; 2008:n/a; 2011:2.9; 2013:4.4)

### Average score for sector 4:

2.4

# The way forward

## 1. What were the developments in the media environment in the last three/four years?

### Positive

- New media (especially social media) is becoming stronger, enhancing reporting on communities and events in some communities that would otherwise go unreported.
- Most media houses now have an online presence with websites and social media
- The increase in fact-checking and verifying of statements, particularly by politicians, has allowed the media to better hold those in power accountable. The increased fact-checking was especially visible during the 2016 elections.
- Many more media institutions have emerged
- The use of new technologies has improved the way in which media is distributed, i.e., the Daily Graphic has digital applications that you can download to receive news alerts, etc.

### Negative

- The reaction of traditional media to the growth of new and social media has been somewhat negative. Traditional media find themselves more rushed, compromising the quality of reporting. Rather than doing this, traditional media should use this as an opportunity to use the space afforded by social media to work on more detailed, explorative stories.
- Ordinary people do not receive the same serious coverage as those in power. "There is a marginalisation of the ordinary people, and if the media is not careful, it could lose the trust of ordinary people."
- The continuous reporting with a focus on personalities rather than on the news itself is problematic. This has also resulted in increased sensationalism in reporting, which contributes to dwindling space for development issues and or stories.
- Despite the positive aspects of the growth in new media, it is difficult to trace liability when there are issues, particularly given the potential overlap between what is considered personal or public.

- Gaps remain with respect to legislation, and it is viewed as problematic that there is still no Right to Information or Broadcasting law.
- Although the proliferation of media bodies should be positive, “we’re not feeling it.” “There’s growth in numbers, but the quality and level to which the media should hold people accountable is still lacking.”
- Content creation and crowdsourcing on social media have had negative repercussions with respect to media accuracy and fairness.

## 2. What kinds of activities are needed over the next 3-4 years?

Panellists identified four key activities for redress and advocacy:

- **Code of Ethics**  
Alongside the NMC and other training institutions, the GJA should provide more training to practitioners on the code of ethics, and should educate the public on what they should expect in terms of the quality and ethics from the media.
- **Broadcasting Bill**  
Advocacy around the Broadcasting Bill is necessary. Moreover, from a holistic point of view, this should encompass new changes in technology, such as digitisation, and the continued emergence of new media; with a first drafting done by a media advocacy group. The NMC should take this on with greater commitment, and as part of its constitutional obligation.
- **Gender**  
It is important to enhance the representation of women as sources in the media, encourage the promotion of equal opportunities for women in the media, and create and or promote policies on sexual discrimination in media institutions. The NMC has conducted a study on gender and media which could be a starting point.
- **Salaries**  
Greater advocacy is needed in improving the salaries and working conditions of media professionals. The GJA, TUC and the Media Foundation for West Africa (MFWA) could spearhead this advocacy.

*The panel discussion took place from the 11th to the 12th February 2017  
Ho, Volta Region, Ghana*

## **Panellists:**

### **Media:**

1. Sarah Akrofi-Quarcoop – Media Lecturer
2. Peter Ankomah – Editor
3. Manasseh Awuni Azuri – Investigative Journalist
4. Zakaria Tanko Musah – Media lawyer / Lecturer
5. George Kofi Sarpong – Media Regulator
6. Francis Tuffuor – Reporter
7. Scofray Nana Yaw Yeboah – Blogger

### **Civil Society:**

1. Susan Aryeetey – Gender rights Activist
2. Kinna Likimani – Human rights Activist
3. Kingsley Ofei-Nkansah – Trade Unionist

### **Rapporteur:**

Nangula Shejavali

### **Moderator:**

Sarah Chiumbu



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