



AFRICAN MEDIA BAROMETER

The first home grown analysis of the
media landscape in Africa



MAURITIUS 2018

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MAURITIUS 2018

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Friedrich-Ebert-Stiftung (FES)

fesmedia Africa

Windhoek, Namibia

Tel: +264 61 417523

E-mail: info@fesmedia.org

www.fesmedia-africa.org

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The African Media Barometer

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 such as 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 AMB 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 FES in sub-Saharan Africa and into the advocacy efforts of other local media organisations such as MISA.

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:

- 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

In 2009 and again in 2013 some indicators were replaced to align with changes in the media landscape. Consequently, in some instances, the comparison of indicators of previous reports is not applicable (n/a), as the indicator is new or has been amended considerably.

The sum of all individual indicator scores is 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 summarises the general content of the discussion and provides the average score for each indicator. Panellists are not quoted by name in the report, in order to protect them from possible repercussions. The reports can be used as a tool for possible political discussion on media reform.

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

In facilitating the AMB, the FES (and MISA, in SADC countries), only serves 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.

By the end of 2018 the AMB had been held in 31 African countries, in some of them for the fifth time already.

Luckson Chipare
Regional Director
Media Institute of Southern
Africa (MISA)
Windhoek, Namibia

Sara-Nathalie Brombart
Director
fesmedia Africa
Friedrich-Ebert-Stiftung
Windhoek, Namibia



See above 31 AMB Countries (2005-2018)

African Media Barometer Mauritius 2018

Summary

In Mauritius, freedom of expression is guaranteed by the constitution. However, the country's Information and Communication Technologies Act (ICT Act) now criminalises online content. Journalists and citizens can be taken to court if they publish online content that is:

obscene, indecent, abusive, threatening, false or misleading, which is likely to cause or causes annoyance, humiliation, inconvenience, distress or anxiety to any person.

Members of the public have criticised the ICT Act provisions, stating that they limit the ability of citizens to exercise their freedom of expression.

While no law in Mauritius restricts the practice of journalism, journalists are required to obtain government-issued press cards to access certain government buildings, such as Parliament, and to attend specific events. As the Freedom of Information Act has not yet been passed, journalists and citizens rely on their personal networks and the discretion of certain officials to access information.

Confidential sources are protected in the country. Certain pieces of legislation, such as the Good Governance and Integrity Reporting Act, and the Financial Integrity Act, provide protection for these sources. Despite this, courts and security forces often place pressure on journalists to reveal their sources.

In Mauritius, prior authorisation is not required to start a newspaper publishing house, as notifying the Government Information Service is sufficient. While the country ratifies international instruments as a general principle, there is no requirement for registering websites or blogs.

During the past eight years, no laws specific to the media were passed in Mauritius except the recent amendments to the ICT Act.

There are more than 60 publications which are made up of dailies, weeklies and other periodicals. These generally reach every part of the country on the day they are published. At a cost of about 50 US cents per copy, newspapers are generally considered affordable.

While mobile telephony remains the most widespread news source, satellite TV brings signals from all parts of the world to Mauritius without restriction. Foreign print publications and news websites are also widely available and accessed without restriction.

In practice, media ownership rules are not strictly enforced and there is suspicion that the real owners of some media organisations are unknown in Mauritius. News organisations receive no government support. Some newspapers receive no government advertising for many years, and observers believe this is due to their opposition leaning.

Despite more women speaking up in the media, the male voice is still dominant. The main languages are French, English and Mauritian Creole. Politics and crime stories dominate news coverage. A 2015 study found that for every 33 male editors there were only nine female editors in the Mauritian media. However, an increase in the visibility of women in editorial roles of the media workforce was noted by the panellists.

On private radio stations, news programmes run alongside talk and phone-in shows that allow citizens to share their views on public life. In Mauritius, broadcasting is governed by the Independent Broadcasting Authority Act of 2000 which was amended in 2016.

Private broadcasting has not prospered and since 2002, the country only has three private radio stations, has no community radio stations and no private TV channels. Broadcasting is dominated by the state-owned Mauritius Broadcasting Corporation (MBC), which runs six radio stations and is the only national TV broadcaster. It is not seen as an independent body and its board members are considered to be sympathetic to whichever government is in power. Despite this, the MBC does offer a wide range of programmes and programming formats.

News consumers are of the opinion that journalists routinely misrepresent sources in their reporting and are inclined to sensationalise news reports. This, however, is refuted by journalists stating that they generally follow the basic principles of accuracy and fairness in their reporting.

Some media houses, such as *La Sentinelle* and *Le Defi* Media Group, purport to have in-house codes and guides for journalists. These codes set minimum standards for journalism and address questions of ethics, as well as the general conduct of journalists.

In Mauritius, journalists and copy editors are paid between 427 USD per month for entry-level staff and 528 USD per month by the tenth year of employment. In practice, however, after a few years salaries are known to increase beyond the rates prescribed by the Remuneration Order.

Although attempts to form a union of journalists and other associations have failed, the media is perceived by the public to have integrity and corruption is shunned. Journalists do not receive or demand per diems or any other favours when covering a story. However, there have been cases of journalists benefiting from slush funds and large corporate gifts such as air tickets, hotel stays, etc.

The University of Mauritius offers a diploma and degree programme in journalism, while the Media Trust regularly runs seminars and training workshops for journalists.

SECTOR 1:

**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

Freedom of expression is a topical subject in the Republic of Mauritius, being discussed at both political and social levels. In the country's recent history, freedom of expression was included in the political manifesto of every major political party.

According to panellists, the importance of freedom of expression to the democratic evolution of Mauritius cannot be overstated. It is one of the fundamental rights enshrined in the constitution (section 12.1), which states that:

except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions and to receive and impart ideas and information without interference, and freedom from interference with his correspondence.

In section 12.2 of the constitution, Mauritius does not simply offer citizens a constitutional guarantee to the enjoyment of freedom of expression, but goes further to protect it against undue violation. It stipulates that:

nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of [Section 12.2] to the extent that the law in question makes provision,

except under the following conditions:

[In] interests of defence, public safety, public order, public morality or public health... protecting the freedoms of other persons... [and] for the imposition of restrictions upon public officers.

However, despite these laws, freedom of expression has recently been threatened by changes to the Information and Communication Technologies Act, which now criminalises online content that is:

obscene, indecent, abusive, threatening, false or misleading, which is likely to cause or causes annoyance, humiliation, inconvenience, distress or anxiety to any person.

The changes have been hailed as a much-needed response to growing online crime, particularly the violation of rights and cyber-violence. Both high- and low-profile citizens are repeatedly attacked online, with the majority of these attacks originating from individuals running social media accounts. Media organisations have also been guilty of causing distress and harm to individuals with their online content. An example is a 2017 Miss Mauritius interview with *L'Express*, where she was quoted as saying that Mauritians are too short for her. This led to her subsequent abuse on social media despite the fact that she denied the comment.

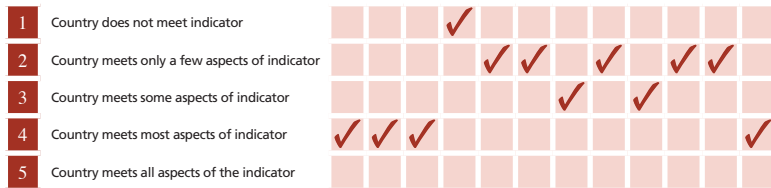
According to a panellist, all kinds of violence takes place online, including death threats. While one panellist welcomed tougher internet-use laws, another highlighted the need to get protection for individuals against bullies. In Mauritius, ‘people hide behind their screens and do not think before writing’.

One panellist noted that the main concern is the broadening of the scope of offences that can be committed online that are related to freedom of expression. According to a panellist, anyone who feels that they have been antagonised or have suffered inconvenience can sue for reparations. Furthermore, vague wording leaves the revisions prone to abuse.

Views vary on the full impact of this amended Act and whether it serves a legitimate public interest. Panellists felt that it was worth waiting for test cases to be brought to court to gauge how the amendments will really be applied and whether they will be used abusively by public authorities, private organisations and individuals.

Scores:

Individual scores:



Average score: 2.8 (2010 = 3.2; 2008 = 3.4)

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

Mauritians did not always give much thought to what was said in the public sphere. Compared to their more oppressive island neighbours, citizens felt that they lived in a country that was tolerant of different and critical views. A decade of high internet penetration and an explosion in social media use has broadened the space for free speech and expression.

However, ‘fear is beginning to creep in’, stated one panellist, summing up the impact of recent changes in the juridical landscape. Panellists also remarked that public officials appear keen to suppress free expression with both the law and public security apparatus.

Revisions to the Information and Communication Technologies Act, for example, have made it easier for both journalists and citizens to be taken to court for what they publish online.

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

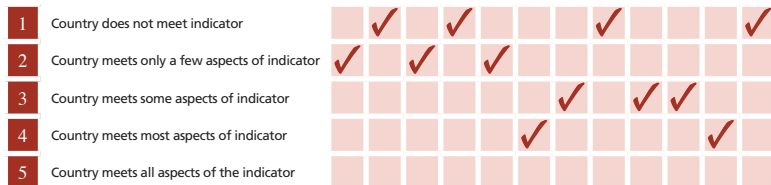
Citizens and public authorities are generally aware of, and seek to uphold, the principle of protection for journalistic sources. However this principle is currently not protected by law, which is vital for journalistic practice. The 2013 *Media Law and Ethics in Mauritius* report advised authorities to introduce a statutory provision, which states that ‘no court may require a person to disclose, nor any person guilty of contempt for refusing to disclose, the source of information contained in a publication for which he is responsible unless it is clearly established that such a disclosure is essential in the interest of justice [Geoffrey Robertson QC, ud]’. The recommendation remains unapplied.

Panelists noted that other pieces of legislation provide protection for confidential sources. Examples include the Good Governance and Integrity Reporting Act, and the Financial Integrity Act, which protect whistle-blowers.

Security forces frequently place pressure on journalists to reveal their sources. Public officials have publicly claimed that they have discovered a journalist’s source, as a ploy to manipulate them to reveal their sources or for the said source to come forward. Journalists claim that they always protect their confidential sources.

Scores:

Individual scores:



Average score:

2.3 (2010 = n/a, 2008 = n/a)

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

During the past two years, Mauritian authorities have repeatedly claimed that a Freedom of Information Act was ‘in the works’; the current party in power made it part of its electoral promises. However, the promise is yet to be kept, despite a cabinet announcement in January 2016 stating that, ‘Cabinet has taken note that the Freedom of Information Bill, as announced in the Government Programme 2015-2019, is being prepared. The main objective of the Bill will be to promote transparency and accountability in public administration.’ Despite the official support for the Act, the Attorney General is quoted as saying that ‘it is not a priority yet’.

Therefore, pending the passing of this Act, holders of public information do not feel compelled to share the information with citizens. Official secrecy rules and the right of reserve are frequently evoked to deny access to information. Many issues of public interest are 'cloaked' as strategic information and concealed.¹

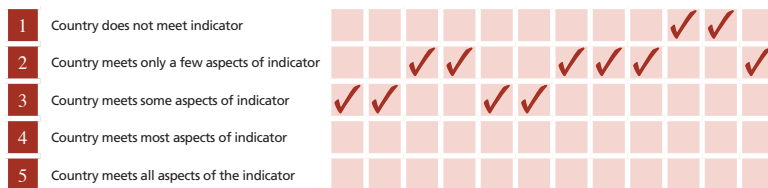
Journalists and citizens rely on personal networks and the discretion of some officials to access information. Increasingly, journalists count on international organisations and other foreign sources for information about the country.

Parliamentary Question Time, broadcast live on TV, has also become an important source of information. Public officials (such as ministers) are compelled to give details about government actions when responding to questions from the opposition. 'Citizens have learned a lot about the country from these sessions,' panellists noted.

When it suits their agenda, public officials are often willing to share information with the public and media. The government launched an open data portal known as OpenData Mauritius, 'which houses and provides links to the datasets of Government Agencies in an open format. This initiative empowers citizens and businesses for carrying out data-driven initiatives such as development of mobile apps, data analysis, creation of innovative products and research among others'.² The number of datasets fed into the system is increasing and citizens can access it without restriction. To date, there are 193 open datasets, but 'yet', observed one panellist, 'if you want to dig into something, it is difficult'.

Scores:

Individual scores:



Average score:

2.2 (2010 = n/a, 2008 = n/a)

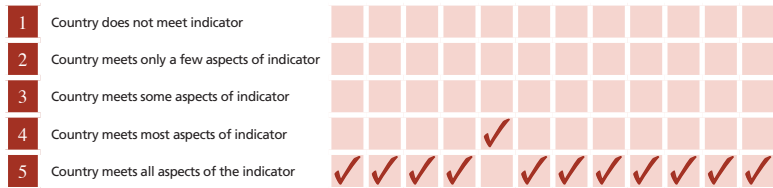
1 An example is the agreement with India to manage the island of Agalega, which was kept secret.
2 Open Data Mauritius available at <https://data.govmu.org/dkan/>.

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

Mauritius has no requirement for registering websites or blogs.

Scores:

Individual scores:



Average score:

4.9 (2010 = n/a, 2008 = n/a)

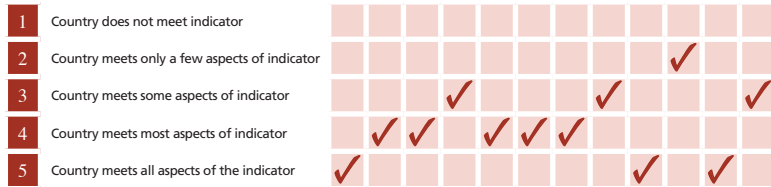
1.9 The state does not seek to block or filter internet content unless in accordance with laws that provide for restrictions that serve a legitimate interest and are necessary for a democratic society, and which are applied by independent courts

In 2018, a song critical of the Mauritian government which was available on online streaming and downloading sites, such as YouTube. However, it could not be viewed inside the country. This created general confusion amongst the public as there was no evidence that it had been intentionally blocked.

It is the general suspicion in Mauritius that the authorities seek to control online content indirectly, although there is no evidence of direct control or censorship. Panellists expressed that in the absence of an official policy (or technical capabilities) the authorities use the police force to intimidate citizens and force them to self-censor online content.

Scores:

Individual scores:



Average score:

3.8 (2010 = n/a, 2008 = n/a)

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

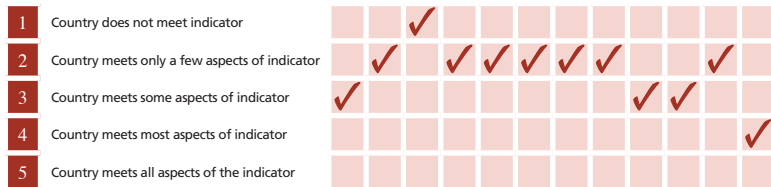
As a statutory body, the Media Trust is the most organised institution dealing with media causes in Mauritius. Intermittently, it issues statements of its position on media issues. The Trust is, however, better known for the short-term training of journalists.

Human rights groups, such as Amnesty International and Mauritius Section (closed in 2014), integrated media freedom in their work and staged protests to defend aggrieved journalists.

In the absence of a permanent avenue for a media lobby, public response against attacks on journalists is often spontaneous and uncoordinated, particularly through social media.

Scores:

Individual scores:



Average score:

2.3 (2010 = n/a, 2008 = n/a)

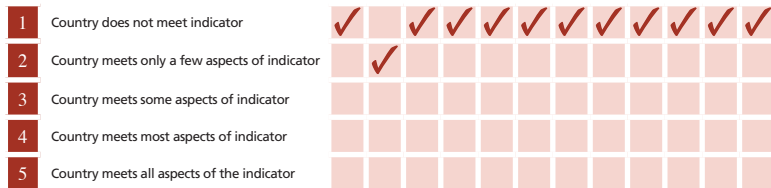
1.11 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups

No new laws specific to the media or freedom of expression have been passed in Mauritius during the past eight years, except for the amendments to the Information and Communication Technologies Act.

In general, laws in the country do not emerge from broad consultations and citizens are often taken by surprise. The recommendations from the preliminary *Media Law and Ethics in Mauritius* report on media law reforms that was commissioned in 2013 by the previous government, and which emanated from broad consultations and legal reviews, have been largely ignored.

Scores:

Individual scores:



Average score: 1.1 (2010 = n/a, 2008 = n/a)

Overall Score for Sector 1: 3.0

SECTOR 2:

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

Mauritius boasts a vibrant news media landscape that is enhanced by high internet penetration.

Statistics Mauritius estimates that the country has more than 60 publications made up of dailies, weeklies and other periodicals.³ Being a small island, newspapers generally reach every part of the country on the day they are published, usually by five AM.

At 15 rupees (Rs) (50 US cents) a copy, newspapers are generally considered affordable. However, they are more expensive than other commodities such as bread, and therefore feature low on the priority list of many citizens. Digital versions have increased readership and reach.

Broadcasting is dominated by the state-owned MBC, which runs six radio stations and is the only national TV broadcaster. Restrictive laws have prevented private broadcasting from flourishing. The country has only three private radio stations (*Radio One, Radio Plus* and *Top FM*).

Foreign broadcasts are available via satellite without restriction. The most prominent are the *British Broadcasting Corporation, Radio France Internationale, France Inter, Cable News Network* and several Asian and Middle Eastern channels.

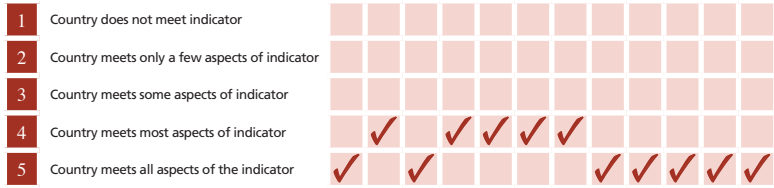
Online media enjoys tremendous growth, thanks in part to advances in digital technology as well as the restrictions faced in the traditional broadcasting sector. The country has about 11 online radio stations and an increasing number of web-based TV channels. Newspapers have websites and several news publications only exist online.

Mobile internet is the most widespread means of consuming news. According to figures provided by a panellist, mobile phone penetration (calculated as subscription rates), increased from 143.6% to 145.5% between 2016 and 2017. Internet subscription rates also rose from 86.3% to nearly 100%; while the number of fixed telephone lines per 100 inhabitants improved, reaching 32.7%. It is estimated that approximately 350 free Wi-Fi hotspots have been created around the country and citizens can access the internet for free on main bus transport systems. It is expected that the metro, which is still currently under construction, will have Wi-Fi available on board.

³ Statistics Mauritius available at http://statsmauritius.govmu.org/English/Publications/Documents/MIF/MIF_2017.pdf

Scores:

Individual scores:



Average score:

4.6 (2010 = 3.9, 2008 = 3.5)

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

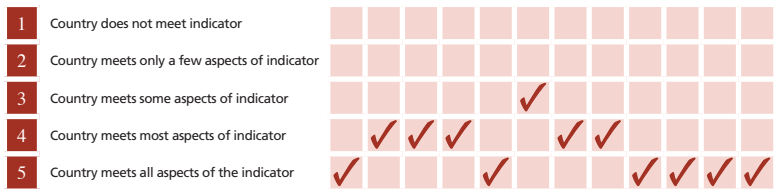
Satellite TV brings signals from all corners of the world to Mauritius without restriction. Foreign print publications and news sites are also widely available and are accessed without restriction.

No laws empower the authorities to restrict access to domestic news sources. However, many cases have been reported of organisations, believed to be part of the government or the ruling party, buying out newspapers to prevent them from circulating when the content was deemed prejudicial to their cause.

Panelists pointed out that these tactics generally do not stop citizens from accessing local news content, since newspapers will simply run another print and put their content online.

Scores:

Individual scores:



Average score:

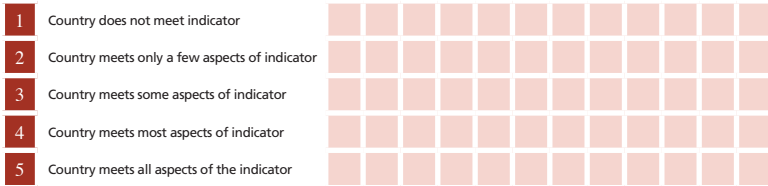
4.4 (2010 = 3.5, 2008 = 4.5)

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

This is not applicable in Mauritius as there is no state print media.

Scores:

Individual scores:



Average score:

n/a (2010 = n/a, 2008 = n/a)

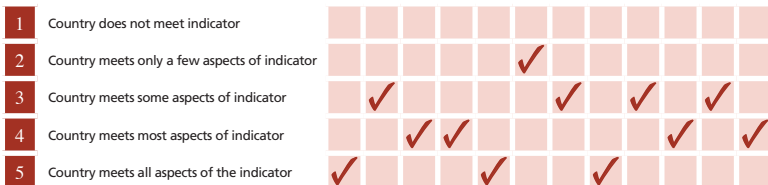
2.4 Transparency of ownership of media houses in print/broadcasting is guaranteed by law and enforced

The registry of companies is a public record and contains the names of owners and shareholders of media organisations. Newspapers generally publish a masthead that includes the names of senior officials, even though it is not required by law. Recently, the French-language daily newspaper, *L'Express*, voluntarily published a list of all its shareholders.

Despite a general sense of transparency, some panellists suspect that the true owners of some media organisations are unknown as the use of 'fronts' in business ownership is common practice in the country.

Scores:

Individual scores:



Average score:

3.8 (2010 = n/a, 2008 = n/a)

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

Mauritius does not have clear rules on media concentration. The Independent Broadcasting Authority Act simply notes that a broadcasting licence cannot be attributed to someone who,

already holds a licence or, directly or indirectly, controls or has an interest in an organisation, association, company or corporate body which already holds a licence.

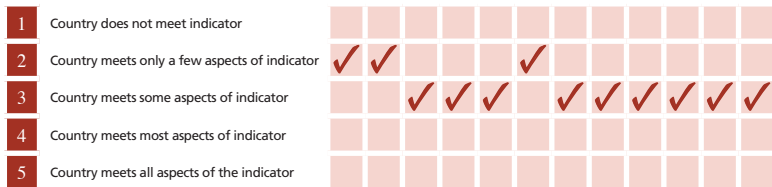
The law does not distinguish between radio and TV broadcasting and is open to broad interpretation. It limits vertical concentration to a 20% ownership in a newspaper, magazine or printing press publishing such publications.⁴

Legal disqualifications from obtaining broadcasting licences do not appear to be intended to prevent media concentration. In addition to applicants who already hold licences (or control more than 20% of a print media outlet), the following cannot be granted media licences: non-citizens, politicians, political parties, religious groups, local authorities, foreign companies (including national companies with more than 20% of foreign capital management), as well as companies that have been declared bankrupt, insolvent, or liable of defamation or sedition, or have been convicted of fraud and dishonesty.

In practice, media ownership rules are not strictly enforced. The country has at least two media conglomerates, namely *La Sentinelle* and *Le Défi* Media Group. It is common for these big conglomerates to buy up smaller and struggling media organisations.

Scores:

Individual scores:



Average score:

2.8 (2010 = 1.9, 2008 = 2.2)

⁴ The Independent Broadcasting Authority Act, Section 19.3.

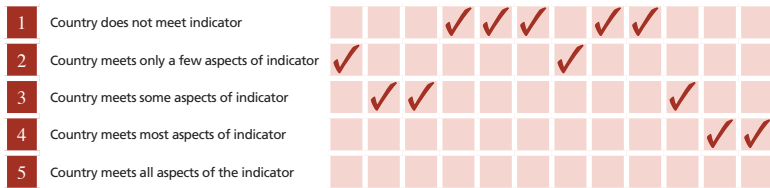
2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets

At least a dozen newspapers are now defunct, but despite this, a few media conglomerates have crystallised in a hostile environment. ‘Small news organisations in Mauritius struggle on their own and receive no government support.’

There is a sense that the government is uncomfortable with a strong and independent media. Panellists cited the reluctance of authorities to approve private TV broadcasting licences and open up the space for private radio stations as evidence of this.

Scores:

Individual scores:



Average score:

2.2 (2010 = 1.4, 2008 = n/a)

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

Media organisations and journalists claim that they do not discriminate against women and try to reflect the latter’s views in reporting and sourcing. More women are speaking up in the media – an increase in the number of female journalists might have helped to tilt this balance. However, the male voice is still dominant.

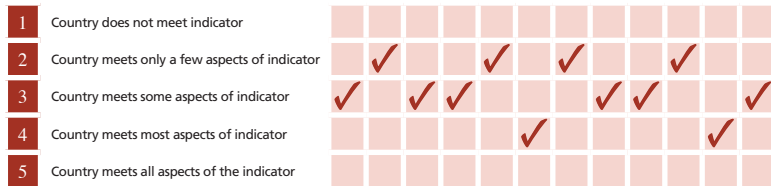
Journalists state that they cannot invent a fair representation of male and female. ‘When we seek sources, we are looking for expertise and not gender. If we find women, we use them. If we find men, we use them.’ Very often, news sources are men. One study (which is yet to be published), found that in about 650 newspaper articles that were analysed, only 30% had female sources. The visibility gap between men and women in the media is wide when sources are interviewed for their expertise and becomes narrower when the source is required to discuss social experiences.

The situation reflects broader Mauritian society, which is typically patriarchal. Men dominate public life and media ownership, which shapes news coverage. Women are less outspoken and tend to avoid certain subjects, particularly politics. This is reflected in ‘vox-pops’ and phone-in radio shows, which have fewer female participants than male.

Media organisations tend to sensationalise some subjects of interest to women, such as abortion rights and sexism. By and large, panellists stated, women are presented in a less flattering light in the media than men. A panellist also added that when the media gives a voice to women in the newspaper, sometimes the photo of the person can be suggestive or sexist. When women are interviewed, journalists tend to question them or report the story in a sexist manner.

Scores:

Individual scores:



Average score:

2.8 (2010 = 3.6, 2008 = n/a)

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

Mauritius is a complex, multicultural society. The constitution recognises four major groups divided roughly along religious, language and ethnic-geographic origins. The media struggles to reflect this reality, nevertheless mainstream press targets all four groups.

French, English and Mauritian Creole are the dominant languages used in the media. A small Hindi and Mandarin press has also emerged, facilitated in part by official regulation that requires the state broadcaster to serve all ethnocultural groups. Religious festivals are covered by state media without discrimination.

Mauritius does not have an official language but in practice English is the dominant language of official business and educational instruction. French is predominantly used for all other business while Mauritian Creole is the main lingua franca.

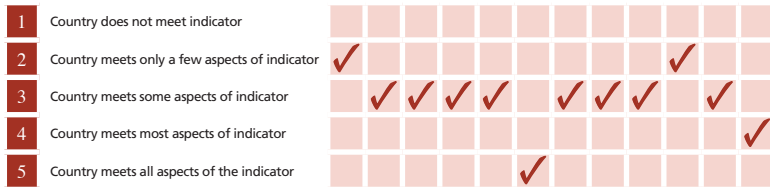
country. Previously taboo subjects, such as lesbian, gay, bisexual, transgender and queer (LGBTQ) rights, are increasingly prominent in the media.

The demand for investigative reporting is strong and growing, however supply is limited by the lack of manpower and resources. Some investigative journalists have been known to work 'off the clock' because their newsrooms do not give them the facilities to work fulltime on investigative projects.

L'Express has become visible for its investigative work; with some of their journalists spending several months on data-driven investigations. Some newsrooms have relegated investigative journalism to the bottom of their priority list. A panellist quoted an editor as infamously saying, 'investigating is not the business of reporters'.

Scores:

Individual scores:



Average score:

3.1 (2010 = n/a, 2008 = n/a)

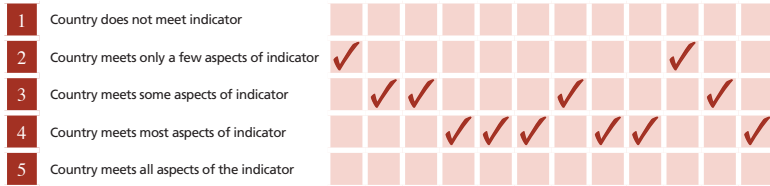
2.10 Private broadcasters deliver a minimum of quality public interest programmes

Since 2002, liberation of the broadcast sector in Mauritius has 'increased the voice of the voiceless'. Private radio stations have opened up the airwaves to ordinary citizens. News programmes run side-by-side with talk and phone-in shows, allowing citizens to share their views on public life. There is a fair balance between entertainment, information and education, with a wide range of subjects being covered. Some stations go further to provide citizens with practical information and useful tips. For example, all three private radio stations provide a programme that helps listeners navigate complex administrative processes (e.g. pension claims).

Despite the effort to serve public interest, commercial interest is still apparent. The quest for a large audience often leads to sensational news coverage. Paid content, which serves the narrow interests of certain individuals, groups or businesses, is often disguised as news.

Scores:

Individual scores:



Average score:

3.3 (2010 = n/a, 2008 = n/a)

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

Mauritius has passed at least eight laws in the past two decades, creating a comprehensive legal and regulatory framework for the development of the ICT sector. These laws include the Information and Communication Technologies Act (2001, as amended), the Data Protection Act (2017), the Computer Misuse and Cybercrimes Act (2003), the Postal Services Act (2002, as amended), the Electronic Transmission Act (2000, as amended), the Independent Broadcasting Authority Act (2000, as amended), the Copyrights Act (2015) and the Child Protection Act (1994).

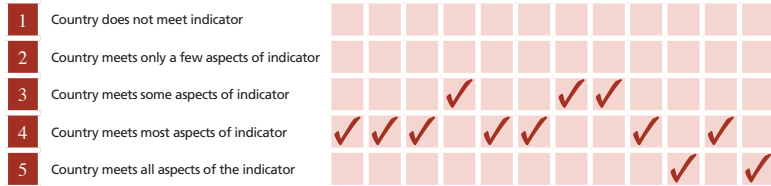
The Information and Communication Technologies Authority (ICTA) has as mission to ‘promote affordable and adequate access to quality ICT services through functional market-driven competition and regulatory principles in a trouble-free Networked Information and Knowledge Society’. The ICTA is tasked with authorising licences for private operators in the telecoms sector as well as certifying the ‘technologies, infrastructure and practice of all certified authorities licensed to issue Digital Signature Certificates’.

The National Computer Board was created in 1988 to promote the development of ICT in Mauritius, with a vision to transform Mauritius into a cyber island and (...) regional ICT hub.’ Part of its work includes fostering ICT skills among the youthful citizenry’.

Mauritius has some of the highest internet penetration rates in Africa at nearly 100%. Internet and telephone prices have declined steadily over the years and the quality of services is considered good. A new submarine fibre optics cable is due to land on the island in 2019 and is expected to provide additional improvements in connectivity.

Scores:

Individual scores:



Average score:

3.9 (2010 = n/a, 2008 = n/a)

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

The government uses advertising as a ‘guillotine’ to muzzle the press. Some newspapers run for five years (corresponding to the duration of a government mandate) without any public advertising because of their opposition leaning.

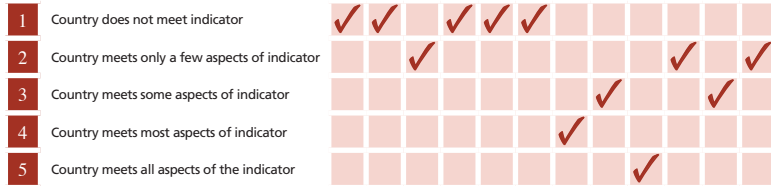
‘For every political party that has been in power at a given time, adverts have been used to reward friendly newspapers and punish those that are critical,’ claimed one panellist. ‘The government often give[s] adverts to tiny newspapers with no real readership as long as they are [seen to be] friendly.’

According to panellists, the government’s influence on advertising extends to state-owned companies, notably Mauritius Telecom, in which the state has controlling shares. Mauritius Telecom has a large advertising budget and uses this position to discriminate between news organisations that are friendly or hostile to the government.

Although the prime minister’s office has refuted allegations that its government was placing advertisements discriminatorily, public officials are cited as saying that they have received ‘orders from above’ to deny certain news organisations the permission to publish public adverts. The exceptions are the country’s leading newspapers, *L’Express* and *Le Défi*, which currently receive a fair amount of government advertising – irrespective of their political inclination and critical tone.

Scores:

Individual scores:



Average score:

2.2 (2010 = n/a, 2008 = n/a)

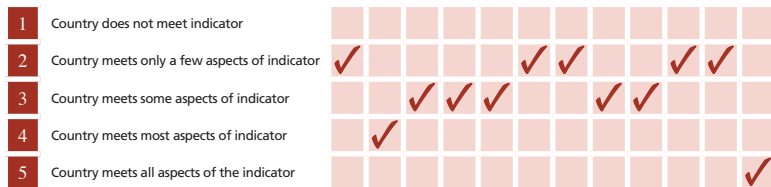
2.13 The advertising market is large enough to support a diversity of media outlets

The advertising market in Mauritius is estimated at 800 million to 1 billion Rs (23 million to 29 million USD) a year. Most advertising spending goes to the dominant media conglomerates (*La Sentinelle* and *Le Défi* Media Group). Online advertising, spent in the form of sponsored content, is on the increase.

The absence of an audit agency to gather circulation data and an independent monitor of the advertising market makes it difficult to estimate the sector's true size and potential. Panellists stated that most advertising placement is not determined by circulation and audience numbers, but by kinships and the discretion of advertisers.

Scores:

Individual scores:



Average score:

2.8 (2010 = n/a, 2008 = n/a)

Overall Score for Sector 2:

3.2

SECTOR 3:

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

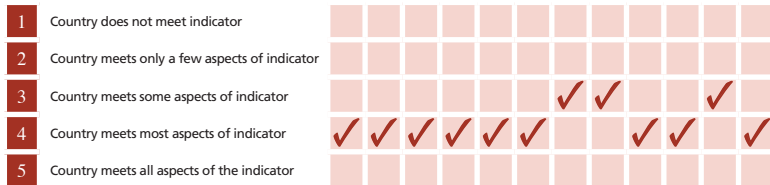
Broadcasting is governed by the Independent Broadcasting Authority Act of 2002. The promulgation of the Act led to the setting up of the Independent Broadcasting Authority (IBA).

As part of its objectives, the IBA promotes a diverse range of radio and TV broadcasting as well as the development of broadcasting services that are responsive to the needs of the Mauritian audience.

However, private broadcasting has not prospered. The country only has three private radio stations,⁵ no community radio stations and is yet to license its first private TV channel. Panellists were of the view that even though broadcasting legislation has been passed, it has not been applied in a way that is conducive for private and community broadcasting.

Scores:

Individual scores:



Average score:

3.8 (2010 = 2.9, 2008 = 2.9)

5 After the AMB panel discussion, two licenses were allocated to two companies believed to be connected to the government, namely *Star FM* (Mayfair and Purely Communications Ltd) and *Radio Prima* (First Talk Ltd).

3.2 Broadcasting is regulated by an independent body that is adequately protected by law against interference, 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

Broadcasting is regulated by the IBA. The Act establishing the IBA states that:

[It] shall be a body corporate (...) the Authority shall not, in the exercise of its functions, be subject to the control of any person, body or other authority.

However, it adds:

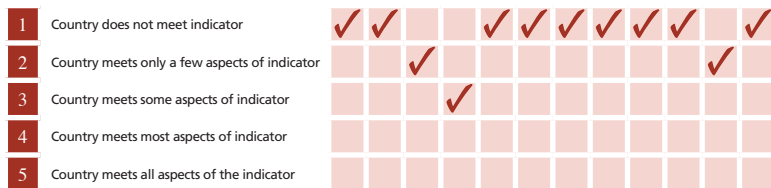
The minister may issue such directions to the Authority in relation to matters affecting national security and public order and the Authority shall comply with those directions.⁶

Members of the Authority are all from government services and are representatives of the following ministries and institutions: the Ministry of Technology, Communication and Innovation; the Attorney-General’s Office; the Ministry of Arts and Culture; and the Mauritius Telecommunications Authority. An additional three to five people are appointed by the prime minister according to their experience in the field of broadcasting policy and technology, media issues, frequency planning, entertainment, education or in any other related activities. The IBA’s chairperson is appointed by the president after consultation with the prime minister and the leader of the opposition party. Daily operations are run by a hired executive.

In their assessment, panellists said the Authority is independent in name only. Most of its members are affiliated with government services and their appointment is political. ‘[The] IBA cannot take a decision without the blessing of the government,’ said one panellist.

Scores:

Individual scores:



Average score:

1.3 (2010 = 1.5, 2008 = n/a)

6 The Independent Broadcasting Authority Act, Section 3.

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

The IBA is responsible for issuing broadcast licences and ensuring that the conditions under which they are issued are respected. It works in collaboration with the Mauritius Telecommunications Authority to assign broadcasting frequencies.

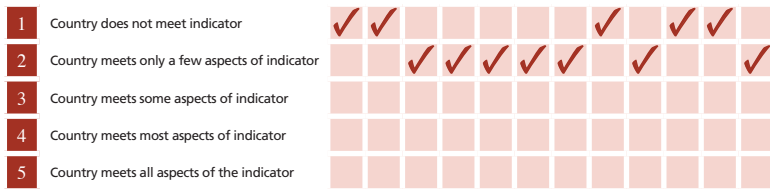
Licences are issued through a bidding process; however, the criteria for selecting successful candidates is not publicly known. Currently, applicants have been waiting for several months for the outcome of a bidding round that opened earlier in 2018. Yet, in 2003, when the initial three private radio station licences were issued, public presentations were held – this practice has not been repeated.

Panelists did not believe that the issuance of a licence would be done in the public’s interest and with fairness. New radio station licences are very likely to go to people close to the government. ‘Some people who have applied already know they won’t get it,’ said one panellist.

In 2015, the prime minister announced that the country was ready to issue its first private TV licences – but no additional information has been forthcoming. The licensee would not be allowed to produce news bulletins: only entertainment.

Scores:

Individual scores:



Average score:

1.6 (2010 = 2.2, 2008 = 3.0)

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 MBC was established through the Mauritius Broadcasting Corporation Ordinance No. 7 (1964). According to the Act:

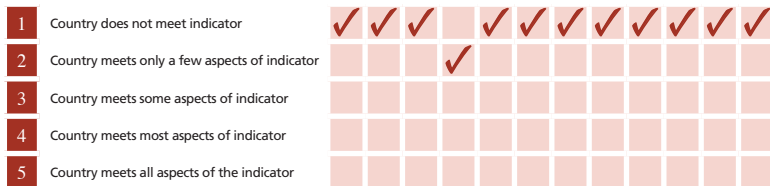
the broadcaster shall be independent in the conduct of its day to day business and other activities.

The MBC is administered and controlled by a board of seven members appointed by the minister in charge of information. Members include the Director of Information Services and representatives from a range of backgrounds: education and broadcasting (two representatives), administration and labour relations (one representative) and economics and finance (one representative). Non-citizens, officials of political parties and members of the Assembly are disqualified from sitting on the board.

In practice, the MBC is not seen as an independent body. Its top management and board members are widely considered to be sympathetic to the government. Panellists claimed some members ‘cut deals’ (including pledges of loyalty), to be appointed to the board. ‘Its independence is abused every day,’ said one panellist.

Scores:

Individual scores:



Average score:

1.1 (2010 = 1.3, 2008 = 1.9)

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

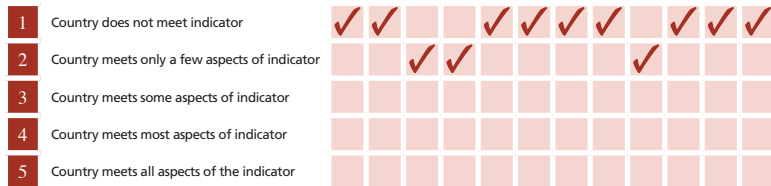
Panellists felt that the MBC is not an independent body. The management is appointed in ways that leave it vulnerable to political influence. It is common for the prime minister to dominate news coverage and it is alleged that ministries and other government departments often call MBC editors to demand better coverage or dictate the treatment of certain stories.

In general, the MBC is hostile to critical voices and more open to views and news that project the government in a positive light. This partiality peaks during certain periods, such as during election time.

However, some journalists have managed to remain independent. Panellists also observed that, compared to the past, the MBC appears more resistant to external influence.

Scores:

Individual scores:



Average score:

1.3 (2010 = n/a, 2008 = n/a)

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

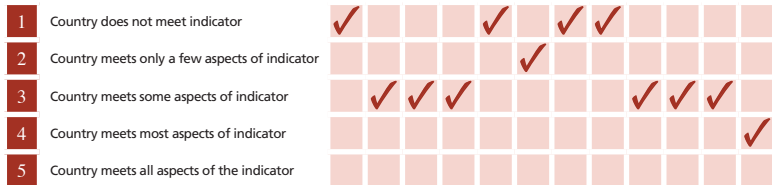
The MBC has multiple revenue streams. The most prominent of which are licence fees of 150 Rs (2 USD) that are included in consumers’ monthly electricity bills; and advertising and sponsored content (such as the *Who Wants to be a Millionaire* show). The state no longer gives subsidies to the MBC.

It is unclear how much revenue the broadcaster generates annually. One estimate puts the amount raised through licences at about 45 million Rs per month (1,262,000 USD). As the sole TV network, it receives all advertising currently destined for the small screen. According to panellists, it is common for an hour-long newscast to contain 25 minutes of advertising.

The MBC does not appear to face any economic pressure. Its independence is compromised by political influence rather than a need to stay afloat.

Scores:

Individual scores:



Average score: 2.3 (2010 = n/a, 2008 = n/a)

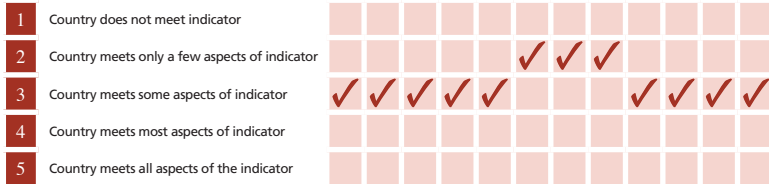
3.7 The state/public broadcaster offers diverse programming formats for all interests including local content and quality public interest programmes

Panellists agree that the MBC offers a wide range of programmes and programming formats. As part of its mandate, it produces programmes in multiple languages and broadcasts to all parts of the country. One channel broadcasts exclusively in Mauritian Creole, which is widely spoken, and others in less popular languages such as Bhojpuri, Tamil and Telegu. An advisory council ensures that the MBC stays true to its mission of catering to all interests. Some of its journalists have won national and regional awards.

The broadcaster airs foreign ‘soapies’ and produces local versions of international hit TV shows (such as *The Voice*). Local Mauritian productions are supplied through a programme that is used to promote local films.

Scores:

Individual scores:



Average score: 2.8 (2010 = n/a, 2008 = n/a)

Overall Score for Sector 3: 2.0

SECTOR 4:

The media practise high levels
of professional standards

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

Journalists on the panel stated that they followed the basic principles of accuracy and fairness. Experienced journalists produce good quality reporting and a few journalists have won regional awards. Efforts are made to be professional, with journalists trying to verify information, even with limited means.

However, news consumers paint a different picture and are of the opinion that journalists routinely misrepresent sources in their reporting and are inclined to sensationalise news reports. It is claimed that stories are not substantiated and opinion is not separated from fact. It is common to find different news organisations reporting on the same story with different sets of facts. Journalists’ ethics are also frequently called into question, especially when they seem to support practices such as mob justice. ‘Throughout the history of the country, the press has been a sort of guarantor of democracy, but [the current generation of] journalists do not do an honour to this heritage.’

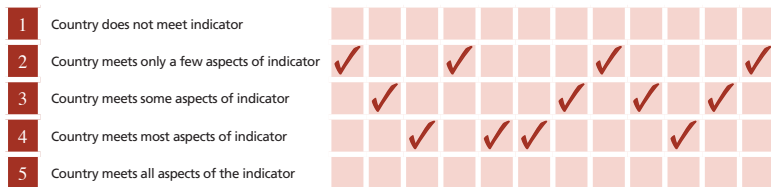
It is felt that, in trying to get the story first, younger journalists often report incompletely researched or inaccurate stories. One panellist recalls a breaking story on a local radio station about a fire at a particular restaurant, which was never followed up because reporters realised it was a false alarm. Another factor is the lack of experience among younger journalists who are ‘fresh’ from school. ‘Experienced journalists do better jobs, but experienced journalists are also more expensive.’

‘When journalists or newspapers get stories wrong, they may run corrections and even retractions, but this is often done reluctantly. Corrections are often printed in small characters that are difficult to read. Many editors feel that running corrections can tarnish the image of their paper and find other ways of rectifying the problem.’

It is believed that online articles are never corrected or retracted.

Scores:

Individual scores:



Average score:

3.0 (2010 = n/a, 2008 = n/a)

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

Attempts to develop a general code of ethics and conduct for journalists in Mauritius have all failed. ‘The rivalry between media houses and journalists themselves prevent any kind of collegial action.’

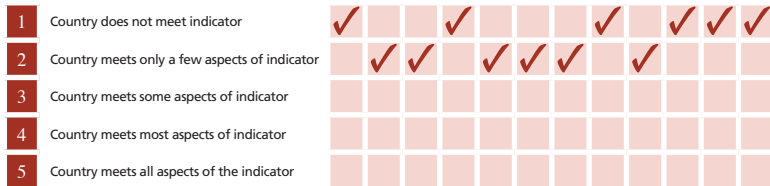
Some newspapers, such as *L’Express* and *Le Défi*, have in-house codes and guides for journalists that set standards of ethics and general conduct.

By and large, there is an understanding in the Mauritian press that unethical journalism has a price, which is paid in the form of lawsuits and a tarnished reputation. Despite the absence of a national code of ethics, journalists and newsrooms attempt to be ethical. For example, photos of young victims of crime and undercover security operatives are usually not published.

Panellists were of the view that there was a need for a national code of ethics enforced by an independent body. In the present context, citizens are obliged to use the courts in the absence of other mechanisms.

Scores:

Individual scores:



Average score:

1.5 (2010 = n/a, 2008 = n/a)

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

Wages are set in the Remuneration Orders. In 2017, the government published a Newspaper and Periodicals Employees (Remuneration Order) Regulation which set the following minimum wages for different categories of media workers:

- Journalists and copy editors: 14,655 Rs (427 USD) for entry-level staff to 18,131 Rs (528 USD) per month by the tenth year of employment.
- Reporters, photographers and cartoonists: 10,602 Rs (309 USD) for entry-level staff to 13,719 Rs (400 USD) per month after the fifteenth year of employment.
- Trainee reporter: 9,100 Rs (265 USD) for the first year, increasing to 9,236 Rs (269 USD) per month by the second year of employment.
- Documentarist: 11,391 Rs (332 USD) for the first year, rising to 13,610 Rs (396 USD) per month by the tenth year of employment.
- Proof-reader: 9,100 Rs (265 USD) for the first year, increasing to 11,488 Rs (334 USD) per month by the tenth year of employment.

The Remuneration Order also sets minimum salaries for assistant documentarists, receptionists, clerks and drivers, with the lowest entry-level salary set at 9,000 Rs per month. Salary levels are not comparable to those of other professionals – the entry-level salary for teachers, for example, is about 17,000 Rs (498 USD).

Panelists noted that senior-level media professionals, and those moving from one media house to another, generally have stronger bargaining power and can negotiate salaries well above 20,000 Rs (560 USD) per month.

Starting salaries for journalists at the private media organisations can be high. An example of is *Le Défi*, where salaries can start from 15,000 Rs (420 USD). At the same time, young journalists and media workers can earn as little as 7,000 Rs (195 USD). In the leading media organisations, editors-in-chief can earn as much as 80,000 to 90,000 Rs (2,200 to 2,500 USD) and directors up to 140,000 Rs (4,000 USD).

Despite the existence of a national Remuneration Order, newsrooms have variable employment policies and pay scales. For the past two years, one newspaper is said to have yearly, reviewable, work contracts.

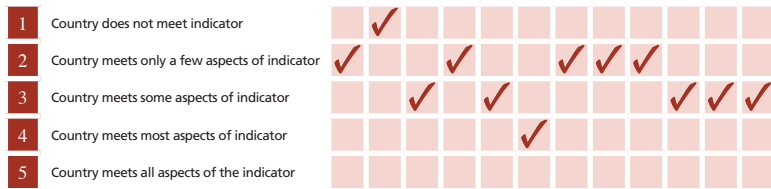
Journalists of leading media groups are generally insured and receive healthcare and pension benefits. Journalists and copy editors are entitled to a paid holiday every seven years.

Despite journalists facing multiple risks, including accidents and death threats (backpack reporters feel particularly vulnerable), they receive little support to deal with these issues. In an example given, a photographer covering a flood was forced to bear the cost of damage caused to his car by the inundation.

Female journalists complain that they face sexual harassment and that the practice of 'couch promotions' (sex for promotions) is quite rampant.

Scores:

Individual scores:



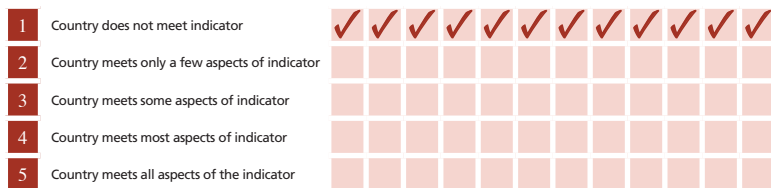
Average score: 2.5 (2010 = n/a, 2008 = n/a)

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

Attempts to form a union of journalists and other media associations have failed. Even though journalists actively fight for the rights of other groups, they find it difficult to regard themselves as workers whose rights also need to be defended. The Union *Syndicale des Employés de Presse*, which was supposed to represent all press employees and the Newspaper Editors and Publishers Association, is barely operational. Panellists explain that with different and sometimes conflicting agendas, journalists are unable to form a united front to fight for a common cause.

Scores:

Individual scores:



Average score: 1.0 (2010 = n/a, 2008 = n/a)

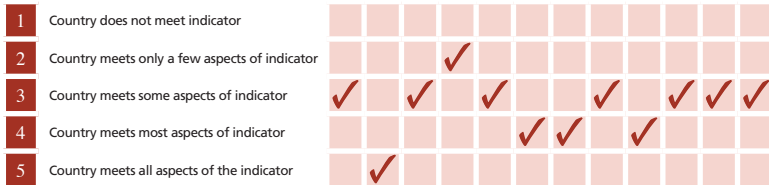
4.5 Journalists and media houses have integrity and are not corrupt

Compared to other parts of Africa, the media in Mauritius is perceived to have integrity – corruption is shunned. Journalists neither get nor demand per diems or other favours when covering a story.

The practice of corruption, however, does exist. Journalists are often influenced through their corporate and advertising relationships. It is suspected that they often receive large gifts (such as air tickets, hotel stays and luxury items) from private companies. There are no gift return policies in most newsrooms.

Scores:

Individual scores:



Average score:

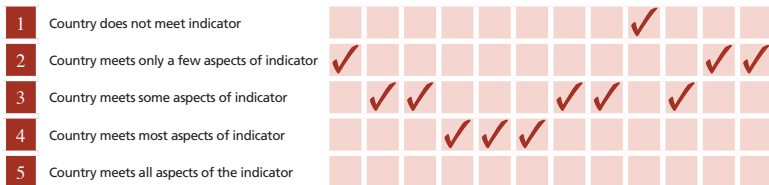
3.3 (2010 = n/a, 2008 = n/a)

4.6 Journalists and editors do not practice self-censorship in the private broadcasting and print media

Self-censorship is not a major problem in the Mauritian press. However, political leanings and economic interests of news media and journalists tend to influence content. According to the panellists, journalists usually leave out facts which may hurt special interests, or angle stories to show only the positive side. Younger journalists are less capable of negotiating these pressures, which come from inside and outside the newsroom.

Scores:

Individual scores:



Average score:

2.8 (2010 = n/a, 2008 = n/a)

4.7 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills

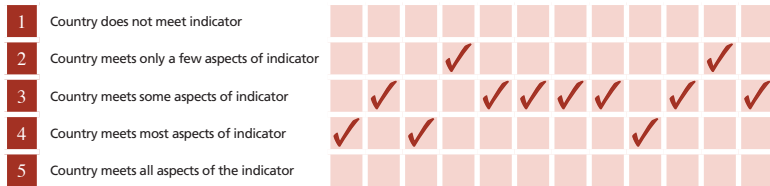
UoM offers a diploma as well as a degree programme in journalism. The university received its first journalism diploma students in the 1990s and its first journalism degree students in 2011 in response to market demand. The training includes two compulsory internships in newsrooms.

A wide range of short courses are also available to working journalists, with the Media Trust regularly running seminars and training workshops. The government funds some refresher courses for journalists through the Human Resource Development Council.

On-the-job training is also important. Even though structured mentorship programmes are absent in most newsrooms, young journalists can learn from their more experienced colleagues.

Scores:

Individual scores:



Average score:

3.1 (2010 = n/a, 2008 = n/a)

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

A 2015 study cited by one panellist found that for every 33 male editors there were only nine female editors in the media. However, panellists noted an increased participation by women in the media workforce. At the MBC, there are two female journalists for every three male journalists and the top management in the news section is split at an almost 50-50 ratio between men and women. More women than men are enrolled in journalism programmes, even though not many end up working as journalists.

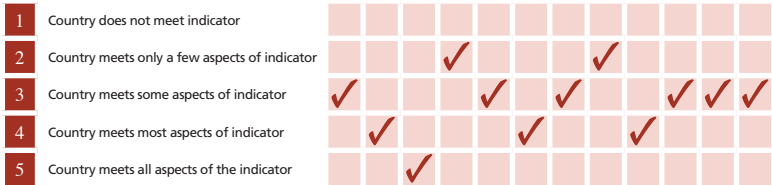
The LGBTQ community has gained more prominent coverage in recent years, but the media continues to struggle with reporting sexism and gender-based discrimination in Mauritian society. A newspaper editor infamously instituted a

dressing allowance for his female staff so that they could appear in what he deemed to be an ‘acceptable manner’. Panellists said sexual harassment is rife in the media where ‘couch promotions’ are a common practice.

Ethnocultural bias is also evident. News organisations tend to have an ethnic colouring so that both the content and workforce is dominated by certain groups. There is at least one example where newspapers employ editors from certain castes to increase readership.

Scores:

Individual scores:



Average score:

3.3 (2010 = n/a, 2008 = n/a)

Overall Score for Sector 4:

2.6

THE WAY FORWARD

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

Positive Developments

- Youth civic engagement, particularly in politics, has increased due to an expansion in online news and social media use.
- There has been an improvement in telecommunications services, with a decrease in costs bringing more opportunities for the media and the public.
- The launch of Parliament TV in 2017 brought parliamentary proceedings to the public through live broadcasts both on a dedicated TV channel and on a website which streams proceedings and allows for replay.
- New reporting formats, such as multimedia productions, data-driven journalism and fact checking, have increased opportunities for journalists.
- Previously taboo subjects (such as LGBTQ rights) are now more prominent in the media.

Negative Developments

- Mauritius still does not have a Freedom of Information Act despite promises made by public authorities.
- Mauritius does not have a national code of ethics or a self-regulatory body for the media environment.
- Gender discriminatory salary scales are practised across newsrooms.
- Journalists are generally poorly paid and the Remuneration Order for the media sector is largely ignored.
- The media environment is plagued by sexual harassment and sexism is not well addressed.
- ‘Fake news’, particularly online, is a rising problem.
- The MBC continues to enjoy a TV broadcast monopoly as public authorities are yet to deliver private TV licences.

2. What kind of activities are needed over the next three/four years?

- The creation of a national association of journalists that advances media causes.
- Lobbying for the decriminalisation of media offences.
- The creation of a self-regulatory body and a media observatory.

The panel discussion took place at the Palms Hotel, Quatre Bornes on 13-14 November 2018.

Panellists:

Media (list in chronological order of surname):

1. Ronnie Antoine, Journalist
2. Christina Chan-Meetoo, Journalism trainer
3. Axcel Chenney, Journalist
4. Namrata Deelchand, Broadcast journalist
5. Ashley Jacques, Journalist
6. Meeghan Ponnappa Naiken, Journalist
7. Zahira Radha, Editor

Civil Society (list in chronological order of surname):

8. Jean Yves Chavrimootoo, Trade Unionist
9. Lindley Couronne, Human Rights Activist
10. Trisha Gukhool, Gender Expert
11. Dominique Pierre, Social Scientist
12. Roudhita Ramyeed, Lawyer

Rapporteur:

Eugene N. Nforngwa, Media and International Development Consultant/
Journalist

Moderator:

Sadibou Marong, Journalist/ consultant