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Submission focus: Need for media reform in the MENA region

Executive summary

Laws, regulations and unwritten restrictive practices carried out by governments and security agencies have a chilling effect on press freedom. Absence of an independent regulatory body (regulators are mostly appointed by governments) and the presence of semi government media prevent the ability of media operating in a level playing field. All MENA countries with the exception of Tunisia don’t recognize community owned media and don’t provide any waivers from the high license fees to not-for-profit organizations operating community broadcasting. Associations that are supposed to provide checks and balances for government overreach are often stacked in favour of governments by a system of closed shops that recognize only a certain sector of journalists as members of press syndicates.

Author background

1. My name is Daoud Kuttab. I was born in Jerusalem in 1955 and studied in the US. I have been working as a journalist and media entrepreneur all my professional life starting in 1980 in Jerusalem. I have set up media NGOs, a television station, radio station, censorship free website and have been involved in training journalists and setting up community radio stations in the Arab world. I was a visiting journalism professor at Princeton University. I received numerous media-related awards from the Committee to Protect Journalists (New York), the International Press Institute (Vienna), The Next Foundation (London) and the Leipzig Institute (Germany). I currently run Community Media Network in Amman Jordan which administers a local radio station (Radio al Balad) and a news website (Ammannet.net). I am an elected member of the international executive board of the International Press Institute (IPI), a global network of editors, media executives and leading journalists, and I head the board’s press freedom committee. I write extensively on various issues among them the state of media in the MENA region.

Legal impediments for journalistic freedom

2. While nearly all constitutions in the MENA region state that press freedom is guaranteed, this section is followed by the words “according to law”. This qualifier negates this constitutional guarantee. Journalists in many countries in the region can be detained despite the fact that they are part of the fourth estate. In some countries dozens of laws, including the penal code, anti-terrorism laws and cybercrime laws, can be used to restrict the freedom of journalists.

Absence of an environment of press freedom
3. Journalists in the MENA region face pressure from various government agencies, especially the intelligence services. Both individuals and companies require security approval for almost all types of public services. When you apply for renewing your passport or for a building permit or for a company license, for example, the application needs a security clearance. The application for security clearance is sent to the General Intelligence Directorate, which uses (abuses) its powers to take revenge against individuals that it is not happy with including journalists. The environment for press freedom is further deteriorated by the chilling effect that is produced as a result of the high-profile detentions and arrests of journalists that the government doesn’t like. While the restrictions on journalists are often bureaucratic in nature, journalists in the MENA region have also been attacked, injured and killed because of their journalistic work.

Media ownership (public sector)

4. In the MENA region the question of media ownership needs to be urgently tackled. The media ownership landscape is totally uneven. Media owners (who are often either governments themselves or are businesses in bed with governments) intervene in the professional work of journalists, even to the extent of ending a journalist’s career if they don’t toe the government line. Under the guise of public service broadcasting government media (especially radio and TV) control the most powerful airwaves and decide what is newsworthy and what spin to give it. This fact leads journalists to regularly practice self-censorship.

5. Publicly owned media should be in the service of the public and not the government. The management of such media, which are funded either from the state budget or via license fees sometimes levelled on electricity bills, should be appointed, dismissed and held accountable to a body that is independent of the government so as to ensure that these media can report independently on the actions of state authorities.

Absence of a level playing field regarding media private ownership

6. Private sector media is proliferating in the MENA region but in many cases private media owners are either members of ruling families or maintain close relations to them. In Jordan, for example, the stock of the leading private newspaper Al Rai is owned by the Social Security Agency which is indirectly controlled by the government. As a result, it is the government that decides who is editor in chief and who is removed from that position.

7. Governments also indirectly own powerful media. Again, in Jordan, the army owns the number one radio station Hala Fm and the police own the number two radio station Amen FM. These government-owned media are subcontracted to businessmen and advertising sharks who succeed in getting a major part of the advertising cake even though they have undue advantages to other media which doesn’t have access to free antennas, free staff, free helicopter traffic reports that
are given exclusively to their own police station. In Egypt, private oligarchs close to the government own almost all the private media and as a result these media have become an arm of government.

**Media regulator part of government**

8. Media regulators that decide on licensing media are supposed to be independent of government and accountable to a board representing society. In the MENA region, however, this is not the case, as media regulators are frequently appointed by the government. This means that media regulation becomes part of the executive branch, doesn’t reflect the entire country and is not independent.

**Media ownership (community sector)**

9. Except for Tunisia, there is no special ownership category for non-governmental, not-for-profit community media in the MENA region. License fees for radio and TV stations are very high, with waivers given only to local media connected to public universities and other semi-governmental media.

**Absence of effective oversight associations**

10. Press freedom can be protected if there are association and unions that defend the rights of journalists. Since most of the media in the MENA region is owned by governments, the existing unions in many countries (not all) give only lip service to protecting journalists and defending their rights. In many countries, journalists can only practice their profession if they are members of the pro-government closed-shop union. This compulsory membership and refusal to allow independent unions of journalists restricts the ability of journalists to be defended by an association of their peers.

**Absence of credible and transparent audience reports**

11. One of the problems hindering progress in the MENA region is the absence of transparent audience reports. In many countries there is only a single company which sells its reports to ad agencies. Thus, it is not clear how credible these results are. Also, audience reports by major companies focus almost exclusively on quantitative reviews and not qualitative ones. The issue of media credibility and audiences’ trust in media is almost never part of the polling of audiences.

**Centralization of media**

12. In most MENA countries, the media is centralized in the capital with little presence or attention outside the capital. In large part, this is due to the presence of national governments and major advertisers.

**Lack of effective mechanism to solve problems**
13. While journalists, like all humans, can make mistakes, there is little effort in the MENA region to create effective mechanisms to accept and try to resolve the problems that result due the content produced by media. Both media consumers and journalist have legitimate rights that can be addressed if there is an effective mechanism to solve problems the result from content published in media.

**Role of international players including the UK**

14. The questions is always asked regarding what the international community do to support independent journalism. Of course, one problem is that too much interference from the international community can easily backfire and play into the hands of nationalists who will call this unacceptable interference. So one has to tread carefully when international players enter the field of local media.

15. To begin with, my advice would be for international players to communicate with independent local media activists and journalists and see what they consider to be their priorities. One easy rule of thumb would be to anchor any project or plan to support local media to the publicly stated positions of the country itself. This would weaken any attempts of external interference. While money is important for sustainability of independent media, in the age of large media monopolies not all problems can be solved by throwing money at them. Sometimes, amending a regulation in a way so as to ensure a level playing field can go a long way toward supporting small media outlets. In addition, thematic content support that fits into the publicly stated goals of a country can provide both help to media and to the country. So let us say country X considers environmental awareness to be an important issue, or the use of alternative and sustainable energy. So a fund carefully planned to support content that addresses these issues would be a win-win proposition. It would address an area that the country is interested in and would allow all media including small and independent media to compete on equal basis for this fund. Another area of support can be in the form of capacity building and exchange of experiences. This can be done on three levels. On the level of the regulators, on the level of media owners and on the level of journalist.

16. Finally, and due to the absence of reliable and publicly available audience research, international donors can fund audience research on the condition that the questions include qualitative results in areas such as credibility of the programming and the effectiveness of producing local news and local content.¹

April 2019