

The Panos Institute West Africa

Televsual pluralism in West Africa

State of affairs



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By Mactar SILLA



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By the same author

*Le Paria du village planétaire ou l'Afrique à l'heure de la télévision mondiale,
published by Nouvelles Editions Africaines du Sénégal (NEAS 1994).*

This work, realized by Mactar SILLA and edited with the assistance of Pauline BEND, is a publication of the Panos Institute West Africa (PIWA).

Director: Diana SENGHOR

Created in January 2000, PIWA is a regional non-governmental organization, that contributes towards the democratization of communication and the consolidation of public fora for open African societies, aimed at clarifying the opinions of citizens, amplifying their voices and making them heard.

PIWA supports:

- Public debates and political dialogue on key development issues in Africa.
- Constitution of knowledge on media development and the stakes of communication for development.
- Production and broadcasting of quality media contents, produced by Africans themselves.
- Capacity-building of actors of social change to make themselves heard.

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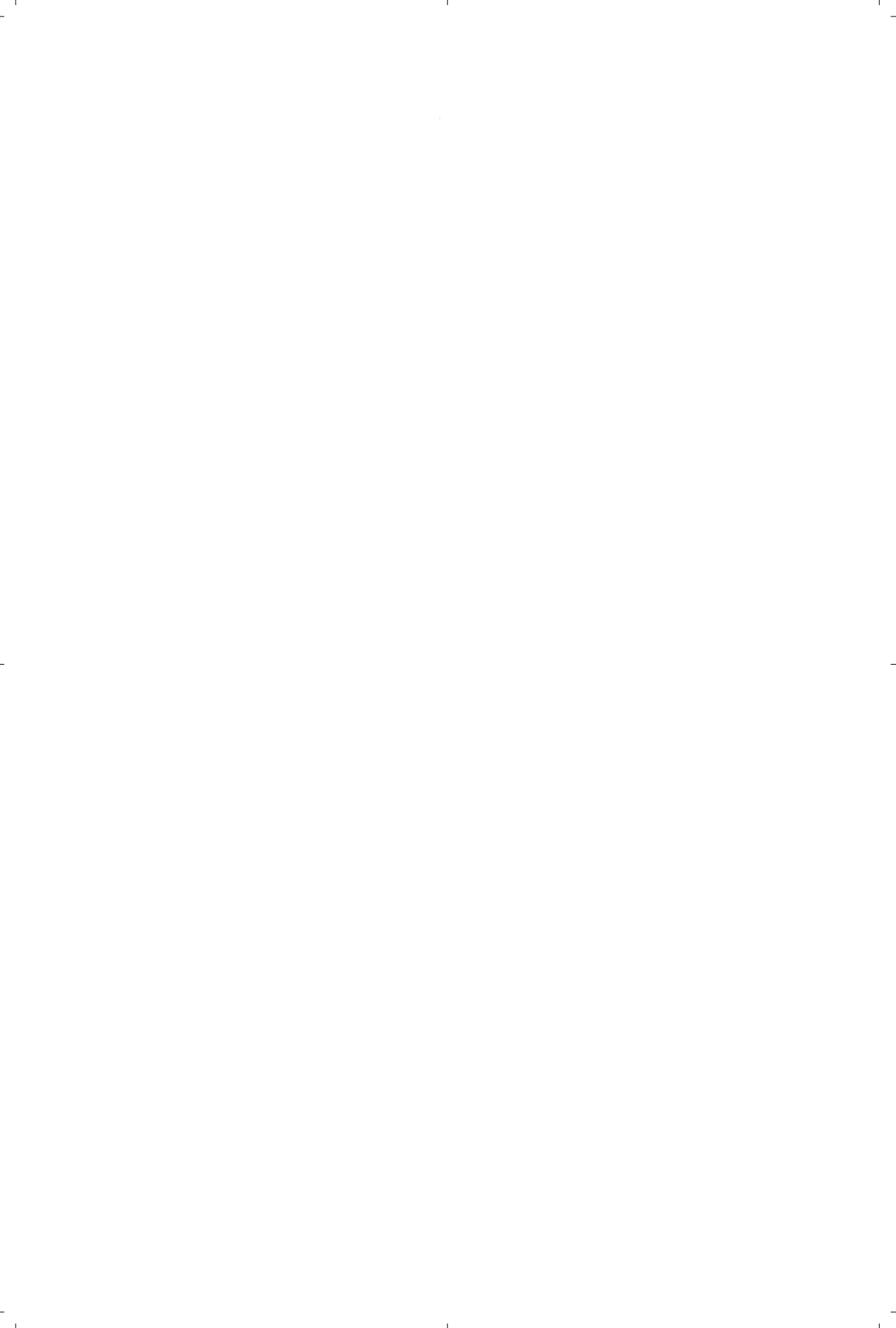
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Mactar Silla, the author of this book, has been Legal Adviser and Chairman of the Union of National Radio and Television Organizations of Africa (URTNA), Director of TV5 Afrique, Vice Chair and General Manager of World Space West Africa, Regional Director of Africa Online and General Manager of Senegalese Radio and Television (RTS). He now manages the private television group SPECTRUM TELEVISION (STV1 & STV2) in Cameroon, and in June 2006 was elected to head the Association of Private African Producers and Televisions (APPTA). This book is a publication of the Panos Institute West Africa. It is based on a study and research carried out by Moctar Dia, Consultant for the Panos Institute West Africa with the valued contributions of a network of local correspondents:

- Hyppolite Djiwan for Benin,
- Yao Dogan for Togo,
- Lassena Ouédraogo for Burkina Faso,
- Filifing Diakité for Mali,
- Edwin Kumah Drah for Ghana,
- Lanre Ogundade for Nigeria,
- Bouna Manel Fall for Senegal.

The ideas and opinions expressed in this book engage the sole responsibility of their authors, and should not in any way be considered an official position of the Panos Institute West Africa.



Preface

In 1990, the Panos Institute was amongst the first organizations, if not the first, to launch the debate on media pluralism in West Africa. It stood by those who at the time were pioneers of the private press, amongst whom was Alpha Omar Konaré of the daily *Jamaana*, who would later become the Chairman of the African Union Commission. In January 1991 in Paris, the “West African Programme” - the Sahel Programme – of the Panos Institute Paris organized the first *Regional symposium on the pluralism of information*. This symposium was mainly devoted to the written press, and was documented by a study, *La presse au Sahel*, which made a first review of the current situation of this pluralism of the written press.

After this experience of pluralism in the written press, the Panos Institute would undertake radio broadcasting pluralism, standing by regional actors, elaborating a plea for community broadcasting. This initiative would also experience its great moments, such as the colloquium on radio broadcasting organized by the Institute in 1993 in Bamako. This upsurge, which started in Windhoek during a meeting initiated in January 1991 by the Panos Institute, continued, with other actors, and culminated in the drafting of a “Windhoek Charter on radio broadcasting in Africa”, and later “the African Broadcasting Charter”, ratified by the African Union in 2003.

More than a decade after these initiatives, pluralism of the written press and radio is established in most of the States of the region, despite the more or less significant disparities between the countries: no recognized place for the community in communication policies and no legal arsenal in countries like Nigeria, a different level of laws recognized for this sector in one country or the other. Thanks to the research efforts made by media support organizations, such as the Panos Institute West Africa or the World Association of Community Radio Broadcasters (AMARC), and which culminated in the drafting of a very substantial documentation, today we have a relatively good knowledge and reliable data on the press and radio.

Contrarily, knowledge on the television sector remains incomplete, few studies, and even less at the regional level, have been carried out until date. Some of those available, were carried out before liberalization

and in early 2000, and are limited to the period of monopoly by public authorities (J.T. Okala, *Les télévisions africaines sous tutelle*, 1999, L'Harmattan) ; and for the most recent, they do not go beyond the beginning of the opening up of the television sector with the advent of transnational operators (Abdoul Ba, *Télévisions, paraboles et démocraties en Afrique noire*, 1996, *Les téléspectateurs africains à l'heure des satellites*, 1999, both published by L'Harmattan).

Also, as it had done for the radio broadcasting sector, the Panos Institute West Africa wanted to assess the current situation of the television sector in West Africa. This job has been given to Mactar Silla, one of the best African experts in the sector, whose knowledge is based on his remarkable experience as practitioner, administrative head of media, and entrepreneur. Mactar Silla was supported in his research by long time correspondents and partners of the Institute, who collected information on the field.

Television is a main stake today, both for pluralism and the democratization of communication. A stake for pluralism because the liberalization of the television sector is not yet completed in all West African countries. It is certain that the media landscape in most of these countries is open to new television actors, but there are still countries where the State still has monopoly of television broadcasting. Besides, where the process of liberalization has been engaged, the State media is far from making the transition to the status of " public service media ". It generally remains the relay of government's voice, with even less guarantee of plurality of the content of information. The control mechanism for the allocation of frequencies is not always transparent, and the authorities, not always impartial or independent. The basis of pluralism is weakened by the challenge to their authority as well as by their inability to organize the functioning of the television sector and its different actors, private like public.

Television, also a stake in the democratization of communication, because, even if the radio remains the most popular media in West Africa, television is increasingly gaining ground due to a combination of different trends : increased urbanization, progress in the electrification of suburban and rural areas, reduction in the cost of television sets, more effective methods of broadcasting via satellite. This outstanding potential to rapidly multiply audiences, with satellite technology as a decisive factor, makes the television sector one of the key areas of the battle for the democratization of communication.

There is no doubt that more than the radio, the television sector is a potential generator of disequilibrium in terms of access to ownership and access of the public to contents. The operating costs of this media is an obstacle to admission, limiting the number of actors who are able to operate in the sector, and thus the possibility to express a plurality of opinions therein. Moreover, in public opinion, terms and conditions of access (urban areas, cabled or scrambled paid channels) do not yet seem to have been able to meet this democratization of the television audience. Both the persistence of the monopoly and the contours of liberalization seem to have paradoxical effects. Financial barriers, erected by liberalization on the one hand, and on the other hand, screening or social and political barriers redesign an order of imbalanced and one-sided information.

Inequity in the national order of information where the majority is not heard, and where information needs, in the best cases, are not met ; inequity in the international order of information where Africa is marginalized in the world flow of television contents which do not reflect it's perspective, where its image is distorted. This world flow increases the information gap between Africa and the World, but also within African societies.

In this sense, the west African television landscape thus reveals the national, regional and international information gap. Bridging this gap today in West Africa, is a major stake for communication democratization. Building television pluralism, be it plurality of television corporations (public and commercial, as well as community) or pluralism of the contents transmitted by these televisions, and access to these contents, is a major challenge to bridge the information gap and democratize communication in West Africa. It is a challenge, undoubtedly easier to meet, than others (the challenge of the digital divide for example), because it can rely more on local resources, starting with the political will. Furthermore, it is a challenge which must not only be examined at the national level, but also at the regional level, like what is being done within the European Union. The European Union sets standards for television pluralism (including public service standards). Within the EU, best practices are spread, contaminating the less advanced countries, especially the newcomers.

ECOWAS, whose communication policy provides for harmonization of laws and catching up with international standards, could, like the European Union, be for its member states, a reference and inducement framework for the establishment of television pluralism. As it did for press and radio pluralism, the Panos Institute for West Africa's project, through the initiative of this study, is intended to contribute to open the debate, at the regional level, on television pluralism and its establishment. This state of affairs, which concludes with recommendations, is the first step.

Diana Senghor
Director, Panos Institute West Africa

Pauline Bend
Pluralism and Media Development
Programme Coordinator

Introduction

The African audiovisual sector is evolving! West Africa with its political, linguistic, demographic, economic and historical diversity is leaving its mark, in a significant way, in this drift. Only a few countries still resist the breaking democratic wave, to the opening of media pluralism, but we can bet that this can not last much longer. New actors have added to the traditional public service actors (State media), in a more or less authorized, organized and transparent manner. Regulatory authorities are henceforth part of this new scenery, with more or less extensive powers, efficiently playing their role in some cases, and in others manipulated by dominant actors of the system.

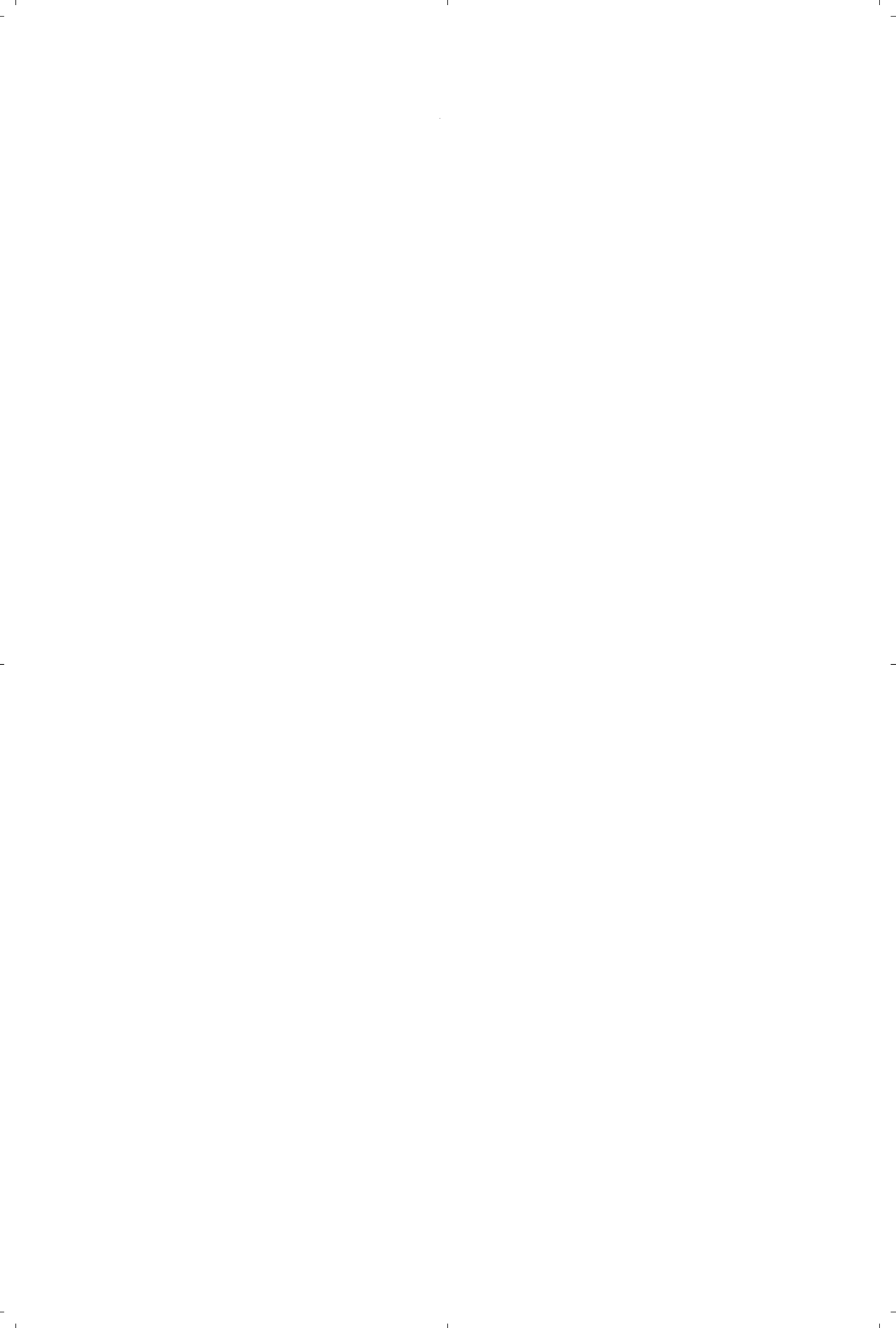
Interesting experiments are carried out, in all perspectives, especially legal, with the introduction and systematization of control, and professional, with a dynamic landscape where public service channels with historical legitimacy coexist with private operators, some of which are amongst the pioneers of liberalization, and new-comers, who propose an economic vision of the sector. This abundance is a plus for the entire society, and this in each country. As a matter of fact this could not be possible, without the democratic progress noticed generally in West Africa despite the exceptions of countries experiencing crises, political instability or prone to dictatorship. This is to say there can be no media or particularly television pluralism in the absence of democracy and respect for public liberties, in short without the permanent establishment of a State of law.

Thus to paraphrase the former Director of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Senegalese Amadou Mactar Mbow, a new national order of information and communication is imperative. This order which is increasingly becoming apparent every day is yet to be complete, in the nature of the evolution inherent to the dynamism of the media sector and especially the television sector. No national specificity can justify the prejudice of retrogression and backwardness in this area which has become highly strategic world-wide, due to the television's ability to shape and mould the minds, attitudes, democratic conscience and finally, to train citizens who can understand their local and global environment and act usefully to change it.

This study, carried out at the request of the Panos Institute West Africa is intended not only to propose a state of affairs of audiovisual pluralism in West Africa, but beyond this, to closely examine the stakes, prospects and priorities of the sector. It is supposed to be a panorama of the whole of west Africa, from Mauritania to Nigeria without forgetting Cape Verde, off the Atlantic. It combines a diachronic approach with the linguistic and geographical area approach, retaining the history of the emergence of television channels in West Africa and the most outstanding initiatives. To field studies in different countries of prime importance like Côte d'Ivoire – which, in spite of the political crises it is experiencing, is amongst the economic powers of the region -, Ghana, Nigeria, Benin, Burkina Faso, Mali, Senegal, and Togo, have been added interviews with numerous public and private actors, legislators, communication professionals, investors, or simply viewers. The study also took into account the experiences of other countries in the region which are affected to a lesser extent by the current dynamics such as Guinea, Guinea Bissau, Liberia and Sierra Leone. Cape Verde and Mauritania, despite their respective situations of total public monopoly are also taken into account due to the general existing potential and the nascent hopes, particularly of audiovisual liberalization.

Proposals and recommendations, drawn from ongoing experiences, are made in this study, with a view to raise African televisions and other actors in the audiovisual sector to a level they can reasonably claim. But for this to be achieved, as has been the case everywhere else, associated legislative, statutory, professional, financial and fiscal measures need to be taken both at the national and regional levels. Our basic recommendations are on the creation, where they are inexistent, and the reinforcement, where they do exist, of strong and independent control structures as the keystone of the system. In fact, of what use are all the efforts, initiatives, investments, training, deontology and professionalism, when they are faced to obstacles such as the absence of democracy, institutions void of substance, submitted to local authorities and manipulated according to elections? What is the value and meaning of pluralism when the large majority of the population is limited to the role of the voiceless, whose concerns are not heard anywhere despite their status as taxpayers who fund, in one way or the other, State media?

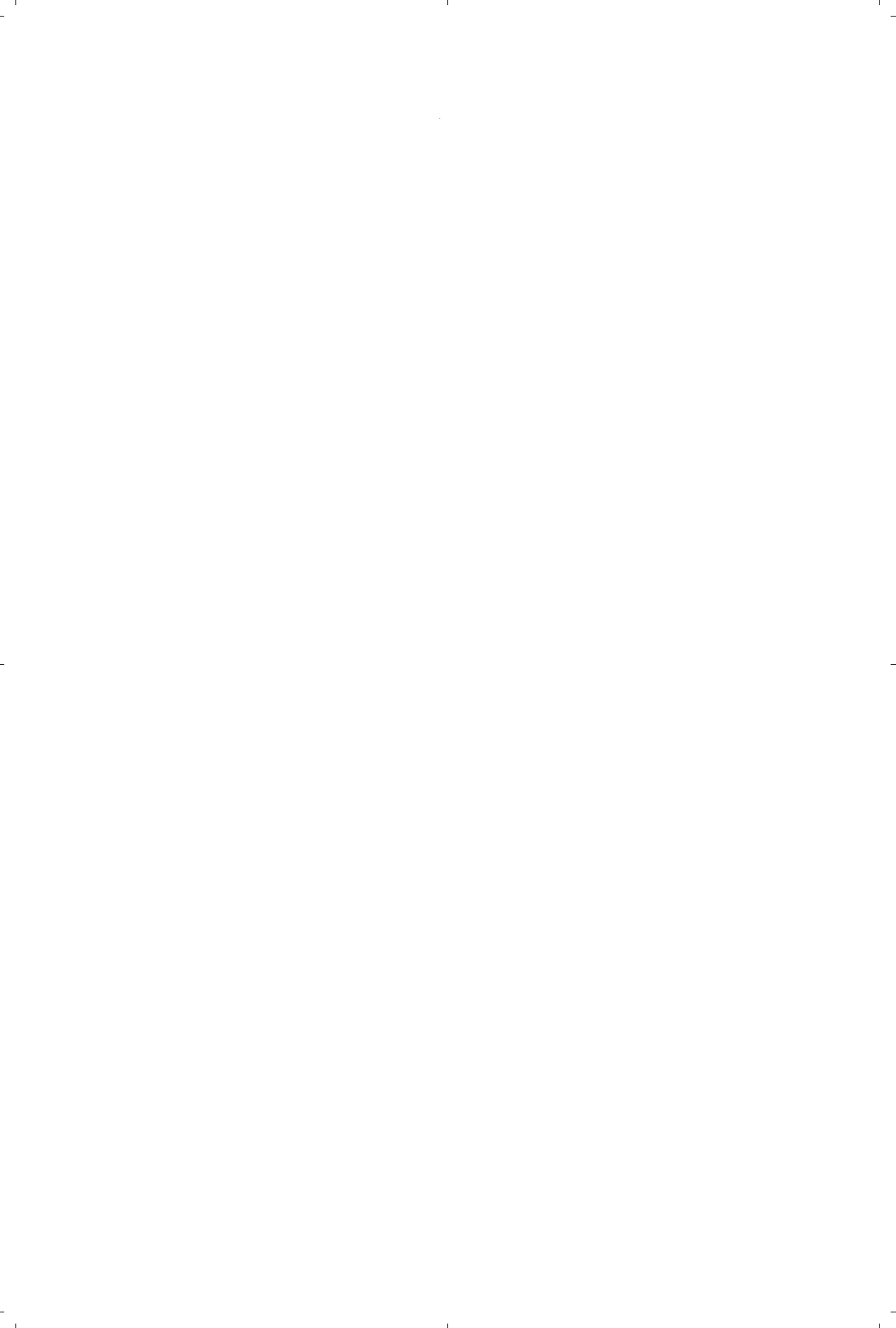
Instead of limiting ourselves to an enumeration of the obstacles to pluralism, we tried to push the analysis further, proposing draft solutions to problems raised, in a realistic way. The democratic debate today can not be limited to the political arena only, by turning up one's nose at the debate on the media, especially at television pluralism, as in a kind of conspiracy of silence by politicians in power or in the opposition. Our inner conviction is that there can be no democracy in this Twenty-first century without audiovisual democracy. Unless Africa, persisting in its denial of development or having opted for backwardness, by afro-pessimism, is not yet mature for any kind of pluralism. Which is obviously not the case, because Africa is already embracing television pluralism, something which, to quote a famous retort, is too serious to be left solely in the hands of politicians. The real challenge is and remains that of professionalism and economic viability.



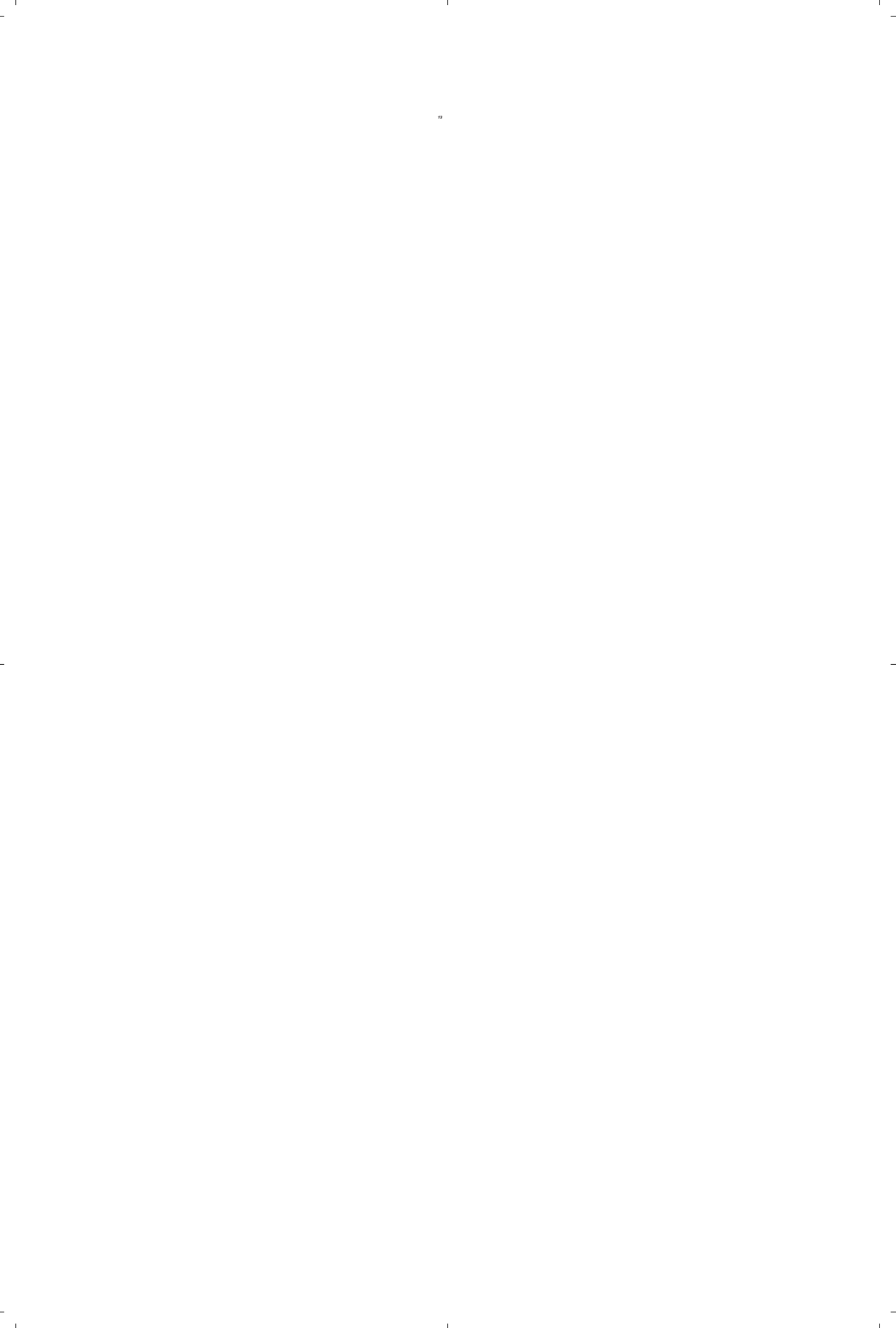
Part One

**From State monopoly
to the emergence of new actors**

1



The State monopoly on the tools of power which are still and always radiobroadcasting and television in Africa has been and still remains, in some areas, the greatest common denominator. However, many breaches have opened successively. The African audiovisual landscape as a whole is not excluded from the constant changes which mark this strategic area in the whole world. It is thus that everywhere, across the continent a new media configuration emerges, from various sources such as technological innovations, the disappearance of geographical boundaries, the effects of democratic processes, citizens access to neighbouring and world contents by satellite, redistribution or electronic media, the implementation and adaptation of national laws. This true societal phenomenon is increasingly taking root in West Africa with the emergence of new actors, side by side the traditional and historic media known as the State media, thereby consecrating the era of competition, upsetting the relationship with the public, offering social, political, cultural and industrial opportunities to the media in general, and to the television in particular. Thus, if in some countries the authorities are still resistant to media pluralism, in others, professionals of the sector are increasingly organizing to get rid of the last relics of censorship, single thought and propaganda.



Chapter 1

The introduction of the television in West Africa: a history marked by monolithism

In most of the countries studied, the introduction of the television dates back to the 1960s. From the origin, the authorities assigned an educative mission to television, to build national unity and cohesion in newly independent States. Thus, very soon, the television became the exclusive dealing of the State, with a drift towards the manipulation of this media by the dominant classes. This situation persisted generally until the end of the 1980s, when two new factors shook monopolies: the wind of democratization which was accompanied by liberalization of the press and media in general on the one hand; advancement in communication technology with the arrival of the satellite, the reduction of the cost of access to these technologies which favoured the emergence of new private actors, and the penetration of national landscapes by world operators and other transnational televisions channels on the other hand. This chapter will examine therefore, the evolution of this process in each country.

1. Ghana: nationalism and the pan African ideal

1.1. The introduction of television: a mission of information and promotion of culture

While presenting a motion to parliament in 1963 for the establishment of television in Ghana, President Kwame Nkrumah outlined the missions of this new service:

Television shall be used to support our education program, to accompany a vigorous interest for the outside world. It shall not be used for common entertainment nor for capitalism. Its principal objective shall be education in the broadest and purest sense. The television shall be an ally for the socialist transformation of Ghana.

Television should, he thought at the time, be used for the promotion of Ghanaian art and craftsmanship, enable Ghanaians to have a better knowledge of their country and their history. The Ghanaian National Television, GTV, was born two years later, in 1965, with this objective.

1.2. The arrival of new actors: towards a dynamic and pluralistic landscape

In Ghana, there is a very dynamic private sector. Besides GTV and the two main private channels; TV3 and TV Africa, which are the main actors in the Ghanaian audiovisual landscape and to which we will come back later, we can mention the following other operators:

- Metro TV, which started broadcasting in Accra in 1999, and is the result of a “ joint venture ” between GTV and a private investor. Though a small channel, it has great ambitions. It has thus progressively extended its area of broadcasting to reach out to almost the entire country, broadcasting non stop, 24 hours a day. It is the first channel in the country to move to satellite broadcasting. Metro TV stakes on novelty, a characteristic which contributes to the success of private channels, especially among youngsters, city dwellers and the business world.
- TV Africa, is a private television channel set up by a renown Ghanaian producer Kwaw Ansah¹. It started broadcasting in 2003. Its area of broadcast is very limited because it only covers two cities, Accra and Tema. The Director of this channel intended in early 2006, to extend its broadcasting area to the South of the country to cover cities like Kumasi, Ho, Sekondi and Takoradi. According to its promoter, the objective of the channel, which contributes to the widening of the Ghanaian audiovisual landscape, is to promote, on the one hand, an authentic African culture and not to be manipulated according to the wishes of a foreign public, and, on the other hand, another image of Africa different from that portrayed by the Western world.

However, TV Africa experiences some financial problems which can thwart its plans. Like the public channel, it broadcasts in English and six national languages. Its promoter thus defends the use of national languages as a means to promote Ghanaian culture. In a country where the illiteracy rate is 28.4%, this policy enables it to be placed amongst the top most watched channels.

1. He has two films to his credit, which earned him more than a dozen distinctions all over the world: *Love Brewed in the African Pot* (1980) and *Heritage Africa* (1988).

- Sky TV, based in Takoradi, is a small private channel which is making efforts to extend its broadcasting area.
- TV Agoro, a MMDS operator based in Accra. It was born of a “jointventure” between South African and Ghanaian operators.
- Cable Gold, is a pay television channel which broadcasts in the Accraresidential area.
- TV3: the creation of the first commercial channel TV3 in February 1997 was a result of the disengagement of the State from the Ghana Film Corporation (GFIC). This was one of the very first African film producing companies but it was judged unprofitable by the government. Indeed, the advent of video production in the 1980s made the black and white film production of GFIC very costly, and above all obsolete. It no longer had a market for its productions, reason why the State decided to sell this company to private investors, for restructuring. However, the decision led to general outcry. The Government was accused of “*selling off one of the national symbols*”. The sum of this investment was not revealed, but we know that the capital is owned as follows: 30% by a Ghanaian company, and 70% by Malaysian investors. 99% of its staff are Ghanaians.

The channel started broadcasting in October 1997 in Accra and later extended its coverage to the southern part of the country. TV3 expanded and describes itself as “*the best in information and entertainment*”. It also advertizes as the first to introduce “telenovelas” in Ghana, which have become very popular in this country, especially among teenagers and young people within the age group 18-35 years. Besides, this age group is the majority in terms of the people meter of the channel. Even if it does not cover the whole country, this station seriously competes with the national channel, particularly by paying a lot of attention to topics related to the living conditions of the rural populations. Moreover, the channel extended its services to these populations by broadcasting programmes on the realities of rural life (rural schools, collapsed bridges, roads in poor conditions), topics that GTV carefully avoids.

2. Nigeria: federal monolithism

2.1. The reign of federal monolithism

No initiative regarding the television was envisaged in Nigeria before the 1950s, if we exclude the rebroadcast signal of the BBC received during the colonial era. It is during the 1950s, with the institution of autonomous governments, that the first Nigerian television initiatives were born. The first television channel, Western Nigeria Television (WNTV) was set up in 1959 in Ibadan, the then regional capital of West Nigeria. That same year, Ibadan Zonal Network Center was created. It covered Oyo State and the South West. Enugu Zonal Network Center, which was created in 1960 in Enugu, covered Enugu State and the South East. It was followed by Eastern Nigeria Television (ENTV), also in 1960, then in 1962 by Radio Kaduna Television. It is during the 1970s that this first series was followed by the multiplication of the number of State channels.

In 1977, the public national agency, Nigerian Television Authority (NTA) was set up in Abuja. It is a federal body which covers national channels which also bear the NTA initials. Later on, the government applied itself to provide the 30 States of the Confederation with at least one television station. In 2003, not less than 99 public stations were set up. These stations have a significant coverage: they extend beyond state boundaries to cover the entire sub region. These channels are funded by the states to which they belong. For several decades, Nigeria was administered by a military dictatorship, amongst the most repressive on the continent. However, successive military governments, could no longer continue to muzzle the media, and the first authorizations to set up private television channels were issued in 1993. This drift towards liberalization will be confirmed after the democratic election of General Olusegun Obasanjo in 1999.

2.2. The advent and spread of pluralism

The first private television channel in Nigeria was set up on 10 June 1993, after the creation of the National Broadcasting Commission (NBC) in 1992. Opening the media sector to private operators brought significant changes to programmes and television broadcasting in Nigeria, even though the general repressive context remained a constant,

restraining the freedom of expression specially with several decrees signed in 1993 and 1995. The Nobel Peace Prize winner for literature Wole Soyinka was a victim of this repression with the seizure of Liberty Radio. The re-establishment of the multiparty system in 1996, the setting up of independent control and regulatory institutions, the various internal resistance movements and international pressure contributed, in different degrees, to the process of democratization that has also been beneficial to the media. Moreover, as from 1991 when the Minister of Information granted the first MMDS network exploitation license (License granted to BG Communications Systems Company), MMDS networks developed, with well established competitive clauses. Private operators, conscious of the economic opportunities offered in a market of millions of inhabitants, rapidly invested in the redistribution of international signals.

2.3. The national audiovisual landscape

As regards local television channels particularly, about 10 private channels compete with about 10 public channels of the Nigeria Television Authority (NTA) in various States of the Federation.

The main private commercial channels are:

- Degue Broadcasting Network (DBN);
- AIT which broadcasts in Lagos, Abuja and by satellite;
- Minaj TV which broadcasts in East Nigeria;
- Galaxy TV, a national Channel;
- Channel TV;
- Silverbird Television (STV).

DBN, AIT and DAAR Communications, and Minaj TV are intimately linked and mingled with the history of private media in Nigeria. Set up in August 1988, DAAR Communications launched the first private radio in Nigeria in 1994, Ray power on FM (100.5), then Ray power 2, the next year (106.5 FM). Under the impetus of its founder and boss, Chief Dokpesi, the group spread its field of activities to include television with the ambition to cover the whole of Africa, Europe, United States, thanks to the satellite.

The Minaj group, is a conglomerate of medias which have developed over the years and is focused on news and entertainment in the fundamental jobs of production and broadcast of programmes. Set up in 1980, this family company has offices in Lagos, London and New York. Its broadcasting efforts include television and satellite with Minaj Systems Television and Minaj Broadcast International (MBI), cable TV, broadcasts with Minaj Systems Radio as well as a diversified production of programmes and contents with Minaj Productions.

STV (Silverbird Television) on its part, is one of the newcomers in the television sector where it is forcing its way with recognized professionalism. During the last twenty-five years, the Silverbird group has experienced significant growth, and has asserted itself as one of the most influential entertainment conglomerates in Africa. The reinvestment policy adopted by this group, and the growth option, enables it anticipate and meet the ever changing needs of the public and clients. The group comprises namely three radio stations, a television channel, cinema halls and an art gallery.

Launched on 6th December 2003 as a border extension of the group, STV is a free channel which works with a 20kw transmitter. Its coverage area includes Lagos State and the neighboring States, as well as some of Nigeria's neighbours. The channel was recently elected the best entertainment channel in Nigeria. It broadcasts good quality foreign and local programmes including dramas, good spirited animations and twinkling comedies. The announcers and sponsors see STV as an efficient platform to gain access to the most diverse community, from a socio-economic stand point, in west Africa.

In addition to these commercial channels, the existing phenomenon of denominational channels is developing, with channels such as the Love World Christian Network, an international initiative which is spreading today in some English-speaking African countries with a view, as clearly indicated on their website, to "*transport the divine presence of Jesus Christ to all nations on Earth*". The use by these channels of various methods of broadcasting (satellite, terrestrial networks) clearly indicates the desire to cover the largest possible areas.

3. Gambia: observing the rule of monopoly within close borders

Due to its geographic position, Gambia receives international signals as well as those of neighbouring countries like Senegal, which makes it difficult to reinforce the “de facto” monopoly. Like some other countries of the Sub Region, there is only one national television channel in Gambia, which is received by 60-70% of Gambians. Private channels, which broadcast from outside the country and can be captured by satellite are rare, but it should be noted that there is a channel, Premium TV Network, which broadcasts from Banjul via Arabsat satellite, in classic Arabic. The national public media landscape has been reorganized, bringing together the radio and television under the Gambia Radio and Television Services (GRTS) company.

4. Benin: a late start, and monolithism foiled by the neighbourhood

Benin’s television was set up in 1972, but the coup d’Etat which took place that same year, cast doubt over the project. It was only in 1978 that the first programmes of Benin’s national television Télévision Nationale du Bénin (TNB) were broadcasted. From 1978 to 1990, the national television, like the national radio, was a propaganda organ for the government. The transformation that took place in 1990 with the organization of the National Conference gave new impetus to the national channel which then adopted a resolutely new style and tone in the treatment of information. Thanks to the democratic wind, the administration and staff of the national television incited to do better, will multiply initiatives to enrich programmes and capture viewers who, had preferred “to migrate ” towards channels from Togo and Nigeria.

Until then, the country was under one of the most authoritarian governments in Africa, under Mathieu Kérékou. The man who was nicknamed the “Chameleon”, ruled the country with an iron fist. The National Conference convened for the early 1990s, while creating conditions for political change, forced him to grant media and political pluralism, which led to the establishment of a regulatory authority the Higher Audiovisual and Communication Authority (HAAC). After all, the government of Nicéphore Soglo, the democratically elected successor as Head of State, who extended liberalization of the press and radio, will not change the situation of State monopoly on television.

It is in this context of monolithism that private promoters like Christian Lagnidé, Chair of the LC2 Group, Gratien Ahouanmènou, promoter of Radio Bamuna, Ismaël Soumanou, Chair of the Gazette du Golfe group, and many other operators and associations like the Beninese Association for the liberalization of wave lengths exerted pressure in order to open up the audiovisual landscape. They alerted national and international public opinion through newspaper articles and public conferences.

4.1. The advent of pluralism in legal transparency

The pressure exercised by the promoters on Government, the National Assembly and the regulatory authority HAAC yielded fruit, and led to the opening-up of the television sector. In addition, the promoters availed themselves of the opportunity to organize a very symbolic occasion by choosing to coincide the launch of two independent media, on 1st August 1997, with Independence Day celebrations, thus confronting the authorities with a “fait accompli”: this was for the television channel LC2 and Radio Golfe FM, respectively belonging to the LC2 and Gazette du Golfe groups. Starting broadcast in some sort of illegality, LC2 and Radio Golfe FM were very rapidly called to order by HAAC through a bailiff.

On 20 August 1997, the National Assembly voted law No. 97-010 on the liberalization of the audiovisual sector and special penal provisions for press and audiovisual communication offences in the Republic of Benin. This law No. 97-010 came to reinforce law No. 60-12 of 30 June 1960 on freedom of press, an instrument which only governed the written press, finally opening up the audiovisual sector in Benin. According to section 15 of this law, *“any physical or moral person of Beninese private law can aspire and be authorized, after fulfilment of the contract specifications, to set up, install and exploit a private radio-broadcasting and television station on one hand, distribute radio and television programmes by cable or other means and use radio-engineering frequencies on the other hand”*. This use is a way of privately occupying the State’s public domain. *“It is granted by the regulatory authority, HAAC, by convention and after selection, for a valuable consideration under the conditions laid down by the law and texts of application”*.

After the voting of law No. 97-010, HAAC proceeded with an invitation to tender, calling on the two above-mentioned pioneers to abide by the new law. New invitations to tender were also launched in 2001 and in 2002. According to Decision No. 02-064/HAAC of 3rd September 2002, which gives an account of the examination of files submitted to HAAC, there were 13 files to set up television channels and three MMDS distribution companies. The list was as follows:

- eight files for private commercial televisions:
 1. Golfe Télévision (Groupe Gazette du Golfe) of Ismaël Soumanou;
 2. TV Canal Centre (Radio Carrefour TV) of Christophe Davakan;
 3. Wèkè TV (I-COM) of Issa Badarou Soulé;
 4. Channel 3 (LC 3) of Groupe Afrique Média;
 5. Bell TV (Bell Bénin Cyber Service) of Issa Salifou;
 6. TV 1 Ecran Diamant (Groupe Multimédia Sarl) of Hervé d'Alméida;
 7. LC2 (LC2 Média) of Christian Lagnidé;
 8. Imalè Africa Television (Groupe Africoncept Broadcast Telecom SA) of Ramanou Koufériidji.

- five files for conventional and non-commercial private televisions:
 1. Télé Immaculée Conception (Benin Episcopal Conference);
 2. Ominira TV of François Okioh;
 3. Télévision Maranatha TV-MJR (Council of Evangelic Protestant Churches of Benin) of Pastor Clovis Alfred Kpade;
 4. Télé Siloé (Eglise Evangélique des Assemblées de Dieu of Bénin) of Pastor Pascal Sambieni;
 5. TV Islam (Zongo Muslim Community) of Ibrahim Mohamed El Habib and El-Hid Mama Yaro Ibrahim.

- three files for MMDS distribution companies:
 1. TV + International (Tv Plus International Sarl) of Claude Karam;
 2. ATVS of Jacob Akinocho;
 3. TELCO (TELCO Group) of Joseph Jebara.

In February 2003, HAAC published the list of television channels that had been selected and authorized to broadcast. They were:

1. Golfe Télévision;
2. TV Carrefour;
3. Canal 3 (formally called Bell Télévision);
4. Imalè Africa Télévision.

Once the authorization was granted, a six months deadline was given to each promoter for installing equipment, testing and starting broadcast. In November 2005, three of these channels (Golfe TV, TV Carrefour and Canal 3) were broadcasting their programmes on frequencies that had been attributed to them, catching up with LC2, the first private commercial television in Benin. As for Imalè Africa Télévision it was still trying to find its bearings, with the risk of seeing the frequency attributed by HAAC withdrawn.

4.2. A general idea of the media landscape

4.2.1. The LC2 channel

Channel 2 (LC2 Télévision) of the promoter Christian Lagnidé was the first private television in Benin, which signed a convention in December 1998 with HAAC, authorizing it to broadcast programmes, even though we must underscore that before the signing of this convention, LC2 was already broadcasting. The channels strategy can be justified, by the fact that its promoter was able to anticipate the opening up of the media sector. He had acquired production equipment, for a partnership with ORTB/TV. For different reasons, this partnership, whose draft had been made in July 1995, never materialized.

4.2.2. NTV 2 or Nationale 2

Launched on Tuesday 12 July 2005 by the LC2 group, NTV 2 is the last of private television channels in Benin to be born. The advent of this channel is marked by two stages. It was set up, from the start, on the basis of a partnership which, contrary to that envisaged in 1995 between ORTB/TV and LC2, was concretized. The advantage of these agreements is the fact that private radio and television stations use State-reserved frequencies and simply inform the regulatory authority. This alliance has enabled a greater number of Beninese to receive broadcast signals, by widening their coverage area. In fact, the national public channel only covered 70-80% of the national territory.

But later on, due particularly to the absence of support for this project by workers of the public institution who exercised pressure even as far as going on strike, it was cancelled. After this cancellation,

the LC2 group then proceeded, on 12 July 2005, to launch its channel, with broadcast by satellite and by Internet, at www.lc2international.tv. The status of this channel with regard to the law, remains however ambiguous. Some privilege the interpretation whereby the channel is legal because it uses the channels attributed to MMDS operators, others see it as a circumvention of the law, which does not encourage the maintenance of a serene relationship between the LC2 group and the regulatory authority.

4.2.3. Golfe TV

Golfe TV is the property of the Gazette du Golfe group, the pioneer in the written press, for over 17 years with the daily *La Gazette du Golfe*, the Radio Golfe FM and many integrated activities relating to advertisement, design, billposting and printing. On its Internet website (www.golfemedias.com) the group tells its success story punctuated by different dates² and defines as its major concern the proximity to the public, and as founding concepts, independence, dynamism and flexibility.

4.3. MMDS channels in Benin

It should be noted that, in Benin, MMDS programme distribution companies are considered by law (Law No. 97-10 of 20 August 1997) as private television channels. In order to be authorized, a station broadcasting programmes by cable or by satellite must fulfill the following conditions:

- be a Beninese domiciled company with a capital of one Hundred million (100,000,000) CFA F;
- have its operating headquarters in Benin;
- at least two-thirds (2/3) of its staff should be Beninese nationals;
- present an annual activity report to HAAC which must be deposited at the latest at the end of the first trimester of the following year;
- undertake to respect the provisions of the said law for matters concerning it.

2. 1994, the first private radio was set up by the Chairman of the Group; 1995, notification of a special authorization to broadcast during the Francophonie Summit; several other landmarks between 1997 and 2003 when Golfe TV was set up.

The authorization granted to private channels and companies broadcasting by MMDS is for a ten-year renewable period. Nonetheless, HAAC can suspend it at any time or withdraw the authorization granted to a private television channel which does not abide by the provisions of the law relating to HAAC (Organic Law No.92-021 of 21 August 1992) and those of Law No. 97-10 Of 20 August 1997.

For economic reasons, MMDS authorized channels are concentrated in Cotonou. They include;

- ATVS African Television System SOBIEX of Jacob Akinocho;
- TELCO (Telco-Sarl) of Joseph Jebara;
- TV International (TV International Sarl) of Claude Karam.

5. Burkina Faso: a topic of discussion and covetousness from the outset

The creation of Télévision Nationale du Burkina (TNB), the national television, formerly known as Volta vision, dates back to the promulgation of Law No. 17-63/AN of 24 July 1963, by decree No. 410/PRES/AN. Broadcast effectively started a few days later, on 5 August 1963.

From the outset, a debate emerged around the opportuneness of this venture. For critics of the project, the television was set up to satisfy a handful of politicians while for its supporters, it was the only media that could accompany the socio-cultural development of the country.

The legal framework from the outset which described the Burkina national television as a “Technical Department”, under the supervision of the Ministry of Communication and Culture added to the debate, in spite of the clarity of its missions and objectives, namely:

- To ensure that the public service television is received all over the country.
- To support and participate in social and economic development programmes.
- To contribute to the promotion and broadcast of the Burkina culture through out the world.

The succession of not less than 21 General Managers from its inception to 2005 portrays the different tensions and covetousness surrounding this media.

5.1. Opening up the audiovisual sector: precursors and experiences

Burkina Faso is invaded by a multitude of television channels. In addition to those that broadcast on the national territory, others are available on the different satellites and packages, and are accessible thanks to operators and other companies who sell these satellite package deals. The first local initiatives for private television, date back to the early 1990s. This date coincides moreover with the flowering of private radios in Ouagadougou and a little later in the other cities of the country.

The first promoter to try this experience is Moustapha Thiombiano, General Manager of the Horizon FM radio/TVZ channels. The first private French-speaking radio was set up with the desire to accompany it with the opening of a television channel (TVZ). The first programmes were broadcasted before the authorities suspended broadcasting because the channel had been authorized to broadcast on a VHF frequency reserved for the State for a one month trial period, after which it had to use a frequency authorized for private channels, on the UHF band. A provision moreover clearly indicated in the contract specification. This infraction could be explained by the fact that the channel's equipment could only be used for broadcast on a VHF frequency. The promoters of the channel had also started a procedure comprising different petitions, and open letters to the Head of State. The project was at the time a major innovation in Burkina Faso's media landscape, but the Higher Communication Council (Conseil Supérieur de la Communication) remained intransigent making the law prevail.

Later on, few initiatives were concretized. As an example we can mention the allotment of this kind of frequency which dragged on. This was the case of the allotment of a frequency to West African Television, which had to start broadcasting since June 2006, but due to incomplete arrangements of its premises, asked for an extension of the deadline. Another project initiated four years before (in 2002) and which had to give birth to a channel called "Canal Démission", saw its license withdrawn by the Higher Communication Council, due to serious doubts on the credibility of its promoters, and the budget they announced (an investment of 11 billion CFA F).

Another experience in this landscape, is that of SMTV, a private commercial channel which broadcasts only in Ouagadougou. It only broadcasts news in Mooré, a national language, four times a week between 8pm and 9pm; films; entertainment programmes and music, and does not burden itself with flourish things. It supplies itself directly with VCDs and DVDs bought from markets in Ouagadougou. The owner of this channel, Ismaël Nignan, has already been questioned by the regulatory authority on broadcasting films from private base material and without paying broadcasting rights, to which he replied that his channel did not have the means to pay broadcasting rights. However, no sanctions were meted out with this warning, and the channel even made public its short and long term ambitions, which at the time were to install a transmitter in Bobo Dioulasso and another in Ouahigouya in February 2006.

To conclude, there is also the case of operators broadcasting by satellite, with the first representative in Burkina known as Neerwaya Multivision, managed by Franck Alain Kaboré, and which was officially launched in July 1998. The population, having taken a liking for scrambled channels, the number of subscribers is ever increasing, with the company reaching more than a thousand subscribers after five years of existence. This figure is nonetheless modest, when compared to the number of subscribers of the Senegalese MMDS operator, EXCAF for instance, which has 150 times more subscribers.

6. Côte d'Ivoire: a restructuring monopoly

Ivorian television (RTI) is a corporation which ensures the exploitation of a public service, radio and television broadcasting in the Republic of Côte d'Ivoire, according to a convention dated 17 January 1995, on the concession of the said service and including in the annex a contract specification. This convention was signed for ten years renewable by tacit agreement *“except on denunciation or request for revision made by one of the parties, by registered letter with acknowledgement of receipt, at least two years before the end of the current period”*. It translated the will of the State, within the framework of its general policy defined from 1990, to restructure and reorganize the audiovisual communication sector in order to fulfill the missions of the public service of radio and television broadcasting according to the methods of private management.

It is thus that Law No. 91-1001, particularly in its section 5, allowed for the cooperation of public and private persons to carry out the national public service of radio and television broadcasting which remains a State monopoly. RTI, agent of *“the execution of a public service of radio and television broadcasting terrestrially, by frequency and amplitude modulation all over the territory of the Republic of Côte d’Ivoire and abroad”* as well as *“the production and programming of radio and television broadcast for the public”* was assigned a mission to participate in the economic, social and cultural development, contribute to building national unity, respect pluralism, balanced expression, inform citizens, of vector of national and universal values.

7. Mali: between the State and the citizen, public service media or State media?

Following the footprints of Radio Sudan (1957-1960) and the Malian National Radio, radio Mali (1960-1983), the Malian television was set up on 22 September 1983, thanks to a Libyan subsidy worth two and a half billion CFA F, followed later on by other funds given as cooperation, particularly French, which helped reinforce coverage and production. On 5 October 1992, Malian authorities within the framework of their policy to open up the media sector, by Law No. 92-021/AN-RM of 5 October 1992, changed the status of RTM which, from a non personalized central service, became a public administrative institution, with a corporate status and financial autonomy.

The new entity which became l’Office de Radiodiffusion Télévision du Mali (ORTM), regrouping both radio and television, was not obviously excluded from the general trend of state monopoly but was equally characterized by a clear definition and understanding of the stakes and objectives of public service, especially with regard to demographic and geographical coverage. This was also translated in the attempt to regulate the relationship between the State, the major donor, and ORTM, through the adoption of a contract specification in October 1996. The ORTM website presents these different institutional reforms made since 1992, and which led to the change in status of the Malian radio and television.

The different instruments thus adopted mark the transition from a State radio-television to a public service radio-television. This establishment law is a result of a process which for long remained in the

gestation phase tending to adapt radio and television broadcasting to a profoundly changing environment. The aim of this change of status was not only to endow the institution with the necessary means in terms of financial and human resources, equipment, and infrastructure, but also with functional and adapted structures to enable it:

- Improve on the functioning and quality of its services;
- Ensure flexibility in functioning which is compatible with the demands of its mission;
- Adapt the institution to the new context of political pluralism and liberalization of the audiovisual sector.

The Decree No. 92-180/PG-RM of 27 October 1992 completed the law, determining the organization and operating modalities of the institution, and defining the authorities in charge of administration and management. The conditions for the accomplishment of the mission of ORTM contained in the law setting it up are defined by Decree No. 96-284/P-RM of 23 October 1996 on the approval of the contract specifications. These specifications clearly state the obligations of radio and television broadcasting public service and particularly indicate a percentage of “local programmes” at least equal to 80% for radio broadcasting and 60% for television. Particular emphasis is laid on the promotion of national languages.

The specifications bring out the different commitments of ORTM to develop a broadcasting policy for quality radio and television programmes at the national, regional and local levels by progressively extending its production, broadcasting and transmission networks to cover the entire national territory. It defines the obligations of ORTM and the State within the framework of the accomplishment of the mission of public service radio and television, and defines the conditions for operation in terms of the human, material and financial means necessary for production and broadcasting programmes.

ORTM undertakes to:

- Develop a dynamic production and broadcasting policy for attractive and educative programmes on radio as well as television, at the national, regional and local levels. This requires the installation of about a hundred FM stations across the national territory and a network of seventy TV broadcasting centres;

- Implement an efficient management policy based on control of charges, diversification and increase in its capital base and the development of coproductions through pooling of resources with institutions from the South or the North.

As for the State, it undertakes to:

- Annually support ORTM, thus enabling it balance the exploitation deficit taking into consideration the importance of operating costs which due to the effects of devaluation of the CFA F are estimated at over three billion CFA F;
- Implement a license fee to enable ORTM ensure the stable functioning of its normal exploitation cycle, even those of its investment needs.

However, the reality remains that ORTM is, despite the presence of various private operators, in fact experiencing television monopoly. Some talk of greater proximity to the State and political power in place than to citizens and their concerns. Since 1995, ORTM undertook a management plan, which provides for the total coverage of the national territory by 2015. This plan made considerable progress, thanks to events such as the African Nation's Cup (CAN) 2002 organized by Mali. To successfully host the most important continental sporting event, Mali made very significant investments in its television sector. With a budget of three billion six hundred million CFA F, ORTM perfectly honoured the obligations in its contract specifications, according to its officials. But as for viewers and announcers, a lot of requests remain unsatisfied.

7.1. Towards opening up the media landscape?

7.1.1. MMDS channels in Mali

Two Malian operators can be considered pioneers in satellite distribution in Africa, Télé Kledu with MALIVISION on one hand and Mali Television with MULTICANAL on the other hand. These two companies belong respectively to Mamadou Sinzi Coulibaly and Ismaël Sidibé. These companies rent or sell decoders and provide monthly billed subscriptions. Their services require the acquisition of antennas like those commonly called "TV5 antenna". They however suffer from

large scale piracy by cheats who install special plates in their analog decoders, which enable them to receive, free of charge, all scrambled channels. It is to face this situation that these two companies adopted the digital technology, with inviolable digital decoders.

7.1.2. Mali, the last of the sub-region?

We cannot yet really talk about television pluralism in Mali, as compared to countries like Nigeria, Benin, Burkina Faso. In fact, there is no private television channel in Mali despite the influence of Africable which broadcasts from Bamako. The distribution of foreign channels by MMDS is not enough to talk of pluralism via MMDS antennas commonly known as "TV5 antenna". The Supreme Council for Communication by publishing its 2003-2005 activity report presented a true balance-sheet of the Malian press during the last three years, in which it denounced the manipulation of the press by politicians and the State as well as manoeuvres destined to acquire private frequencies in order to later on retrocede them to operators who are in their favours.

Several requests were made to the authorities by different promoters, in order to set up private television channels among which were: the Kledu group; Finzan Com group which works for the promotion of women through the media; the Jamana cooperative which is a media conglomerate... Most of the applicants, some of whom preferred to keep their projects anonymous, deplored administrative bottlenecks and relied on the existence of instruments and a contract specification governing radio to legitimize their application. As for the authorities, they instead invoked inadequate existing instruments and the need for revision to produce better instruments to regulate the television sector before satisfying all these requests. Moreover, according to the officials in charge of the management of radio and TV frequencies, no serious application was made, the promoters were not sufficiently prepared. Very few have a market study and a clear programme that meets the needs of the populations. In any case, although the criterion of the quality of projects presented can be invoked, the fact that the authorities are not yet ready for a complete liberalization cannot be overlooked.

Thus, although in 1989, the 1989 Geneva Plan, allotted 4 private television frequencies to Mali, none of these frequencies were retroceded by concession to any local operator. A situation which at some time brought the Chair of the Supreme Council for Communication to say, that Mali “*was the last in the sub region*” as regards television pluralism. The Malian television landscape thus remains some how specific and ambiguous, with ORTM coexisting side by side Africâble, which does not however correspond to the definition of a private Malian television channel.

7.1.3. Africâble: a Pan-African television

Africâble was set up in France on 14 September 2000, by Ismaël SIDIBE, a Malian promoter. It is a channel that broadcasts for French-speaking audiences. Thus the main language used is French. It does not have its own frequency in Mali and is available on MMDS networks. The channel is rebroadcast 24H/24 terrestrially and by satellite in Mali, Senegal, Burkina Faso, Côte d’Ivoire, Togo, Guinea, Niger, Guinea Bissau, Rwanda, Burundi, Congo, Cameroon and Gabon. The officials of the channel envisage to extend broadcasting to other countries like Benin and Chad and to conclude partnerships which will permit it to be present in South African and French satellite packages. A private operator from Ghana, a country where the French-speaking African Diaspora is deep rooted, also showed interest to take over the channel.

Interactivity plays an important role in the policy of the channel, because it enables it, as was the wish of its promoters, to put the viewers at the centre of programming. Since 2004, in some countries (Senegal, Mali, Burkina Faso more recently), viewers can participate in broadcasting by giving their opinion or by participating in different competitions by SMS. The channel has as ambition to extend this option to all the countries it covers, at least those in West Africa. Like the channel, the Africâble team is multinational, equally indicating the will of its management, to make it a channel of regional integration. Nevertheless, Africâble remains a special case, because from the legal point of view it is not considered a Malian television channel, although it produces and broadcasts programmes in Mali, thus acting in fact as a second channel of the local television.

This legal ambiguity also surrounds its relationship with the public operator: although it does not seem in any way to be linked to ORTM, it is however in the bosom of Multicanal, the MMDS operator, signatory to a broadcasting contract with ORTM, using the installations of the public operator, which therefore makes it benefit from facilities offered by this agreement. It would finally seem, according to the authorities in charge of communication, that the promoters of Africâble, who from the start had simply introduced an application to install their studios in Mali, finally exploited the shortcomings of the Law to act in fact, as a local channel. But on the part of Africâble, it is considered outright that the collaboration contract signed with Multivision is equally valid for the channel.

8. Mauritania: absolute monopoly

Mauritanian television was set up in 1982 and remains till date the only national television channel, relayed by the Arabsat satellite, in order to widen national coverage and broadcast in the main cities. The dominant feature has been tight control of the media despite some periods of easing off and punctual opening up, especially for the written press. A legal arsenal was set up, to drastically regulate all audiovisual and telecommunication activity. Thus for example, Law No. 99-023 of 25 July 1999, which governs all telecommunication activities in or destined for Mauritania, excludes from its jurisdiction the establishment of radio and television broadcasting services for the public terrestrially, by cable or other means of communication. It must however be said, from a political stand point, that the state of exception was the rule under the successive military regimes in this country. Change is however possible, particularly in the process of democratic opening undertaken by the State since August 2005.

8.1. A true hope for transformation, in favour of democracy

As with some countries of the Maghreb like Tunisia with Hannibal TV, Morocco with 5 private television channels including the very famous 2M and about twenty FM radio stations, Mauritania committed to a process which would lead to the liberalization of air waves. The new President of the Islamic Republic of Mauritania who came to power on 3 August 2005, resolutely engaged in a process which would lead to new laws. These would open the way for the establishment of private radio and television channels, thus ending the absolute monopoly of

the State on the audiovisual landscape in Mauritania. Some operators, professionals in the sector or business men involved in cultural industries abroad took advantage of this loophole and implemented a few projects³.

Prior to this draft bill it contributed to draw up, the National Consultative Commission for the reform of the press and audiovisual sector (CNCRPA) had implemented and produced a report containing proposals for a progressive liberalization of radio broadcasting and opening up the audiovisual sector to the private commercial and associative sector. According to the recommendations of this commission, from 2006, authorizations would be granted for a (two-year) trial period to two private commercial radio stations, two private association radio stations and a private television channel, with very precise contract specifications. A proposal for the establishment of a “Supreme council for the press and audiovisual sector” and an ordinance to consecrate the reform of the audiovisual sector was equally envisaged in the CNCRPA report.

As indicated in this report⁴, the said ordinance defined amongst others, the notion of public service, instituted a framework for the private sector of audiovisual communication (association and commercial radio and television). It introduced the contract specifications which defined the obligations of the means of public and private audiovisual communication. It regulated advertisement in the means of audiovisual communication. It determined the system of issuance of authorizations and licenses for radio and television frequencies. It protects customers against monopolies.

3. An example is Bah Ould Saleck, journalist, editor of *Mauritanie Nouvelle*.

4. The report continues as follows: “... This ordinance if promulgated shall mark a significant stride for our country which would thus have established a harmonious framework for audiovisual development. It fills an obvious loophole and shall make our country a pioneer in this area. The Supreme council which would be established (see annex) shall be made up of a commission called Commission for Audiovisual Communication (CCA). It shall also be a framework for consultation and arbitration particularly for programme slots, on litigations and the non respect for rules and regulations. The ad hoc commissions which shall be set up and which shall be made up of equal numbers of private and public radio and television journalists, individually or within their representative and independent organizations, and persons appointed by the Supreme Council according to the criteria of probity and independence. The CCA shall be headed by an expert in audiovisual communication. Under the authority of the chair of HAPA, CCA shall be in charge of: treating all files relating to audiovisual communication. In coordination with telecommunication services, the commission shall be in charge of the management of the terrestrial specter and the attribution of radio and television frequencies. In addition it shall promote efficiency of technical means, encourage their emergence and development. It shall equally ensure the respect for technical aspects contained in the contract specification of authorization and license holders granted by HAPA. In order to accomplish its assigned missions, CCA shall have a body of controllers, under the authority of the Chair of CCA, in charge of verifying, where necessary, through the documents and on the spot, to establish infringements on the provisions of contract specifications and laws or regulations in force”.

9. Niger: undeniable State domination

Niger is often quoted as one of the first African countries, South of the Sahara, to have a television station and this as from 1964, a few years after the great wave of independence in 1960. At the time, it was essentially a trial school television project as a means to fight against the low schooling and literacy rates. This noble intention at the outset preceded the generalized scheme of monolithism. The authorities desire to exercise control on public television and radio was asserted by the appointment, as chair for the Board of Administrators of the Niger's Radio and Television Corporation (ORTN), set up by law No. 67-011 of 11 February 1967, of the Speaker of the National Assembly.

From 1977, things accelerated between 1979 and 1982, the school television project developed into a television destined for the entire public, with the infrastructures of the school television. With the emergence of new operators these past few years, Government launched a second television channel within ORTN, Tal-Tv, which uses digital broadcasting, thus strengthening State domination through its thirteen broadcasting stations and six relay stations. In Addition to the two public channels (Télé Sahel and Tal-Tv), there is however a private channel in Niger, Ténéré TV.

10. Senegal: from ORTS to RTS: a strong monopoly

The first trials of television in Senegal date back to 1966, with an educative television project, funded by the Canadian cooperation. This prime mission of television, for a long time, influenced its method of functioning. It is in 1972, with the experimental channel's broadcast of the Munich Olympic Games, that one can really talk about the birth of the Senegalese Television. However, it was only on 3 December 1973 that law No. 73-51 would consecrate the birth of a Senegalese radio and television broadcasting corporation (ORTS), under the legal and economic supervision of the State, and state monopoly on methods of radio broadcasting. ORTS is a public administrative establishment, which until 1992, was essentially funded by the State. Also, revenue generated was paid into the public treasury under the principle of unity of cash transactions.

There was some modification on 6 January 1992, with law No. 92-02 to set up a national company called Radio Télévision Sénégalaise (RTS). The company is administered by a Board made up of a maximum of twelve members. The chair is elected from amongst them following a proposal by the President of the Republic. The administrators' mandate runs for two years renewable without limit. Once set up, the Board of Administrators proposes a General Manager whose appointment is ratified after notification of the supervisory Ministry. The General Manager is appointed for three-year renewable periods. As regards its management organs, RTS is legally under the State, and subject to the policy of the party in power, even if it generates most of its resources and its funds from its own activities.

10.1. Satellite intrusion

As elsewhere, opening up the audiovisual sector will first start with the advent of broadcasting companies or package distribution companies. Senegal, despite the often used argument of the scarcity of frequencies, had made available to the company Excaf (Expo Carrefour Afrique) and Canal Horizons twenty-four MMDS channels , shared equally between these two operators. One can think the choice of Excaf was motivated by the financial support given by this company to the project for the installation and broadcasting of TV5 Afrique initiated by the Organisation Internationale de la Francophonie (OIF). The authorization granted to the Excaf group would thus enable several households to receive TV5 programmes free of charge, thanks to MMDS distribution.

10.1.1. The EXCAF Group

Dwelling somewhat on the history of this group in Senegal, one would remember that it was founded in 1972, and was the first MMDS⁵ operator in Senegal. Its capital is worth 850 million CFA F, owned single handedly by Ibrahima Khaliloulah Diagne. More commonly known as Ben Bass, he enjoys great popularity and is considered one of the unavoidable actors in the Senegalese audiovisual landscape. In fact, he owns four FM radio stations: Radio Dunyaa (the second private radio in Senegal according to the date it was set up, 1995, and which has more than about twenty stations throughout the country), Soxna FM, and since 2006, Al Hamdoulilah FM and Love FM.

5. There is another MMDS operator in Senegal, Delta 2000, based in Saint Louis.

The group has thirteen transmitters through which it covers the regions of Dakar, Thiès and Saint Louis. It also has a park of over one hundred and fifty thousand MMDS antennas in the Dakar region alone. Since 1999, the distributor offers a satellite package of eight foreign scrambled channels available thanks to a decoder sold at fifty thousand CFA F.

Without getting into the details of a polemic which arose around the advent of this actor in the Senegalese audiovisual landscape, one simply notes that, from distributor of MMDS antennas from the start, the group moved on to a policy of programme broadcasting. This new orientation led it, in order to preserve the interests of foreign channels and holders of broadcasting rights, to institute a charge in form of subscriptions. This decision at the time, provoked an outcry from viewers, who had no choice if they wanted to continue receiving images. The Group had to negotiate different contracts, with distributors, government and subscribers. And it is thus that it asserted itself as an operator, distributing images by satellite or by cable, beside Canal Satellite.

10.1.2. Canal Horizons

It is in 1991 that the Canal Horizons channel is installed in Senegal. The African branch of Canal+ is born of the will of the mother company to invest in Africa, but also as a result of the revision of the audiovisual policy of the French Government. It is thus that the French Minister for Cooperation took an active part in the financing package of the channel, through the private company, Portinvest. The private French channel benefits from a concession agreement granted by the State of Senegal. According to this agreement, Canal Horizons must invest 3% of its turnover in local film production. As regards other clauses, pornographic programmes are prohibited, as well as broadcasting national news.

From terrestrial broadcasting as practiced originally by the channel with a simple decoder, Canal Horizons moved towards digital broadcasting by satellite. Through the Portinvest company, the channel in fact markets the French-speaking satellite package "Le Sat", which offers different foreign general or specialized channels. The State collects custom and transit duties on this satellite distribution. Canal Horizon also has an exploitation license for MMDS technology with its

twelve attributed channels, which it does not exploit, and which arouses covetousness from national private operators. The success of the format proposed by Canal satellite is justified by the variety of channels available in the package (general channels and channels centred on international news, sports, cinema, entertainment, documentaries...).

As was the case for Excaf, a debate came up, on the provisions of Law No. 92-02 which stipulates that, only RTS enjoys a monopoly on the broadcasting and distribution of radio and television programmes destined for the public. The State, though guarantor of this monopoly, violated this law, by allowing private operators to invest in the television sector. For private operators, this could only mean opening up the broadcasting sector to national private operators, and the attribution of broadcasting frequencies, which they could still not obtain despite the numerous applications submitted to the authorities. Unfortunately these claims remained futile, and about ten applications submitted to the State by national operators were not approved.

10.2. Liberalization: between hope and scepticism

Invited to Sorbonne in October 2000, President Abdoulaye Wade announced the forthcoming liberalization of the television sector in Senegal. On his return to the country, he asked his communication adviser, to institute and coordinate *“an informal working group on the audiovisual sector”*, in charge of *“reflecting on Senegal’s audiovisual policy reform and to submit a draft document to him”*.

10.2.1. The Informal Working Group on the Audiovisual sector (GITA)

This group was made up of personalities from different institutions in the media and communication sector, namely: Abdou Latif Coulibaly, Manager of Sud FM, lecturer at Institut Supérieur des Sciences de l’Information et de la Communication (ISSIC); Modou Ngom, Director in charge of Communication and Cinematography at the Ministry of Communication; Boubacar Sock, Communication and Social Mobilization Adviser, Issa Laye Diop, Technical Director of Canal Horizons Senegal and Mactar Silla, Regional Director of Africa Online. It was placed under the leadership of Professor Jacques Habib Sy, Director of the NGO Aid Transparency.

The Group had as mission, to examine the following issues:

- the evolution of audiovisual and multimedia policies;
- the legal and regulatory environment;
- the social and media environment;
- the West African and Pan African environment;
- the audiovisual sector reform.

Each of these issues contained a varied range of sub themes. Thus on the first point, a diagnosis had to be made of the national radio, television and multimedia landscape and the relationship with the international context (State communication, national communication, information and telecommunication infrastructures, policies and programmes). The group equally had to examine the role, status, and mission of the public and private sectors, with emphasis on the different points thus enumerated: the concept of public service, the mission of public interest, the respect and safeguard of national identity, the status of religious programmes, editorial management, administrative and commercial management, the status of journalists, and collective agreements, royalties, the advertisement market, trends towards bit-slice technology and concentration. It recommended that the audiovisual legislation be revised and the current situation of the legal framework and the status of RTS and its agents be assessed.

Beyond the legal regulatory environment, the group recommended an assessment of the social and media environment through the study of audiences (listeners, internet users and TV audience) and public practices; audiometry, telemetry and opinion polls (regulatory and legal pitfalls); the content, characteristics and rating of programmes, mechanisms for codification or control/regulation...

The issue of the West African and Pan African environment on its part was evoked under three sub themes: first, ECOWAS ambitions in the audiovisual sector and cooperation between RTS and ECOWAS, and with other African structures like URTNA (Union of National Radio and Television Organizations of Africa); then the possibility of an African cooperation in the area of training (CESTI and other existing schools for training, interface between existing training centers and professional retraining); and finally the possibility of the emergence of a pan African radio and television.

On 16 November 2000, the group handed a draft document entitled “*Proposals on the justifications, the mission and terms of reference of a working group on the audiovisual sector*”. Addressed to the President of the Republic, this report stressed that a long list of regulatory and advisory structures in the audiovisual sector and the press in general had been set up by Government. According to the Group, this situation had led to a split in the regulatory and control structures of the audiovisual sector with the inevitable conflicts of jurisdiction. The report equally noted that the advent of an alternate Government allowed for the possible liberalization of the television sector, which had become necessary given the commitment to democracy, made by the new Government.

10.2.2. *The recommendations of GITA: an empty shell or a futile exercise?*

After examining the different components of its mandate, the Group made proposals to the Head of State, to be used to reform the audiovisual sector. The expected changes were: restructuring the Higher Audiovisual Council; reforming the public sector; greater access by the public to information and new technologies; reforming the advertisement sector and local cultural industries; reexamining the system of copyright royalties and intellectual property rights. With regard to television broadcasting via cable and satellite, the Group made proposals relating to the economy of the sector, the legal framework, and the authorization of networks and service plans.

One of the limits to the Group’s work was the fact that its proposals and recommendations were not backed by sanctions, and even less by the force of law. The Group could equally be reproached for lack of clarity in its proposals. Despite these shortcomings, some of these proposals would inspire the liberalization of the audiovisual sector, although no preparatory work was done. The new regime launched an invitation to tender for authorizations to exploit private television channels on 18 January 2001. The closing date was set for 15 March and examination of submissions on 16 March 2001.

Candidates’ files had to contain a number of elements (identification of the company and general description of the project, financial situation of the company, technical potentials, exploitation project). Bidders were invited to deposit their files at the Ministry of Culture and Communication. The invitation to tender contained rules on content and some formalities.

With regard to the form, each bidder had to present a declaration stating its intention to bid in conformity with the specifications and disclose the company name, headquarters, registration number in the Commerce Register (RCCM), Tax payers' account number, its status and method of functioning, the amount and structure of capital, their partners and participation rates. Furthermore, the bidder had to produce an attestation from the Labour Inspectorate of the Social Security Fund specifying that its dues had been paid up to date, an attestation from IPRES (the Senegalese Pension Fund) specifying it is in order with this body, and finally a declaration on its honour stating that the company was not insolvent and subject to a process of judicial settlement or liquidation.

As for the content, the bidder had to justify its financial and technical capacity. In fact, at the financial level, the file had to be accompanied by a personal and joint surety worth Fifty Million CFAF issued by a top-rated Senegalese bank. Given its obligatory character, the caution's validity had to last at least six months. To this was to be added balance sheets and accounts of earnings forecast for the next 5 years, resources from advertisement, programme expenses, broadcasting charges, personal expenses and methods of depreciation of fixed and intangible assets.

Besides all these financial elements, the Ministry of Communication (MICOM), set other conditions relating to technical constraints (production, flagship, broadcasting, exploitation project). But these different projects were somehow, bound to fail. In fact, several obstacles can be mentioned which seriously compromised liberalization as was wished by its advocates, amongst which was the unpreparedness, the absence of a defined legal framework having been subject of previous study by specialists in audiovisual law, and some lack of transparency on the part of the authorities⁶.

6. Besides, comments made by different actors in the media and audiovisual sector in Senegal makes one believe that the invitation to tender was fictitious, or pure simulation. Arrangements were made, prior to the invitation to tender, in order to issue a license to the African channel LCA, owner of Sud Communications group, which in principle had to establish a partnership with the Moroccan channel 2M for local broadcasting, as well as to another institution, Pyramide culturelle. The latter, it seems, was promised an authorization to set up a private cultural channel. This feeling that there was a "fool's game" became stronger when the Government of Senegal, after the postponement *sine die* of the examination of tenders, included as an additional condition the collaboration between the bidders and a foreign television channel, preferably Moroccan or French.

Thus, instead of a true liberalization of the sector, we instead experienced a continuation of client-oriented practices and networks, contributing to maintain State domination in the audiovisual sector. The evolution of the situation would confirm this analysis, perfectly illustrated in the words of President Abdoulaye Wade who, in an interview granted the daily paper *Wal Fadjri* in October 2003, said that “*the television is a much too dangerous instrument to be left in the hands of anybody*”. Moreover, the Government of alternation seemed to be engaged in arm-wrestling with the private national media, which led for example to the closure of the radio station Sud FM, after it broadcasted an interview with the leader of the armed faction of the “Mouvement des Forces Démocratiques de la Casamance” (MFDC), considered dead by the authorities, for several years already. Moreover, it must be mentioned that the Sud Communications Group has a difficult relationship with the authorities, since it published in 2003 an essay on the President of the Republic, written by one of its officials, Abdou Latif Coulibaly.

Several law suits against journalists and media groups, which have led to sentencing journalists to jail terms with suspended sentences and payment of heavy fines, or closing of press organs, illustrate the tense nature of relations between private media and the authorities.

10.2.3. 2STV

Due to problems caused by insufficient means for production, RTS decided to collaborate with independent producers, and particularly with Origines SA, an audiovisual production company, known so far for musical and video clip production. The company belongs to a certain El Hadj Ibrahima Ndiaye, also owner of Pyramide Culturelle du Senegal (PCS), already mentioned in the previous passage. PCS is a cultural complex which associates concert halls and production facilities, with a modern recording studio. This collaboration led to a production contract, which in turn led to the creation of a new company in which RTS holds 51% of the shares and Mr. Ndiaye 49%, base of 2STV channel.

The existence of 2STV also poses a legal problem. In fact, Law No. 2000-07 of 10 January 2000 cancels and supersedes section 2 of Law No. 92-02 of 6 January 1984 creating RTS. The preamble of Law No. 2000-07 is revealing of the political will to change the orientation

of the Senegalese media landscape, and it is its promulgation which permitted the launching of an invitation to tender for authorization to exploit private television channels. It is worth recalling that Law No. 92-02 had accorded to RTS, for the accomplishment of its mission of service all over the national territory, the monopoly of broadcast and distribution of radio and television programmes destined for the public. However, since 1993, the development of private initiative in the audiovisual sector very rapidly led to emergence, on the FM band, of several commercial private radios directly linked by concession agreements to RTS, for a license fee collected by the latter in a competitive environment.

The owners of private radios had moreover denounced the fact that they had to pay money to RTS which was in fact a rival, thus contributing to strengthen it. By way of appeasement, in his general policy declaration on 12 August 1998, the then Prime Minister, Mamadou Lamine Loum announced government's will to increase the resources of the Press Support Fund (FAP), and to reduce the amount of license fees for private commercial radios. A measure judged insufficient.

It thus seemed necessary, for the Government, to modify the provisions on the monopoly of broadcasting and the distribution of radio and television programmes destined for the public in order to enable the State to grant public or private media all or part of its exclusive rights by agreement approved by decree. The legal philosophy of the instrument was clear. It was not more not less legal re-appropriation, by the State of the prerogative formally attributed to RTS which, in the former section 2 of Law No. 92-02, held the monopoly.

In other words, the new law consecrated pluralism of the Senegalese media landscape, while otherwise strengthening State control on broadcasting and distribution rights. Thus, the last paragraph of the new section 2 of the 2000 Law specifies that *“these broadcasting and distribution rights, exclusively belonging to the State, can be subject of total or partial concession to one or several concession-holders of public or private law, by agreements with contract specifications clearly stating the reciprocal obligations of the concession-holder and of the State”*.

Given that RTS was dispossessed of its “*power to contract, on behalf of and for the State of Senegal*” for broadcasting and distribution rights on the one hand, and in the absence of a decree approving the partnership agreement between RTS and the Origines SA company on the other hand, the legal validity of this agreement which led to the setting up of 2STV is questionable. The same doubts on the legitimacy of this agreement hold in the absence of clarification on the existence of a contract specification laying down the obligations of the State and 2STV. Therefore, ultimately, doubts persist as to the conformity with the law, of the attribution of a frequency to the 2STV channel.

The latest developments in the Senegalese audiovisual landscape, with the announcement by the press of authorizations granted in July 2006 to a new channel, Canal Infos which announced it would start broadcasting in July 2006, and to the EXCAF group, without any transparency, or invitation to tender, relegates this country to the last position in terms of transparent and fair procedures in the attribution of frequencies and authorizations. Malfunctions evoked by Amadou Top, Chair of the Observatory on information systems, networks and information highway (OSIRIS), which denounced amongst others: an uncontrollable attribution of frequencies, leading to some anarchy, with radio stations encroaching upon the frequencies of existing radios, without any sanction from the Agency for the control of Post and Telecommunications (ARTP); procedures for “transfer” of attributed frequencies, in violation of instruments in force... Such is the case of Canal Info, which, arguing on the repurchase of Canal Horizons’ equipment and the frequency it abandoned since it began broadcasting by satellite, would broadcast on a frequency formerly reserved for Canal Horizons, and this in violation of the principle which states that the attribution of frequencies are personal and non-transferable.

On the whole, practices which hamper the principles of pluralism of information, and the viability and development of the audiovisual sector.

11. Togo: media monolithism smashed into pieces

Originally, the Togolese media landscape had only two newspapers, *Togo Presse*, and *Togo Dialogue*, as well as two national radio stations, Radio Lomé in the South and Radio Kara, in the Northern part of the country, and of course, reigning as master, a lone television channel, “Radio Télévision de la Nouvelle Marche” (RTNM) which became “Télévision Togolaise” (TVT).

Today, observers agree that Togo is experiencing a whole new reality. Several newspapers, radio and television stations have invaded the media landscape. Thus, we can count not less than about thirty newspapers, some of which disappear after some time and are immediately replaced by newcomers, 67 radio stations, 7 television channels (including the public channel TVT), and about thirty communication agencies.

11.1. The advent of pluralism in Togo

In addition to the Togolese public television and the six private channels, there is an MMDS operator, Media Plus. Headed by Richard Aquereburu who is also Chair of the Association of African MMDS Operators, this company is among the pioneers in the opening of the media landscape, and sells access to foreign channels. However, this trend towards pluralism was not without difficulty, especially for the new television channels who preferred to wisely display a cultural, social and economic positioning, carefully avoiding topics related to national policy.

11.1.1. RTDS

RTDS (Radiodiffusion Télévision Delta Santé), set up in June 1998 under the impulse of a businessman who had been running for a year already a radio station for the benefit of the populations South of the country, is the very first private television channel in Togo. Originally, it relayed only the programmes of European channels. Then, in December 1999, it started broadcasting its own programmes, essentially devoted to health issues. They are animated by traditional therapists and evangelist pastors.

11.1.2. Religious channels

A Togolese specificity is the phenomenon of religious channels, which are three in number. Two of them, TV Zion and TV Solution (TVS) were set up by so-called charismatic church pastors. Some of these churches do not always have a clear cut border with sects. The third channel, TV Jabal Nour Al Islamia is, as its name indicates, Muslim. Its programmes are centered on the teachings of the Koran and broadcasts are exclusively in Arabic.

11.1.3. Private commercial channels

They are two, TV2 and TV7. TV2 was set up in 2001, with the cooperation of the first national channel, TVT. It also often benefits from support from the public channel (shared infrastructure and equipment, technical support...). This relationship with the public institution, which can be an advantage, could also be a limiting factor of its autonomy, not to say the independence, of this private channel. The second private channel, TV7, whose first programme was broadcast in January 2002, was set up by a promoter from a communication agency. With his rich experience in this sector and with the national television he felt it would be more profitable for his enterprise to work in the television sector.

12. Cape Verde: a recent opening

Cape Verde's media landscape was, until recently, particularly closed. Only the tightly-controlled public radio and television (Televisao Nacional de Cabo Verde or TNCV) had the privilege of exclusive broadcasting in the archipelago. There were only three radio stations in the country, la Radio Nacional de Cabo Verde, RNCV, radio Nova, a Catholic radio station received all over the country, and a commercial radio which broadcasts somewhat irregularly. For viewers who had sufficient income, international channels, especially Portuguese like RTP1, alongside others TV5, LCI, CNN, BBC broke the monotony and permitted some kind of escape while waiting for more liberal days ahead locally. Subscription to programmes broadcast by satellite were therefore done from Portugal.

Things have recently evolved in the country. First of all it should be pointed out that on the public channel, although it depends on the State, freedom of opinion in the area of information, is tolerated. Moreover, taking advantage of the liberalization of the social communication sector, a first private channel, IPTV started broadcasting in December 2006. IPTV is a channel available on subscription and belonging to Cape Verde Telecom. It has about 250 clients. Continuing on this path of liberalization, the Government, at the beginning of 2007, issued four authorizations for projects to set up private channels. One of these projects is at the experimental phase, and a second channel equally accessible on subscription, CVXTV, announced it would start broadcasting in the second trimester of 2007.

CVXTV belongs to a Chinese company and broadcasts in Portuguese and Spanish. It proposes a model similar to that of the distributor Canal Horizons, with six "home" channels produced by the station, and 5 other theme channels (cinema, sports, music, youth...), whose contents are acquired by the station from other television channels. Furthermore, it is also a distributor of subscriptions for other international channels. The company which owns this new channel has also introduced a technical innovation, a wireless system of reception. Programmes are accessible thanks to a normal antenna and a decoder, rather than a parabolic antenna or telephone connection, all for about 130 000 CFA F (cost of installation, excluding subscription). The company envisaged by 2007 to reach 3,000 clients in the capital, and 10,000 subscribers in 2008, in the other Islands.

13. Some countries still on the fringe of these developments

Some West African countries are still on the fringe of these developments, sometimes due to a difficult political context (country experiencing a crisis or undergoing post conflict reconstruction), a difficult economic context for the viability of private media, or again, because of the authorities reluctance to sacrifice parts of their hegemony on the means of audiovisual broadcasting. These include Guinea, Guinea Bissau, Liberia and Sierra Leone. However, it is not useless to make a presentation here, even only as support for the professionals working in these particularly difficult environments.

13.1. Guinea: the burden of heaviness and political heritage

Analysts unanimously agree on the rare potential of this country, particularly its natural wealth, and on the after-effects and gravity of a closed, long time isolated and extremely militarized system. Until now, Guinean Radio and Television, RTG holds the monopoly on the audiovisual sector. The constitution, reference instrument, guarantees freedom of expression, particularly of “*speech, writing and image*” and since 1995, there is an organic law which established a regulatory authority called “*Conseil National de la Communication*”. However, its capacity to implement the provisions of the law, especially promoting pluralism and ending the “*abusive control of the media by the Government*” is questionable. Nevertheless, two satellite distribution companies operate in the country, Soditev and Satelcom. They offer classical formats, distributing foreign channels on subscription, at a price four to five times higher than in the other countries in the region, which makes the service accessible only to very well off households.

13.2. Guinea Bissau: closure and backwardness

Guinea Bissau has a very closed and backward media landscape for which not even its relatively recent independence, nor its difficult economic situation can suffice as justification. This closed environment is also observed in the area of telecommunication infrastructure, where the national operator Guinea Telecom, whose major shareholder is Portugal Telecom International, has the monopoly. Radio Televisão da Guinea-Bissau (RTGB) remains one of the rare public bodies in West Africa not in competition with local operators, over the predominantly young audience, who wishes to wipe out if not transcend the years of war whose consequences on the political stability of the country resound with some acuteness. The public however, has access to programmes of some international channels, broadcast by the public operator.

As is the case in neighbouring Guinea, freedom of press and expression are guaranteed, in theory, by the constitution, relayed by the different instruments of 1991 on the press, the status of journalists, the establishment of a National Council for Social Communication as well as the organization of access by political parties to the media. The institution of a new media deal with the proper implementation of the law, efficient management of bodies set up and an audible and visible

pluralism, will come through the setting up of new infrastructures but also and above all the training and institution of a sufficiently attractive and dynamic professional framework.

13.3. Liberia: an arena in dire need of development

Submerged in a civil war for a decade, between 1991 and 2001, Liberia is a country where everything remains to be done. About fifteen local radio stations broadcast in the capital, and about fifty in the entire country. Due to the decay of the national television channel, it is considered that there is no public television in this country. Operating under the bosom of the Liberian Broadcasting System (LBS), the public channel (National Television Network) has not broadcasted for close to a decade. Three private channels share the television landscape and broadcast from Monrovia: Real TV, Clar TV and Power TV. DC TV, a private channel which also broadcasted from Monrovia recently suspended broadcasting.

Clar TV belongs to the company Royal Communications, itself owned by the footballer George Weah. The group equally owns two radio stations, King FM and City FM, and operates since 2004, with about thirty employees. Clar TV does not have a studio, and has insufficient financial and technical resources, which only permits it to broadcast a very limited local programme, most of the broadcast time (18 hours daily) being used to rebroadcast foreign programmes, namely those of Voice of America which is a partner of the channel, and those of BBC and CNN.

Power TV on its part, belongs to Infinity Corporation, which equally owns a radio station with the same name, Power FM. This company was founded by “deserters” of the former board, Liberia Communication Network, which was set up under the regime of President Charles Taylor. It gets its resources from advertisement, which constitute about 70% of its revenue, and employs about fifteen people. Contrary to Clar TV, Power TV owns a studio, which enables it broadcast a good percentage of local programmes in its schedule (70%), the rest being devoted to programmes from international channels. As much as Clar TV owned by George Weah is close to his party, the Congress for Democratic Change(CDC), Power TV is considered close to the Unity Party of Ellen Johnson Sirleaf.

Besides these actors in the local landscape, international channels are accessible via satellite on subscription at a relatively high cost. Given the economic context and the dilapidated infrastructures, it seems difficult to think in the near future a viable public television channel will be set up.

13.4. Sierra Leone: development thwarted by years of conflict

Several years of civil war and political instability left severe consequences in this country, seriously compromising its development. This painful episode ended with the re-election of Ahmad Tejan Kabbah in 2002, and the country seems committed to peace, which can only be built and consolidated with the decisive contribution of the media. The public structure, the Sierra Leone Broadcasting Service (SLBS) is a corporation which is composed of a television service (SLBS/TV) and a radio. Besides the public channel, there is a private channel, ABC TV. Both channels broadcast programmes from international channels.

14. Some transnational initiatives: South African operators

We can not conclude this general survey without mentioning some initiatives of operators based outside this geopolitical area, but who however, operate there. These include for example South African transnational operators, who occupy a non negligible place in the West African landscape. One of these operators is TV Africa which, under the guidance of its chair, Dave Kelly, offers programme modules, according to language - French or English - and time zones to African television channels, with a contractual policy based on income from advertisement. The plan was, for TV Africa, to make available pictures of sports programmes to African national or private channels. TV Africa, above all made a name for itself in the area of sports broadcasting, namely the African Nations Cup, before it was supplanted by LC2 International of Benin. In return, these channels undertake, by contract, to broadcast advertisements before, during and after matches. Unfortunately, very few partner and affiliated channels played the game in all transparency, some preferred to pirate the programmes rather than honour these engagements.

Alongside TV Africa, we will equally mention the place occupied by Multichoice, another South African operator, in English-speaking as well as French-speaking countries. It proposes a digital DSTV package, and is represented in all the countries of the region, except in Mauritania. Multichoice is supposed to be the pioneer in digital multi channel television broadcasting by satellite on the African continent while positioning itself as the first distributor of satellite television in south Africa. Besides the DSTV packages it supplies to more than one million subscribers in South Africa, its operations include among others, the management of a digital platform for satellite television comprising over fifty television channels and sixty radio channels, available non stop.

Generally, the projects and activities of the reception and broadcast of programmes, known as MMDS have multiplied almost everywhere in West Africa, offering new opportunities, creating new jobs and participating in the configuration of a diversified and plural offer. However, it should be noted that some confusion set in, with an amalgam between distribution activities, and broadcasting activities typical of the status of a local channel, and which is no longer limited to broadcasting external signals, which raises a number of issues.

Chapter 2

Reconfiguration of the Media Landscape: Stakeholders, Contents, Audiences

The preceding chapter was a presentation of televisual pluralism in West Africa, reviewing the overall situation of each country in the region. This chapter will also make an appraisal of the situation in each country under study, the criteria this time around being a more in-depth examination of the media landscape, from the stand point of stakeholders within this landscape, the content of programmes, and equally showing as much interest as possible to the audience.

1. Ghana: an effort in local production for the urban and rural public

1.1. Contents offered

1.1.1. The public channel, GTV

With the advent of public channels, the local production of programmes was highly encouraged. GTV programmes were broadcast daily for 2 hours 30 minutes with a lengthy schedule made up of 50% Ghanaian films. Until 1985, it broadcasted programmes for 28 hours 30 minutes every week-end, with local programmes making up to 85% of the broadcast. Entertainment accounted for 42%, news 33%, while educative programmes took up 25% of air time. Professor P.A.V. Ansah, of the Department of Communication Studies in the University of Accra, observed at the time that African television channels were too depending on programmes imported from the West. He pointed out, that Ghana was one of the rare African countries that produced a good percentage of its own television programmes. Nevertheless, he added that such an evolution should not lead to self-satisfaction, since most of the air time was taken by talk shows and entertainment of somewhat questionable quality.

With the extension of air time - GTV broadcasts programmes for 20 hours daily, local production experienced increasing difficulties, due to both dilapidated equipment and inadequate mastery of new technologies by the staff. To these is added the lack of financial

resources, for it is more expensive to produce local programmes than to import them. In the early 90s, the policy was still to encourage local production, and because of this, regional stations were used as production centres. Independent production was equally encouraged, though salaries left much to be desired. It seems today, as highlighted by Moctar Dia, that *“Kwame Nkrumah’s dream is no longer on the agenda”*, even if *“production houses maintain an honourable 40%, while imported programmes constitute the remaining 60%”*.

Despite the stiff competition in the media landscape and the increase in programmes offered by the various channels in order to build viewer loyalty, GTV has maintained its traditional role as a public service television. However, it has kept the stench of conservatism in its educative and entertainment programmes. As a matter of fact, government channels were not designed nor sufficiently prepared for a competitive environment. Its trump card is broadcasting in English and the predominant Ghanaian languages. GTV is equally involved in the production of documentaries, sitcoms and other entertainment programmes, and its televised news cast is highly watched. Ever since it started satellite broadcasting, GTV covers the entire country and its signals are received by Ghanaians settled in the neighbouring countries.

1.1.2. Private channels

Generally speaking, with regard to the volume of local production, private channels do better than the public channel. Thus, on TV3, local productions account for 85% of the programmes while the foreign programmes level out at 15%, representing a ratio like that of GTV when it started. TV Africa comes second with a 70% ratio for local programmes and 30% for foreign programmes. It is however worthwhile highlighting that imported programmes are some times less expensive and of better technical quality, and all channels, both public and private, get a lot of films and TV movies from foreign markets.

Initially, on these channels, there was a domination of old Hollywood films. Today, films imported from China, India, and Malaysia, are more clamoured for. The presence of Malaysian shareholders in TV3 is obviously the reason for this trend. Although the real revolution in the importation of foreign films comes from South American TV series⁷,

whose very simple story line carries away the Ghanaian audience. African films are equally very popular, coming mostly from Nigeria, and are characterized by fierce violence and superstition that critics deplore as extremely detrimental to societal values.

Imported films some times pose the problem of shocking scenes, which are violent, obscene or even pornographic, and which are broadcast without adequate control. If it is difficult to talk of pornography on public and private channels meant for the general public, the situation is worse on cable. A number of professionals have deplored the increase in pornography on TV. The increase in the number of channels has made difficult the work of the structure attached to the Cinematographic Bureau, which was in charge of controlling the content of imported films before broadcasting. In order to solve these increasing problems of programme codification and control, an image control structure known as the “National Commission on Culture” was created. This Commission is charged with drafting a “viewing code”, which shall be extended to all programmes. This code shall determine the classification of programmes, and broadcasting schedules, trying to take into consideration the social habits of the people and the cultural context.

Entertainment programmes are one of the main reasons for the success of private channels. Even the public channel has not been spared from this trend, where sports and music play a major role. A television channel, Metro TV, even went as far as specializing in these two areas, and happily so. Metro TV is an affiliate of MTV Europe, and retransmits its programme: “Afro hip hop” and “R & B” in Ghana. TV3 equally broadcasts the popularly watched entertainment programme, “Music Music”, during which national stars are invited to perform on the stage; as well as “Sports Highlights”, a sports weekly, which is one of the most watched programmes in the country. Due to its audience rating, it attracts renown announcers.

7. Some of which are: “Camila”, “The Promise”, “Esmeralda”, “Juana la Virgen”, “La dame aux camélias”, “La revanche”, “Les trois soeurs”, etc.

Besides these entertainment programmes, talk-shows equally attract many TV viewers to private channels just like the GTV. Moreover the latter now attracts a larger audience through its weekly programme, "Mama Nkomo", initially, meant for women. On TV Africa, we can cite "Omn Mu Nsem", which is one of the most popular programmes on the Ghanaian television. It handles social and health issues. This programme, which is interactive, is broadcast in the national language, with a translation into English. The fact that people can call the programme live on TV and can express their views, enhances the popularity of the programme. Another such programme is "Thank God, it's Friday", broadcast on this same channel. This programme is presented by a well-known comedian there, Kwaku Sintim Misa (KSM), who mimics the Head of State and other popular political personalities. Through burlesque, he tackles the important socio-political issues of the country. During this programme, he equally interviews some personalities, whom he taunts, or iconoclasts of Ghanaian public life whom he allows to speak freely.

Ghanaian television channels, through different programmes, like "Good Evening Ghana", also allow time for news. Such News editions at the end of the day, gather a good number of viewers whose exact number cannot easily be determined.

1.2. Foreign programmes and broadcasting rights

Cable distribution operators relay mostly foreign channels that broadcast exclusively foreign programmes. The foreign influence on national channels is especially visible through sports programmes, news casts and documentaries. Channels also subscribe with production companies or programme banks and international institutions. Thus, TV3 is linked to CFI, the programme bank of the French cooperation and UEFA for the retransmission of European football champions' leagues. GTV generally has exclusive broadcasting rights for major sporting events like the African Nations' Cup Competition, the World Cup and the Olympic Games. In order to meet the expectations of their viewers, private channels do not always respect the exclusive broadcasting rights. For example, during the Ghana vs. Cape-Verde eliminatory match, which was decisive for the qualification of the Ghanaian national team, the "Black Stars", for the 2006 FIFA World Cup, Metro TV retransmitted the encounter without however paying

the broadcasting rights. Football is almost a religion in Ghana, this makes it a very juicy advertisement niche. Moreover, private TV channels want to renegotiate broadcasting rights and challenge GTV's monopoly.

For its part, and due to its financial difficulties, GTV seeks an agreement with Metro TV for the retransmission of matches for which it has exclusive broadcasting rights in Ghana. To this end, it shall negotiate terrestrial rights over the entire territory and, include in its terms of contract, the possibility of retro ceding such rights to other TV channels in the country for simulcasting or prerecorded broadcasting. All subscribed channels shall be subject to the same contractual obligations as GTV for broadcasting, notably, the respect of incorporated advertisement slots and exclusive windows.

1.3. Audiences and competition from other media

Generally, commercial channels (Metro TV, TV3) attract a young audience (the 15-34 year age bracket), in urban centres, while GTV is more unifying, as it equally pulls crowds in rural areas. This could be explained by the fact that GTV also broadcasts in national languages, just like TV Africa, which has quite a good number of viewers in rural areas. For the last two channels, the average age group is over 35.

Furthermore, Ghanaian channels face little competition from those of neighbouring countries, due to the language barrier (these countries are Frenchspeaking), and poor reception conditions. Cinema, which is suffering from the advent of new supports like DVDs and the development of practices like piracy, is no longer a potential rival. On the contrary, the multiplication of TV news bulletins has led an increasing number of persons to resort to this method of information to the detriment of the written press.

2. Nigeria: channels sustained by an expanding film industry

2.1. The contents offered

Until the Second Republic, that is, up to 1979, the Nigerian television environment was characterized by an insipid programming. Only State-owned channels existed all over the country. By giving birth to NTA, the decree promulgated on 24 May 1977 by the Federal Military Government, harmonized programmes all over the Confederation.

All programmes were produced in Lagos, but for a few which were broadcast in local languages in the hinterlands and other entertainment programmes sponsored directly by the States.

The Second Republic consecrated the creation of a federal channel with national coverage, which superposed to those of the various States of the Confederation. For such stations to become popular, they needed to renew their programme schedules, giving for example more place to entertainment and programmes targeting the youths. The first station to distinguish itself was the Ogun State Television (OGTV), opened by the Ogun State Government, in the South West of Nigeria. This station was then well-known for having the best drama programmes in the local language. Some of the other eighteen States then followed this example. These different initiatives will give viewers, not only alternative sources of information, but another type of programmes, thereby breaking away from the usual monotony.

Outside NTA programmes, and those of the AIT private channel with national coverage, it is difficult to have a precise idea of the most popular programmes. One can nevertheless mention one peculiarity of all channels: talkshows which handle themes linked to good governance are very popular. Some of these programmes are broadcast in national languages, thereby increasing their success rate. Of all these talk-shows, interactive programmes gather many viewers. The reason for their popularity is because they allow a greater number of viewers to take part in public debates⁸.

As for the place of information, all channels have news bulletins, which are often scheduled in the evening or morning. They vary in duration, and last between half an hour and one hour. The channels do not hesitate to do special reports outside news casts, depending on current events. With regard to international events, it is not rare to see programmes interrupted for special news items. This is the very valued concept of "breaking news".

Local production are from two sources: either from internal productions known as "in-house production", or from independent and private productions.

8. The most popular programmes on NTA are: "AM Express" and "One on One", while on AIT, the most watched programme is "Kaakaaki".

2.1.1. In-house productions

The various channels produce magazines and mini-documentaries. Some buy programmes from a local company (the NGO company) or from independent producers. It is worthwhile noting that, mini-series production by the end of the 70s enabled stations acquire some experience. By the close of the 80s, there was the emergence of a real market, when stations started collaborating with independent producers of sitcoms. At that time, profits are on the decrease ever since South American soap operas were introduced on Nigerian television. Those companies which hitherto supported the local production sector of sitcoms have now adopted a different mode of sponsoring, preferring to buy air time for the “telenovelas”. An option which seems to be cheaper for them.

The advent of video films production and its explosion rescued Nigerian film production. Nigerian stations screen a lot of locally produced films. Coproduction is not a well-developed practice.

2.1.2. Resorting to independent producers

Most of the programmes broadcast today, particularly, on private channels, come from independent producers in search for funding, sponsors and thus buy air time, or produce on contract bases for private television stations. These are lowcost productions, with very tight budgets, very short notice filming and postproduction, and of more or less good quality, though in great quantities with an average of close to three films a day and a total of close to one thousand two hundred a year.

2.2. The place of national languages

Apart from English, the most widely used languages in Nigeria are Hausa, Yoruba and Ibo. Even if some programmes are broadcast in one of these three languages, English remains the official and national language of television in Nigeria, just like in other institutions. However, various State channels have programmes and news casts in the most widely used local language in their coverage areas. Wherever there are several languages which cannot be conciliated as in the Adamawa State, in North-East Nigeria, the dominant languages are used alongside English.

2.3. Foreign programmes and broadcasting rights

There are several types of foreign programmes, films, plays, video-clips and documentaries. Though according to NBC, these programmes cannot exceed 40% of all the programmes. The majority of these programmes come from the USA or Great Britain. There is a noticeable decrease in the number of films from Asia, particularly in the South of the country. Most clips come from South Africa, Central Africa and North America. A few programmes come from other African countries, especially films and documentaries. Programmes from the South African Broadcasting Corporation (SABC) are increasingly present on Nigerian channels, mainly in the Lagos region. Europe and North America equally provide a significant number of films, magazines, sports and entertainment programmes.

Apart from those produced in Nigeria, African films broadcast on local channels come mostly from Ghana and South Africa. The percentage of films from other African countries is quite negligible. These programmes are provided by private redistribution companies like Proudly Africa, ABN and Beat One.

Negotiations for broadcasting rights of important events are carried out by the Nigerian regulatory agency if it is a national occasion. If it is an international event, like the World Football Cup or the Olympic Games, broadcasting rights are negotiated with the foreign media which has broadcasting rights. Channels sometimes negotiate collectively, but most often, negotiations are on individual bases. Public channels, like private channels, have no special privileges. Western rights are increasingly negotiated by intermediaries and other speculators who equally buy air time on these channels.

2.4. Audiences

One can notice the trend whereby public channels dwell too much on State activities in their magazines and news casts, which consequently leads to a lack of interest by the public to the advantage of private channels, especially over the week-end. Despite all this, the various State TV stations still record much success. Viewers watch the programmes of these channels with keen interest; though owned by the States, some from their programme schedules, have profiles close to those of commercial channels, and are considered as local channels.

Nigeria is a country where the youth less than 15 years old constitute 45% of the population while people over 60 represent just 3.3% of all Nigerians. This disproportion is also seen in the general TV public. We can estimate that the less than 45 year olds make up 80% of TV viewers, with a very high representation of the 15-24-year age bracket. The remaining (50 years and over) constitute 20% of the audience. Although the devices for calculating audience ratings are not yet well-developed, one might say that the TV public is mostly made up of the youth, and there are many more men than women who watch the television, contrarily to the current wide spread misconception.

In order to win the audience ratings, there is fierce competition between public and private channels, on the one hand, and amongst private television channels, on the other hand. Private channels strive to innovate in the area of entertainment and information, especially by trying to depart from the stereotyped formal language of the official TV station.

2.5. Competition from foreign channels and other media

Nigerian TV stations face rather little competition from other African channels. In Nigeria, State channels are generally more powerful than those of neighbouring countries which do not make any attempt at extending their broadcasting area towards Nigeria, where supply is already plethoric. With regard to major international channels, like CNN and BBC, they do not compete directly with Nigerian channels, since they interest mostly the well-off classes, who need international news. Nevertheless, there is competition from other media, such as DVDs, and with the popularization of "home cinemas". It is worth noting that in this country, cinema has maintained all its vitality.

3. Benin: actors operating according to specifications that are not always respected

3.1. The contents offered

Like in other countries, the programme content is made up of news, magazines, sports, entertainment and fiction. On LC2, news represents 20% of its programmes, and half of it is made up of reports. Conversely, on Golfe TV, news and reports constitute 80% of

its programmes, thereby making it an essentially information oriented channel. It broadcasts two daily news casts in French and one in each of the major national languages: Yoruba, Dendi, Fongbe and Goungbe. The Televised news cast can be watched online. Canal 3 equally does the same with six daily news casts. On TV Carrefour the different news casts and reports make for quite a good part of programmes, but it is difficult to determine the exact figures.

According to the contract specifications of private TV stations, they are due to broadcast 30% of their own programmes, and they have to valorise the Beninese cultural heritage. Nevertheless, the situation on the field does not always correspond to the legal prescriptions on programme content. On a TV channel like Canal 3, film casting has an urge over other items of the programme. Certainly, Canal 3 broadcasts five news casts daily with two editions in national languages, but this does not suffice to bridge the gap left by films and documentaries. This observation holds true for LC2 which excels in the broadcast of local and African clips-most of which are Ivorian - as well as American clips. On this channel, entertainment accounts for 60% of its programme schedule. On Canal 3 and TV Carrefour, entertainment equally takes up a major part of its programme schedule. Only Golfe TV does not follow this trend, broadcasting just a few entertainment programmes and no fiction.

On Canal 3, LC2, Golfe Television or ORTB/TV, action films are regularly on schedule. ORTB broadcasts a good number of African films. Like in other countries of the sub-region, "Telenovelas" are an astonishing success. Some of these series which are broadcast every evening and are bait for advertisements sometimes contain images likely to offend the public or considered immodest in local culture.

This situation raises the issue of programme codification. Sometimes however, some channels take the initiative to include messages specifying the violent nature of such programmes. HAAC agents have the privilege of inspecting programmes and equipment. Article 50 of the Law to set ting up the regulatory agency stipulates that following this inspection, they must write a report to be forwarded to HAAC. Article 28, which provides for the withdrawal of the licence in case of omissions, can thus be applied if need be.

According to the officials of LC2, sports does not have an important place a priori, but gains magnitude in the programme schedule depending on the ongoing sporting event. This was the case in 2006, with the African Football Cup of Nations that was played from January to February in Egypt as well as the World Football Cup that was equally played in June in Germany. This channel is also interested in broadcasting matches of the different European and African Championships. On Golfe TV, a significant place is reserved for sports, but this TV Station has difficulties meeting up with its ambitions due to difficulties related to the acquisition of broadcasting rights. On Canal 3 and TV Carrefour, sports is only presented during the various news casts.

3.2. Negotiations for broadcasting rights and imported programmes

Of the officials interviewed about the negotiation of broadcasting rights, those of Golfe TV and Canal 3 said they did not know the modalities which are negotiated directly with the Chairman and Managing Director. At LC2, it is Management which negotiates these rights, especially when it comes to broadcasting the African Football championship. This channel opted to acquire, alongside some European partners, broadcasting rights for African continental championships. It raised the bidding, threatening to deprive other countries of the images of this championship, which is one of the most watched on the continent. The managers of public channels on the continent organized themselves into a pool, headed by the Senegalese Daouda Ndiaye, in order to negotiate these rights with the promoter of LC2. Through these ups and downs Christian Lagnidé, LC2 Manager, became known to the entire continent, as a wary and pugnacious investor, as well as a competent manager of an African TV channel. Private TV channels deplored the fact that they were not benefiting from the same advantages as national stations for the broadcasting of sporting events. In the case of the African Cup, LC2 only negotiated with public channels. Furthermore, the rebroadcast of European championships went to ORTB through cooperation, and it is mostly the CFI image bank which provides the images.

As stipulated in article 49, paragraph 1 of Law No. 97-010, in order to obtain HAAC's authorization to broadcast TV programmes, any promoter of a private TV channel shall:

- be committed to include, in its programme schedule, a percentage of its own production predetermined by HAAC. Such a quota shall not be less than 20%.

Furthermore, according to this same Section, channels shall:

- *“through their programmes promote the Beninese cultural heritage, especially, its different regional aspects: according to modalities laid down by HAAC, sign co-production contracts or external service provider agreements with individuals or corporate bodies in Benin or abroad representing at least 5% of its programme schedule. HAAC may set a higher percentage”.*

Furthermore, Section 4 of Law No. 97-010 stipulates that *“the area of intervention of private audiovisual communication services shall cover; news casts, cultural promotion, sports, commercial and industrial advertisement, training of citizens, and any form of entertainment not forbidden by instruments in force”.*

However, these percentages are not always respected, and no appropriate sanctions are taken. This foretells some weakness on the part of the legislator, unless such provisions are considered as an ideal to be attained. Hence, a good number of the programmes broadcast on Beninese channels are imported, from different regions of the world. This is the case with LC2. ORTB signed a partnership agreement with Union of National Radio and Television Organizations of Africa (URTNA), which provides the majority of the African films it broadcasts. French cooperation equally permits it to benefit from programmes from France, Canada, Luxemburg, and Belgium. Thanks to these relations, the cost of buying programmes is significantly less for public channels, which is hardly the case for other channels. If they are evasive about cost, it is relatively high and weighs heavily on their budgets. TV Carrefour does not pay any rights, in keeping with a very wide spread practice in neighbouring Togo. The channel acknowledges that it *“often records [programmes] from international channels.”*

3.3. Language policy

Apart from ORTB/TV which broadcasts in about half a dozen national languages of South Benin (Fongbé, Goungbé, Guingbé or Mina) and (Dendi, Bariba) of North Benin, private TV stations do not leave as much room for national languages. Nevertheless, an experiment initiated by Canal 3 is worth reporting. In an environment occupied by ORTB/TV, LC2 and Golfe Television, for news casts in French, Canal 3 lays emphasis on news casts in Goungbé and Fongbé. Thus, the evening editions broadcast in these languages are watched by a significant number of illiterate viewers, and are a major popular success. In partnership with a local radio station, CAPP FM, it proposes a weekly press review in Fongbé presented by a star radio animator. In addition to this weekly press review in Fongbé, it is equally important to mention, on the same channel, a news magazine during which guests participate in Fongbé.

3.4. Staff and equipment

The channels are all faced with logistic problems, with insufficient teams and means, that prevent them from covering some events. Concerning equipment, all the channels are not equally equipped. As compared to other channels, LC2 seems to be better equipped than its counterparts, having more than a dozen cameras, far ahead of Golfe TV and Carrefour TV. LC2 also has three studios, two of which are in Cotonou and one in Porto Novo. The other private channels have two studios each. Except for Carrefour TV, they all do analogous broadcasting, but envisage to go digital soon. All these channels have digital editing desks.

The staff of private channels is fairly balanced, between journalists and technicians. LC2 employs 10 journalists and 35 technicians; Golfe TV 20 journalists and 25 technicians; Canal 3 13 journalists and 10 technicians; and Carrefour TV 7 journalists and 6 technicians.

All these stations have a registry service. However, the difficulties they face have repercussions on archiving and the storage of programmes. Hence, programmes are often deleted and tapes used again. This problem, often faced by LC2 where it was moreover admitted that recorded TV news casts had to be deleted, seems to be a thing of the past in Canal 3, with the creation of a registry service. On Golfe TV,

resorting to the digital system was a great relief. All programmes are henceforth recorded on DVDs. All channels expressed the wish to benefit from partnership with INA, (French national audiovisual institute) meant for French-speaking public channels and which would permit them preserve their archives under satisfactory conditions. The majority of public channels of the region face the problem of the preservation of collective audiovisual memory, which is of concern to national authorities.

3.5. Competition from foreign stations

Beninese channels face competition from international channels and those of neighbouring countries. International channels attract mainly viewers from the upper middle classes in urban areas as well as the youth. However, access to these channels is limited since one must have specific equipment: satellite dish or Multi-channel Multipoint Distribution System (MMDS), pirated chip, a situation which limits the effects of competition. As for the channels of neighbouring countries, geographical proximity and small coverage areas favour their radiance and success, especially in border areas. The populations do not feel culturally disoriented. Moreover, Yoruba is a language spoken in the whole sub-region and so programmes broadcast from neighbouring countries in this language record a lot of success.

4. Burkina Faso: a rather consensual supply of programmes

4.1. The contents offered

On the national station, news represents about 55% of programmes. This is essentially televised news in French and in national languages as well as magazines and information documentaries obtained from French channels. TNB however has a weakness in the area of entertainment, with unattractive programmes, which are almost inexistent on this channel, though it still occupies the dominant position for sports programmes, especially football. Other channels do not broadcast sports programmes for lack of financial means. CVK designs and broadcasts sensitization spots on the practice of sports. On Canal 3 news equally takes up a fair share of its programmes, divided between the different televised news casts (two and half hours daily), magazines and reports (about four and half hours a week). It equally broadcasts entertainment programmes (essentially games and variety shows).

Although it is tagged a religious channel, CVK also presents proximity news, which moreover accounts for some of its success. As a matter of fact, it reserves close to half of its schedule for “social” news, reports and related programmes, and about 20% for entertainment. If it is not limited to presenting religious programmes, other programmes are confined to a strict editorial policy.

Unlike in countries like Ghana or Nigeria, there is no programme codification in Burkina Faso. Channels bother very little about codifying programmes that are likely to offend the public. This may be due to the fact that very few of the programmes broadcast on local channels actually contain images likely to shock the public. On Canal 3, care is however taken to schedule films and programmes likely to contain appalling or violent images as late night films, or they bear a fore-warning message for viewers.

Actually, the problem comes from foreign channels which are provided by cable or satellite operators, such as SMTV and Neerwaya Multivision. For the officials of these companies, there is no need for censorship since, as they claim, these channels are already operating under the cover of some regulations and are codified by the regulatory authorities of their country of origin. However, these companies censor some of the images, especially when, within the framework of their promotion campaigns, such companies provide the general public free access to channels. The legality of such an initiative is doubtful, even if it stems from a moral concern of the operator, for it is contradictory to the respect of copyright. This legality is furthermore at issue because, one of the contracting terms for redistribution is the non modification of received signals, thus demanding an integral and uninterrupted broadcast.

Besides, rebroadcast companies find themselves in a paradoxical situation, with some censored scenes in films or censored programmes in the schedule of some channels on the one hand, and adult channels offered in packages, on the other hand. In its article 5, the Information Code stipulates that *“foreign communication and information productions are authorized if they are not detrimental to moral values, national sovereignty, professional deontology, to legislation and regulations in force in Burkina”*. It thus seems as if we are dealing with a glaring case of infringement for which the legislator does not reprimand, because sanctions modality is not clearly spelt out.

4.2. Programmes policy

In Burkina Faso, just like in other countries of the region, contents are shared between imported and local programmes. On the national public channel (TNB), the “in-house” productions account for 35% of the programme schedule. With the contribution of independent national producers, this percentage rises to 65%. Hence, for TV films, TNB generally resorts to a system of co-production, with independent producers. This is equally the case with soap operas and series, which are often a grand popular success (such as “Nouveau royaume d’Abou” and “le triomphe de l’amour”). TNB’s contribution to the production of such programmes is usually technical and financial. Although on this channel the production of local programmes is more an outcome of voluntarism than a real laid down policy, and as proof, this type of expenses have never been included in the budget as such. The independent producers, who participate in such projects, generally work without any financial considerations; often in search of celebrity and a springboard for their work. Obviously, this absence of policy has some repercussions on the quality of programmes.

On Canal 3, the local programme ratio is 40% (here again, produced “inhouse”, with or by independent producers). The channel devotes 35% of its budget to these productions, representing six million CFA francs a month; while CVK spends 5 million per year on local programmes. Canal 3 signed partnership agreements with local production houses (Sahélis, NDK, Artistes Production). It contributes, materially, to the shooting of TV films and their promotion. In return, it is often granted the privilege to broadcast these films free of charge.

4.3. The usage of national languages

French is the dominant language used on TV channels in Burkina. On Canal 3 for example, it is however specified that although French dominates, the different persons invited to speak during any programme or a report can do so in the language of their choice, and their contribution will be broadcast without subtitling. But, one may ask if this is, first and foremost, a well-thought out policy on the promotion of local languages, or simply lack of rigour.

On the national public channel, it is regrettable that only a negligible place is accorded to national languages, which is prejudicial to the audience it may have among the population, especially the illiterates.

It tries to make up for this through a highly watched programme, undoubtedly the most watched of its programmes, “Bangu passé”. It is an interactive weekly magazine broadcasted on Thursday evening, in Mooré, a national language. This programme handles societal issues: family, children education, etc. The programme receives averagely thirty calls, and is rebroadcast every fortnight on Sunday. It is prolonged thanks to the services of a family counsellor, who receives viewers in the TV premises, through prayers and discussions on problems they face in their daily lives.

As for CVK, it uses mostly vernaculars, particularly, the Mooré language, which is the dominant local language used on the three channels.

4.4. Imported programmes and negotiations for broadcasting rights

The national channel resorts to “bartering” which is still a common practice. With regard to sports programmes, the compensation in negotiations for broadcasting rights lies in broadcasting advertisement spots for the company offering the sporting event. For African events or those concerning Burkina Faso, African national televisions join through the Union of National Radio and Television Organizations of Africa (URTNA), in order to buy the rights and relay signals with the assistance of Canal France International.

For Canal 3, broadcasting rights for foreign programmes are negotiated with structures like GLA and AB1 (France), Côte Ouest, Convergence (Cote d’Ivoire) and BG Com (Benin).

The costs of broadcasting African films is still very high, and thus beyond the reach of some TV stations with very little budgets like CVK. On the contrary, on TNB, every week, an African film is shown and such an initiative is laudable, even if these are usually old films which have become rights-free or better still, handed over by TV stations like Canal+ or CFI. The national TV station is not always able to buy new films due to the rights to be paid. Thus, it can only access them at the end of their commercial cycle. Burkina films are not spared by this rule which is in conformity with international norms on cinematographic broadcasting which is function of exploitation deadlines in the different strata of the commercial cycle (cinema, DVD support, channels “on demand”, scrambled channels, etc.) and financial abilities to honour the rights.

Programmes are mainly imported from Europe; especially Germany, France, Belgium, which are the main providers. TNB gets part of its programmes through partner channels like CFI, TV5 and CIRTEF (International Council of French-speaking Radio and Television). This international professional body, made up of French-speaking radio and television stations across the world, provides its members with a bank of images of the Francophonie situated in Belgium, within “la Radio Télévision Belge Francophone (RTBF)”, since its departure from Geneva (Switzerland). In North America, Canada is one of the most important partners of the TNB. Canal 3 also receives part of its films from the United States of America, and like TNB, also receives programmes from Brazil and Mexico.

CVK receives a greater part of its programmes from the United States of America. They are mostly religious congregations, heading powerful television channels, which are their donors. CVK has no formal partnership agreements with these foreign channels, and is not even formally linked to American religious congregations. The fact that it is an African religious channel, and not a commercial one, is enough for them to benefit from the support from its better off “counterparts”. However, one difficulty this channel faces is the adaptability of received programmes, to African socio-cultural realities.

The quota of the imported programmes in the schedule of Burkina channels is estimated at 45% for Canal 3, 52% for CVK and 35% for TNB.

4.5. Audiences and competition from other media support

Ever since TNB extended its broadcasting timetable and created new programmes (notably magazines on themes related to health, plays, relationships between communities, the economy, etc.), its audience increased. Just like any other general channel, it strives to satisfy all social classes and generations through its diverse schedules.

With its editorial policy based on religion, the denominational channel CVK broadcasts for all social classes. According to time slots, it occupies the second or third position behind TNB and Canal 3. The officials of Canal 3 feel they occupy the second position after the public channel.

In addition to the competition that can come from international channels and those of neighbouring countries whose signals can be received in trans-border zones, the channels acknowledge that the development of DVD and VCD markets, often supplied by contraband products, is robbing them of a good part of their audience. It may notably be inferred that this disaffection is greater for imported fiction programmes, even if there exist no real indications on the rate of equipping households with DVD players (which are equally available at low prices in parallel counterfeit or contraband product networks).

5. Mali: generalist supply in a context dominated by public operators

The Malian national television, like its counterparts in the region, has a generalized and classical programme schedule where news, sports, entertainment and fiction take the lion's share. The contract specifications of ORTM imposes 60% broadcast of national programmes, the rest reserved for African and international productions. Such productions are obtained thanks to partnerships and cooperation networks such as CIRTEF. ORTM equally has cooperation ties with CFI and Deutsche Welle, and can enrich its schedule from the programme bank of these operators. In order to buy of programmes, it resorts to the services of communication and distribution agencies based in Cote d'Ivoire, some of which are: *Côte Ouest*, *Atlantique Pictures* and *Convergence*. The channel devotes about 5% of its budget (i.e. 200 millions of a budget estimated at 3.6 billions CFA F) to this end.

Information accounts for about 17% of the programmes, and 22% is reserved for educative programmes. Some magazines and debates on topical issues are also shown to viewers. The televised news cast is still greatly watched by a rather intellectual public, while entertainment programmes are watched more by the general public, women and the youth mostly. Entertainment stands for about 20% of the programme schedule, and fiction, such as the inevitable Latin American series, constitute 23% of the schedule. In addition to French, ten other national languages are used in programmes, thereby widening the audience to popular social classes.

6. Senegal: a landscape characterized by little diversity⁹

6.1. *The contents offered*

Programmes are distributed, in a classical manner, between news, sports, and entertainment/fiction. Information accounts for 17.6% of programmes on the public national channel, which has never been very subversive in this area. Like other State media, for instance the government daily, *Le Soleil*, or the Senegalese radio, it wilfully forsook news, which though capital, was of nature to embarrass the authorities. This was the case during the serious social, political, and economic crises of 1988, which paralyzed Senegal for several months, forcing the government to declare a state of emergency. This was equally the case when close to a million enthusiastic Dakar residents hailed the arrival of a certain Barrister Abdoulaye Wade, the then opposition leader, who was coming back to Senegal to lead a coalition of united opposition parties that brought down the Socialist Party during the February 2000 elections.

Opposition parties had for a long time been demanding access to the State media, which was practically always denied, except during electoral campaigns. The main news cast in the early evening is always the key programme of the channel. Yet, the public continues to denounce its propaganda deviations, with omnipresent news or images of activities of the President of the Republic or his close collaborators. RTS equally broadcasts a good number of entertainment programmes and talkshows. Here, fictions are also well represented. Latin American soap operas especially, constitute another great success and thus create behavioural patterns in the public. As regards sports, football in particular, has an important place in the programme-policy of RTS. Although this is not exhibited through a significant volume of programmes - for example - RTS does not show local league matches -, major international events are a privileged moment

9. Since the realization of this study, the Senegalese media landscape has witnessed the arrival of three new channels namely : Canal Info, RDV TV and Walf TV. Jointly managed by Vieux Aidara and Cheikh Tidiane Ndiaye, Canal Info was launched in October 2006. It claims to be the first African channel to continuously broadcast information. Radio Dunya Vision (RDV) TV is a subsidiary of the Excaf Telecom group run by Ben Bass Ndiaye. It is a general channel with commercial leanings, created at the end of 2006. The third channel, Walf TV, is part of the Walf Fadjri group managed by Sidy Lamine Niasse. It was first of all broadcast from France by satellite since December 2006, and accessible by subscription. Since the end of September 2007, it broadcasts by hertzian waves on Senegalese territory. It is a generalist channel that focuses on entertainment.

that the channel almost never misses. Its General Manager illustrated this by heading negotiations for the purchase of broadcasting rights, for the 2006 Africa Football Cup of Nations, for all public channels of the continent (these rights had been purchased by the Beninese private TV station, LC2, of Christian Lagnidé).

6.2. Production and programme policy

National programmes take up 55% of the programme schedule. These programmes are produced by the channel itself or by local production companies, with which RTS signs co-production contracts. These companies usually belong to former television presenters, who produce with the assistance of theatre troupes that have already gained fame locally¹⁰. Senegalese TV films, generally called “theatres”, record a lot of success with the public. RTS produces a few each year, which are always more interesting than those of production companies. In addition to local productions, there is however, since the end of the 90s, the emergence of production houses, based in France and belonging to Senegalese or people of Senegalese origin. National language programmes constitute just 5.4% of the schedule. It is worth noting an overwhelming domination of Wolof, which is only one of the six national languages used on television. The other national languages are marginalized. Even if it is a fact that Wolof has become a common communication language used by close to 90% of Senegalese out of the Wolof ethnic group itself.

In order to resolve production problems, Mactar Silla, the then Director of RTS designed a strategy which defined an annual action plan and the various steps to be followed in order to attain the set objectives. This project was interrupted with the departure of Mr. Silla from the station, but some elements had already been put in place, such as a new programme schedule, a style sheet and new jingles. Today, RTS is making greater efforts on the scenes that has for a long time been its cardinal weakness. It is also modernizing its equipment. However, a lot still has to be done in terms of training and professionalism. Due to lack of technical and financial resources, the channel is, for instance, facing a problem that is faced by many others in

¹⁰ Such as: Kocc, Jamonoy Tey, Bara Yeggo, Janxeen, Soleil Levant...

the region, and which is that of preserving its archives¹¹. Insufficient financial allocations for production (less than 10% of the budget) forced the channel to resort to less expensive, imported programmes. These programmes are essentially from the CFI-PRO bank set up by the French Cooperation. These programmes and those from South-South Cooperation account for about 36% of the schedule.

7. Togo: initiatives that tend to be adventurous

In Togo, all is going on as if promoters are limiting themselves to investing only in equipment (studios, transmitters), while paying very little attention to the content of programmes. The programmes are as risky as the initiatives to create the TV channels themselves. The presenters, recruited after a hasty selection, are deployed on the field without any training, tests and follow-up trials meant to prepare and equip them with appropriate skills for any full time efficient and interesting profession.

7.1. The contents offered

The three main categories already indexed, news and magazines; sports; fiction and entertainment, all make up for the content of what is offered by Togolese channels but for a little exception: only the public national channel broadcasts local political news which is always in favour of the authorities. Other channels make international news their head lines, always accompanied by very moderated comments. These news items which can moreover be censored are often limited, in most cases, to a simple repeat of information provided by news agencies, or a retransmission of various editions of TV5 news, which pay very little attention to what is happening in Togo. Such news items can always be censored if they have political undertones and affect the authorities. Thus, almost all private channels have been suspended, at least once, for having “badly handled” the country’s socio-political crises. Promoters therefore practise a type of auto-censorship, avoiding any thing that concerns politics, even though at times they dare organize debates on burning national political issues.

11. Here is an anecdote of an official of the channel who, one morning, as he was witnessing the increasing coming and going of labourers carrying heavy rolls, asked the destination of such rolls, only to be told innocently that they were to be stocked on the terrace. In the pile he seized were speeches of Sékou Touré, Léopold Sédar Senghor, first hand materials, which were going to be exposed to bad weather, wind and sun...

Therefore, although news is highly controlled, talk-shows who are often on themes related to politics because of the socio-political environment,, capture the attention of the general public. Togolese viewers are anxious to know what political leaders think about issues concerning their country. Thus, TVT and TV7 broadcast such programmes (“Africa Vision” and “7sur7” respectively), closely followed by their audiences. These are generally personalities in the areas of politics, economics or culture, who are invited to a programme hosted by journalists, and express their viewpoints on topical issues. RTDS is not however left out, since it equally presents a daily programme, (“Et si on en parlait”) during which viewers are able to contribute to topical issues, in French and in Mina, one of the widely spoken languages of Togo.

The other news items (reports, news casts) are mostly commercial - we talk of advertorials - and to a certain extent social and cultural. In addition to the various editions of TV5 news, sports and international news items are also collected from Euronews or other foreign sources. They are inserted as such in the news casts of these TV stations, though often, with no formally signed collaboration contract, like the one signed between African public channels and CFI for daily monitoring. However, a certain tacit tolerance has thus been established.

Sports occupies an important place in the programme line-up of most channels. Sporting programmes provided by TV5, AITV and CFI are often relayed. These programmes are generally the most watched, especially football matches (continental, European and other international competitions).

The broadcasting of video clips of national or foreign artists is the main form of entertainment. These musical variety programmes, which are amongst the most watched, account for 30% of the programme schedule of TV2. This percentage is indicative of the importance of this type of programmes in the Togolese televisual landscape. Even RTDS equally gives them an important place, with the broadcasting of gospel music clips. As for programmes on fiction, they are mostly made up of films. Only the national channel TVT, and TV2, which broadcasts past TVT series, include series in their programmes. The other channels hold on to VCDs found on the Lomé markets.

Special mention must be made of the gospel channel, TV Zion, which, during peak hours, broadcasts films on miraculous healing, exorcism pastoral preaching, films often shot with Nigerian actors, produced and edited in Nigeria. 90 % of their programmes are reserved for evangelization. The remaining schedule taken by American gospel music as well as the above-mentioned films. Some of the programmes broadcasted are provided by American evangelic TV channels.

Another peculiarity of the Togolese media landscape is the “Radio Télévision Delta Santé (RTDS)” channel, whose programmes are essentially based on health. It is worthwhile highlighting here that these programmes are mostly on traditional medicine (i.e. 70% of the broadcast time), with all its inherent deviations (announcements on the miracles medicines and various “healers”). To the promoters of this channel, such a programme schedule is based on grounds that the underprivileged populations, who cannot easily afford modern medical treatment, have the right to be informed of the benefits and merits of traditional medicine.

7.2. Programme and production policy

The exchange of programmes with other African countries is almost inexistent in Togo. TVT signed cooperation agreements with some French channels as well as with the European channel, Euronews, which provides it with programmes, especially news. TVT rebroadcasts entertainment programmes of some European channels, mostly those of the German channel, Deutsche Welle, which provides most of its entertainment and youth programmes. Generally, Togolese TV stations do not bother about flourish, and simply go in for pirated VCDs, often coming from Nigeria and sold on markets in Lomé, a situation which clearly poses the recurrent problem of piracy and acquisition of broadcasting rights.

7.3. Audiences and competition

Until date, no survey or opinion poll has ever been able to enable us to determine, precisely, the nature and sampling of the public of Togolese TV channels, be they public or private. Whatever the case, the problem of access to electricity within the country makes television an essentially urban phenomenon, concerning the capital city, Lomé, and the other major towns of the country. As for private stations, even

if they nurse the ambition to reach out to a significant audience, they are restricted by their low level of investments, and can mostly only cover an area located within a 70 km radius around their area of establishment (Lomé), but for TV2 alone which covers 70 % of the entire national territory. Furthermore, with very few programmes in national languages, these channels (with a few exceptions of gospel channels) are hit a rather limited number of viewers.

One may nevertheless say, generally speaking, that the audience of Togolese TV channels is essentially made up of youth (pupils and students) and the active population in urban centres; and that entertainment programmes, the so-called health and religious programmes, have a larger audience among housewives.

International channels, subscribed to by the upper-middle classes, are not in direct competition with national channels. Viewers, who have access to them, mostly subscribe with the MMDS distributor, Media Plus, who distributes these channels. Conversely, and due to the narrow nature of the territory of countries situated in the Gulf of Guinea, Channels of neighbouring countries cover zones that spread beyond their national borders. Hence, Beninese, Burkina and Ghanaian channels can be easily captured in Togo, where they are preferably enticing to the audience, especially for programmes broadcast in French or in trans-border local languages.

8. Caught between concern and hope

In this region, the stakes are many. These stakes are in terms of conception, production, programmes and even preservation. Content-related challenges for the television are important, since it is the content that determines the attitude of the audience to be increasingly active.

In spite of any possible criticism that may be made, in terms of style and the themes treated in “Nollywood”, Nigeria, seems to be an interesting and promising response to such criticisms, on condition that it resolutely adopts a perspective of development for a true cultural industry, evolves towards a dynamic television market as well as widens its sphere of influence, thanks to dubbing in other international languages like French, Portuguese and Arabic. The support of Nigerian writers / script writers and those of the rest of Africa would help in

further introducing diversity, rigour and quality, and in the medium and long term, create a pluralistic offer, and an alternative to programmes imported from Europe, America or Asia, including programme contents that are closer to African realities.

It would equally be necessary to look into the problem of pirated media supports which is gaining ground in the region. The present situation seems to be symptomatic of the fact that acquiring broadcasting rights is a notion from a strange world and a language almost unknown to promoters. These do not understand the dynamics programme purchasing or broadcasting rights acquisition in order to furnish their schedules, and some of them even think they are promoting the image of another channel by broadcasting it's programmes on their own channel. A policy aimed at promoting African movies should equally be considered, through support or other methods of subsidy to enable African TV stations to purchase the often very expensive rights usually demanded by African film makers/film directors.

Faced with the problem of piracy, which is not that of promoters who, without paying for copyrights, disseminate cultural works or programmes produced by other channels alone, but also refers to the illegal multiplication of reception devices¹², MMDS distributors are trying to develop new strategies, by moving notably from analogous to digital systems of broadcasting. Although this endeavour seems far-fetched, an example which illustrates the magnitude of these problems and which has not yet lost its pertinence was the sentencing in October 1999 of DBN in Nigeria, for broadcasting the film "Anaconda", without paying its copyrights, which had already been acquired by MNET, a South African channel, for exclusive broadcast in the whole of Africa.

12. Local technicians are not ingenious like in Benin, where pirated decoders are made from mother cards and VHS players and distributed at prices far below the homologated material prices.

Chapter 3

Institutional and Legal frameworks: Progress and limitations

Freedom of speech and the right to multiple sources of information are guaranteed by the various national constitutions and some universally recognized conventions and declarations to which the member states of the region are signatories. In practice however, this relative freedom is mainly applicable to the written press which is no longer subject to prior authorization in several countries. In recent years, the radio has been marked by a new dawn and more recently the television, with rather successful attempts to organize the media landscape, as was illustrated in the previous chapters. In this chapter, we are going to examine the law in some West African countries in which some efforts have been made in drawing up a legal and statutory framework. Like most public freedoms, press freedom remains quite a fragile right that has never been completely conquered. It is exposed to several risks and suffers almost on a daily basis from the power relationship between the media and the authorities. Consequently, it would not be irrelevant to recall some practices that range from open or insidious censorship, intimidation, physical assault, propaganda, manipulation of media managers and structures, which will be shown through examples.

1. Ghana: a relatively favourable situation

1.1. Some limitations in the legal framework

In the Ghanaian Constitution of 1992, an article to guarantee freedom and plurality of the media was added. This is article 162 (3) of the Constitution, which provides as follows:

“There shall be no obstacles to the creation of newspapers or private media, and no law in particular shall require any person to present an authorization as a prerequisite for the creation or running of a daily, magazine or any other mass communication or information medium”.

Before the liberalization of the media, the State directly or indirectly controlled public service channels, for example through the appointment of the managers of these channels. Furthermore, it could easily put journalists on its payroll, while those who were anti-conformist were relegated to the background. Although the liberalization of the sector gave some new impetus to the sector, there are still a few problems.

Although its action is focused on laws governing radio broadcasting, since 2004, a steering committee has embarked on drawing up a detailed inventory of the laws governing communication in Ghana, with the aim of bringing about legal reforms, including ratification of the African Charter on Radio Broadcasting, the promulgation of a specific law on radio broadcasting, and other additional legal instruments to organize other media sectors.

The Ghanaian government seems to be opened to these initiatives, and has embarked on efforts geared at adopting a draft bill on freedom of information. The draft bill was met with mistrust from the opposition which wants amendments to be introduced into it. The opposition is asking for the strengthening of the powers of the media and individuals in view of increasing access to official information. The hesitations of the authorities in front of these requests leaves one with the impression that the commitment of the Government to liberalize the sector is not as genuine as it said. In spite of everything, Ghana remains one of the most advanced ECOWAS countries in terms of pluralism, including regarding television.

A few cases of intimidation and pressure from public authorities have been recorded both in the private and the public sectors. One of such cases was the dismissal of Kofi Buchnor, the GTV director, by the Ghana Broadcasting Corporation, as well as four other journalists, for broadcasting information on current negotiations between two local airline companies, which resulted in a breakdown of the negotiations. However, this information that the authorities wanted to keep as confidential had already been published on the Pana website. This decision was considered to be contrary to the constitutional provisions, and was condemned by the association for the defence of journalists and press freedom, as well as the Media Foundation of West Africa. The decision was finally cancelled and it was hailed as a positive development for press freedom in Ghana. A team from

a private channel, TV Africa, was also victim of intimidation as they were trying to cover a story on the construction of a controversial hotel that was believed to belong to a person close to the President of the Republic. Following agitations that ensued after the arrest of the journalists, security officials apologized and they were released.

In spite of these cases, most observers in the media world were unanimous to acknowledge that the political context is enabling for a full expression of media pluralism. Henceforth, outright censorship has become something of the past, although we cannot deny the fact that there is self-censorship among some government employed journalists. Private television channels have given significant impetus to information in Ghana, alongside the public media that has often been criticized for its overwhelming official tone and exaggerated coverage of government activities including the ruling majority, to the detriment of problems faced by the populations. Since the introduction of guarantees in the Constitution of 1992, no new cases of closing of private television or radio channels, for political reasons or otherwise, have been recorded.

Developments in pluralism since the advent of the regime of President John Kufuor, have allowed for the abrogation of a very old legal provision on press offences, a heritage from the British colonial period, which sent several journalists to prison. However, concurrently to the abrogation of these restrictive laws, we noticed an upsurge in civil claims, in which journalists are henceforth sued for infringing on individual civil rights because of too much laxity in the law. Legal actions for violations of individual freedoms have often ended up with the levying of heavy fines on journalists and press organs, which may jeopardize their financial viability.

1.2. Regulatory organs

In Ghana, there are institutions in charge of supervising the transparent and equitable management of the audiovisual media sector. One of them is the National Communications Authority (NCA). It is a body which in principle is independent, and allocates frequencies to qualified candidates. The liberalization of the television sector entrusted the NCA with more responsibilities. It is this body that collects the initial installation fees and the annual royalties. However, we cannot

say that the body is completely independent, especially in the process of allocating frequencies. Some operators encounter problems in obtaining an authorization, especially operators of community radios, and it seems the process is subject to government's influence, and the various actors doubt the capacity of the NCA to efficiently accomplish its entire mission which includes: the regulation of the sector, the allocation and renewal of frequencies.

The National Media Commission is another independent body, which was set up after the voting of the 1992 Constitution. It is made up of State media directors and oversees the freedom of the public media, while playing the role of self-regulator as it ensures the respect of ethics within the public media in particular, as well as for journalists in general.

2. Nigeria: a clearly independent regulatory organ

Several laws have been adopted on audiovisual pluralism in Nigeria. To this end, we would like to mention Decree N° 38 of 24 August 1992, which provides as follows in its article1: "*a commission known as the National Broadcasting Commission (NBC) is hereby created*". It is a regulatory organ that allocates frequencies, controls programmes and sanctions any channel guilty of misconduct. The licence is granted for a period of five years. It is withdrawn if it is not used at the end of the second year. Channels are required to broadcast 40% of local programmes. Article 9 stipulates that no single individual can control more than two channels. This provision is meant to avoid concentration. There are nine members in the commission including personalities from business circles, legal, arts, education, social sciences, media and public affairs.

All the members are appointed by the Head of State, upon recommendation by the supervisory minister. Their term of office is three years, renewable once. A General Manager heads the executive authority. He is appointed for a renewable period of five years. The members may be dismissed at any time if the Head of State deems that it is in the interest of the public and that of the nation. In the third provision of the Decree, subsection (d), it is stipulated that the authorization granted to a channel might be withdrawn if the Commission is convinced that "the channel is used to the detriment

of national interest". It is therefore very evident that the Commission is under the full control of the Executive, which raises doubts as to the margin of manoeuvre that the Commission has. The Government can at any time exert pressure on the NBC to obtain refusal or withdrawal of a licence, and levy sanctions. The Commission presents a financial balance sheet and an activity report annually.

Amendments to the Decree of 24 August 1992 were introduced by Decree N° 55 of 26 May 1999, and are geared particularly at reinforcing State control¹³, through an extension of the Commission's powers. This new law placed satellite broadcasting and the Federal Government and State Channels under the supervision of the NBC. The following extended prerogatives of the NBC were also acknowledged:

- Overseeing the quality of programmes;
- Intervening and arbitrating in TV broadcasting disputes;
- Overseeing the strict respect of laws, overseeing the impact of external sources of capital;
- Acting as adviser in the drafting of laws.

Concerning the composition of the Commission envisaged in article 3 of the new Decree, a few changes can be observed in the profile of members, who have been selected from the engineering corps, the security services and from the Federal Ministry of Information and Culture. Appointments are submitted to the President of the Republic for approval, upon proposal by the supervisory ministry.

13. For example, a report published in 2002 by the US State Department in charge of democracy, human and labour rights (Country Reports on Human Rights Practices) presented an inventory of the role played by the NBC: "During the year, the NBC threatened to take private television and radio stations off the air when the stations refused to pay 2.5 percent of their gross income to the NBC; the Independent Broadcasters Association of Nigeria (IBAN) challenged the fees in court. In October President Obasanjo set the annual fee for the broadcasters at \$1,300 (150,000 naira). During the year, the NBC also prevented the commissioning of the Here and There television station in Oyo State, ruling that the original license had expired. The NBC also challenged expansion plans by African Independent Television (AIT), a part of Daar Communications, claiming that AIT's global and terrestrial licenses do not allow them to act as a network".

It should be noted that the new Decree also repealed previous authorizations, submitted all operators to a new procedure on licence application for frequency allocation, by stating in quite vague terms that the renewal of a licence shall be possible only upon compliance with certain conditions. Among these conditions is the provision that renewal of the licence may be refused if there is no proof that public interest has been taken into account or of belonging to the television industry. The law also reviews the proportion of national programmes, which should represent 60%, and should not in any case be under 20%.

Censorship which was very rigorous under successive military regimes has today been officially abolished in Nigeria. Nevertheless, there is self-censorship in the public Channel, considering that management and editorial staff are under the supervision of the government, through the Ministry of Information and Communication. Concerning private channels, there is also some form of self-censorship which can be explained by economic reasons or simply by the need to protect the interests of the promoter.

3. Benin: actual progress

3.1. A few instruments governing communication

In Benin, which continues to be at the forefront of democracy in West Africa, a certain number of instruments govern the communication sector. They include:

- Law N° 60612 of 30 June 1960 on press freedom;
- Ordinance N° 69- 22 P.R./M.J.L. of 4 July 1969, aimed at sanctioning any acts that can disturb public peace, and the propagation, publishing, dissemination and reproduction of rumours;
- The Constitution of 11 December 1990 which provides in its articles 24, 142 and 143, for the creation of a Higher Audiovisual and Communication Authority (*HAAC*);
- Organic law n° 92-021 of 21 August 1992 relating to the Higher Audiovisual and Communication Authority (*HAAC*);
- Law N° 97-010 of 20 August 1997, to liberalize the audiovisual sector;
- Ordinance N° 2002-002 of 31 January 2002 on the fundamental principles of Telecommunications Regulations in the Republic of Benin.

3.2. Regulatory mechanisms

Although it was provided for in the Constitution of 11 December 1990, the creation of the Higher Audiovisual and Communication Authority with powers to regulate, allocate frequencies and sanction, it was only in 1994 that the HAAC witnessed its first mandate. This took place two years after the organic law on the HAAC, voted on August 1992. The first licences granted by the HAAC to private TV promoters took place as from 1997, following the official liberalization by the law. The licences were granted for a period of tens years, after which they had to be renewed.

According to law N° 97-010 on the liberalization of the audiovisual landscape and special criminal provisions for offences relating to the press and audiovisual communication in the Republic of Benin, which was voted on 20 August 1997, any individual or corporate entity under the Beninese private law may apply and be authorized to set up an audiovisual organ and to use frequencies. It is a system of prior authorization. Article 3 (3) of this law states that *“authorizations to use frequencies for radio broadcasting, terrestrial or satellite television, shall be issued to private persons by HAAC, in conformity with the provisions of the agreement for this purpose, on the basis of a technical report presented by the Minister of Communication”*. However, in article 9, the law provides that:

- “The freedom to create private audiovisual organs shall be limited by:
- The respect of human dignity, freedom and the property of others with pluralistic features, in the expression of different lines of thought and opinion;
 - The safeguard of public order, national unity and territorial integrity;
 - The public and environment;
 - The safeguard of children and adolescence;
 - The safeguard of cultural identity;
 - National defence needs;
 - Public service needs;
 - technical constraints inherent in the means of communication as well as the need to protect, promote and develop the national cultural heritage or a national industry, especially in audiovisual production”.

It should however be noted that the audiovisual law has many weaknesses. For example, HAAC has among other missions stated in Section 6 (8) of the organic law N° 92-021 of 21 August 1992, to *“ensure that press organs are not concentrated in order to maintain the pluralistic nature of information and communication”*. Whereas, the only provision made by the Beninese legislation to limit the concentration of media organs states that *“nobody shall hold more than 51% of the capital”* of a commercial audiovisual organ. However, this provision is not enough to prevent any individual or group of persons from different media from acquiring a dominant position in the media landscape. Besides, many other provisions are not respected, such as the personal production quota (minimum 20%) in the programme schedule, enhancement of the programme schedule on the Beninese cultural heritage, the existence of coproduction agreements, representing at least 5% of programming...

Some observers in the Beninese media landscape however feel that the law gives very wide powers to the HAAC, and are advocating for the creation of a new body that will be concerned solely with the allocation of frequencies, while senior State authorities will focus mainly on the aspects of regulation.

4. Burkina Faso: a very rich legal framework

In this country, one can cite an arsenal of legal instruments including various laws and enabling decrees that govern the radio, television and written press, as well as the organization of the regulatory framework.

4.1. Instruments governing the practice of communication and liberalization

4.1.1. The information code

On 30 December 1993, Burkina Faso adopted a law on media pluralism: law N° 56-93 ADP on the Information Code. It stipulates in its article 2 that *“information shall be released through general and specialized publications, posters, audiovisual and any other mass communication medium”*. Article 1 clearly states that *“the right to information is part of the fundamental rights of Burkina citizens”*. The creation of an independent institution in charge of ensuring the implementation of this law is also provided for in article 143 of the Information Code. The enabling decree of this law shall be promulgated on 28 January 1994 by the Government (decree N° 94-42/PRES).

4.1.2. Decree N° 95-304/PRES/PM/MCC on the mission specifications and responsibilities of private radio broadcasting and television in Burkina Faso

This decree that was promulgated in 1995, mainly defines the conditions for the award of licences, and stipulates in its article 2 that operating licences shall be delivered for a period of three years, renewable three months before their expiry date. The obligations of applicants have been laid down in article 5 of this decree, which especially provides that *“any radio broadcasting or television station shall, through its programmes, contribute to the economic development, cultural and social well-being of the populations, promotion of cultural values and national languages”*. Concerning the freedom to broadcast information, the decree creates room for ambiguity as it provides in its article 9 that, *“every radio broadcasting or television station may broadcast information in strict compliance with the provisions on information in Burkina”*. However, the fact that the provisions mentioned are not clearly defined, gives the Authority the latitude to suppress the broadcasting of any information it deems embarrassing.

4.1.3. Decree N° 95-307/PM/MCC on the institution of a professional national identity card for journalists in Burkina Faso

This decree which was promulgated on April 1, 1995, aims at professionalizing the communication sector in Burkina Faso. In its article 5 (6), it imposes *“an attestation of two-years of professional seniority for journalists who are not holders of any professional certificates”*. This is a law that was very much welcomed by journalists who saw it as a means of improving on the level of professional competence, especially for the young generation of journalists.

4.2. Instruments relating to regulatory provisions

4.2.1. Organic Law N° 20-2000/N of 28 June 2000 on the creation, composition, duties and functioning of the Higher Information Council (CSI)

Five years after decree N° 95-304/PES/PM/MCC on the mission specifications and responsibilities of private radio and television channels in Burkina Faso, the Burkina law-maker will finally adopt a

law authorizing the creation of an organ in charge of organizing the liberalization and regulation of the media sector. The law in its section 1 provides that “*an independent institution, called the Higher Information Council, abbreviated CSI, is hereby created to regulate the information sector in Burkina Faso*”. This Council shall comprise twelve members appointed by Presidential decree. Four of the members shall be designated by the President of the Republic while the same number shall be designated by professional associations. The National Assembly and the House of Representatives designate two members each.

The President of the Republic appoints the Chairman of the CSI from among the twelve members. Their mandate is three years, renewable once. The mandate shall be irrevocable, except in the case of a criminal offence, serious administrative misconduct or professional insufficiency. Article 17 defines the duties of the CSI, which cover a very broad scope. The mission of this Organ is to “*ensure the implementation of the laws and regulations relating to information in Burkina Faso*”. It also has the mission of controlling programmes, allocating frequencies, drawing up specifications for private radio and television, ensuring equal access to the public media by political parties, professional organizations, trade unions and the civil society. The CSI has an advisory role in the drafting process of laws relating to information. It may also make proposals, give its opinion and make recommendations on issues within its jurisdiction, as provided in article 23. The organic law also states in its article 24 that the CSI “*shall contribute in the extra judicial settlement of disputes between media organs on the one hand, and between the media and the public on the other hand*”. The organ can take sanctions ranging from formal warning, withdrawal of the operation licence, to suspension for up to three months.

4.2.2. Law N° 028-2005/AN of 14 June 2005 on the creation, composition, duties and functioning of the Higher Communication Council (CSC)

Although announced for over a long time, the new law did not bring about any major changes, in spite of some amendments made in the area of jurisdiction of the new regulatory organ, with regard to the composition of the Council and the functioning of the new organ that replaced the CSI. The “information sector” that was earmarked

as the area of jurisdiction of the previous organ is defined here in different categories. The law therefore provides in its article 4, as follows:

The CSC shall have jurisdiction in the following areas:

- *Public and private audiovisual communication;*
- *Public and private print media;*
- *Advertisement using the audiovisual and print media.*

“The CSC shall also have jurisdiction over international or foreign media broadcasting in the national territory, irrespective of the method used in their broadcasting to the public”.

The Organ maintains the same prerogatives, and is in charge of regulating, allocating frequencies, controlling programmes and applying sanctions. These functions have been extended, and today include foreign media that are available either through cable or satellite. The new law provides for the election of a deputy chairman, as it states in its article 7 that the Chairman *“shall be assisted by a deputy chairman elected by the college of councillors”*. The distribution of the twelve elected members has been slightly modified, with the Constitutional Council losing one member in favour of the National Assembly. The law also provides in its article 3 that the CSC can be represented throughout the national territory by Regional Communication Committees (CRC). The organization and functioning of CRC shall be governed by a decree to be adopted during the council of Ministers. While we can see in these regional committees the resolve by the State to decentralize, the institution of a deputy chairman and the extension of the area of jurisdiction of the CSC, which henceforth encompasses the foreign media, somehow illustrates the tendency by the Authority to maintain some control over the television sector.

5. Mali: instruments for the public and private sector

5.1. Legal framework

Alongside law N° 92-021/AN-RM of 5 October 1992 on the creation of *ORTM*, a set of legal instruments govern the private and public audiovisual sector in Mali.

With regard to the public sector, we would like to mention decree N° 92-180/PG-RP of 27 October 1992 to define the organization, operating modalities and the administrative and management organs of the ORTM. There is also decree N° 96-284/P-RM of 23 October 1992, to define conditions for the execution of its missions and the specifications of the Board.

As for the private sector, the following instruments have successively consolidated the liberalization of the sector, with regards to the regulation of licences and authorizations, and the determination of the duties and obligations of private audiovisual communication services:

- Ordinance N° 92-037/P-CTSP of the Chairman of the Comité de Transition pour le Salut du Peuple (Head of State for the political transitional period) to authorize the creation of private audiovisual communication services;
- Decree N° 92-156/PM-RM of the Prime Minister's Office, to determine the conditions and procedures for obtaining, suspending and withdrawing the authorization to create private audiovisual communication services;
- Order N° 95/MFC-CAB of the Ministry of Finance and Trade to define the fees applicable to private audiovisual communication services;
- Inter ministerial Order N° 94/MCC-MATS of the Ministries of Culture and Communication, and of Territorial Administration and Security, defining the specifications for private audiovisual communication services.

5.2. Search for a suitable regulatory approach

Different consultation forums have been organized between the authorities and the various public and private actors of the audiovisual sector to amend these instruments, in order to allow television pluralism to take effect within the country, which does not actually have any private television channel, except from *Africâble* whose special status we mentioned in the previous chapter.

In 2003 already, a meeting gathered the State and regulatory bodies, media organizations and applicants for frequencies, to discuss the issue of frequency allocation. This meeting was unsuccessful as

a result of the divergences between the different participants. However, the State still plans to organize another meeting with the actors to review the instruments governing the private television sector in Mali. A review which according to actors of the audiovisual sector in Mali, will allow for the definition of better allocation strategies with the possibility of a suitable regulation. This will be done in a bid to avoid a repeat of the experience that followed the liberalization of FM stations, which resulted in chaos, and where the State had no choice but to accept a situation which preexisted. For the most part, these radio stations no longer respect the contract specifications or the code of ethics in the practice of journalism. Discussions on new instruments are currently going on, and a seminar gathering all the media actors has been scheduled, in order to find a consensus on the amendments to be made to the legal instruments, before they are submitted to the National Assembly. Following the wishes expressed by the authorities in charge of communication, the new framework would be presented in the form of a law governing the audiovisual sector in general (radio and television), and will be accompanied by enabling decrees for each of the sectors: radio and television. The actors concerned include: frequency applicants, regulatory organs, *URTEL* (Union of Free Radio and Television Stations), and *ORTM*.

6. Senegal: weak regulatory and state control mechanisms

6.1. A succession of inefficient regulatory structures

6.1.1. The Higher Radio and Television Council (HRTC)

It was during an address to the nation on 31 December 1990, that President Abdou Diouf announced the creation of the Higher Radio and Television Council (*HRTC*). This announcement heralded, at least in theory, the major changes that were planned in the Senegalese pluralistic media landscape. It should be pointed out that this decision was taken in reply to the request from the opposition parties, which met one month earlier in a National Conference of opposition party leaders (*CONAPCO*), and which called for demonstrations to protest against what they considered as the monopoly of the ruling Socialist Party, over the State media¹⁴. The President's announcement was concretized by the signing of decree N° 91-537 of 25 May 1991, to create the *HRTC*.

The new structure has as mission to ensure equal access of opposition parties to State radio and television. Every officially recognized party has the right to have its activities covered by the radio and television media. It also guarantees equal representation of all the political parties on all political programmes broadcasted on RTS. However, the opposition rapidly became disillusioned because of the unfair treatment that was practiced between the ruling party and the opposition parties. The regulatory organ was to present its observations through quarterly reports but it was completely handicapped by its very limited powers and it had to cope with the reigning climate of mistrust with the RTS.

Conscious of the legal weaknesses of this organ, the Government decided to move from a statutory act to a law. Consequently, on 3 September 1992, law N° 92-57 to create the HRTC was adopted. This law provides in its article 3 that, *“a Higher Radio and Television Council is hereby created. The HRTC ensures compliance with guarantees that have been instituted by this law to grant political parties access to public radio and television services, in conformity with the rules on pluralism in the treatment of information”*. The preamble of the law it is envisaged to amend article 5 of the law on political parties, in order to lay down the principle of granting them equal access to *“propaganda programmes”*, without linking the allocation of airtime to their representation.

Despite this change, the HRTC no longer enjoys the confidence of political parties, and when the Council convenes a consultation meeting, only one out of the 15 opposition parties shows up. This rebellion against the institution and its chairperson, Magistrate Babacar KEBE, considered to be a close aide of the government, will further weaken the institution. In addition, developments in the media landscape will soon make it unstable. In fact, radio pluralism was introduced in Senegal since 1994. However, private radio stations do not fall under the jurisdiction of the HRTC. Its instruments only allow it to regulate the public media. In fact, it is for the purpose of bringing private media under the jurisdiction of this structure, and to try to clear the reigning mistrust among the opposition parties, that the socialist government will replace the HCRT with another organ, the HAC.

14. The history on the creation and functioning of the HCRT is described by BA Mariam, in her maîtrise thesis entitled: *Le HCA 10 ans après: quel rôle pour le régulateur?* (The Role of the Regulator 10 years after the HCA). Mémoire de maîtrise CESTI. Université Cheikh Anta Diop de Dakar. 2001. p. 14.

6.1.2. The Higher Audiovisual Council

In 1998, the Higher Audiovisual Council (HAC) was born from the ashes of the HRTC. It was created by law N° 98-09 for the purpose of taking into account, as announced in the preamble, *“the call for transparency, media pluralism and freedom of speech on political, economic and social matters”*. However, since nothing was done, the institution was still considered as an instrument of the ruling party. And, as Mademba NDIAYE, former Secretary General of the Trade Union for Professionals of the Information and Communication Sector in Senegal (SYNPICS) notes, *“it is clear that the HAC is avoiding to rock the boat because there are many issues on which it ought to make a statement, but it is avoiding to do so”*¹⁵.

Upon the accession to power of the alternate government led by President Wade, a referendum was organized to amend the Constitution. In its article 107, the new fundamental law authorizes the President of the Republic to put an end to the duties of members of the HCA. This institution will be placed under the leadership of Mrs Aminata Cissé Niang, a law professor from the Cheikh Anta Diop University in Dakar. Well informed observers did not miss the opportunity to point out an *“anomaly”* because, according to the law in force, the organ had to be headed by a magistrate, even though the chairperson explained the decision to choose her by the fact that, as a member of the category of legal professionals, she had the same capacity as a magistrate.

Unfortunately, like its predecessor, the HCA did not accomplish its mission. It was discharged of most of its prerogatives in favour of a Telecommunications Regulatory Board (ART). Its opinion became increasingly rare and the institution went into some kind of lethargy. It was finally marginalized when, on 17 October 2005, the Minister of Interior violated its prerogatives by closing the radio station, *Sud FM*. The creation, on 21 December 2005, of the National Audiovisual Regulatory Council (NARC) sounded the death knell for the HAC.

15. BA Mariam, *Op. Cit.*, p. 39.

6.1.3. National Audiovisual Regulatory Council (CNRA)

The voting of law N° 38-2005 of the National Assembly to create the *NARC* took place under very strange conditions¹⁶, against a background of serious crisis between the government and the media, and increasing outright protests on the manner in which the public media was managed by the Senegalese Democratic Party. Overall, the various regulatory organs in Senegal have never truly played their role. Some of their responsibilities, especially those regarding the control of the quality of programme contents, were abandoned to the selfregulatory organs, and other professional organizations such as the Trade Union for Professionals of the Information and Communication Sector in Senegal (*SYNPICS*), and the Council for the Respect of the Media Code of Ethics (*CRED*).

6.2. State-controlled managers

In Senegal, the television has always been under the firm control of the State, which was never bothered by the timid criticisms from the regulatory authority. The private TV station, 2STV, carefully satisfied itself with broadcasting only cultural programmes, thereby avoiding to deal with any issues that may be “*embarrassing*” to the government in its programmes. The government exercises control over the public media through the appointment of top officials selected from the dominant political party. This situation has hardly made any progress with the political change in 2000. And if there has been any difference in the management of information by the public media, it is concerning the themes of reports, with the increasing omnipresence of personalities in power, led by the Head of State, which several satirical newspapers have not missed the opportunity to note. Unfortunately, this omnipresence comes with the concealing of information that is considered embarrassing to the government, but which public opinion is already aware of through newspapers, especially the private radio stations that have been playing the role of “*democratic watchdogs*” since their emergence in 1994.

16. The instrument was adopted by the National Assembly by 13 out of the 120 MPs who normally sit in the House. Eleven MPs from the majority party voted for the draft bill, while the two opposition MPs voted against.

7. Togo: development through press and audiovisual codes

7.1. Legal framework

Until 1989, the Togolese media was governed by very old laws that dated back to the colonial days. Some of them had been included in more recent decrees. However, it was only in 1990, with the ambition of the Togolese to accede to media pluralism, that the law-maker deemed it necessary to draw up the Press Code, which was a kind of stepping stone to press freedom. Voted by the National Assembly on 26 November 1990, this legally binding Code has 79 articles broken down into 5 chapters including: legal deposits, periodic publications, bill posting, crimes and misdemeanours committed through the press, legal actions and punishments.

This Code will be replaced eight years later, on 11 February 1998, by another one which extends its scope of application to audiovisual communication. It is called the Audiovisual Code. Still considered as incomplete, it will be amended by law N° 200-06 of 23 February 2000, an amendment that gives the Ministry of Interior the authority to implement administrative police measures in the area of audiovisual communication. This will be followed by two other amendments to the instrument; first, on 25 September 2002, and then on 27 August 2004. According to the law-maker, these last amendments were intended to make the law more preventive and dissuasive than repressive. Consequently, this amendment that mobilized several press associations and government communication employees, no longer punishes journalists guilty of press offences with prison sentences, except where they are guilty of inciting racial or inter ethnic hatred or calling for a military insurrection.

7.2. Regulatory organs

7.2.1. The Higher Audiovisual and Communication Authority (HAAC)

Following the provisions of organic law N° 2004/021 adopted in November 2004, the HAAC shall be an institution that is independent of any administrative authorities, political authorities and political parties. In fact, this law amends the existing former provisions on the HAAC.

Consequently, while it was formerly made up of seven members with four designated by the Speaker of the National Assembly and three by the President of the Republic, today it comprises 9 members. The innovation is in the entry of two media representatives, with four members henceforth appointed by the President of the Republic and the other three by the Speaker of the National Assembly.

The mission of the HAAC is to guarantee and ensure the protection of the press and the other means of mass communication. It ensures the preservation and protection of values, morals and cultural ethics on the production and exploitation of cinema and audiovisual works. For the moment, this role is very difficult to assume due to the social and political situation in Togo, as the organ is subject to multiple pressures, while the government is reticent to dissociate itself from it. Even control on the quality of programmes, which at least allows for the respect of the media code of ethics and morality, is difficult for it to manage.

7.2.2. The Post and Telecommunications Sector Regulatory Authority

Created by Section 57 of law N° 98-005 of 11 February 1998, the Post and Telecommunications Sector Regulatory Authority is the main ally of the HAAC in the accomplishment of its mission. It is an independent public institution in charge of implementing the laws relating to the post and telecommunications sector. The main role of the Regulatory Authority is to create a legal and regulatory framework to guarantee competition and developments in the post and telecommunications sector, under the best conditions.

The Regulatory Authority is the statutory organ, and has diverse powers:

- A statutory and regulatory power;
- An advisory power;
- A decision-making and supervisory power;
- A conciliatory and arbitration power;
- A sanctioning power.

Concerning the installation and operation of radio and television stations, its powers allowed it to manage and control frequencies. In other words, it sets up and manages a national plan for the study of applications and autorizations in order to allocate frequency bands

for radio and television stations. It therefore has the powers to reject any application in case *“the frequencies for which the authorization is needed are not available or, better still, when the applicant does not have the necessary technical and financial resources to meet, in the long run, all the obligations resulting from the exercise of its activity”*. However, administrative or political bottlenecks experienced by private-media promoters who were trying to set up radio or television stations are now considered to be something of the past. Today, any application file that is financially and technically sound can obtain a frequency.

7.3. Resistance by media actors to pressure from the government

If the objective of the Constitution that created the HAAC was to guarantee press freedom, ensure the application of the code of ethics and allocate frequencies to private radio and television stations, the reality is that this organ has never really succeeded in freeing itself from government control, for it to operate as an independent regulatory organ. Its composition left it with a bad omen, in spite of the amendments that were made in 2004, with the arrival of two professional media representatives. Harassments of the private media intensified in Togo, especially after the death of President Gnassingbé Eyadema, on 5 February 2005.

Consequently, on 15 April 2005, a few days before the presidential elections of 24 April, the HAAC, in violation of the electoral code, prohibited private newspapers, radio and television stations, from *“broadcasting partisan, defamatory and injurious information or anything that can incite violence”*. It also ordered private media to stop broadcasting programmes on the candidates. On the instructions of the Minister of Communication, the army closed any media organ that failed to respect the directive, including TV7. Professionals gathered under various associations either professional and for the defence of press freedom, the Union of Independent Journalists in Togo (*UJIT*), the Union of Free Radio and Television stations in Togo (*URATEL*), the Organization of Independent Newspaper Publishers (*OREPI*), Togolese Media Observatory (*OTM*) organized protests following this measure, and a joint communiqué was published on 19 April 2005, reiterating the right to balanced information by every citizen and condemning the arbitrary nature of this measure and its non compliance with the law.

In addition to the censorship that can be directly exercised by the constituted authorities, like in other countries of the region, a form of self-censorship is also practiced. This is undoubtedly the result of a long-standing tradition of controlling and coercing the media. This self-censorship can also be explained by the fact that most of the television channels were suspended at least once for the “*poor management*” of the socio-political crises of the country. Furthermore, promoters exercised maximum prudence¹⁷, which forced them to avoid dealing with political issues, even though they sometimes plucked up the courage to initiate some debate programmes dealing with topical national issues that were political.

8. Mauritania: progress and promises

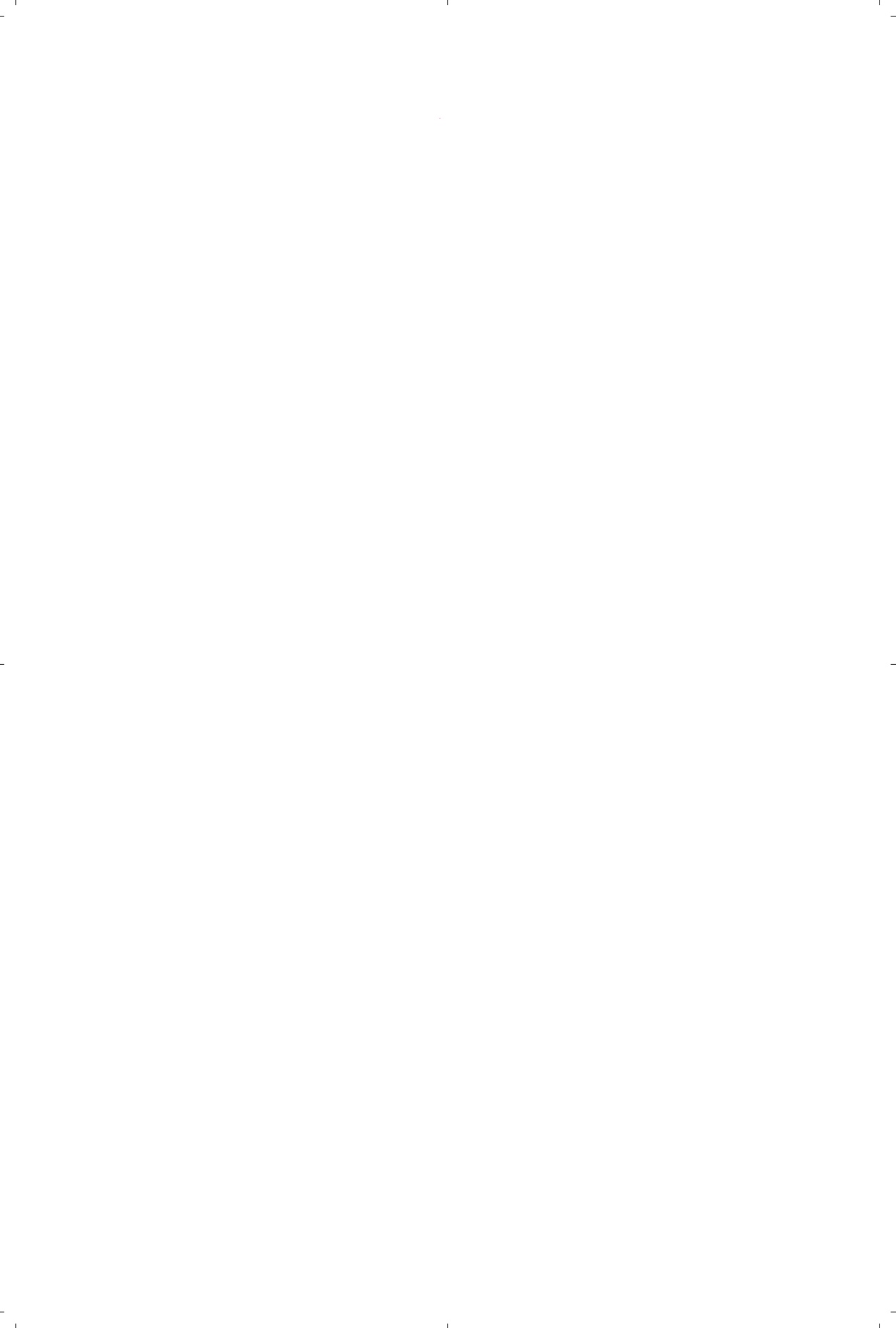
Mention should be made of a very significant event that occurred in this country, while waiting for the final liberalization of the audiovisual landscape. This was the creation, on 29 December 2005 (decree N° 130 of the same date), of the National Advisory Committee for Press and Audiovisual Reform. The mission of the Committee, in compliance with article 2 of the above-mentioned decree, was to carry out a comprehensive assessment of the Press and Audiovisual situation and make proposals geared at:

- Facilitating the acquisition of the required aptitudes and skills by the press and media, in order to contribute to the proper functioning of a State of law;
- Establishing the rules and norms for the exercise of the profession of journalism in compliance with the principles of ethics, deontology and professionalism;
- Promoting pluralism and quality and innovation requirements in press and audiovisual production;

17. This was the explanation given by the TV7 director, Joël Sodji, in an interview granted to *Gazette de la Presse Francophone* (n° 126, Mars, Avril 2006): “*We are very attentive to the aspirations of our television audience*”. We want to provide them with “*a comprehensive proximity television, a television for all*”. This, according to him, does not oblige the channel to be neutral in the treatment of information. “*We are capable of taking a stand*”, he said, acknowledging however that, in a country where “*uncontrolled soldiers and many paramilitary officers*” are still on the loose, it is necessary to be prudent. “*We are obliged to exercise self-censorship, define our red lines, etc... A private promoter who is concerned about the survival of his business must take this situation into account*”.

- Promoting freedom of speech, in an atmosphere of maturity and responsible citizenship, while taking into account the socio-cultural realities and specificities of Mauritania;
- implementing an enabling legal and institutional framework for the promotion of the press in a State of law;

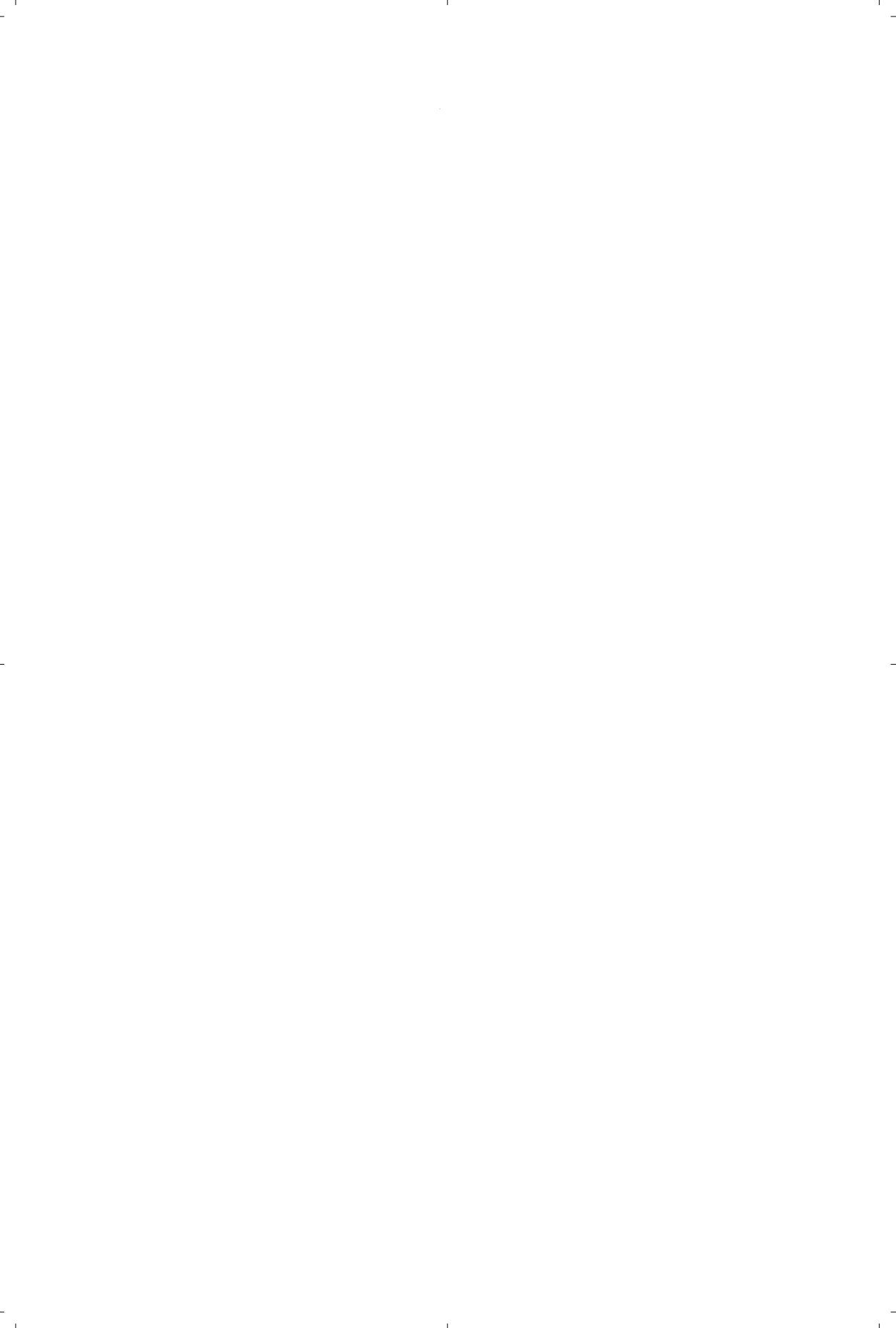
Specific aspects of the reform have been examined by the sectoral subcommittees (written press and audiovisual sector, legal and institutional aspects, and support measures for the democratic transition). What is still pending is the implementation of the measures proposed by the Committee.



Part Two

**Challenges, Opportunities
and Prospects
for reinforcing televisual pluralism**

2



The constraints which until now have limited full televisual pluralism are many as illustrated by the assessment of the current situation in each of the West African countries. These multiform constraints operate in several degrees according to common or specific local parameters. However, the note of hope is high given the dynamism of new actors in the media landscape and the evolution sweeping through the monopolistic structures set up by States. The appearance of new designing, production, distribution and broadcasting networks, in a global landscape which is increasingly liberal and backed by increasingly flexible, accessible and effective technologies, fundamentally changes the deal, the exercise of professions, in short, the methods of the new television. Thus for example in Senegal, television promoters use technology to bypass the authorization process and obsolete laws, and set up satellite channels, with direct access by the public. By so doing, they set a precedent which it would be interesting to study, and especially for the adjustment of regulatory and institutional frameworks with the convergence of telecommunication and information technologies.

It must however be pointed out that the current trend in favour of overture remains fragile on the whole and requires reinforcement via the ability of all stakeholders to meet the many challenges confronting them, to grab the opportunities in order to lay out clear, ambitious and realistic prospects which can be implemented. Thus, the challenges, opportunities and prospects, in West Africa as in most of the continent, regarding the building of television pluralism, are diverse. They affect several areas, namely:

- The definition, design and production of pertinent and attractive programmes which respect quality norms and standards as well as copyright and broadcasting rights;
- The ability to surpass “amateurism”, to attain a true strategy of economic performance through cultural industries;
- modernization, through the mastery and the exploitation of emergent new technologies;
- professional training and capacity building in a sector with a strong employment potential;
- setting up cooperation networks at different levels, local, sub regional and international;
- the progressive adaptation of the institutional and legal environment to the requirements of a global audiovisual landscape.



Chapter 1

The challenge of economic viability

One of the problems raised in the audiovisual sector is the focus on the “cultural” aspect of the sector. In many cases, the actors in this sector demonstrate difficulty to apprehend television as a business, and consequently to run it as such. Also, officials of these structures sometimes adopt behaviour which is contrary to orthodoxy as regards the management of businesses. This is the case for public as well as private television, respectively confronted with administrative and political bottlenecks for some and difficulties surviving as a moral person for others.

Public television stations remain, essentially torn between the challenges of balanced and efficient management, abusive requests from public authorities, drastic budget reductions faced with an increase in expenses that often can not be irreducible. As regards private television stations, often born of individual initiatives, the major difficulty is their positioning in an environment already abundantly occupied by “historical operators” but also and above all, their operation as enterprises. The challenge for both of them is to go beyond a cultural approach to the sector and adopt an economic strategy for management, growth and development in a sector which is potentially rich and source of employment and profit.

1. Ghana: establishment and survival

One can say straight away that, in addition to the administrative procedures, it is not easy to set up a television channel in Ghana, due to the very high cost of charges to be paid to set up a channel, and the cost of imported equipment. These are obstacles to entry into the sector, for all candidates who have to bear the cost of investment which is much higher than for the radio for instance. Economic difficulties also sometimes lead to bankruptcy of these new enterprises which have to operate in a competitive economic environment. Such was the case of the private channel Fontom From. As for the public sector, the Government has a lot of difficulty to manage to meet the financial needs of the public channel, especially since it has to deal

with a very significant wage bill. The economic difficulties confronting the Government since the economic crisis of the 1980s affected the funding of the public channel. The State had to drastically reduce the subsidies given to GBC, and this had repercussions on the quality of the programme schedule of the channel. Besides, the Government undertook to restructure the GBC, in order to increase its viability.

1.1. Financial constraints

If most of the operators appreciate the climate of liberalization which is taking root in the audiovisual sector, they however deplore the fact that the economic environment is not very favourable. In fact, the liberalization of the legislative framework should go hand in hand with the establishment of an economic and fiscal environment favourable to the existence, survival and growth of authorized projects. Also, due to budgetary constraints, channels take the easy way out and are very often satisfied with importing programmes instead of producing them, even though the contents of these programmes are sometimes far from the reality of their viewers.

In Ghana, the advertising market is very tight. It is worth one hundred and fifty million dollars. As compared to about one billion five hundred million in South Africa and eight hundred million in Nigeria, all proportions respected. Advertising on television is the smallest portion of the advertising market, dominated first by billposting, and announcements in the press and on radio. A good number of advertisers prefer the press to television for different reasons, such as price – the price of a full page of advertisement in a national daily is cheaper than broadcasting a thirty second advert on television, but also the audience, which is larger for these media. Although the comparison is not always relevant from a marketing stand point because, the impact of television, which associates images and sounds, and its efficiency in inciting the impulse to buy, is no match for the other advertising media. As regards television, channel TV3 dominates the national advertising market. A survey carried out in September 2004 by Stedman Media Monitoring Services illustrates that TV3 receives 23% of advertising costs on television, and GTV comes second with 20% of the market shares.

1.2. Income from fees

For the public service, one of the main means of funding is the charge, a constant in Developed countries as well as in some Developing countries such as Cameroon. With main vocation, at least in theory, to serve public interest, public channels must in fact be funded mainly from public resources. Since 1991, a law set the rate for television fees to be paid by household users (between 3000 and 5000 cedis¹⁸ for owners of one or more sets), Professionals (hotels, restaurants etc., 3000 cedis per set), and vendors, repairers of television sets (from 5000 to 20000 cedis).

This modest fee goes of course to GTV. The amount of these resources is so low that the officials of Ghana Broadcasting Corporation (GBC), in charge of collecting it say that the cost of printing the receipt booklets is higher than the amount collected. The fee is paid at the sales point, but the yearly follow up is very poor, because GBC does not have the equipment and logistics necessary to follow up payments from television set owners. The efforts made by the Director of GBC for a law to be voted authorizing the increase of the fee were not successful. With the rise in the cost of living, it is difficult for the Government to raise the cost of the tax. But this decision must be taken, and a redistribution schedule established. All the more since the owners of private television channels do not understand why they can not benefit from the fee although they are compelled, in their contract specifications, to accomplish a public service mission.

18. 1 dollar US = 9000 cedis.

2. Nigeria: a demographic and economic giant faced with the same difficulties

2.1. Conditions for issuing licences

According to the criteria of the Nigerian Regulatory Authority, applicants or companies which submit applications for licences to set up a television channel must be limited liability companies, registered with the Economic Affairs Commission and in which nationals hold the majority of shares. Once submitted, all applications are examined by the Commission, then transmitted to the Ministry of Information. This authority later transmits the file to the Presidency of the Republic, which gives the final approval for granting a licence.

As soon as the approval is obtained, the recipient must pay the legal fees for the licence before obtaining a frequency. The licence is granted for a five year period. The charges to be paid depend on the category under which the media is classified. The first category, category A concerns private media operating in urban areas. Category B is reserved for media which cover semi urban and rural areas. This classification takes into consideration the economic viability of the project and the area of establishment. The authorization is cancelled after two years if the channel does not use its frequency. NBC issues two kinds of authorizations, those for cable operators and those for terrestrial broadcasting. Each candidacy files gives rise to an authorization, which is valid only for one station and one location. This means that a private channel has to go through the same procedure again each time it wants to open a new station.

2.2. Financial constraints

The fees for an authorization, which stand between five million and twenty million Naira (about between USD 39.682 and USD 158.730) are considered very high, or even exorbitant. The table below indicates the approximate amounts to be paid (in Naira) according to the media category.

	Category A	Category B
New licence for terrestrial broadcasting	20 million	15 million
New licence for cable TV	7,5 million	5 million
Annual Renewal of a licence for terrestrial stations	6,5 million	6 million
Renewal of a licence for cable channels	500 thousand	300 thousand

Public channels receive subsidies from the State in which they are based and exercise their activity. They diversify their income through the sale of airtime. On the other hand, private channels do not receive any subsidies, and there is no available institutional support mechanism. Despite the very high access fees, no fusion strategies were recorded, and many promoters invested their personal funds, or contracted bank loans. Others benefited from partnership with foreign channels. Since channels do not publish their accounts, it is difficult to assess their profitability. It is considered that private channels are dependent on advertisement for 95% of their resources. State Channels are funded by the local budget.

In a difficult economic environment, bankruptcies are not rare, especially in the area of broadcasting by cable distribution. Some stations live sparsely and others struggle to broadcast in their initial coverage area. In 1996, fourteen private television channels, thirty cable distribution operators (MMDS) and two satellite television channels had obtained exploitation licences. However, by mid 1996, only seven channels were actually broadcasting.

3. Benin: a not so obvious profitability

3.1. Establishment procedures

The law on audiovisual liberalization provides, in its article 14, that *“all physical or moral persons of Beninese private law can apply for an authorization after meeting the conditions of the contract specifications, to set up, install, and exploit a private radio and television broadcasting service on one hand, and to distribute by cable or other means radio or television programmes, on the other hand”*. HAAC is the Government structure in charge of launching invitations to tender.

It shortlists candidates and has a three months deadline to make its decision known. It has authority to control the technical installations before broadcasting starts, and must issue a certificate of compliance within 30 days of the last control. The licence is issued for a period of ten years, renewable on expiry.

Article 25 of the aforementioned law stipulates that *“renewal of the licence is obtained without competition if the licence-holder satisfactorily fulfills the obligations or prescriptions of the agreement signed with HAAC”*. Modifications can be made to the cost of the exploitation licence. The application for renewal must be made three months before the expiry of the licence. If no official notice of a decision is given the applicant within two months after submitting his application, the licence is automatically renewed for a ten year period.

HAAC can nullify an authorization if the beneficiary is guilty of breaches such as the non payment of taxes, or the non respect for the legal, regulatory and contractual prescriptions.

3.2. Financial constraints, the investment and resources

The Law imposes that Beninese private television channels have a minimum capital of 250 million CFA F. This amount is reduced to 100 million for channels which broadcast by cable. It is difficult to have an idea of the amounts invested by promoters, who prefer not to disclose it, except for LC2, which indicates it made an investment of 100 million CFA F and Canal 3, which had invested twice that amount, that is two hundred million CFA F.

It is equally difficult to estimate the share Beninese private channels have in advertisement income, but it would seem that the amount is very small, as indicated by the officials of TV Carrefour and Canal 3. On Golfe TV, advertisement accounts for 10% of its income, and the figures were not disclosed for LC2. The low advertisement returns is surprising, and leads to question the viability of television channels. The different promoters questioned in this study blamed the very difficult economic situation, and wished the State could give them subsidies, which is not yet provided for by Beninese Law.

Generally speaking, television channels do not have the means to implement their policies. They hope to elaborate programmes with a richer cultural content and produce a lot more, but they badly lack the means. This situation has repercussions on their programmes and on the storage their production.

3.3. Innovations and course of action

During the celebration on 22 December 2000 of its third anniversary, LC2 innovated by launching a special campaign to collect funds from the public dubbed “Spécial Téléthron 2001”. The aim of this operation was to fund the broadcasting of some selected television programmes. This was unquestionably a great innovation.

In a study (*Etat des médias*) carried out in June 2001 for the Observatory of deontology and ethics in the media (ODEM), Emmanuel Adjovi, Secretary General of Editorial offices of the News Agency Proximités, evoked some interesting trends while pointing out that on more than one ground, the Beninese media context seemed relatively advanced. Support to the Beninese media should therefore, *“according to him, accompany and strengthen the ongoing dynamism, starting with what can consolidate journalistic credibility and the economic viability of press agencies. Better consistency of legal instruments governing this sector would facilitate the work of the media while the adoption of a special tax system for press agencies would improve their economic environment”*.

Addressing the management, of press agencies, Emmanuel Adjovi thus opportunely proceeds: *“The training of journalists alone is not enough, it must go hand in hand with that of media officials in order to give journalists a favourable environment to express their proficiency. Specific training for press employers would enable them to acquire the indispensable notions of business management, necessary to ensure the regularity of their publication and the sustainability of their companies”*. He concluded by pointing out that one of the essential course of action for the development of the media sector in Africa would be *“the study and institution of a special tax system for the media which would offer conditions for better economic viability and greater independence with regard to the advertisement market of enterprises”*.

4. Burkina Faso: poor investments and meagre resources

4.1. Investment in audiovisual media

The level of investment differs according to the category in view: public, commercial or religious channels. For Canal 3, which is a joint-stock company with the Fadoul Afrique group as the major donor, investment is estimated at 350 million CFA F. This amount corresponds to a basic budget of which the officials say their wish would have been to operate with three times this amount. For the religious channel Canal Viim Koega, set up in 1996, this investment stands at about 9 million CFA F, a figure which seems totally surrealistic given that it is very largely below the minimum cost to operate a television channel. The managers of this channel opportunely point out the need to make adjustments according to the means available. The channel is part of the CVK-LVD group which also includes the radio station Lumière Vie et Développement.

As for the national television, the amount of the investment is unknown. On the other hand, the operating budget stands at three hundred million CFA F, while the needs are estimated at one and a half billion CFA F for decent operating, and to cover production needs. The budget allocated for programmes is about one hundred million CFA F. TNB is a public administrative corporation (EPA), which means its management is autonomous and it is held to an obligation of results. The state only pays the salaries of the civil servants and contract workers. Control over the operation of TNB is done during a general assembly of public administrative corporations which is held once a year under the supervision of the Prime Minister.

4.2. Revenue from advertisement and subsidies

Contrary to TNB, private channels do not receive subsidies from the State. If CVK does not make any distinction in the treatment of media except for this subsidy, the officials of Canal 3 deplore however the fact that the State does not offer any advantages in terms of taxation to media enterprises, which could at least benefit from this institutional support.

With regard to resources from advertisement, exact figures could not be obtained, but resources from advertisement are very modest. Most of the channels resort to bartering to ensure funding for their programmes (exchanges during which companies buy films that the television broadcasts while inserting advertisement slots for products of the purchasing company or sponsor). TNB and Canal 3 get most of their revenue from advertisement. This stands at 70% for the national channel, and 80% for Canal 3. It nevertheless must be noted that for Canal 3, revenue from broadcasting promotion trailers, announcements and press releases are incorporated into this category. TNB controls 75% of the advertisement market, whereas Canal 3 controls 15% and CVK the remaining 5%. TNB is trying to diversify its resources and thus proposes advertorials as well as payment in exchange for an invitation to appear on the televised newscast. On CVK, there is no commercial advertisement strictly speaking, and the commercials broadcasted are on religion or preventive health for which we were unable to determine the financial implications.

If, for CVK, the objective is not clearly profit-making, profitability is one of the fundamental elements for the other two channels, and in spite of a difficult economic environment, at Canal 3 it is admitted that the channel tends to a budgetary balance. Officials of TNB on their part feel that the channel has become profitable since its transformation into a public administrative corporation (EPA).

5. Mali: dilatory and dominant position of ORTM

A number of projects to set up private channels have been initiated in Mali, although non was completely finalized due to the absence of authorization, as seen in chapter 2 of this study. Despite this state of affairs, we can however say a few words on the conditions for investment and the economic environment.

5.1. Investment and financial constraints

According to Serge Bergham, Director of Malivision, in Mali, the cost of a little proximity television channel varies between two hundred and four hundred million CFA F. The financial constraints are significant. Promoters must meet a certain number of financial obligations as provided for by the Decree on the television licence fee in its article 2,

and which includes the fees for submitting the file, the cost of inspection, and an annual licence fee. The annual fee or usage right is a tax paid for a full year whatever the date of installation, and is paid to SOTELMA. The annual fee varies according to the size of the band used for television and the telephone basic charge which is equivalent to 85 CFA F. The cost of submitting a file stands at 382,500 CFA F, and is not refundable. As regards the inspection charge, whose content is not very clear, it *“is calculated in actual cost plus an added 25%, and paid on each inspection”*.

The basic telephone charge is fixed as follows, on the basis of a calculation which takes into account the number of tracks contained in a telephone channel:

- 6 MHz band, 300 tracks, therefore 25 000 CFA F;
- up to 12 MHz band, 600 tracks, therefore 51 000 CFA F;
- 12 MHz and over, 900 tracks, 76 500 CFA F.

Thus for instance, according to the broadness of the band and the strength of the transmitter, the amount of the fee varies as indicated by the amount in the following scale:

Broadness of the band and strength of transmitters	6 MHz	6 to 12 Mhz	> to 12 Mhz
100 watts (minimum)	255 000 CFA F	510 000 CFA F	765 000 CFA F
From 7500 to 10 000 watts	4 207 500 CFA F	8 415 000 CFA F	12 622 500 CFA F

5.2. Resources and the advertising market

According to declarations from actors in the profession we met for the purpose of this study, advertisement does not generate substantial income for the local media. ORTM, which is a public administrative corporation, benefits from support by the State. However, this amount is included in the budget of the Ministry of Communication and New Technologies, and subject to arbitration. The advertising sector is governed by the Malian Press and Advertising Agency, (AMAP), which is an inescapable actor, even for commercials broadcast on the public channel. Also, ORTM can not directly negotiate advertising contracts for advertisements on its channel.

ORTM often resorts to the practice of bartering, a kind of contract to exchange goods (broadcasting rights for programmes in exchange for incorporated commercials) with local communication enterprises and agencies. However, this situation is not very advantageous for the corporation, which is sometimes imposed a volume of advertisements which exceeds the value of the product received, especially for series with several episodes which run very often for more than one year. This is one of the reasons why ORTM reenergized its marketing service, and strives to produce fictions with some popular success (which it experienced with the broadcast of *Walaha*, a twenty-two (22) episode serial in the national language).

Despite the contribution of the State to the budget, and in order to meet its many responsibilities, ORTM equally charges its services. For informative purposes, a thirty minutes programme costs about 900 000 CFA F, an interview on television news costs about 300 000 CFA F. A locality or community which requests that a popular entertainment programme be recorded there, such as *Top Etoile* would have to pay about three million CFA F.

6. Senegal: a small contribution by the State to fund the public media

The budget of RTS is theoretically six billion CFA F per year. The share of public funding oscillates depending on the year, between 20-25% of the operating budget, an atypical situation - traditionally the public audiovisual sector benefits from a more significant financing rate from the authorities - which makes the financial equilibrium of RTS precarious. Therefore, it resorts to different forms of advertisement to cover most of its budget.

6.1. An indirect tax

Part of the financial resources of RTS comes from the product of VAT on fuel imported by the National Electricity Company SENELEC. This product varies between 95 and 150 million CFA F per month. The State, by so doing, wanted to avoid making the viewers pay a direct tax, but it created a situation with a questionable legal basis. In most States, the justification for exceptional audiovisual taxes, in the beginning, was not to impose on all taxpayers, through taxes, the expenses of the audiovisual enterprise. The validity of such a principle rests on the fact that only owners of television sets benefit from the programmes. The system applied in Senegal leads to the conclusion that it is all the subscribers of the company who are thus made to pay a “disguised” tax (supposing that all these subscribers are also owners of a television set, whether it is verified or not).

The system of a tax on electricity remains one of the solutions used in many countries, despite its shortcomings and its detractors. The real question in instituting an exceptional audiovisual tax is that, whatever the form, it must be accepted by taxpayers who on the other hand, have the right to make demands vis-à-vis the public media.

6.2. Advertising revenue and profitability of RTS

Except for the above-mentioned tax, the main source of financing for RTS is by generating its own resources, especially advertisement revenue, recourse to sponsors, sponsorship, paid services and performances like announcements and press releases. In an advertisement market estimated at about ten billion CFA F, about 60% goes to broadcasting. RTS monopolizes between 60% and 80% of television advertisement. This gives it advertisement revenue worth three to four

billion CFA F per year. These revenue constitute close to 70% of the implemented budget of RTS. But increasingly it suffers from competition from 2STV. Advertisement takes up 9% of airtime, which is very much for a public television channel where advertisement slots and assimilated often last as long as a thirteen or twenty-six minute magazine. In spite of this, RTS is on the verge of financial asphyxia, and this for various reasons. The first of which is low public financing, well below the level needed to accomplish the missions of the channel and to cope with economic constraints. Another reason is the management of available resources which is not always rigorous.

7. Togo: more financial than administrative constraints

Obtaining an authorization to set up a television channel in Togo is less problematic since the experience of the pioneers of liberalization of radio broadcasting. Delays in the opening of a television channel is more about difficulty to finance such an enterprise than about the eventual administrative or political worries. Certainly, any project initiated by a promoter is accompanied by a detailed investigation led by the general information service of the gendarmerie and police (motivation, source of funding, secondary professional activities, programme schedule, and of course political affinities or orientation). However, until now, nothing can be reported as a deliberate will to hinder the execution of this type of projects.

7.1. Financial constraints.

Setting up a television channel in Togo can be relatively expensive, considering the amount to be invested before making any profit margins. Twenty million CFA F on the average is necessary as investment for starting, take off and operation of a television channel. This is very significant, even if this cost remains rather modest, when compared to the amounts invested in countries like Senegal or Nigeria where the establishment of a television channel requires investment worth a few hundreds million CFA F. Given the fragile local economic substratum, this sum remains inaccessible to many potential investors. The promoters of three private channels, (TV7, TV Zion and RTDS), were able to come up with the seed capital, often risking their previous activities. RTDS started with its own resources, where TV7 resorted to loans. TV Zion on its part, benefited from various grants and subsidies, in addition to its own funds.

7.2. A limited advertising market

From their creation, the above-mentioned television channels faced operating problems, with resources obtained essentially from the sale of advertising space in a tight market. In Togo, on about fifty viable enterprises with established commercial development policies, barely ten, on a broad selection scale, have a real budget and a clear communication policy thus integrating space purchasing on television. TVT and TV2, which have a relatively good territorial coverage (80%) attract the majority of advertising contracts, often for punctual promotion campaigns or the launching of new products.

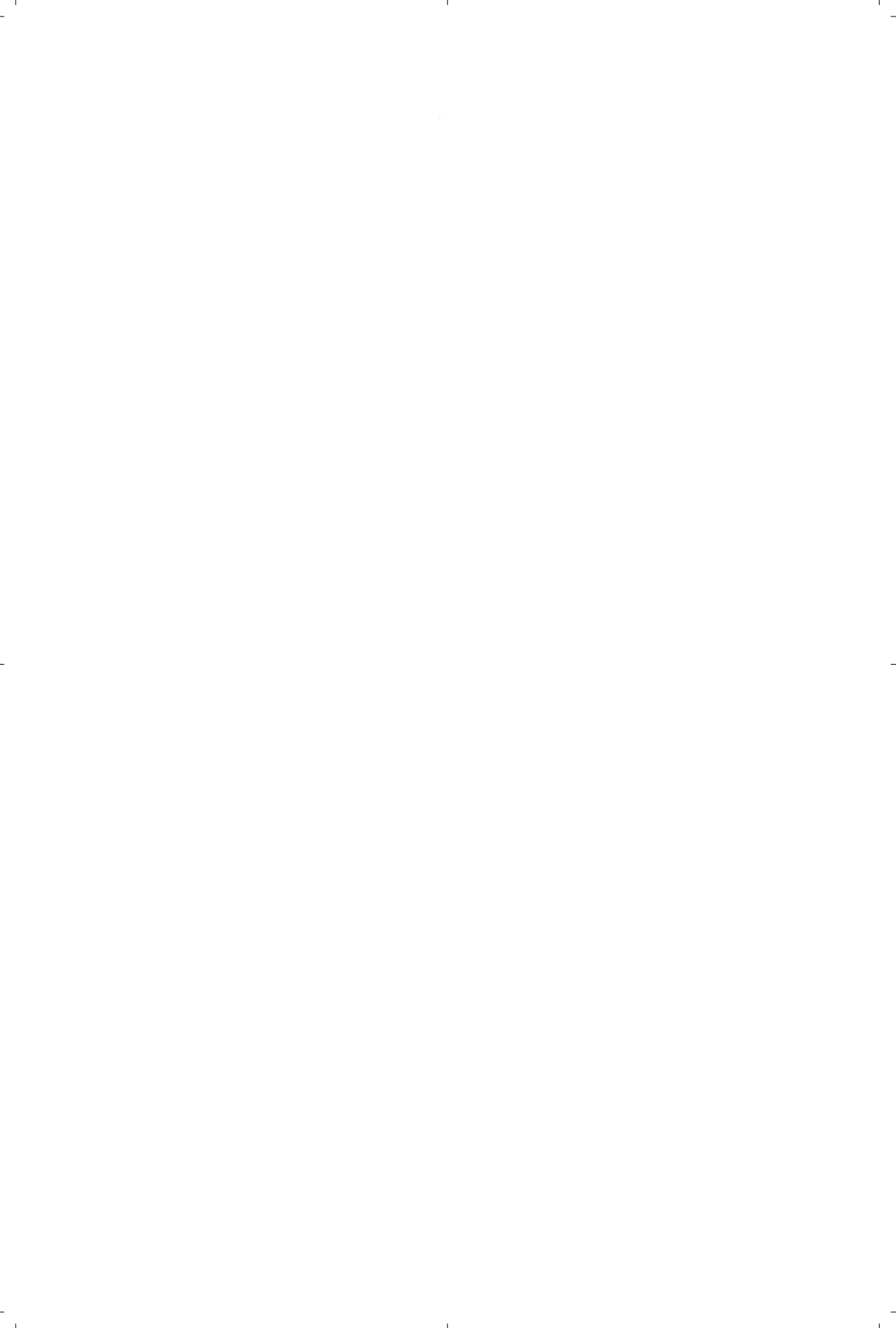
The distribution of the meagre advertisement package among the different channels is done according to different criteria: blanket area, reception across the national territory and blanket offer (TVT and TV2); rating among the popular strata (RTDS); cultural rating (TV7). Divergent and unstable costs of advertising space, which does not objectively take into consideration the length of commercials or the time of broadcast (*prime time and non-prime time*), the absence of strict rules for the management of advertising space, arbitrary billing according to the customer, inexistent media agencies which have as role to professionally buy and sell advertising space, are as many factors that weaken this market. Two to three years ago, broadcasting a commercial of about thirty to forty-five seconds was negotiated between forty and fifty thousand CFA F. Today, it costs between five and fifteen thousand CFA F, precisely due to frantic competition in an unregulated system. Clearly, broadcasting a commercial over one month can generate as little as three hundred thousand CFA F for a television channel.

In view of such a situation, and to meet up with the increased operating cost which oscillates between five and fifteen million CFA F per month, some promoters chose to withstand this nose dive in prices, by highlighting the quality of their promotion, leaving the leisure of choice to the advertiser. However, it seems that this policy does not always pay off. Despite these difficulties, no cases of abandonment have been recorded, but the fight for survival annihilates the efforts that could be made to improve on the quality of programmes.

7.3. Loopholes in the management of resources

The rather morose economic context makes the television sector a risky business. It should furthermore be emphasized that contrarily to neighbouring Ghana, there is no subsidy from the state. However, in addition to this economic environment, the management of resources is sometimes risky, alas a characteristic a certain number of private enterprises and initiatives in countries of the region. Promoters are hardly trained for the management of media houses: personalization of strategic decisions, refusal to initiate fruitful collaboration or partnerships, little innovation or creativity, unclear management of resources, etc are many obstacles to the development of enterprises.

The absence of transparent management of resources raises moreover questions, which do not only apply to Togo, regarding the method of distribution of revenue, the share of benefits for the promoter and the channel for investment and operation, recruitment policies, etc. Questions to which clear answers were not given by the people interviewed.



Chapter 2

Technological Challenge, Mastery of Know-how and Cooperation: Opportunities and Prospects

Joining the modernism train, mastery and exploitation of new technologies is an indispensable condition for the development of television pluralism in West Africa. Significant progress was made in recent years by some public organizations and new actors, benefiting from the newcomer's advantage, were able to obtain digital equipment and ultimate transmitters.

The introduction of the aforesaid technologies often generates, in public structures, a certain resistance because of the changes they entail with regard to organization and working methods. On the contrary, private structures which have taken the time to set up a real business project are able to play their game well, make more rational and profitable investments, reduce costs, develop more flexible systems as regards creation, production, postproduction as well as local, regional and international broadcasting.

Convergence, a strategy developed by other operators of the telecommunications sector, in particular mobile telephony operators, speed up expansion in the field of television, because of the permanent quest for added value services. Such is also the case with television by ADSL. However, so far this progress concerns only a limited number of actors, most television stations in West Africa, both public and private, are still struggling to have national coverage, even if some of them have started satellite broadcasting so as to precisely extend their coverage area, first of all nationally and then beyond.

1. The challenge to cover the whole territory

One of the essential problems as regards television is that of coverage. It is a serious problem, for public operators on the one hand, who have as vocation to cover the national territory because of their mission, and for private operators on the other hand, anxious to widen their audience and increase their profit margins. In spite of

the principle of “useful audience” which endorses the coverage of significant demographical areas, especially those that have a real purchasing power, pluralism and information law requires, especially for public organizations, a total coverage of the territory. This problem is still current as shown by the examples below, revealing a situation that is largely shared. And concerning the public sector, regular complaints are issued by populations or Members of Parliament who request proper treatment for their locality with regard to television coverage.

1.1. Nigeria

Of all the television channels, only the National Television Authority (NTA) really covers the national territory. Its local stations in each State of the Federation depend on the central station for information and programmes, and sometimes have to adapt them to their regional concerns and realities. These local stations have coverage areas that are limited to their locality or region, and which in any case they do not have the right to extend. However, even if they wanted to, they couldn't given that they do not have transmission facilities powerful enough. Nevertheless, there are some exceptions like the Ogun State Television, which broadcasts beyond its region and extends its broadcasting area to the entire South West of the country.

In addition to the NTA, two other television channels are available on satellite, the African Independent Television (AIT), and Minaj Broadcast International (MBI). AIT also has good terrestrial broadcasting capacities, and is besides the only one in its category (that of private operators) to have this.

1.2. Benin

Beninese television channels do not have a wide coverage area. LC2 has only one transmitter based in the central part of the capital Cotonou, just like Golfe TV. Canal 3 is set up in Abomey Calavi, twenty kilometres from Cotonou, while Carrefour TV is a local television channel which covers the town of Bohicon. Of all channels, only the public channel covers approximately 80% of the national territory. The other private commercial channels, like LC2, are reduced to a radius of one hundred kilometres around the towns in which they are set up and are obliged to submit requests for extension to HAAC if

they want to extend their coverage area. This situation is strengthened by the media law which gives more advantages to Office de Radio-diffusion et Télévision du Benin (ORTB) to the detriment of private channels.

1.3. Burkina Faso

In Burkina Faso, only TNB, which is available on satellite, is accessible throughout the national territory. The situation is changeable for the other channels. Thanks to its transmitters located at Bobo Dioulasso and Ouagadougou, Canal 3, has a wider coverage area, but it still remains modest. However, the channel intends to extend its coverage area to Ouahigouya, and has an ambitious extension programme for the entire country. CVK is available at a range of fortyfive kilometres around Ouagadougou.

2. Satellite upload and Broadcasting: an Increasingly Common fact

A large number of African television channels, public and private, have had access during the past years to satellite broadcasting, and the main operators of international satellites nowadays consider Africa as a market which they include in their coverage strategies. Since the reduction of the cost of hiring transponders, with a basic investment of approximately seventy to one hundred million CFA F, it is possible to have a reliable uploading station, especially if the company does not have to pay very high customs duties for the importation of the necessary equipment. Depending on the band, C or KU, the number of kilobits per second, the age of the satellite, the operator, its degree of attractiveness, the presence of other channels, and the duration of the contract, the cost of permanently hiring a transponder varies henceforth from five to ten million CFA Francs per month. The same applies to costs of occasional hiring for special events.

The accession of an increasing number of African television channels to satellite broadcasting makes it possible for the populations of various countries to see what is being done by their neighbours and to make comparisons. It makes it possible, when the signals are forwarded by local cable operators, to break the monopoly of public operators, and draw contours and alternatives for more active and direct, more modern and effective inter-channel exchange.

2.1. An elaborate technological strategy

More than just a voluntary approach, the upgrading of technology must be carefully thought out and an elaborate strategy developed based on the collection and regular update in each country of existing data, including data on market forecasts for the years to come (number of TV, radio, satellite dishes and MMDS receivers, telephone lines, subscribed homes, number of Internet users...). Such an approach enables to have a permanent idea of the growth of the market. The expansion of the market share of each structure, public or private, will in fact be also related to the data collected from the entire technological environment. The upgrading of technology and the modernization of the network and equipment are conditions that would ensure improvement of content through new schedules, new visual and sound identification, a new communication image and policy.

The response to the technological challenge, which would enable to strengthen television pluralism, will necessarily require:

- the total coverage of each national territory, in order to increase access to these media and widen the audience base;
- access to international satellite broadcasting so as to open new horizons, and new segments of audience and customers in Africa and in the world;
- the diversification of multi-media services and a better visibility through the creation of dynamic Internet sites that offer various services like the downloading of key programmes, editorial monitoring, with profit opportunities through re-broadcasting the programmes on specialized regional and international platforms, etc.

2.2. Modernizing production equipment

The modernization of production equipment is also a requirement which confronts all major operator. They must include the following elements in their development plans:

- an evaluation of the real state of the equipment and maintenance needs;
- the drafting of an equipment plan;
- the equitable distribution and optimization of resources following the objectives, expected results and overall potentials, etc.

Efforts must be made to provide production, post-production, broadcast equipment, sources of energy for all the sites. A technical audit, recommended for each country would allow, as a general rule:

- to highlight past performances so as to make the most of them and the expected difficulties;
- to determine the operational degree of the means put in place and thus identify the investments to be made in equipment in order to increase productivity, to operate conversion or rehabilitation of existing resources, means and infrastructures.

Finally, technological challenge requires that emphasis be laid on infrastructures and means of production and broadcasting; the upgrading of computer networks and of digitalization procedures; vocational training within the framework of integrated plans taking into account the follow-up and updating of training. Given that many channels are increasingly turning to digital technologies, the problem of maintenance is of great importance. The situation is particularly difficult for the African channels of the public sector, because of the heterogeneous nature of the equipment used. The maintenance of old equipment is increasingly costly, and spare parts are rare if not as expensive as the purchase of latest and sophisticated equipment. Efforts as regards maintenance should include the recruitment of qualified personnel and the putting in place of technical means for intervention.

If it is obvious that transition will have to be made carefully to take into account the diversity of existing infrastructures, generally, each television channel, each audiovisual operator will have to adapt to the very rapid evolution of exploitation methods for production, post-production due to technical and technological progress which are mainly seen through the penetration of the dataprocessing techniques in the designing of equipment, management of audiovisual files, etc.

2.3. Filing: a stake for the constitution of a heritage

With regard to audiovisual productions, the possibilities and needs for reuse are only increasing; moreover, some of them are of a historical importance such that it is advisable to preserve them as long as possible. The policy as regards archives must have as main

objective the preservation of the various categories of documents, which facilitates re-use or referencing. Given the increase in the value of archives for television channels, as bases for the realization of programmes, and as a tool in the constitution of a collective memory, recourse to new technologies is essential for all, with the following objectives:

- the digitalization of visual, sound and written documents;
- embarking on a change of direction for the choice of the storage of archival documents as well as for the systems of restitution for the benefit of different audiences (viewers, historians, researchers, producers, etc.);
- embarking on new methods of operating archives for research or commercial (publication, sale) purposes;
- the setting up of an automatic filing system.

2.4. New technological trends: television by ADSL and web casting

Senegalese viewers entered fully into a new dimension of television with the launching in June 2006 of television by ADSL, a service provided by the telecommunications company Sonatel. This is thus, according to the communication services of the company, the first operator to offer television by ADSL and Video on demand in Africa. In order to obtain this new service, the customer will first of all have to subscribe to ADSL at home from the telephone operator, and will then have access via the telephone line, to more than ten channels present on traditional satellite packages.

The future also offers web casting which makes it possible for television channels to broadcast on the Internet. This is how the “Web TV” developed, like the Ivorian channel XPOL. Set up in Côte d’Ivoire by Ephrem Youkpo (radio and television presenter, producer), the XPOL channel was physically set up in France in 2004. It broadcasts its own programmes, and it is also an independent production channel which supplies African channels with news programmes, reports. Senegal has also developed similar projects with Télédiaspora, Senegaltv and Rewmi TV, and more and more similar channels exist today, with the real African precursor the current 3A TéléSud of Constant Némalé, rerun on the Canal+ Horizons package.

If it is a real technological breakthrough, the problem in West Africa and the rest of the continent is the access of the general public to this type of television medium, either because of the precarious state of telecommunications systems, low width of the Internet bandwidth, the still prohibitive cost of computers but also of the strong individualization brought about by this model within a context where television is often the forum for discussing modernity. This new manner of operating television constitutes in fact a means to circumvent heavy national legislation or liberticidal tendencies, even if these channels remain accessible to a restricted public or the Diaspora.

Many television sites in West Africa and in the continent provide on-line programmes, including television news, free of charge or requiring payment, othersites which are just portals are doing the same thing, by making available to the world any event they wish to popularize or not, thus taking part, every day, in promoting television pluralism. What will happen then when the capacity to receive television on one's mobile phone is propagated, within short deadlines and by means of the mobile telephone? This is to say that the technological future could contain in itself the seeds of television and media pluralism.

3. The human and professional challenge: opportunities and prospects

Like in every undertaking and occupation, the quality and initial and continuous training of human resources constitutes one of the key factors of success. Given the dynamic and expanding nature of the sector, its impact within societies, this reality is even truer in the field of television. An analysis of the situation in the sector in West Africa shows that, in spite of the existence of real talents, well trained and competitive professionals, much still has to be done as regards human resources in a sector with high employment potentials, especially for the upcoming generation.

A widespread characteristic is bringing the sector under the civil service, especially in public television channels, instead of recruiting personnel having the required profile. The other striking feature is unpreparedness for television professions with the recruitment, without preliminary training, of personnel having lingered or worked around the press, and radio; or with incompletetraining, if it exists.

To this can be added recruitments according to political leanings and volition of the persons in charge at that time. Another problem is that of ethics and deontology, that is besetting the profession and the media sector as a whole, with all the excesses it entails, observed in the countries of the region. In Togo for example, the personnel of private channels who had been trained, with as consequence a glaring lack of professionalism, a symptomatic situation of a reality which is not exclusive to this country.

3.1. Plethoric staff in public television channels and insufficient manpower in the private channels

Almost all public television channels in West Africa have a plethoric staff. Radio Télévision Ivoirienne for example has staff which according to sources, varies between eight hundred and nine hundred workers of all professional corps. Radio Télévision Sénégalaise has about six hundred permanent workers and almost the same number of external collaborators. Their Nigerian counterpart, NTA, is proud of its seventy-six television broadcasting stations with a minimum of ninety workers per station and at least one hundred and fifty in Lagos, giving approximately seven thousand workers. A well kept proportion if one considers the demographic weight and the federal structure of the country. As a general rule, 90% of these workers, including those in other countries, are averagely aged between 40 and 50 years. Where the State does not pay directly its civil servants, 65 to 75% of the budget is allocated for the wages of this personnel, thus the difficulty in carrying out significant investments.

3.2. Organization and training of staff

As has already been mentioned, the problem of training is crucial, and the development of training policies for the area must be thought out, including also the needs in technical staff. The drawing up of a training programme obviously requires a financing plan. The training and recruitment will be carried out according to the changes introduced by technology and the new methods of organizing work. Each structure, public or private, will have to carry out thorough analysis of the consequences of new technical and technological aspects if it wants the human resources involved in exploitation and maintenance to remain equal to the tasks to be accomplished in an increasingly open and competitive environment.

Changes become inevitable so as to take into account the transformation of the environment and the technique is not the only aspect involved. It is thus the entire organization which will have to acquire new structures, assign new tasks while suppressing as much as possible others that have become superfluous, redundant or outmoded. Broadcasting and transmission constitute priority sectors for the television, and a judicious policy of recruitment and training will be based on increasing the personnel, coupled with an increase and improvement in territorial coverage. The following recommendations can therefore be applied, taking into account the importance to be given to the quality of personnel:

- reactivate human resources management in order to promote a strategy of initial and permanent training to match the rapid expansion of technology;
- draw up a programme for training and annual careers which includes current and future needs from restructuring to training courses of medium duration;
- get internal executive officers to be involved in in-service training;
- strengthen international co-operation in the area of training with specialized organizations in Africa and elsewhere;
- use local training structures, in particular for short-term training;
- define training standards;
- promote a work-adapted training;
- set up a system for collecting information and data on the management of staff and existing vocational training centres.

All in all, an approach to be generalized in the sector could include the following elements:

- The systematic presentation to the Board of Directors or the Management Committee of the Media of an annual report of the company, showing the expansion of personnel and the wage bill; the annual recruitment programme; the list and the amount of allowances and benefits given to all the personnel; training schemes and career profiles for workers;
- The implementation of a staff management plan;

- The definition of a social policy, which will make it possible to put an end to instability which weakens professionals, structures and thus pluralism;
- Improvement in the status of staff. A possible formula for action in this direction is that of internal dialogue and the drafting of a text setting up a convention between management and social partners.

4. Co-operation and networking: assets of networking

The development of the television sector also depends on the setting up of co-operation networks between countries of the same economic region, according to already existing groupings, such as ECOWAS, or by establishing innovative groups of association (linguistic, sub-regional, cross-border. Such experiences are still very few, if not inexistent, if one excludes that of URTNA (Union of National Radio and Television Organizations of Africa).

4.1. *The need to fortify URTNA*

This Organization, set up since 1962, is today often out of place, for lack of means, a real political will and lack of vision by African audiovisual officials. It however has to its credit:

- measures taken and the supply of technical data thanks to the Bamako Technical Centre;
- the training of almost all African specialists in rural radio operation, graduates of the Centre Interregional d'Etudes en Radio Rurale de Ouagadougou (CIERRO) in Burkina Faso;
- the distribution and broadcast of thousands of hours of programmes, in English, Arabic and French on all public television screens of the continent thanks to the Programmes Exchange Centre of Nairobi in Kenya;
- the most convincing inter-African experiences as regards news exchange, called "Afrovision" with the Centre d'Echanges d'Actualités of Algiers;
- the rotational meetings of professionals of all levels on almost the entire continent;
- the opening up to some private operators of the continent like Africa No. 1 of Gabon;

- the negotiation and acquisition up to the end of the 90s of the rights of major sporting events in the continent and the world for public television channels in Africa;
- the training in various forms of several generations of African audio-visual professionals;
- the establishment of communication gateways between various member organizations.

Today, URTNA is suffering from the indifference of African public authorities, with heavy arrears of contribution of Member States. And yet, like the European Broadcasting Union (EBU), Asia Broadcasting Union in Asia, or other similar organizations throughout the world, it must exist because it is useful, and necessary for the development of the audiovisual media in Africa. It could, more than in the past, establish the link and open a gateway between the cinema and television especially with FEPACI, better organize the initiatives of setting up an African television market, coordinate and encourage the participation of African televisions in African festivals (Fespaco, Sithengi, Ecrans Noirs...) and international festivals including the annual rendezvous of the International Television Programme Market, MIP-TV of Cannes. In November 2006 in Nigeria, on the occasion of the Africast Festival organized with URTNA, this festival was transformed into the African Broadcasting Union, ABU, and assigned new missions.

4.2. Transformation of the experiment of the Association of Private African Producers and Televisions (APPTA)

Besides URTNA, a new initiative was born on June 21, 2006 in Germany, at the sidelines of the World Football Cup. This initiative was the Association of Private African Producers and Televisions (APPTA), which held its Constituent General Assembly meeting during this occasion. This is the most significant private initiative made so far, of bringing together private producers and televisions of the continent. APPTA registered twenty founding members from thirteen countries: Germany, Benin, Burkina Faso, Burundi, Cameroon, Congo, Democratic Republic of Congo, Côte d'Ivoire, Gabon, France, Niger, Rwanda, Senegal, that is, fourteen groups of private televisions and six (6) production companies. The Constituent General Assembly decided to set up the Head Office of APPTA in Cameroon and elected an Executive Bureau made up of the following:

- Chairman: Mactar Silla, General Manager of STV1 & STV2 (Cameroon);
- Vice-Chairman: Frank Nguema, Chairman and Managing Director of TV+ (Gabon);
- Secretary-General: Abibou Garba, General Manager of TV Ténéré (Niger);
- Treasurer: Ismaël Soumanou, Chairman and Managing Director GOLFE TV (Benin).

The Constituent General Assembly also formed the following four Specialized Committees and appointed their respective Chairmen:

- News and Monitoring: Ismaël Soumanou, Chairman and Managing Director GOLFE TV (Benin);
- Exchange of Programmes and Co-productions: François Baudry, General Manager People TV (France);
- Technological Challenges: Christian Lagnide, Chairman and Managing Director of LC2 International (Benin);
- Marketing and Communication: Constant Nemale, General Manager 3A TELESUD (France).

At the end of its deliberations, the General Assembly adopted a priority Action Plan comprising eight points:

1. Inventory Directory of all public and private audiovisual operators (identification of satellite positions / means of production / Contacts) and public awareness campaign for APPTA membership;
2. Launching of the contest for the production of APPTA logo (and Awareness Advertisement);
3. Setting up of an Internet site and a portal for African private televisions and producers;
4. Setting up of a “news” network for reception and rerun of elements of national news;
5. Drawing up of a Co-operation and Exchange of Programmes Charter so as to gain in diversity and quality;
6. Formation of a Committee “Technological Stakes” for the study and the feasibility of an African package and the exploitation of all broadcasting opportunities offered;

7. Information campaign on APPTA and establishing contacts with States, international and regional organizations, NGOs, professional organizations in particular the African Union, the European Union, International Organization of the Francophonie, the Commonwealth, WAEMO, ECOWAS, SADC, CEMAC;
8. Setting up of national associations in view of having a Chairmen's Conference and a first ordinary General Assembly within six months.

Since the Cologne meeting, representatives from Mauritania and Togo have joined the Association, which has also registered new members from already represented countries.

4.3. Reorientation and reactivation of regional training structures

There are prospects to open up, to schools, specialized sub-regional training centres, like the FORUT CENTER in Dakar. Such initiatives, public and private, would come to complete and reinforce existing structures like the Centre for the Study of the Science and Technology of Information (CESTI) and the Higher Institute of the Science and Technology of Information (ISSTI) of the Groupe Sud Communication in Senegal or like many others elsewhere, with the aim of ensuring the quality of courses, their assessment as well as their conformity to the requirements of the professional world. All the structures, old and new, must continuously integrate the rapid changes and widen the curricula to embrace the multitude of audiovisual professions being developed today, and for which there are no specialists in several African televisions, which are in search of producers, sound engineers and technicians, virtual editors, production officials, specialists in programming and presentation, floor managers, directors of photography and lighting engineers, assistant directors and assistant producers and make-up artists, filing clerks and archivists, designers and props persons, and the list is far from being exhaustive with all the professions related to management, communication law and others.

4.4. Development of exchanges and dialogue mechanisms between various regulatory authorities

In order to harmonize the legal instruments of regulation from texts that have been formulated and in force, their implementation, live experiences and accumulated jurisprudence, the various regulatory

authorities must formalize and intensify their collaboration endeavours. The idea would be, in the long term, to copy the approach of the model of the harmonization of business laws with OHADA, the Organisation for the Harmonization of Business Law in Africa.

4.5. Seizing the opportunities offered by co-operation

Co-operation opportunities exist, within various institutions, such as:

- The International Council of French-Speaking Radio and Television (Conseil International des Radios et Télévisions d'Expression Française - CIRTEF)

This professional organization has the specificity and advantage of bringing together organizations from the South and North, thus offering a broader range of possibilities, facilitated by the use of a common language. Located in Brussels, after several years in Geneva, CIRTEF expanded greatly during the last decade, thanks to its Secretary General, Tunisian born Abdel Kader Marzouki, former Secretary General of URTNA. The work started is being continued today by the Senegalese born Guila Thiam, former Technical Director and General Manager of RTS.

- Canal France International

Over the years, Canal France International has supported, on behalf of the French Co-operation, the development efforts of African televisions. Since 2004-2005, this assistance took a decisive turn thanks to the support of the French Ministry of Foreign Affairs through the signing of a certain number of conventions on multifaceted support to strengthen public and private television channels. The other remarkable innovation is the effective, direct and frank style used by Jean Mino, General Manager of CFI and his collaborators including Jean Luc Maertens, Director Delegate for Africa and the Middle-East, who has a wide knowledge of the African audiovisual media.

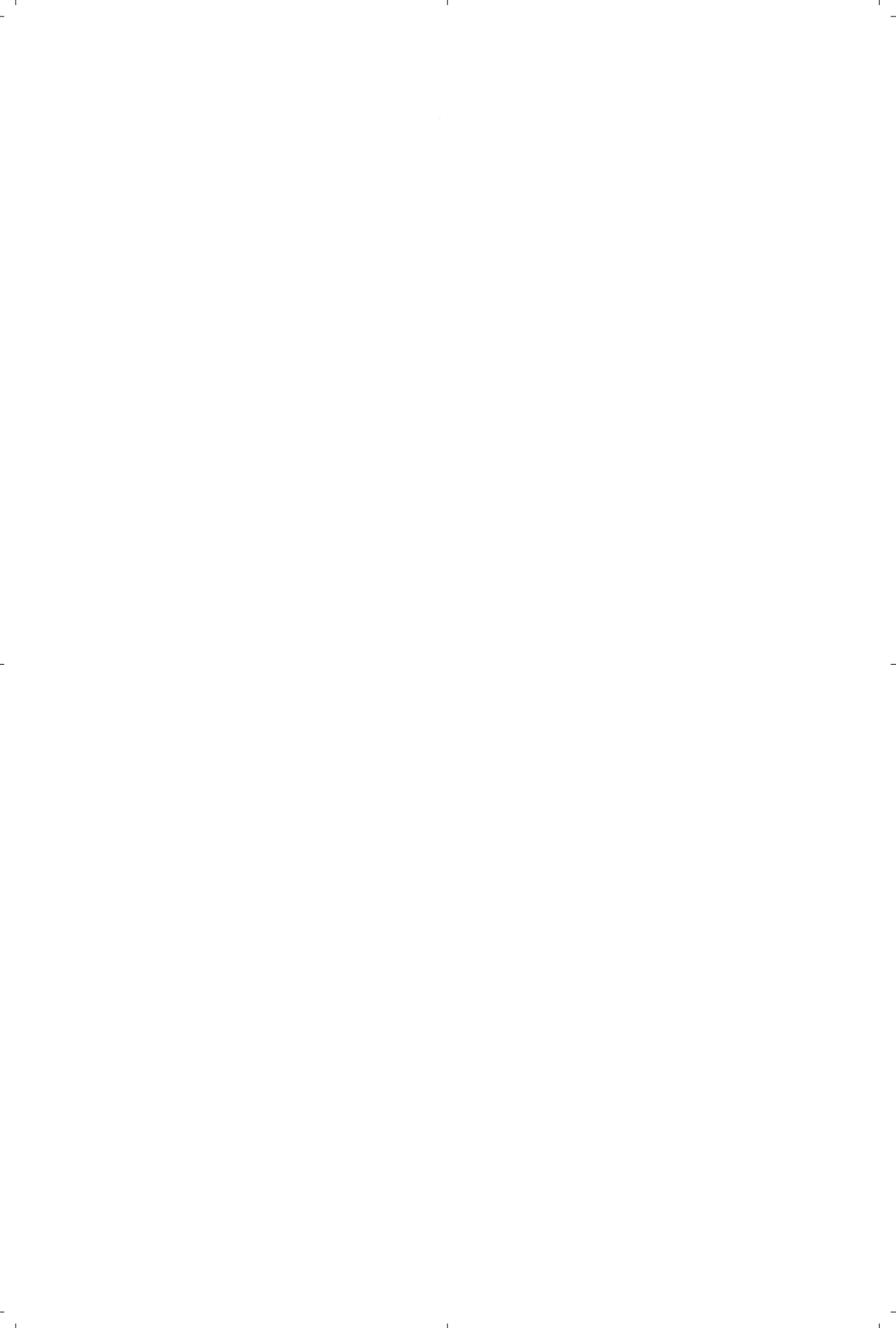
Studies conducted in a certain number of television channels have led to very relevant recommendations, which, everywhere they are implemented, had given the positive effects expected, thanks to the "Fonds de Solidarité Prioritaire" - FSP (Priority Mutual Fund).

To these actions should be added the targeted modules for short term training in West Africa, notably in Burkina Faso, Mali and Cameroon, with professionals coming from several countries. Some other actions can be pointed out such as:

- the carrying out of studies on advertisement, the audience, the taxation system of media houses;
- support to various structures for the purchase of computer equipment and the realization of publications relating to the self-regulation of the media;
- support for training and for the editing of reference documents;
- support for audiovisual production so as to support local production with a partial subsidy from the total budget of each audiovisual production project retained.

- The Commonwealth Broadcasting Union

Its action, though less visible and organised than that of Canal France International in the region, deserves however to be mentioned as an organization offering possible co-operation opportunities.



Chapter 3

The Permanent Institutional and Legal Challenge Or the Need to Adopt Rules for Transparency and Good Governance

Adapting to the changing institutional and legal environment and to the requirements of a dynamic, harmonious and powerful audiovisual landscape comprising public and private actors is a current challenge and a major need for instituting a sustainable and structured television pluralism in West Africa like on the entire continent. In this light, it seems important to ensure that objective and transparent rules are established in conformity with the requirements of democracy, the law and the duty to inform.

1. Transparent rules for streamlining the audiovisual sector

Any public authority anxious to ensure the effectiveness of these laws and conscious of the multiple stakes, dynamism and structured effects of communication must thus show that it is willing to set up a new framework by altering the traditional monopoly of the State, in a manner that would favour coexistence and the harmonious development of the public and private sector, with clear rules applicable to all the operators. These rules which aim at streamlining each national audiovisual landscape are based on the following fundamental principles:

- Freedom as the guiding principle with the extension of liberalization and the end of State monopoly over television. This implies the setting up of an effective, transparent legal framework, which guarantees the freedom of communication and promotes fair competition between the various audiovisual operators for the benefit of the public;
- Fulfilment of the formalities for obtaining authorizations or declaration of activities envisaged by the law;
- The institution in each country of an independent regulatory authority with extended powers;
- The principle of healthy and fair competition in order to prevent the concentration of power and the abuse of the dominant position;
- Equal treatment of operators and users and non-discrimination;

- Transparency;
- The application of sanctions for any omission to comply with legal and regulatory provisions;
- The need to increasingly take into account the diversity of targets and audience when drafting communication policies;
- The willingness to stimulate the emergence of an adequate and quality national and pan-African audiovisual production that would be able to contribute to the take off of cultural industries; the provision of a quality audiovisual service and offer to the entire public throughout the national territory, in the main languages.

In a bid to limit the concentration of economic powers around the same category of services or the entire audiovisual system, the following rules could be applied:

- No operator, natural person or legal entity, shall have more than one authorization / licence per type of exploitation. He shall, consequently, not operate cumulatively more than one radio station and one television channel that covers the entire national territory;
- The same natural person or legal entity shall not have financial shares worth more than 50% in more than two companies or enterprises with different authorizations.

2. Advocacy and proposals for a regulatory authority with extended powers

Audiovisual frequencies are national resources just like all other resources whose concession must comply with a certain number of principles and rules that characterise the State of law in terms of equal access to the services and treatment of citizens, the respect of the freedom to undertake, the principles of neutrality and non-discrimination.

2.1. Missions of the Independent Regulatory Authority

My personal experience and position incline me to think that these principles must be expressly recognized in the attributions and missions of the Independent Regulatory Authority for the media which are outlined as follows:

- Ensuring the exercise of the rights and duties related to the freedom of audiovisual communication under conditions outlined by the Constitution and provisions of the law;

- Guaranteeing, within the strict respect of the law, the independence and freedom of media information and communication and of audiovisual operators;
- Ensuring objectiveness and respect for balance in the processing of information broadcast by audiovisual media and operators within the strict respect of the law and safeguarding cultural identities;
- Ensuring the respect of equitable access of political parties, trade unions and recognized organizations of the civil society to the public service media under conditions laid down by the laws and regulations in force;
- Launching public calls for tenders for the exploitation of television services and redistribution of television signals;
- Scrutinising exploitation licence applications from private audiovisual operators and granting the necessary authorizations and licences after considering the technical opinion of the Telecommunications Regulatory Board;
- Authorizing radio and television services on the basis of transparency and equal opportunities; publishing the authorizations in the Official Gazette; justifying the refusal to grant authorizations;
- Meting out sanctions on public and private audiovisual operators for various misconducts;
- Laying down rules on the conditions of production, programming, and broadcasting regulated programmes of media and audiovisual operators during election campaigns;
- Encouraging and promoting free and healthy competition between the audiovisual media and operators.

2.2. Conditions and criteria for granting authorizations

The granting of authorizations for the exploitation of radio broadcasting services or television broadcast terrestrially, by cable, MMDS, satellite or by any other telecommunications method, other than those operated by the State utilities company, should, in my opinion, require the signing of a convention between the Regulatory Authority, on behalf of the State, after considering the technical opinion of the Authority in charge of regulating telecommunications and the natural person or legal entity, applying for the authorization. The conditions to fulfil in order to obtain an authorization could be based on:

- the submission of the Statutes of the applicant entity;
- a special form available at the Regulatory Authority;
- a certified true copy of the national identity card of the applicant or that of his legal representative, for a legal entity operating under private law;
- extracts of criminal records of the promoters, applicants or representative for a legal entity;
- the certificate of residence of the legal representative;
- the description of the project and the sites;
- sources of financing;
- duration and general characteristics of their programmes;
- the time schedule for broadcasting of their own production and local production, including African works, especially for daily news, educational, cultural programmes and of consumer protection;
- the broadcasting of programmes in at least one national language and in case of regional projects in the language widely spoken in the region of broadcast;
- the description of the technical equipment in conformity with the standards and norms of broadcasting defined and adopted the Telecommunications Regulatory Board;
- the description of the technical processes involving broadcast;
- the payment of a non-refundable caution fee depending on the nature, goal and dimension of the projects (local or national, radio or television, community or commercial);
- the payment of a yearly licence fee corresponding to the type of service operated;
- a written engagement to comply with the legal obligations governing the audiovisual activity;
- an engagement not to transfer the authorization to a third party, in the form of sale, loan, hiring, pledge or any other procedure;
- the employment of a minimum number of national professionals according to the format and the service under consideration indicating the capacities and qualifications of the personnel and within the respect of the provisions of the Labour Code and the instruments in force.

The duration of the authorization is also a subject of reflection. I am personally for the following hypothesis:

- ten years for television services;
- five years for radio broadcasting service.

The Regulatory Authority must process any application for authorization within three months or 90 days after its duly notified submission. The absence of a response within the aforementioned time would mean an automatic authorization. In order to assist in having structured sustainable effects and attract subsequent investments, the duration of the authorization must be renewable. The application for renewal could be submitted a year and at least six months before the expiry of the authorization. Except in case of express notification and otherwise stipulated at least three months after the submission of the application, the authorization would be considered renewed automatically for the same duration.

The Regulatory Authority can issue a formal warning to holders of an authorization to operate a radio broadcasting or television service to comply with the instruments and provisions in force and to make them public. In the event of non-compliance with the warning, it can then proceed, depending on the gravity of the misconducts noted, with the sanctions envisaged like suspension, reduction or the withdrawal of the authorization, in addition to pecuniary penalties which, with the fees, could support a Communication Support Fund. A certain number of provisions relating to information and advertisement must be envisaged from the beginning.

2.3. The content of programmes

News programmes in all their forms (newspapers, reports, magazines, talkshows...) must respect the principles of pluralist and balanced expression between the various sheds of public opinion and various families of beliefs and thoughts. Similarly, the respect of sensitive targets must be the rule. Public and private audiovisual operators, who are ensuring on a public and non-scrambled broadcast of their programmes, must abstain from broadcasting programmes whose contents and nature could affect customs, habits, traditions and morals, notably the decency of children, teenagers and old people. Programmes that incite violence, sexual, ethnic or racial discrimination, should be strictly prohibited.

Any holder of a licence/authorization to operate audiovisual communication services, other than the distributors of signals not produced locally on cable networks would be required to include its own news programme broadcast at least half an hour per day to keep

the public informed. It would be also required to contribute to the economic and cultural development of its regions of broadcast. Public and private audiovisual operators must meet the obligations stated in the terms of reference as regards general news with at least one national news presentation and one regional news presentation in each region of broadcast, notably in the main national language. The notion of specialized news should be introduced.

Audiovisual communication services should have a right to equal access to information irrespective of their medium and their legal status in the name of the freedom of information and should give account of public manifestations other than sporting activities or requiring the acquisition of rights. The obligation to inform the public shall be carried out within the respect of individual rights, especially the respect of privacy and the rights to public image.

The freedom of information is also subject to restrictions as regards confidentiality of a matter under investigation, national security and defence secrets, the prevention of crime, protection of health or morals.

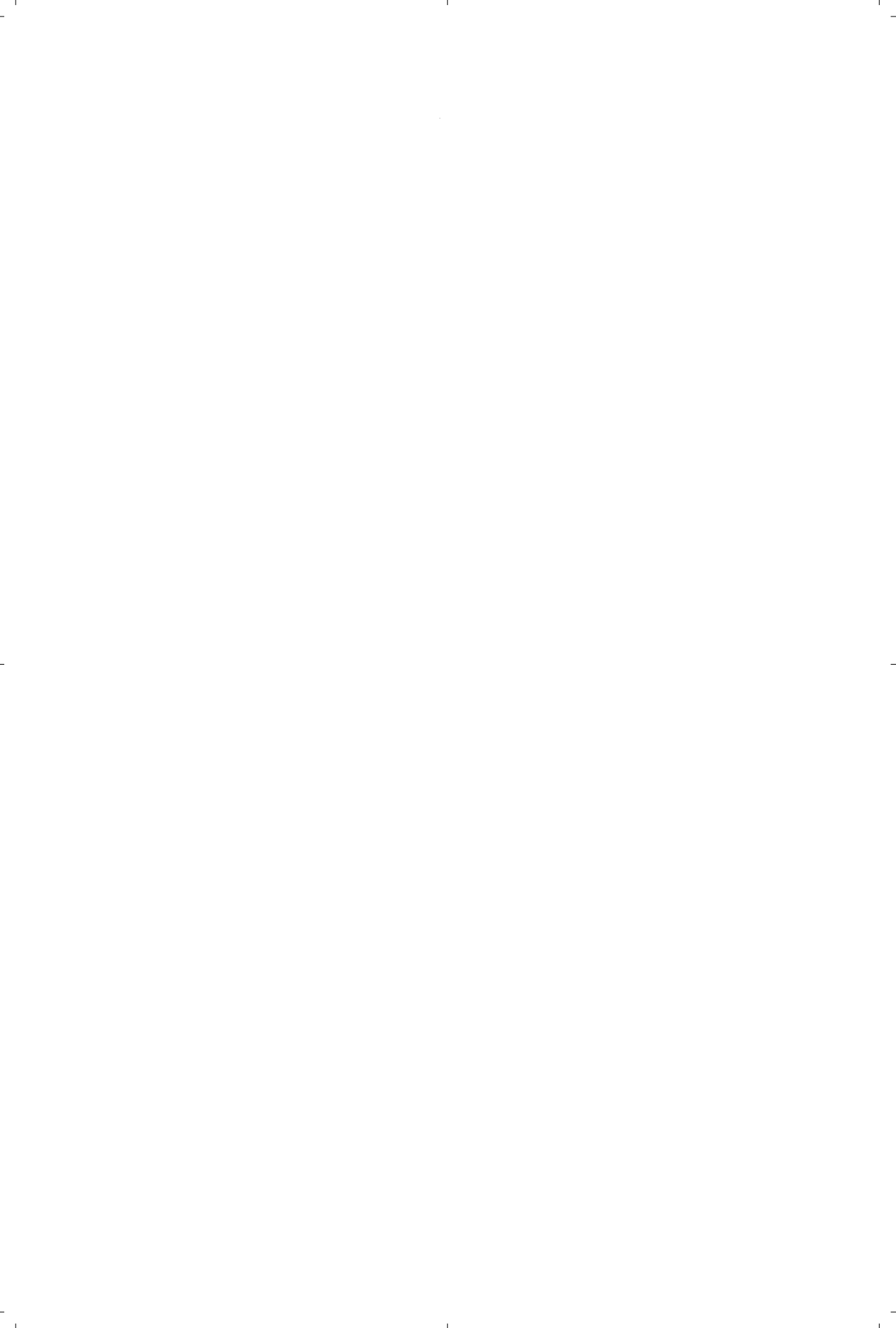
2.4. Advertisement

As regards advertisement, the requirements of truth and decency should be the corner stone. The content of advertisements should fulfil the requirements of truth, decency and the respect for human dignity such as defined in respective laws. They should not affect the credence of the State. Advertising messages should not contain any element likely to go against religious, philosophical or political convictions. Advertising messages should be conceived within the respect of consumer interests, and should in no case, directly or indirectly, by omission or because of their ambiguous nature, lead them to error.

Advertising messages should not contain any element or sign of racial, ethnic or sexual discrimination, scenes of violence or any incitement to behaviours that are harmful to health, the security of persons and property, or to environmental protection. Advertising messages concerning products that have been legally banned or regulated should also be prohibited.

Advertisement should in no case exploit the inexperience or the credulity of children and minors. They should not be the ones prescribing the product or the service being advertised, and should be the main actors only if there is a direct relationship between them and the product or service concerned. Advertising messages should be clearly announced as such, even in the case of programmes interrupted by spot messages. The screens should be identifiable before and after their broadcast.

The advocate of the coexistence of a dynamic and prosperous private sector with a strong and irreplaceable public utility in its intrinsic missions cannot conclude by hiding the essential preparation needed by the public utility for competition. And this will necessarily entail the setting up of consistent public financing mechanisms and matching the assigned ambitions and missions. In this way, the public service would not draw more than 70 to 80% of its financing from private sources. This reversal of the flow and current trend with an advertising stagnation would ensure, consequently, the viability of private production and broadcasting structures, essential links of quality public and private audiovisual channels which we are all dreaming to build, day after day.



Conclusion and recommendations

1. In the name of a vision and values

Public or private television channels in West Africa do not lack assets nor advantages, on which they can and must build their future. Expected institutional changes and evolution, the guarantee of funding consistent with the missions of public service, an adequate strategy, readapted organization and procedures, well trained and motivated staff, appropriate equipment, high benefit ideas and projects, will thus contribute in a decisive way.

Public as well as private television must play the role of true cultural institutions in the daily lives of each viewer by reflecting unity and diversity, promoting and supporting all the sectors of creation, arts and culture and by contributing to the realization of national development objectives. All must take interest in the current experiences to bring the media closer to their public: neighbourhood television, television films and series or proximity serials, creation workshops outside the classical networks, involving the populations. All must work for African integration by being the echo and show case of each country and of the continent, in Africa and in the world.

Strongly endowed with our values, our patrimony and resolutely geared towards the stakes of modernity, the television must reflect the cultural diversity and wealth of our countries and our people, their democratic experiences and aspirations. It must be run by qualified professionals. To do this, it is necessary to implement a number of recommendations, many of which have been addressed in the previous passages, and which we will summarize here in three categories: organizational restructuring or overhaul; human resources training and policy; modernization of equipment and production and broadcasting policies, and which will be outlined in the following section under twelve points.

2. Defining and implementing strategies

It entails defining the objectives and implementing a strategy to meet them, while taking into consideration the realities of the environment and market. This strategy will take into account the position sought, and the finality which is the satisfaction of the aspirations of the public. The strategy will not only contain the objectives and the means, but also an assessment plan in order to be able to make the necessary corrections to our action. This would therefore not be a static exercise but a dynamic approach in a constantly evolving sector to acquire and maintain our competitive advantages. Methodic and rigorous planning should be deep-rooted in our habits, and we must seek operational efficiency.

2.1. *Institute new and better organizational structures*

Given the flexibility of present and future actors, we must move away from trails and privilege efficiency in decision-making and management, the integration of services, the rationalization of human, material, and financial resources, increased internal collaboration and coordination. The starting point and final objective is and will be the programmes on the air while ensuring to put in place perfectly lubricated and coherent mechanisms which must all work in favour of this same goal which is the supply of content.

We thus recommend:

- A less administrative organization of programmes and production with programme and production units with their own budgets, equipment, and material.
- A reshuffled technical department geared towards maintenance, with a mastery of the terrestrial and satellite network, computing, the new technologies and ensuring development and the realization of projects and new services.
- Alongside these structures and for the necessary support, will be established common services focused on:
 - * The coordination of programmes, studies, publications, presentation and auto-promotion;
 - * Administrative and financial matters with emphasis on the function "human resources and internal communication";

- * Strategy, marketing and commercial matters including derived products;
- * Legal and international matters while revitalizing all signed agreements, developing new partnerships and ensuring the respect of law, especially copyright;
- * Control of management and internal audit in their transversal role and sustained in all centres by budgetary accountability;
- * The role of “mediator” (ombudsman) in order to receive complaints, requests, remarks from the public, while ensuring the respect of ethical standards and principles in the daily professional practice.

2.2. Training: a permanent requirement

The dynamism of the television sector demands a constant reappraisal of the most persistent convictions. With the digital era, the new needs of audiences and convergence, new services are set up which require know-how, readjustment, initiation, retraining according to the case in the areas of creation, writing, production and post-production but also at the editorial level, in matters of management, at the legal level, in short in all the audiovisual and communication compartments today. Training must be at the centre of our concerns in order to bring increased value to the channel and operational efficiency in all areas.

The structure in charge of the management of human resources must amongst other objectives draw up a multi-year training plan for which funding will be sought in addition to its own internal resources with the idea to annually allocate a percentage of its global budget to training. Regional and international cooperation will equally help in the implementation of this ambitious policy.

2.3. Modernize production and broadcasting equipment

If our desire is not to undertake a wild chase towards all technological solutions and to make the mistake falling prey to non-mastered transfer of technology, it is however important to ensure the quality of our productions and services. This must be done by reducing the “digital divide”, through a meticulous choice of production and broadcasting tools, by undertaking all the necessary integration of existing tools with those, new and necessary in this Twenty-first century.

This will be done through an non-complacent diagnosis of equipments, and an exhaustive inventory of fixed assets to enlighten future choices while integrating the time factor which requires a reduction of deadlines for reflection, orders, training, installation and use, in one word our lucidity and rapidity.

A permanent supervision of evolution in this sector must be ensured in order to better plan future investments with a better quality-price relationship and taking into consideration the necessary training on the new equipment to be acquired. The existence of spare parts and the constitution of appropriate stocks, recurrent charges and derived costs linked to customer service are as many other elements to be considered.

2.4. Define programme and production priorities

With prime objective to attract viewers, establish audience loyalty, be leader or one of the front runners, it must continuously develop quality and attractive concepts and programmes.

As regards information and magazines, the major route will be versatility, investigative journalism by extending and developing the essential themes of immediate current affairs. Investigations and international reporting, will be essential elements of the plan. We must increasingly give value to experiences, the most remarkable women, youth and men in each country. The political and parliamentary debate, as a means of consolidating our budding democracies or asserting it, must occupy its rightful place amongst our concerns. It implies fully playing our role of information and analysis with professionalism.

Sports which sustains the interest of the public, will occupy a greater place in our programming, according to careful planning and more integration. We must promote all sporting activities and big national and international sporting events. As regards religion, the rule must be to make audio and video programmes in conformity with their finality of education. We must do better, take important appointments and rapidly demonstrate that religion can be a television highlight. We must courageously move away from set trails, resist pressure and various fundamentalisms to make attractive, diversified, useful and really educative programmes. Programmes for children and adolescents deserve real efforts based on exhaustive reflection. A programme production unit should specifically ensure this.

As for entertainment and fictions, the much valued national theatre and drama will be at the centre of our concerns, as well as music. That of West Africa, which has established its pedigree through out the world, while exposing us to and relaying products from the rest of Africa and the world. Programmes must be renovated, diversified, scheduled according to the public, and ratings on some slots. Television can, and must therefore contribute to the advent of a true cultural industry.

In a more general way, the different programme schedules should reflect our intentions which are: to attract a large audience, accomplish our missions and vocations, maintain our image, respect a certain number of obligations for creation (literature, dance, theatre, all the arts) ensure plurality of information amongst others. We must equally make these intentions compatible with the means and resources, draw up production plans to effectively fill our programme schedules, verify the state of stocks by category by projecting them during the 7 days of the 52 weeks of the year, taking into consideration the stocks to be reconstituted at the end of the year, rebroadcasts, eventual withdrawal from the schedule, exchanges and acquisitions. From a combination of all the constraints, we must draw up a new master plan with the final objective to noticeably improve on the programmes to be aired.

To this effect, my religion is made, nourished with the experience of the greatest world televisions, none of which entirely produce what they broadcast. Television in West Africa, is no exception to this rule. This is to say that more than in the past, we would have increased obligations towards national creation and production by supporting, broadcasting and entrusting it with production mandates. I am convinced that it is the only way, for all, to become great television countries with enough and good quality original production to increase the satisfaction rate of our audiences while instituting a healthy and vivid emulation.

Thus West African television channels must consider and act as a receptacle and a laboratory of projects in all areas: tourism, agriculture, cinema and fiction, theatres and dramas, series and serials, the environment, cartoons, youth, science and health, citizenship, entertainment, etc. This approach means that in addition to a crucial need to coordinate programme schedules on the entire network, a synoptic vision, as well as the implementation of an auto-promotion and publication policy.

2.5. Play the trumps of the regional map and proximity

The interest for a television like ours, often consumer of external products resides in the capacity to be alternative that is to be able to produce unpublished, original programmes which when produced according to the required norms and standards, find outlets beyond the primary target. It is absolutely no use to play on the same register as televisions of the North, whose means can not possibly be compared with ours. To do this, our asset will mainly be the regional map, or proximity. The linguistic element is and will equally continue to be an essential fact in continuing with efforts of increasing value, in the same way, as the national languages. The regional approach must be depoliticized because it is above all and essentially to make proximity television programmes or programmes on topics which affect the public, while giving an account of local news of general interest.

2.6. Systematize studies and relations with the audience

A well-known quotation states that operating a radio or television station without studies and research is like “juggling with a dagger in the dark”. All programme scheduling must take into consideration the trends obtained principally from internal as well as external audience research. The demands of local ratings which will increasingly be a reality will make it necessary for us to permanently measure our performances, our ratings and adapt our strategy, consequently our production and schedules, to make them evolve to take into consideration the wishes of the public, competition and several other factors. Without this monitoring, without the treatment of mail from viewers, without interactivity, it will be difficult for us to have the flexibility required to rapidly respond to competition and to changes.

It is an indispensable standby function, a constant dialogue and recourse to institutions with a good mastery of these methods of social science and modern marketing. The priority option to exteriorize this function will further guarantee objectivity and credibility of analysis and conclusions. The other aspect on relations with the audience will have to do with the function of “mediation”. This will consist in receiving and examining complaints and commentaries on our activities, informing the concerned parties and diligently following up, while mainly ensuring, once more, the respect of ethical norms and practices.

2.7. Seize the technological opportunities and develop new services

Within a context of convergence and evolution as well as multiplication of media, drop in the cost of broadcasting, we should take advantage of the situation by:

- Proceeding in the best way with the internal computerization of all the services, including the different services rendered to customers, to ensure the follow up, execution, and financial audit. Such an option will lead to a reduction in the costs of internal, external and interregional communication;
- Contemplating techniques of satellite broadcasting, the MMDS and digital broadcasting which in addition to its superior quality reduces the cost of broadcasting and reception investments, and favours accessibility, for instance the Ku band television with reduced antennas as well as costs for hiring the necessary equipment. Thus it will be possible to form an African “hot bird”;
- Setting up of private web sites, true audiovisual portals in synergy with ongoing private experiences and initiatives;
- Developing new and specific services meeting special needs like paid transmission of data, subscription to some multimedia services, which require in-depth reflection;
- New archival techniques.

2.8. Establish and preserve national audiovisual memory

Generally speaking archives, those of radio and television especially, are elements of national heritage. As such, they must be jealously kept for a series of reasons which not only include their impact and historic, social, political, and cultural value but also the possibility of their economic profitability. They can generate income on each use, be recycled and reused in production especially of historical magazines and documents, enable the development of derived products with the most common being collections of thematic audio cassettes or VHS. This implies means of preservation, staff with the required training, the use of the most recent techniques of preservation, reconditioning and classification.

Local expertise exists as well as regional training structures. International sources of financing which can support this effort also exist. Consequently, in the treatment of the news in particular, we must ensure that professional reflexes prevail over all other considerations, which go beyond the duty to contribute to build a national audiovisual heritage and to restore our history, as it was written and continues to be written ,to future generations.

2.9. Privilege the economic approach to daily management

Any administration must be at the service of the channel but in the same way this will only have real weight if each official respects a number of rules of the game, as regards budgetary forecast, planning, follow up, implementation and discipline as well as control. The management of public or private funds goes hand in hand with legal responsibilities which imply the implementation and respect of a number of procedures, techniques and mechanisms. This is particular of all enterprises that are concerned about the collection, recording and analysis of accounting and financial information in an internally secure controlled environment.

It is also a central and statutory responsibility to see to fiscal balance, and consequently to the optimal use of available resources, and to the mastery of costs. In as much as we should show proof of efficiency, flexibility, adaptability, we must avoid imbalances and deficits, ensure the financing of the enterprise and investments. There can be no pluralism, without economic viability.

2.10. Consistent public funds for public structures

Radio and television stations, everywhere, consume budgets for reasons it is of no use to hold forth on. The state must guarantee regular and stable funds which are consistent with these tools at the service of the community. One of the most used solutions in Africa and in some Mediterranean countries is the tax based on electricity or simply an exceptional tax voted by parliament and deducted on salaries. The public, taxpayers often balk at financing these tools because they very often seem to be instruments of the powers that be and which they do not completely identify with. This tendency

must change, and this is possible if radio and television are really put at the service of general interest, make necessary efforts to satisfy the populations, who in return would find it legitimate that some support be given to them. This debate is unavoidable, and the solution to public financing must be found through this collective and open reflection.

This reflection must integrate in the most global way the indispensable support to culture and communication but equally to the private sector through the institution of appropriate funds derived from different sources. New and daring fiscal measures will not be too much. Better still, they could encourage sponsorship, subsidies and alleviation of the fiscal and custom pressure on equipment considered as luxury equipment.

In addition to public funding, the public media must charge and collect the product of its services which are not included in its contract specification and are of a different nature. Radio and television should not, in the name of public service, be synonymous to requests from all over the place and multiple and free services. Generating its own resources through advertisement, sponsorship, sponsoring, sale of production, derived products and all other commercial activities will be the indispensable complement to the main core funding. But to build a harmonious television and media landscape, we must respect the norm of substantial public financing which goes hand in hand with the obligation to an upper limit on advertisement so that private operators can survive, live and thrive.

2.11. Be the echo and image of the best of local creation

Competition or rivalry are not synonymous to animosity. On the contrary, it is for better quality and satisfaction of audiences. All national skills, all possible networks for creation to improve on the quality of programmes on air must be used. Each channel must be the receptacle par excellence of the best of audiovisual production of each country. To this end, it must be more open to all artists through their associations or directly, whether they are writers, filmmakers, plastic artists, designers and decorators, designers and couturiers, musicians, comedians, etc. Radio and television must offer space for pluralistic expression of all talents, message bearers, projects and realizations.

2.12. Revitalize and reinforce African and international cooperation in order to conquer all markets and publics

If the primary vocation of all television channels is and above all to reach out to the local audience, the imperatives of globalization coupled with the mobility of Africans make the implementation of “an external audiovisual policy” necessary. Four targets can be identified for the markets to be conquered:

- The first or the main target is the national audience across the national territory, in its diversity and cosmopolitanism;
- The second is the expatriate national audience, by playing our role of hyphen with all the citizens abroad;
- The third is the African audience that satellites above Africa enable to be reached directly or by satellite distribution obtained from local operators via a package, reason for the idea of an African “hot bird”;
- The fourth target is the niche to be found among the four billion viewers and more world audience, amongst them those who share our languages, the African diasporas, and the audience open to diversity.

For more impact, such an approach should fall in line with an African perspective, in a coordinated strategy of public and private funding for African audiovisual presence, wiping away languages and frontiers and making our differences our strength and opportunities. Thus we will contribute to an increased African audiovisual presence, to an embryo of pan African channels and progressively to thematic African contents on television.

The issue of rights which will mean priority must be given to in-house production, those of broadcasting agreements for which necessary contacts exist, those of optimizing resources, creating production and broadcasting poles, the role of interior designer must be integrated and resolved.

If it is true that our developing countries are lagging behind in a lot of areas, they have unsuspected assets in the creation and production of audiovisual contents and in their circulation. With realism and pragmatism, I remain optimistic and determined fortified by this thought of Edgar PISANI which strongly recalled on the subject that “Africa is a continent which can defend its chances, come out of confinement, immobility, thoughtlessness, obtuseness. It has enough elites who know the world well enough!”.



List of Abbreviations

AIT	: African Independent Television
AJB	: Association des Journalistes du Burkina
AOF	: Afrique Occidentale Française
APPTA	: Association Privée des Producteurs et Télévisions d'Afrique
ART	: Agence de Régulation des Télécommunications
BBC	: British Broadcasting Corporation
CCA	: Commission à la Communication Audiovisuelle
ECOWAS	: Economic Community of West Africa States
CENI	: Commission Electorale Nationale Indépendante
CESTI	: Centre d'Etudes en Sciences et Techniques de l'Information
CFI	: Canal France International
CIRTEF	: Conseil International des Radios Télévisions d'Expression Française
CNCRPA	: Commission nationale consultative pour la réforme de la presse et l'audiovisuel
CNN	: Cable News Network
CNRA	: Conseil National de Régulation de l'Audiovisuel
CRED	: Conseil Pour le Respect de l'Ethique et de la Déontologie dans les Médias
CSC	: Conseil Supérieur de la Communication
CSI	: Conseil Supérieur de l'Information
DBN	: Degue Broadcasting Network
FES	: Fondation Friedrich Ebert
IFJ	: International Federation of Journalists
GBC	: Ghana Broadcasting Corporation
GFIC	: Ghana Film Corporation
GITA	: Groupe Informel de Travail sur l'Audiovisuel
GTV	: Ghana Television
HAAC	: Haute Autorité de l'Audiovisuel et de la Communication
HAPA	: Haute Autorité de la Presse et de l'Audiovisuel
HCA	: Haut Conseil de l'Audiovisuel
HCRT	: Haut Conseil de la Radio Télévision
LCA	: La Chaîne Africaine
LC2	: La Chaîne 2
LCI	: La Chaîne de l'Information
MFWA	: Media Foundation for West Africa
MMDS	: Microwave Multipoint Distribution System
NBC	: National Broadcasting Commission
NCA	: National Communications Authority

NTA	: Nigeria Television Authority
NTN	: National Television Networks
ODEM	: Observatoire de la Déontologie et de l'Éthique dans les Médias
OGTV	: Ogun State Television
ONAP	: Observatoire National de la Presse
OREPI	: Organisation des Éditeurs de la Presse Indépendante
ORTM	: Office de Radiodiffusion Télévision du Mali
ORTM	: Office de Radiodiffusion Télévision de Mauritanie
ORTN	: Office de Radiodiffusion et Télévision du Niger
ORTS	: Office de Radiodiffusion Télévision du Sénégal
OTM	: Observatoire Togolaise des Médias
RNCV	: Radio Nacional de Cabo Verde
RTDS	: Radio Diffusion Télévision Delta Santé
RTG	: Radio Télévision Guinéenne
RTGB	: Radio Televisao de Guinée Bissau
RTI	: Radiodiffusion Télévision Ivoirienne
RTL9	: Radio Télévision Luxembourgeoise
RTM	: Radiodiffusion Télévision du Mali
RTNM	: Radiodiffusion Télévision de la Nouvelle Marche
RTP	: Rádio Televisão Portuguesa
RTS	: Radio Télévision Sénégalaise
SEP	: Société des Editeurs de la Presse Privée
SLBS	: Sierra Leone Broadcasting Service
SYNATIC	: Syndicat Autonome des Travailleurs de l'Information et de la Culture
SYNPICS	: Syndicat des Professionnels de l'Information et de la Communication du Sénégal
TNB	: Télévision Nationale du Bénin
TNB	: Télévision Nationale du Burkina
TNCV	: Televisao Nacional de Cabo Verde
TV5	: Satellimages TV5
TVT	: Télévision Togolaise
UEMOA	: West African Economic and Monetary Union
UIT	: Union Internationale des Télécommunications
UJIT	: Union des Journalistes Indépendants du Togo
URATEL	: Observatoire Togolais des Médias (OTM) l'Union des Radios et Télévisions Libres du Togo
URTNA	: Union of National Radio and Television Organizations of Africa
WTN	: Western Nigeria Television

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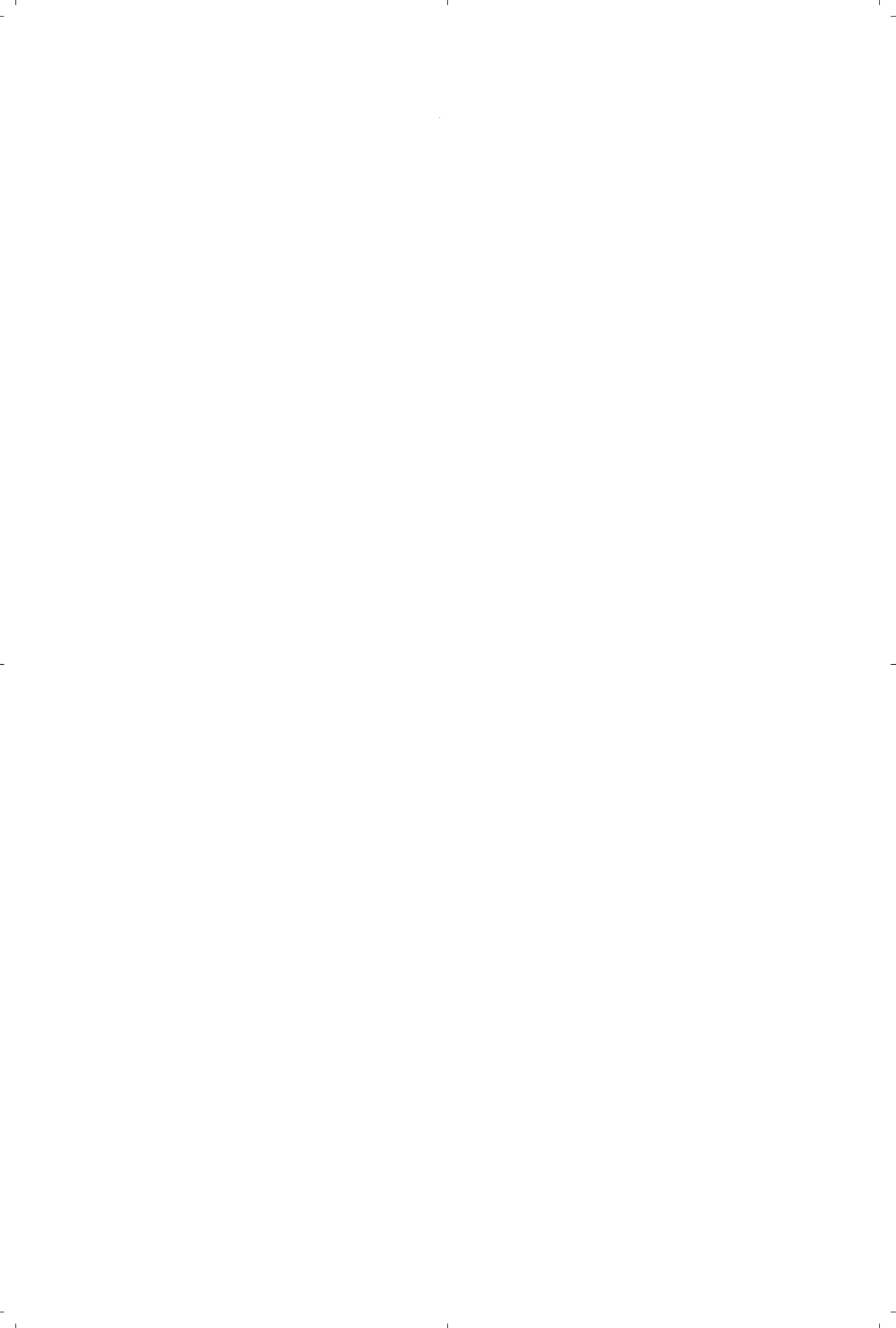
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TUDESQ, A. J., *Les Médias en Afrique*, Paris, Éditions Ellipses, 1999.

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ANNEXES



Table of private channels in Benin

IDENTITY	ORTB	LC2	GOLFE TV	CANAL 3	TV CARREFOUR
Type	Public	Commercial	Commercial	Commercial	Commercial
Date of creation	1978	21st December 1998	Start of programmes: January 2003 Convention: July 2004	Start of programmes: 26 November 2004 Convention: 28 August 2005	March 2003
Name of Owner	State	Christian Lagnidé	Ismael Soumanou	Issa Salifou	Christophe Davakan
Name of person in charge	Pierrette AMOUSSOU	Director: Christian Lagnidé	Director: Joël Ahofodji	Director: Chanta Ayi	Director: Christophe Davantage Assistant Director General Pascal Adne
Number of cameras	10	10	30	03	02
Number of studios	02	02	- 2 in Cotonou - 1 in Porto Novo	2	2
Journalists	10	10	20	13	7
Technicians	35	35	25	10	6
Internet site		www.lc2international.tv	www.golfemedias.com	Under construction	None

VARIOUS CONTACTS:**BENIN****REGULATORY AUTHORITY**

Haute Autorité de l'Audiovisuel et de la Communication (HAAC)

PUBLIC AGENCY

Office de Radiodiffusion Télévision du Bénin (ORTB)

B.P. 366

Cotonou

Tél. : (229) 21 30 20 52

(229) 21 30 10 96

(229) 21 30 14 37

Fax : (229) 21 30 46 19

(229) 21 30 04 48

E-mail : ortb@intnet.bj

LC2 Medias

05 B.P. 427

Cotonou

Tél. : (229) 21 00 40 75

(229) 21 33 46 75

(229) 21 33 47 49

E-mail : lc2international@yahoo.fr

GOLFE TV

03 BP 1624

Cotonou

Tél. : (229) 21 32 76 40

Fax : (229) 21 32 52 25

AUTHORISED MMDS CHANNELS:**• ATVS (Africain Télévision System SOBIEX)**

BP 7101 Cotonou

Tél.: (229) 21 31 43 19

(229) 21 31 27 72

Responsable : Jacob Akinocho

• **TELCO (TELCO-SARL)**

BP1241 Cotonou

Tél.: (229) 21 31 34 98

(229) 21 31 26 08

Responsable: Joseph Jebara

• **TV INTERNATIONAL (TV International SARL)**

01 BP 2376 Cotonou

Tél.: (229) 21 31 53 54

(229) 21 31 43 96

Responsable: Claude Karam

BURKINA FASO

REGULATORY AUTHORITY

Conseil Supérieur de l'Information (CSI)

B.P. : 6618

Ouagadougou 01

Tél. : (226) 50 30 11 24

Fax : (226) 50 30 11 33

E-mail : csi@fasonet.bf

PUBLIC AGENCY

Télévision du Burkina

955, Bd de la révolution

01 BP 2530

Ouagadougou 01

Tél. : (226) 50 31 83 53 / 63 / 73

Fax : (226) 50 32 48 09

E-mail : television@rtb.bf

Web Site : www.rtb.bf

Radiodiffusion Télévision du Burkina Faso

Direction Générale

955, Bd de la Révolution

B.P. 25301

Ouagadougou

Tel./Fax. : (226) 50 33 35 68

E-mail : marceltoe@yahoo.fr

Name	Télévision Nationale du Burkina	Canal 3 Canal	Viim Koega	SMTV (Sport Music Télévision)
Investment:	Running Budget: 350 million	300 million	9 million	120.000.000
Date of creation:	1963	28 December 2002	1996	2002
Name of owner:	Care of the Ministry of Information	S.A.: Groupe Fadoul Afrique	Groupe CVK - LVD	Ismaël Nignan
Type:	Public	Private, commercial	Denominational	Private, commercial
Number of cameras	07	10	04	4
Number of studios	02	02	01	4
Location of transmitters	07 relay transmitters	02	01	1
Coverage	National	Ouagadougou and Bobo-Dioulasso	45 km around Ouagadougou	Not available
Slogan	The channel of shared pleasure	TV that's similar to us	Family television	100% passionate TV

VARIOUS CONTACTS:

TVCANAL 3 S.A.

Avenue Nkwamé Nkrumah
11 B.P. 340 Ouagadougou 11
Tél.: (226) 50 30 06 54
Fax: (226) 50 30 06 62
Web Site: www.tvcanal.com
E-mail: info@tvcanal.com

SSMTV

Secteur 28 Avenue des Teng SOABA Zone 1
01 B.P. 4428 Ouagadougou 01
E-mail: ssmtv1@yahoo.fr
Web Site: en création
Tél.: (226) 50 36 53 53 / 50 38 12 68
Fax: (226) 50 36 45 45

CANAL VIIM KOEEGA

BP 108 Ouagadougou 01
Tel.: (226) 50 38 16 96
Fax: (226) 50 36 34 66
E-mail: cvktv@cvktv.org

CAPE VERDE

PUBLIC AGENCY

Radio Télévision du Cap-Vert

B.P. 1-A-PRAIA
Tel.: (238) 62 30 35 / 62 32 07
Fax: (238) 62 32 06
E-mail : nni1448@cvtelecom.cv

COTE D'IVOIRE

REGULATORY AUTHORITY

Conseil National de la Communication Audiovisuelle (CNCA)

Place de la République
BP : V56
Abidjan
Tél. : (225-20) 05 03 95
Fax : (225-20) 22 02 83

PUBLIC AGENCY**Radiodiffusion Télévision Ivoirienne**

01 B.P. 8091

Abidjan 01

Tel.: (225) 22 48 60 65

Fax: (225) 22 44 78 23

E-mail: ykebe@yahoo.fr

GAMBIA**PUBLIC AGENCY****Gambia Radio and Television Services**

M.D.I. Road Complex - Serrekunda

P.O. Box 158

Banjul

Tel.: (220) 437 42 23 / 437 80 19 / 437 80 22

Fax: (220) 437 42 42

E-mail: grts@gamtel.gm

Web site: www.grts.tv

GHANA**REGULATORY AUTHORITY****National Media Commission (NMC)**

PO Box T114

Sports Stadium

Accra

Tel.: (233) 21 66 62 409 / (233) 21 66 63 25

Fax: (233) 21 66 63 25

PUBLIC AGENCY**Ghana Broadcasting Corporation**

Broadcasting House

P.O. Box 1633

Accra

Tel.: (233) 21 22 11 61 - 9

Fax: (233) 21 22 11 53

E-mail: amka@hotmail.com

Web site: www.gbc.ncs.com.gh

No.	Name and Address of company	Area of coverage	Authorisation	Date of entry into service
1	<p>*GTV Broadcasting House P. O. Box 1633, Accr Tel.: 021-221161-9 • Fax: 221165 / 221149 / 53</p>	National	No official authorisation (Government)	Not available
2	<p>*TV 3 NETWORK LIMITED P.O. Box M83, Accra Tel.: 021-228697/228681 • Fax: 021-228629</p>	National	09/17/1996	09/17/1997
3	<p>METROPOLITAN ENTERTAINMENT TELEVISION No. 59, Josiah Tongogara Street, North Labone P.O. Box C 1609, Cantonments, Accra Tel.: 021-765702 • Fax: 021-765703 Email: talamtv@ghana.com</p>	National	09/05/1997	08/04/1998
4.	<p>TELEVISION AFRICA LTD. 30 Sobukwe Road, P. O. Box 7151, Accra-North Tel.: 021-224322 / 228702 • Fax: 021-223320 / 223439 Email: target@africaonline.com.g</p>	National	11/21/1995	2003
5.	<p>ALL TIME BROADCASTING COMPANY LTD. 2nd Floor Kingsway Building Suite 201 P. O. Box AN 15536, Accra-North Tel.: 021-247652 / 220896 • Fax: 021-221005</p>	Accra Kumasi Sékondi Takoradi	11/21/1995	04/18/1997

No.	Name and Address of company	Area of coverage	Authorisation	Date of entry into service
6.	<p>MULTICHOICE (M-NET) 15 Senchi Street, Airport Residential Area, Accra. PMB CCC 29, Cantonments, Accra Tel.: 021 76 86 66 • Fax: 021 76 86 67 Email: service@gh01.mck.co.za</p>	National	04/14/2000	05/26/1999
7.	<p>CATV LTD. (CABLE GOLD) P.O. Box C 03057, Tema Tel.: 022 40 17 44 Fax: 022 40 17 40 Email: cabletv@ghana.com</p>	Accra/Tema	01/29/1997	05/30/1999
8.	<p>TREND TV GHANA LIMITED Trinity House, Ring Rd P.O. Box CT 4063 • Cantonments-Accra Tel.: 021 78 32 83 - Fax: 021 70 10 62</p>	National	11/30/2004	01/15/2005

Ashanti Region

1.	<p>CRYSTAL RADIOVISION NETWORK LTD (Crystal TV) Plot 2, Block U, Asokwa, P.O. Box 9219 - Ahinsan, Kumasi Tel.: 051-21 681/21 582 • 66 04 11/66 03 47 Email: crystal@africaonline.com.gh</p>	Kumasi	Not Available	12/27/1996
----	---	--------	---------------	------------

No.	Name and Address of company	Area of coverage	Authorisation	Date of entry into service
1.	<p>ALL TIME BROADCASTING COMPANY LTD. 2nd Floor Kingsway Building Suite 201 P.O. Box AN 15536 Accra-North Tel.: 021-24 76 52 / 22 08 96 Fax: 021-22 10 05</p>	<p>Accra Kumasi Sekondi Takoradi</p>	<p>11/21/1995</p>	<p>Not communicated</p>
2.	<p>WILSAD SUPPORT PROMOTION SERVICES Sky House, 19/20 West Fijai P.O. Box MC 1231 Takoradi</p>	<p>Sekondi Takoradi</p>	<p>04/23/20004</p>	<p>Pending</p>

Central Region

1	<p>THE CARDINAL FOUNDATION FOR DISTANCE LEARNING, 12 WAL NUT RD DTD, SILVER BELLS EAST AIRPORT, ACCRA Tel.: 021 813101</p>	<p>Cape Coast</p>	<p>02/11/2005</p>	<p>Pending</p>
---	--	-------------------	-------------------	----------------

Channels authorised but not yet in service

No	Name and Address of company	Date of authorisation
1.	PROCON GHANA LIMITED P. O. Box KIA 16271 - Accra Tel.: 021-77 93 74 Fax: 021-77 20 53 Email: staff@provide.com	06/18/2002
2.	BOLDIME COMMUNICATION LTD. P.O. Box OS 2200 Osu-Accra	12/24/2001
3.	TOP TV P.O. Box CT 4748 Cantonments	09/19/2002
4.	HBA TV P.O. Box CT 5334 Cantonments, Accra Tel.: 021-41 56 98	01/27/2003
5.	KEYSAC TELEVISION P.O. Box DS 1104 Dansoman, Accra Tel.: 021-41 13 45	03/17/2003
6.	AMMISSAH BROADCASTING & TELECOMS LIMITED P.O. Box GP 20595, Accra Tel.:02 08 11 60 72 - 02 44 57 38 08 E-mail: amissahbroadcasting@yahoo.com	03/22/2005
7.	NET 2 TV LIMITED P.O. Box X.272 FNT Kumasi	04/07/2004
8.	OMNI MEDIA COMPANY LIMITED P.O. Box 30211 KIA, Accra	12/02/2004
9.	CITY TV LIMITED P.O. Box 5372 Kumasi	05/17/2002

GUINEA

REGULATORY AUTHORITY

Conseil National de la Communication (CNC)

BP : 2955

Conakry

Tel.: (224) 45 10 96

Fax: (224) 45 10 97

PUBLIC AGENCY

Radiodiffusion Télévision Guinéenne

B.P. 391

Conakry

Tel./Fax: (224) 45 14 08

TV: (224) 41 47 97

E-mail: yacine@leland.gn.org

GUINEA BISSAU

REGULATORY AUTHORITY

Conselho Nacional Da Comunicação Social (CNCS)

Apartado 725 Bissau

Tel.: (245) 25 39 61

Fax: (245) 20 21 54 / 20 18 82

Web Site: diariob@sol.gtelecom.gw

PUBLIC AGENCY

Direction Générale de la Radio et de la Télévision

B.P. 178 Bissau

Tel.: (245) 22 19 41

Fax: (245) 22 26 28

LIBERIA

PUBLIC AGENCY

LIBERIA (LBS)

Liberia Broadcasting System

P.O. Box 594

Monrovia

Tel.: (231) 27 11 46 / 47

Fax: (231) 73 50 03

MALI**REGULATORY AUTHORITY****Conseil Supérieur de la Communication (CSC)**

B. P. E 1856

Bamako

Tel.: (223) 223 21 01

Fax: (223) 223 21 02

PUBLIC AGENCY**Office de Radiodiffusion Télévision du Mali**

B.P. 171

Bamako

Tel.: (223) 221 42 05 / 221 59 37 / 222 24 74

Fax: (223) 221 42 05

E-mail: ortm@cefib.com - skonate@ortme.net

VARIOUS CONTACTS:**AFRICABLE NETWORK**

Avenue de l'OUA

10 Immeuble Bemba Bagayoko

B.P. E 2498

Web Site: www.africable.net

Tél.: (223) 220 91 91

Fax: (223) 220 80 00

MAURITANIA**PUBLIC AGENCY****Direction Générale de la Télévision de MauritanieTVM**

B.P. 5522

Nouakchott

Tel.: (222) 525 40 67/68

Fax: (222) 525 40 69

VARIOUS CONTACTS :

MAURI-VISION

B.P. 3901
Nouakchott
Tel.: (222) 524 01 03
Fax: (222) 525 59 12
E-mail: bahouldsaleck@hotmail.com

NIGER

REGULATORY AUTHORITY

Conseil Supérieur de la Communication (CSC)

BP : 11284
Niamey
SG/ (227) 72 50 23
Tel.: (227) 72 34 10
Fax: (227) 72 26 67
E-mail: csc@intnet.ne

PUBLIC AGENCY

Office de Radiodiffusion Télévision du Niger (ORTN)

B.P. 309
Niamey
Tel.: (227) 72 22 72
Fax: (227) 72 35 48
E-mail: ortny@intnet.ne

VARIOUS CONTACTS:

RADIO TELEVISION TENERE

Rue de la Copro
B.P. 13600 Niamey
E-mail : tenerefm@intnet.ne
Tel.: (227) 73 65 76
Fax: (227) 73 77 75

NIGERIA

REGULATORY AUTHORITY

National Broadcasting Commission (NBC)

P.O. Box 55021 Okoyi, Abuja

Tel.: (234) 09 31 47 525

Fax: (234) 09 31 47 522

Web Site: <http://www.nbc-nig.org>

PUBLIC AGENCY

NTA Nigeria Television Authority

Nigerian Television Authority

Area 11, PMB 113, Garki

Abuja

Tel.: (234) 92 34 59 15 / 234 78 02

Fax: (234) 92 34 59 14 / 234 69 07 (Abuja) - (234) 01 262 62 39 (Lagos)

E-mail : tonniredia@yahoo.com / webmaster@ntanetwork.com

info@nbc-ng.org

Web Site: <http://www.nta.com.ng>

PRINCIPAL TELEVISION CHANNELS

(source : www.ikpedia.com)

MBI Minaj Broadcast International

Street Address

130/132 Ladipo Street

P.O. Box 3975, Matori Industrial Estate

Lagos

Tel.: (234) 1 4529 2032 / 269 4142 / 2397 / 3730 / 3733

Fax: (234) 1 269 3909 / 3727

E-mail: info@mbiafricatv.com

Web Site: <http://www.mbiafricatv.com>

SilverBird Television

1 Rhyth Avenue

Lekki, Lagos

Tel.: (234) 1 555 5540 / 1

LCN Love World Christian Network

Tel.: (234) 1 555 7546

E-mail: lcn@loveworldmail.org

Web Site: <http://www.loveworldchristiannetwork.org>

Channels TV

Tel.: (234) 1 493 4298 / 4272

E-mail: reachus@channelstv.com / info@channelstv.com

Web Site: <http://www.channelstv.com>

Galaxy TV

25, Community Road

Off Allen Avenue

Ikeja, Lagos

Tel.: (234) 1 5557511 / 2

AIT Africa Independent TV

Daar Communications Ltd., 1 Ait Road
off Lagos-Abeokuta Expressway, Alagbado

Lagos

Tel.: (234) 1 2644 814 / 815 / 816

Fax: (234) 1 2644 817

E-mail: info@aittv.com/daarnig@infoweb.abs.net /aittv@hotmail.com
sales@daarusa.com

Web Site: <http://www.aittv.com>

RECAP OF PRIVATE TELEVISION CHANNELS BY THE NBC:

1. Murhi International Television (in Lagos, Ibadan)

M.I.T.V Plaza

Obafemi Awolowo Way

Alausa Secretariat

Opposite NEPA Lagos Zone Headquarters

Ikeja, Lagos

Tel.: (224) 01-4922304, 4922397, 4922241

Fax: (224) 01-4926209

2. Universal Broadcasting Services Limited (UBS)

CITI Trust Plaza

9/11 Catholic Street - Lagos

Tel.: (224) 01-2635631, 2645380, 2664165

3. Channels Television (in Lagos, Abuja)

376, Ikorodu Road

Maryland, Lagos

Tel.: (224) 01-4934298, 2881825

Fax: (224) 01-2881825

4. **Desmims Independent Television**
Sheik Ibrahim Arab Broadcasting House
No. 4A, Sokoto Road
Gra, Kaduna
Tel./Fax: (224) 062-241701
5. **Galaxy Television**
25 Community Road - Off Allen Avenue
Ikeja, Lagos
Tel.: (224) 01-7753370, 7740806
6. **Galaxy Television House**
Oke Are, Ibadan
Tel.: (224) 02-2410897, 2410899, 2413569
7. **Degue Broadcasting Network (DBN-TV)**
No. 65, Awolowo Road
P.O. Box 51162
Ikoyi, Lagos
Tel.: (224) 01-2690051, 7740289
Fax: (224) 01-2693888
8. **Independent Television**
Glass House
Airport Road, P.M.B. 1703 - Benin City
Tel.: (224) 052-250242, 252119, 602727, 602565
Fax: (224) 052-251881, 251504
9. **Monarch Communications**
No. 180, Awolowo Road
Ikoyi, Lagos
10. **Nagarta Communications**
No. 10, Zaria Road
Gusau, Zamfara State
11. **Unity TV Communications**
Plot 43, Parkview Estate
Ikoyi, Lagos

12. Choffan Communications Limited

No. 228 Muri Okunola Street
Victoria Island, Lagos

13. Here & There Television

226, Obafemi Awolowo Way
Oke, Ado
GPO 2319, Ibadan

14. Chrome Communications Ltd (TV)

Oraifite Ekwusigo L.G.A.
Anambra State

SENEGAL

REGULATORY AUTHORITY

Previously Haut Conseil de l'Audiovisuel / CNCRA

Immeuble FADH Ba Djily Mbaye
Dakar

Tel.: (221) 33 869 03 56

Fax: (221) 33 869 03 70

PUBLIC AGENCY

Radiodiffusion Télévision Sénégalaise

Triangle Sud - B.P. 1765

Dakar

Tel.: (221) 33 849 12 12 / 33 849 12 02

Fax: (221) 33 822 34 90

E-mail: rts@rts.sn

VARIOUS CONTACTS:

RTS 2S

1, Avenue Abdoulaye Fadiga - face BCEAO siège
B.P. 8308 Dakar Yoff

Tel.: (221) 33 823 93 54

Fax: (221) 33 823 93 55

Web Site: www.2stv.net

E-mail: pcs@arc.sn

EXCAF TELECOM

Rue Prolongee Hlm 1
 Domaine Industriel Sodida
 B.P. 1656 - Dakar
 Tel.: (221) 33 865 66 66 / 33 865 66 93
 Fax: (221) 33 824 21 91 / 33 864 40 31
 Web Site : www.exaf.com
 E-mail: dunyaa@sentoo.sn

SIERRA LEONE**PUBLIC AGENCY**

Sierra Leone Broadcasting Services
 Broadcasting House – New England
 Freetown
 Tel.: (232) 22 24 01 23 / 24 01 73
 Fax: (232) 22 22 44 39 / 24 09 22

TOGO**REGULATORY AUTHORITY****Haute Autorité de l'Audiovisuel et de la Communication (HAAC)**

Palais des Congrès de Lomé
 B.P.: 8697 Lomé or B.P. 1208 Lomé
 Tel.: (228) 21 23 83 / 22 25 17
 Fax: (228) 22 25 17

PUBLIC AGENCY**Télévision Togolaise****TVT**

B.P. 3286
 Lomé
 Tel.: (228) 221 53 56 / 57
 Fax: (228) 221 57 86
 Web Site : www.tvt.tg

Contact list of international professional organisations

URTNA

101, rue Carnot,

B.P. 3237, Dakar

Tel.: (221) 33 821 59 70 / (221) 33 821 16 25

Fax: (221) 33 822 51

CIRTEF

S/C RTBF

52, Boulevard Auguste Reyers

1044 Bruxelles

Tel.: (32) 2 732 45 85

Fax: (32) 2 732 62 40

E-mail: cirtef@rtbf.be

APPTA

S/C SPECTRUM TELEVISION

Résidence Kassap - Akwa

Boulevard de la Liberté

B.P. 4883 - Douala - Cameroun

Tel.: (237) 343 1900 / (237) 343 1444

Fax: (237) 343 2255

E-mail: appta@stvgroup.com

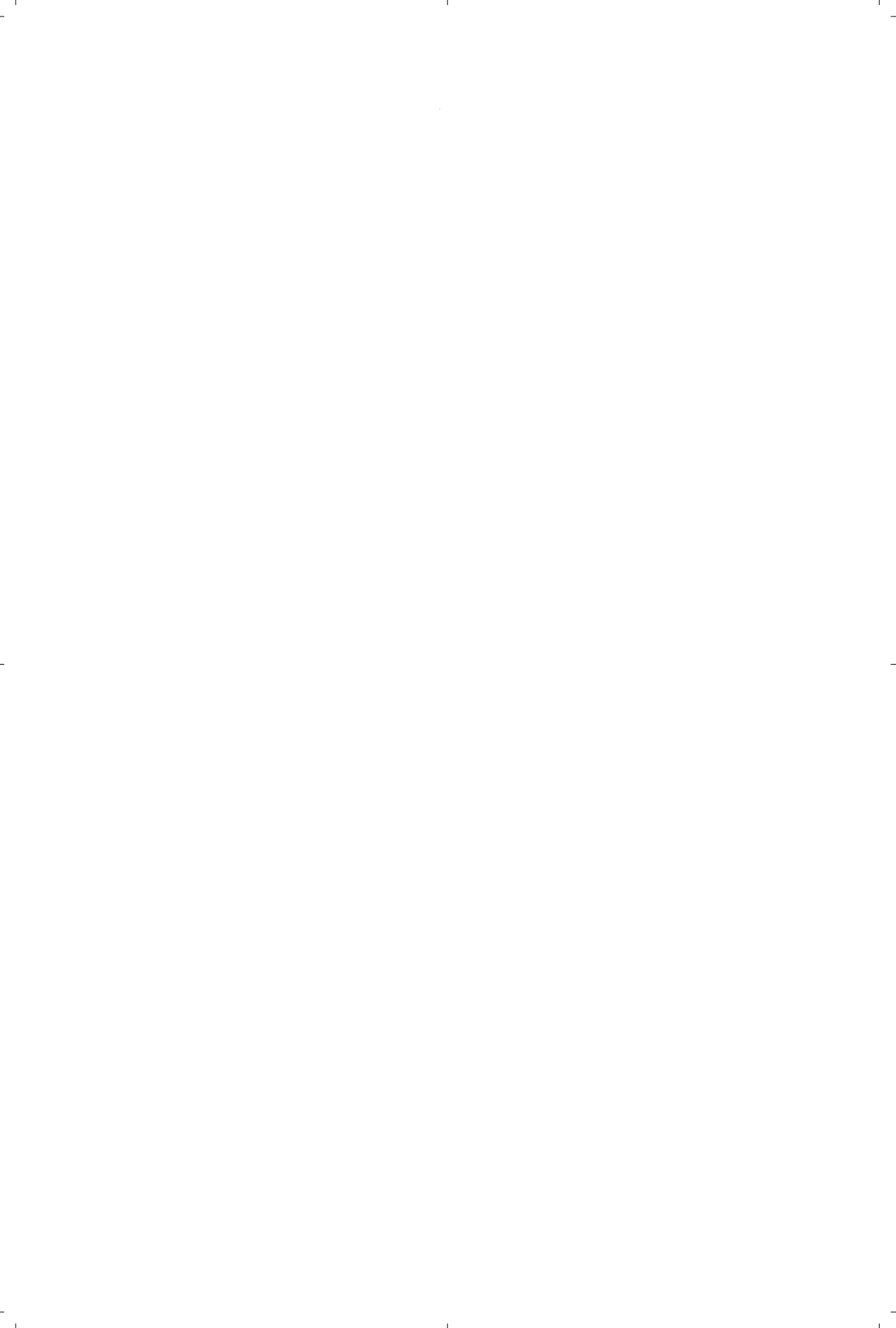


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During the last decade, press and radio pluralism has been well established in most of West African countries. But what about television, which is by far, the most popular media?

Even though the media landscape has witnessed the arrival of new actors in most countries of the sub-region, there are several other countries where pluralism is still to be consolidated. In areas where liberalization is already in motion, State media are yet to complete their transition towards a status of «public service» media: they tend to remain the bullhorns of governments, hardly ensuring plurality of programmes and information. Furthermore, regulatory mechanisms governing the distribution of frequencies sometimes lack transparency, and the structures set up to ensure their application are not always considered impartial or independent. These are all factors that weaken the foundations of pluralism.

Nowadays television can be considered a major catalyst of democratising information and communication. That explains why Panos Institute West Africa decided to assign this study to Mactar Silla, one of the best African specialists in the field. The said study is aimed at illustrating the current state of affairs of televisual pluralism in West Africa, while providing in-depth reflections on the stakes, prospects and priorities of the sector.

This detailed inquiry is the first of its kind, filled with several interviews, and develops proposals geared at encouraging pluralism of televisual enterprises (public and commercial, as well as community) and contents broadcast by channels of the sub-region.

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