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MALAWI

On April 5, 2012, Malawi lost its president, Bingu wa Mutharika, during his second term in office. About 12 months before his death, the ruling political party at the time, the Democratic Progressive Party (DPP), had fired then-Vice President Joyce Banda and Second Vice President Khumbo Kachali amidst succession wrangles. Mutharika wanted his brother, Peter Mutharika, to succeed him, but Banda had shown interest in running for president. Banda was fired from her party position but she maintained her government position. Banda then teamed up with Kachali and other politicians and formed the People's Party (PP). These developments meant that the country had a president from ruling party DPP and a vice president from opposition party PP.

During Mutharika's last days in power, he showed dictatorial tendencies and subjected the country to bad governance and poor diplomacy. Malawi expelled United Kingdom Ambassador Fergus Cochrane-Dyett over an alleged leaked cable that described President Mutharika as "ever more autocratic and intolerant of criticism." Malawi then started losing its international donor partners. Its currency, the kwacha, was pegged unrealistically high against major currencies, despite devaluation calls from different stakeholders. Commodities, especially fuel, became scarce in the market. The economy nose-dived when the leadership championed a zero-deficit budget.

With Mutharika's death, Banda ascended to the office of presidency, despite some resistance from DPP leaders. Tables switched, PP became the ruling party, and DPP became part of the opposition. Right from the beginning, Banda showed a different stance on most policy and governance issues—she led Parliament to repeal some repressive laws amended by the Mutharika regime and adopted a liberalized exchange rate policy. According to the National Statistical Office of Malawi, the inflation rate shot to a high of 25.5 percent by September 2012.

Like other industries, Malawi's media sector was affected in a number of ways both during the economic crisis and in the ensuing recovery. The cost of doing business soared, advertising went down, jobs were lost, and media independence was compromised to a large extent. For the first time in a good number of years, labor strikes occurred at media outlets.

Malawi's 2012 overall MSI score of 2.38 puts it in the "near sustainability" category, largely because the country has begun to meet aspects of most indicators. The change in government has meant some progress; however, panelists agreed that at this stage, it is too early to judge if the current government is genuinely dedicated to good governance and promoting free and independent media. The president's commitment to media freedom has been questioned already in some instances, such as when she appointed a chief executive to the state broadcaster instead of leaving the task to the board of directors, as stipulated in the Communications Act of 1998 Section 92(1).

# MALAWI AT A GLANCE

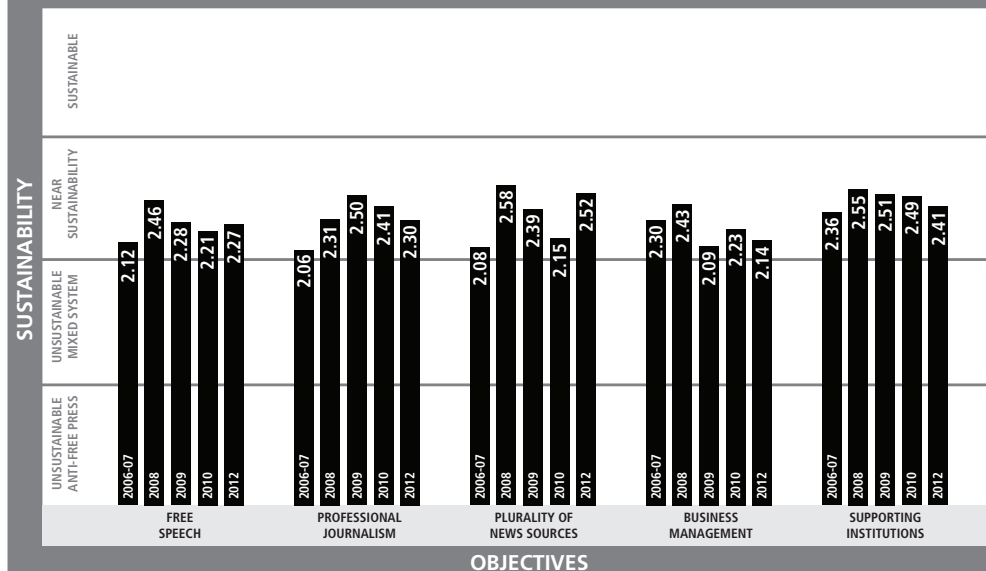
## GENERAL

- > **Population:** 14,800,000 (National Statistical Office of Malawi, de-jure 2012)
- > **Capital City:** Lilongwe
- > **Ethnic groups (% of population):** Chewa 32.6%, Nyanja 17.6%, Yao 13.5%, Ngoni 11.5%, Tumbuka 8.8%, Nyanja 5.8%, Sena 3.6%, Tonga 2.1%, Ngonde 1%, other 3.5% (2008 census, *CIA World Factbook*)
- > **Religions (% of population):** Christian 82.7%, Muslim 13%, other 1.9%, none 2.5% (2008 census *CIA World Factbook*)
- > **Languages (% of population):** Chichewa 57.2% (official), Chinyanja 12.8%, Chiyao 10.1%, Chitumbuka 9.5%, Chisena 2.7%, Chilomwe 2.4%, Chitonga 1.7%, other 3.6% (*CIA World Factbook*)
- > **GNI (2011-Atlas):** \$5.186 billion (World Bank Development Indicators, 2012)
- > **GNI per capita (2011-PPP):** \$870 (World Bank Development Indicators, 2012)
- > **Literacy rate:** 74 % of adults over 15 years of age (World Bank, 2009)
- > **President or top authority:** President Joyce Banda (since April 7, 2012)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 10 newspapers of which 2 are dailies, 35 radio stations, 11 television stations
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Malawi News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 512,184 (World Bank, 2011)

## MEDIA SUSTAINABILITY INDEX MALAWI



**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Malawi Objective Score: 2.27

Malawi's constitution recognizes the freedom of opinion, freedom of expression, freedom of the press, and freedom of information, under Sections 34, 35, 36, and 37 (Malawi Constitution, 1994), and society places a high value on these rights. But Capital Radio Managing Director Alaudin Salim Osman observed several violations in practice. "The executive—and through its appointments of authorities such as the Malawi Communications Regulatory Authority [MACRA] and other offices—arbitrarily shuts down broadcasters, withdraws government advertising, and implements other punitive measures and sanctions on private-owned media houses that are critical and uncomplimentary of the executive, cabinet ministers, and government policy," he said.

In 2012, Parliament repealed Section 46 of the Penal Code, which had been amended in 2010, and this action empowered the Minister of Information to ban any publication deemed not to be in the public interest. However, the amended Section 46 was still law for a good part of 2012. Other repressive laws exist regarding insult; sedition; and protected names, emblems; and places. Some sections of the Police Act are used for oppression. The Mutharika regime enlisted these laws to subjugate media freedom.

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Tikhala Chibwana, general manager for BNL Times Newspapers, explained the ultimate effect of the taxation: "Government introduced a VAT tax on newspapers, and we passed on the cost to the readers, who were themselves being hurt by the economic downturn. We gained a bit in revenue, but lost in volume."*

Osman noted:

"I will offer two examples where the law or regulations are used to suppress freedom of expression. In January 2012, Capital Radio broadcast a statement by a sitting Member of Parliament, Mr. Lifred Nawena of Thava Thyolo, where he described the then-President Bingu wa Mutharika as being surrounded by hand-clappers. The regulator, MACRA, felt very offended and summoned me and my management and lawyers to a meeting, where they dressed us down, and said this is a violation of our broadcasting license and regulations, and we should explain or give reasons why they should not withdraw our license. This is a second offense, after having allowed somebody to use a bad name against Bingu. This also followed the July 20 [2011] incidents, in which we were shut down for several hours for using live broadcasting that was allegedly inciting the public to loot and go on a rampage. Both accusations, of course, [are] absolutely false."

In March 2012, Malawi's State House released a statement limiting and criminalizing use of titles like "Big Kahuna" and "Moya" (a tribal word that has taken on a derogatory connotation) in reference to late Mutharika—even in columns and cartoons.

Another consequence of free speech violations and oppressive laws is that the media overuse anonymous sources, some panelists said.

Registration of newspapers in Malawi has long been fair and apolitical. Publications are only required to sign up with the registrar of companies and to submit a copy of each edition to the National Archives. Malawi has no requirement for Internet media and bloggers to register with authorities. However, licensing of broadcast outlets remains highly politicized. "MACRA has the mandate to issue broadcasting licenses upon calling for applications from

*“We also expected to see the prosecution of those who were promoting hate speeches in programs like Makiyolobasi and Mizwanyana run on MBC,” said Kumwenda.*

interested companies,” explained Suzgo Khunga, Media Institute of Southern Africa (MISA) Malawi treasurer general. “However, MACRA falls under the Ministry of Information, and the responsible minister is consulted during the selection process.”

Following pressure from MISA Malawi and the NGO Media Council of Malawi, MACRA issued 15 licenses in July 2012, adding to the nine that were issued in December 2011. License applications had been outstanding for as long as two years in many cases, but MACRA did not give any reason for taking so long. The approval of applications required a change of the country’s political leadership. Citizens were also not permitted the chance to contribute to the licensing process by giving their views on specific applications, as stipulated by the Communications Act in Section 48(3,1), noted Osman.

Panelists agreed that in practice, licensing is no longer MACRA’s exclusive domain but rather under the purview of politicians. “The problem with MACRA is that it is heavily politicized, and therefore unable to take professional decisions. In the aftermath of July 20, 2011 nationwide protests, MACRA actually closed down private radio stations for providing coverage of events as they unfolded,” said Free Expression Institute Program Coordinator Peter Jegwa Kumwenda.

Apart from high start-up costs, market entry is fair and comparable to other Malawian industries. But the panelists pointed out that taxation remains an issue. “Although it is capital-intensive—setting up transmitters, equipment, printing machines, et cetera—the media industry does not enjoy any tax breaks, which other industries like mining get,” observed Chancellor College law lecturer Sunduzwayo Madise.

In early 2012, after a public outcry, the new government scrapped the newspaper VAT (value-added tax) that had been introduced recently by the Mutharika regime. The government also lifted duties on broadcast equipment, but it still levies a VAT of 16.5 percent. The government also charges VAT on raw materials such as newsprint. Most of these taxes were part of an effort to increase government revenue to support the zero-deficit budget adopted by the Mutharika

regime after donors pulled budget support in 2011. Tikhala Chibwana, general manager for BNL Times Newspapers, explained the ultimate effect of the taxation: “Government introduced a VAT tax on newspapers, and we passed on the cost to the readers, who were themselves being hurt by the economic downturn. We gained a bit in revenue, but lost in volume.”

Until April 2012, when President Banda took over, a number of journalists received threats from known and unknown sources while in the process of news collection. As reported in bizcommunity.com in July 2012, during the July 2011 mass demonstrations 23 journalists were assaulted and a car belonging to the Zodiak Broadcasting Station was torched. Police confiscated cameras and detained photojournalists that were doing their reporting duties. In March 2012, bizcommunity.com reported that freelance journalist Gregory Gondwe was verbally harassed by the then-Minister of Information Patricia Kaliati. MISA Malawi chairperson Anthony Kasunda was also subject to threats from anonymous sources. “I am yet to read or hear of a policeman who was prosecuted for harassing, assaulting, or falsely arresting a journalist,” said blogger Vincent Kumwenda.

However, at times Malawi police have protected journalists from political thugs. In one incident, police protected a group of newspaper reporters that challenged President Mutharika on his whereabouts and policies following a public speech at the capital’s international airport.<sup>1</sup>

Although stipulated by the Communications Act, Malawi’s state media are not independent. The panelists agreed that Malawi Broadcasting Corporation (MBC), as a recipient of government funding and with politically appointed management, performs as if it is answerable to the political leadership and not the public. While the regulator punishes privately owned media for transgressions (real or imagined), Osman noted that MBC is “encouraged to regularly churn out untruths and defamatory propaganda against representatives of civil society and perceived opponents of the government.” Zodiak Broadcasting Station bureau chief Pilirani Tambala added, “There is need for the executive arm of government to accept that in a multiparty democracy, diverse views need to be tolerated.”

The editorial independence of state media continues to be violated even under the new regime. Just a few days into office, President Banda fired MBC Director General Bright Malopa and replaced him with Benson Tembo. As reported on bnltimes.com in April 2012, the president was faulted on this

<sup>1</sup> “Police Protect Private Scribes,” ZodiakOnline, Nov 21, 2011. [http://www.zodiakmalawi.com/index.php?option=com\\_content&view=article&id=3439:police-protect-private-scribes&catid=1:latest-news&Itemid=109](http://www.zodiakmalawi.com/index.php?option=com_content&view=article&id=3439:police-protect-private-scribes&catid=1:latest-news&Itemid=109)

by several stakeholders—not because of her choice, but for flouting procedures. Legislators have made efforts to amend the Communications Act and transform MBC from a state to a public broadcaster, but the process has been going on for several years, according to Khunga.

Panelists observed that libel can be treated as a civil and/or a criminal issue, depending on who is the affected party. In the words of Madise, “If the complainant is a politician in the ruling elite or politically connected, the matter will be criminal, but otherwise, it will be civil. In civil cases, the burden of proving their case rests on the person alleging [he or she has] been defamed on a balance of probabilities. In criminal matters, this must be proven beyond reasonable doubt. It would be better if libel was just a civil [matter].”

Panelists also bemoaned the unjust practices in libel cases. “When you are involved in these cases, from the experience that I have had, you are presumed guilty until you go and prove your innocence in court,” said Edward Chitsulo, Nation Publications Limited (NPL) managing editor. “With the burden of proof being on the defendant, you will find that there is a bit of hostility even within the legal system. They think that journalists are there to destroy. Even at your office, your bosses start looking at you negatively.”

“We also expected to see the prosecution of those who were promoting hate speeches in programs like *Makiyolobasi* and *Mizwanyanya* run on MBC,” said Kumwenda. MBC producer Josephine Semu Phumisa conceded that MBC employees are unfairly protected from prosecution by the government.

Internet service providers or web hosting companies are not held legally responsible or punished for the content of individual websites.

There was consensus among panelists that public information is only available at officials’ will. Eighteen years after drafting Malawi’s Constitution, Parliament has yet to deliberate and pass the Access to Information Bill, the panelists observed. They expressed fears that the bill may remain in draft form forever.

Information from the government is often first made available to state broadcasters and later to other media outlets. Due to difficulties in accessing information, private media journalists have to use clandestine means or shield their sources. Some government institutions have public relations officers, but the information gathering process remains cumbersome in departments in which only the principal secretary can comment officially on issues. However, the panelists noted that some departments, such as the police, are making progress.

*Phumisa spoke from her experience as a state media journalist. “Journalists try to follow ethics, especially when they are fresh from college. But when they get settled in their respective workplaces they tend to encounter some pressure, which compromises their ethics,” she said.*

Malawi has no law restricting media outlet access to or use of local and international news and news sources, and that has been the situation for a long time and under different political regimes. However, as Peter Jegwa Kumwenda noted, the previous government made an attempt to introduce legislation to control access to Internet.

Entry into the journalism profession has remained free and open. Anyone can enter the country’s journalism schools as long as he or she meets academic requirements. Media outlets can hire according to their set standards, and people are free to practice as freelancers, bloggers, and the like. The Media Council of Malawi accredits journalists, although the accreditation is not legally binding. Usually, journalists need press accreditation to cover state functions.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Malawi Objective Score: 2.30

Niche reporting and programming exist in the country and media outlets are making efforts to improve their quality and coverage. However, the low pay level of media practitioners remains an issue holding back Malawi’s media sector.

Reporting is fair and objective generally, but panelists highlighted a number of areas regarding sourcing that must be improved. “Based on the corrections that constantly appear, especially in the print media, reporters do not always verify and fact-check all the information they present... they rely on single sources,” said Madise, the lawyer and law professor. “This sometimes makes the story shallow and lack depth and at times incorrect. In comparison, reporters from the private radio stations are more methodical. The problem with the print media may be due to the cutthroat competition, as there are only two, so verification and detail may suffer at the hands of expedience.” Tambala added, “At times, limited resources prohibit journalists from some media houses from conducting thorough research.” The

*“It is difficult to take action against respective reporters without evidence, even amidst suspicions,” explained Chitsulo, who disclosed that NPL has dismissed a few people for corruption.*

panelists agreed that the high turnover of media workers also affects quality.

MBC is the biggest player, but its bias and lack of objectivity do not reflect well on the state of the media, panelists said.

The Media Council of Malawi has set ethical standards for media practitioners, and individual media outlets also have their own policies. Although they adhere to most standards, journalists and media outlets do commit some violations, such as plagiarism and conflicts of interest in sourcing. Bribes continue to haunt the media in Malawi as well. Khunga observed, “The practice of ‘brown envelopes’ is still common; journalists expect a token of appreciation disguised as lunch or transport allowance. This is not in exchange for coverage as such, because even in the event of no allowance, functions are still reported in the media.”

Phumisa spoke from her experience as a state media journalist. “Journalists try to follow ethics, especially when they are fresh from college. But when they get settled in their respective workplaces they tend to encounter some pressure, which compromises their ethics,” she said. Pressure comes both from editors and colleagues—especially the more senior

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

reporters, she said, but she maintained that she has never been pressured by a politician.

Even media houses like NPL, that made public their positions against corruption, permit their journalists to continue receiving “allowances” from sources and organizers for covering news events. Efforts to combat corruption in journalism are stymied by such enablers and by reporters’ hesitation to cooperate. “It is difficult to take action against respective reporters without evidence, even amidst suspicions,” explained Chitsulo, who disclosed that NPL has dismissed a few people for corruption. Panelists cited NGOs and corporations as major culprits in enticing young journalists by offering allowances.

Panelists noted the ongoing problem of plagiarism. “Of late, with competition, and the advent of the Internet, I have noted that some journalists, bloggers, and citizen reporters are simply copying and pasting. I would therefore say, that in general, except for a few professionals, most of the [up and coming] ones do plagiarize,” said Madise. However, Osman said there are also incidences of plagiarism even in the mainstream media and by some senior members of staff.

Blogger Vincent Kumwenda commented on the current state of his medium. “Bloggers are not well recognized in Malawi, and are mostly misunderstood. A blog is simply a diary where one records opinions, comments, and analysis in a chronological manner. But it has been confused with mainstream reporting,” he said.

The panelists dismissed findings of a commission of inquiry into the demonstrations of July 20, 2011. As reported on bizcommunity.com on July 10, 2012, the commission’s report (released in July 2012) blamed the media for fueling the violence by providing live broadcasts of pro-democracy demonstrations. The panelists questioned the commission’s independence and credibility, as the Mutharika government formed the commission.

The distance between sources and journalists is diminishing, and panelists cited that as a threat to ethical standards, particularly with sports desks. Individual affiliations are sometimes even reflected in stories and, in some instances, journalists act as spies, tipping their “source-friend” on any stories being written about them.

Panelists agreed that media members continue to self-censor. “Journalists and editors claim that they do not practice self-censorship, but rather provide guidance on how to handle stories that might touch on the sensitivities of advertisers and other special interests,” said Osman. The panelists observed that some censorship is practiced in the interest and security of the nation, citing the example of how the media played down the tensions of a boundary

dispute with neighboring Tanzania over part of Lake Malawi. This longstanding feud reignited during 2012 when Malawi announced prospects of oil exploration in the lake. The media in Tanzania carried stories advancing a violent position in resolving the dispute, while the coverage in Malawi did not reflect the growing anger among citizens over the issue.

Chitsulo commented on the actions that NPL's newspaper has taken to survive. "Sadly, with high levels of self-censorship, the media are losing good journalists who are passionate about the profession if they receive too much 'guidance.' We have a problem, yes, but we should look at our major interests: the listener, the viewer, or the reader. [NPL] *Nation* went through a very painful experience when government withdrew all the advertising, so we said, 'Let's look at the business model. Who are we catering to? Once we meet their expectations, we survive.' It's not easy, but you need technocrats—people trained in business, to ensure that they look at the figures, variables, and dynamics. If you don't publish the truth, people stop buying."

Generally, journalists are willing to cover key events and issues. However, political leaders tend to label a media outlet as opposition whenever its coverage is not in favor of the leadership. The panelists also noted that some media outlets are denied access to certain national events. Until May 2012, private radio stations were barred from live coverage of parliamentary proceedings. At the height of the July 2011 demonstrations, the government, through MACRA, closed some radio stations for their live coverage of the activities. Social media played a crucial role mobilizing people and carrying regular updates on the events.

There are disparities in pay within the media industry. As Madise explained, "Generally, pay levels for the media in Malawi are low. However, amongst the different strata, it is the 'foot-soldiers' who are comparatively not well paid... In terms of comparing journalists with other professionals, journalists are not worse off, but then, the other professionals do not get exposed to the serious risk of 'industry capture' that journalists do!" Some panelists said that state broadcasters pay much better than private broadcasters.

"Most journalists receive meager salaries, but they will rarely talk about it, Tambala said. "They are in the forefront fighting for others, when their situation is even worse."

A debate arose within the panel on linking pay levels to corruption and retaining qualified personnel. Some panelists argued that the low pay levels influence the perception of corruption, and journalists soliciting and receiving bribes. Madise stated, "That is why when you hear of corruption in the judiciary, people frown. The reason they frown is that

these people are well paid. The reason why it is not frowned upon when journalists do it is because people are saying 'what will they eat?'"

Media members' frustrations with low pay and the soaring cost of living have occasionally led to strikes.<sup>2</sup> The recent devaluation of the local currency triggered an increase in the inflation rate to 21 percent, but media houses failed to match salary adjustments, with some giving out a paltry 10 percent, and in some cases, no increase at all. Most media houses said that they themselves were in a difficult economic period, during which revenues went down as a result of government tax policies, and raw materials were scarce, Khunga said.

At radio stations, news is prioritized and given prime time slots. "The state media can afford a better balance or mix because of state [financial support]," said Madise.

Panelists said media outlets made little investment in equipment during the year. Limited facilities left some Malawians in border districts relying on neighboring countries' radio broadcasts. Most panelists bemoaned the poor conditions of equipment for gathering, producing, and distributing news. In some cases, the limited resources are not handled responsibly, and in other instances, media professionals lack capacity to use the equipment. The panel recommended that journalism curricula include training on equipment use and maintenance.

Panelists gave an example of efforts to improve the facilities situation. BNL Times Newspapers introduced a 50/50 cost-sharing plan that allowed journalists to purchase recorders, cameras, laptop computers, and other tools. As devices get cheaper, journalists and media outlets are more able to afford them, panelists said.

Quality niche reporting and programming exist. Print media are good at investigative journalism, despite the high cost, panelists said. Radio stations are broadcasting investigative reports on diverse issues, not only politics, observed Madise. However, limited staff numbers at outlets disallow most journalists from specializing, except in business and sports. Economic/business reporting is becoming prominent, with newspapers committing increasingly more space to these topics. For instance, in February 2012 BNL Times Newspapers launched *The Business Times*, a specialized weekly. However, the panelists emphasized that journalists still need additional training in niche reporting.

<sup>2</sup> "MIJ Staff Strike, Knocks Radio Off Air," *Nyasa Times*, July 3, 2012. <http://www.nyasatimes.com/malawi/2012/07/03/mij-staff-strike-knocks-radio-off-air/>



*According to bizcommunity.com, on April 13, 2012, when MACRA temporarily shut down private broadcasters and blocked popular news websites, Malawians turned to social media platforms such as Facebook and Twitter for the latest information.*

### OBJECTIVE 3: PLURALITY OF NEWS

#### Malawi Objective Score: 2.52

Malawi has 27 broadcasters on the air; they include state-controlled, private, and community-owned radio and television stations. The issuance of new television licenses has raised hopes for that medium, but challenges remain with the print sector, as Malawi has only two dailies: *The Daily Times* and *The Nation*. Rural areas generally depend on radio. Access to newspapers is also hampered by ever-rising cover prices. As the cost of production increased with the economic crisis and the subsequent devaluation of the currency, print media companies kept adjusting the prices upward.

Malawi is seeing an increase in the use of new media platforms for reaching out to citizens. Most radio stations and the aforementioned two daily newspapers have vibrant websites, Facebook pages, and Twitter accounts. Improvements in technology and lower costs of managing

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

mobile access to the Internet have increased the reach of that platform. Internet fees are more affordable, and the two leading mobile network providers offer innovative and cheaper packages in the form of SMS and Internet bundles.

For the first time in the country's history, BNL offers e-editions of all its newspapers to subscribers. Social media gained popularity as a platform for airing grievances during the country's civil society mobilization against the former government. According to bizcommunity.com, on April 13, 2012, when MACRA temporarily shut down private broadcasters and blocked popular news websites, Malawians turned to social media platforms such as Facebook and Twitter for the latest information. Unreliable electricity supply affects computer-based Internet access, but most Malawians access the Internet from their phones.

Panelists agreed that citizen access to domestic and international media is not restricted by law but rather by economics and low literacy levels. Consumers that access international news rely mostly on digital satellite television services offered by MultiChoice Malawi. However, subscription fees at about MWK 25,000 (about \$100) per month are much higher than the monthly minimum wage of MWK 3,520 (\$14; as reported at zodiakmalawi.com).

Panelists agreed that the public media remain the mouthpieces of the ruling political elite; are highly partisan; do not serve the public interest; and during Mutharika's last days were used to castigate the opposition, civil society, private media, and any other critical voices. Peter Jegwa Kumwenda said, "State media [MBC Radios 1 and 2, and MBC TV] are completely under the armpits of the state or ruling party, with virtually all ruling party functions—including the party convention—being covered live on radio and TV and even rebroadcast in the evening. Opposition political parties and politicians hardly get any coverage, and when they do, they are required to pay such costs as transport and/or allowances for reporters covering them."

Although media outlets have made positive changes in content since the ascendancy of President Banda, it is clear that political leaders continue to control content indirectly, and progress is too recent to judge, the panelists noted.

The government owns the country's only local news agency, Malawi News Agency (MANA). MANA distributes its stories to all mainstream media houses for free. It has offices in almost all districts and launched its own website during 2012. However, according to Peter Jegwa Kumwenda, "[MANA stories are] generally [used] to fill up inside pages—never as lead or main news." For pictures, print, and online stories, the media rely on international news agencies such as Reuters, Agence France-Presse, and the Associated Press.

MBC Producer Josephine Semu Phumisa commented on the MSI indicator regarding in-house program production. "Private media produce their own programming in Malawi," she said. "They are also complemented by relays from international media such as BBC and VOA. However, some broadcasters are copying each other's program formats. On MBC TV, there is a program for children called *Kidz Buzz*. Galaxy Media, which is a new media house, has stolen the program format and even the name itself. This radio has also copied Mzansi Magic's *My Top Ten at Ten: My Life in Music*. The only difference is the language used...the format is the same."

On the topic of media ownership, Madise noted:

"Except for a few private media houses, ownership of media houses is not a secret. However, there is no legal requirement for owners to disclose their ownership to the public. Any member of the public is free to visit and inspect the register of companies for a small fee and check the ownership of any company, including media houses. The Registrar General has recently digitized all its information so that this information is available electronically and allows for quick searching. In practice, though, it means one must visit the Registrar General's office in Blantyre! There does not seem to be a significant interest in foreign investment in the media in Malawi. Except for the advertising firms, none of the media houses is foreign owned or controlled."

The print media sector is still dominated by the two newspaper companies, BNL Times Newspapers and NPL. Some panelists noted that it is difficult to pinpoint owners of some online publications and, therefore, whom to contact with inquiries. They said fictitious by-lines and brands compound the challenge.

Radio stations, especially public broadcasters, cover a broader spectrum of social interests than other media forms. The public media continue to provide news bulletins in local languages apart from Chichewa. Chitsulo said that NPL's newspaper, *Fuko*, is published in two local languages once every two weeks and is doing well, while other ethnic group leaders are demanding similar papers in their respective languages. *Fuko*, which is published and distributed with support from partners, is distributed for free in rural areas where the two local languages are spoken.

Panelists said that issues of minority rights are subject to coverage limitations. Peter Jegwa Kumwenda spoke of the resistance he experienced when he presented a program on one of the country's religious radio stations on sexual orientation. In one positive example, BNL publishes a column by an atheist in one of its weekly newspapers, *The Sunday Times*. But according to Chibwana, "while *The Sunday*

*Unreliable electricity supply affects computer-based Internet access, but most Malawians access the Internet from their phones.*

*Times* provides a platform for secular humanism, this is a rare occurrence. Usually, minority interests such as gays and lesbians are not adequately covered and their views remain unknown." Osman added, "Hardly any media house has in place a policy on employment of minorities or persons with disabilities. In addition to this, media houses fail to regularly or consistently report on significant contributions that are made to the country's economic development and social fabric by nationals of other countries who live in Malawi."

Panelists agreed that the media provide news coverage and information about local, national, and international issues. However, the news is rarely in the language of their audiences. Local news programs put a great deal of focus on national issues and the cities. Most media outlets have offices in all three regions. Malawi is a small country, and with the spread of the media, most Malawians are able to get news about their own home towns, regions, and the country, said Madise. However, some places in Malawi have no access to news, either because of lack of nearby transmitters or because newspapers do not circulate there. Journalist coverage of some remote areas is hampered by poor road infrastructure and access.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Malawi Objective Score: 2.14

The panelists agreed that private media have always operated as efficient and self-sustaining enterprises. However, doing business over the past year has been a challenge. The country has no local industry to support the media, so outlets rely on imports for most of their raw materials, including newsprint, ink, plates, equipment, and spare parts. When the economy plummeted, some people even stopped buying newspapers. The situation is improving, but managers are still challenged by the effects of the currency devaluation and liberalized foreign exchange market. The majority of private broadcasters struggled during 2012. According to Osman, "Very few radio stations operated at a profit. One radio station was on the verge of collapse."

Madise noted the difference between private and state media business models. "Most of the private media work as

*Kumwenda commented on the profitability of new media formats. "Online media have yet to make a mark in profits," he said. "And information about their management is not readily available."*

small, personal, family enterprises. In terms of the state or public media, their use of taxpayer funds is open to abuse because of the political pressure exerted on them, and the fact that they are not usually asked to be accountable and transparent."

Community radio stations are battling to survive. Panelists noted that community outlets lack business skills and depend on the goodwill of donors and volunteers that have limited skills. "Community media in Malawi struggle quite a lot because they don't have many sources of funding. They rely on sponsored programs. They have no advertising. They struggle mostly, yet they are just as important [as other media] in the communities they work in," said Khunga.

Kumwenda commented on the profitability of new media formats. "Online media have yet to make a mark in profits," he said. "And information about their management is not readily available. A visit to news websites, however, shows a number of adverts splashed all over the pages, but it is not yet known how much profit they make from these adverts. Bloggers do not operate for a profit, and are mostly self-sustaining. I use the resources I have in gathering news,

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

pictures, and videos at a very small cost and do not expect a profit."

Panel participants shared that different media houses have widened their revenue net to include advertising, sponsored programming, circulation, courier services, communications and research consultancies, classified advertisements, congratulatory messages, and subscriptions for e-editions. Despite these efforts, panelists said, advertising remains the principal portion of revenue. The advertisers' list is topped by government departments, mobile service providers, banks, and NGOs. "Government ministries and departments are a major source of advertising, but such advertising goes mainly to newspapers and state-owned broadcasters, with very little going to privately owned broadcasters," Osman said.

Companies are increasing their efforts to grow newspaper subscriptions, which are pegged at 10 to 15 percent of total circulation figures, according to Chibwana. SMS marketing, a platform that is used to grow traffic, presents opportunities that are not utilized fully, Matola said.

In the print media, classified advertisements contribute significantly, while in broadcast media, sponsored programs go a long way. MBC chief sales manager, Limbani Matola, said that people are reluctant to place their classified advertisements in the broadcast media, even at very low rates, because print advertisements bring better results.

According to the panelists, the majority of media outlets have qualified and competent people heading and working in their marketing departments. Most panelists had the opinion that advertising revenue complies with accepted standards, but Osman said that the advertising sector needs more regulation. "An advertising standards authority...has not yet been established. This provides room for sometimes outrageous claims and sub-standard advertisements in the print and broadcast sectors. People have been ripped off with adverts that don't pay due to unavailable data," he said.

The panelists observed that politics influences advertisers' decisions to some extent. For instance, they said, the Mutharika regime banned government advertising in NPL publications, and, following that lead, some private companies also shunned the media house. On the other hand, NGOs and additional institutions deliberately placed advertisements in NPL's publications. According to Matola, media outlets set the standard advertising rates, but the major advertisers have the upper hand. Matola noted, "There is a lot of potential in producing quality adverts if a new player comes in. The country has too [few] advertisers, and they have a bargaining power." Advertisements from rural areas are neglected, some panelists noted.

Some panelists argued that media outlets take in as many advertisements as are offered, even encroaching on editorial space. “In Malawi, media managers do feel pressed to use more and more ads as the only substantial source of revenue. Ads take up about 75 percent of the portion of broadcast programming time and pages in print media,” Madise stated.

Chibwana said that companies have reduced advertising budgets because of their own financial struggles. Many advertisers have had a general slowdown in production, and some have even closed, in part due to the difficulty in securing raw materials. “They [do] not have much on shop shelves to sell, and naturally they cut down on advertising spending,” he observed. He added that the advertising-to-circulation ratio, which at times has gone as high as 70:30, came down to 56:44.

The government does not subsidize private media, according to the panelists. “There are specific laws that require the placing of notices in the two dailies—which are the only ones with nation-wide circulation—but it would seem government has been able to wantonly disregard this in the past and use some other government-sponsored papers as an alternative,” Madise said. The panelists also observed that newspapers receive more government advertisements than radio stations.

The panelists said that media outlets have little access to market research. “The Malawi media market remains virtually un-researched, with no information about audience demographics—age, gender, income, et cetera—and preferences, for example, what time of day they prefer to listen to a news broadcast, or what news stories they most want,” summarized Peter Jegwa Kumwenda. Some panelists described an organization that claimed to have conducted research on the Malawi media, but purchasers discovered that the findings lacked audience demographics.

Malawi has no independent body producing or auditing circulation numbers or broadcast ratings, and this has been the situation for a long time, according to the panelists. “Broadcasting ratings or circulation assessments are non-existent in Malawi,” Madise said. “MACRA does release some data related to mobile phone operators, but not so much for other media—except during elections.”

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Malawi Objective Score: 2.41

In August 2012, stakeholders teamed up and formed the Media Owners and Managers Association. While this development influenced panelists’ scores, Chibwana said that

*“NGOs have generally stood by the media working in cooperation with the media sector to support freedom of speech and media independence,” Peter Jegwa Kumwenda said.*

its effectiveness cannot yet be assessed, as the association has not started to provide services to its members.

There was consensus among panelists that professional associations work to protect journalists’ rights. The associations include MISA Malawi, Media Council of Malawi, Association of Business Journalists, and Journalists’ Union of Malawi. Between 2011 and 2012, a number of journalists received threats, some were physically harassed, and others were arrested unlawfully. MISA held sensitization programs during Media Freedom Day celebrations and maintains a legal defense fund, which is used to represent journalists in court when on trial for allegedly being in breach of the law during the course of their work. As reported by [nyasatimes.com](http://nyasatimes.com) in July 2012, trade unions are involved in mediating salary talks and threats of job losses at some media companies.

NGOs have long supported free speech and independent media, but they went an extra mile in 2012. Panelists agreed that despite the harsh environment in which they operate, civil society members are in the forefront fighting for freedom of speech, media independence, and other liberties. As described by Amnesty International in October 2011, the activists were labeled propagandists, some were arrested for staging peaceful demonstrations and faced physical harassment, and others have had their offices

## SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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and houses burned by offenders that were never brought to justice. “NGOs have generally stood by the media working in cooperation with the media sector to support freedom of speech and media independence,” Peter Jegwa Kumwenda said.

As reported by bizcommunity.com in July 2011, NGOs were also involved in fighting for the repeal of Section 46 of the Penal Code, which the DPP-led government amended in order to give a cabinet minister the power to close down newspapers he deems not serving the interest of the public. NGOs fully participated in the Media Freedom Day celebrations. Panelists commended NGOs for generously supporting NPL with advertisements after the government ban.

Malawian schools now offer several degree programs in the journalism field. However, observed Chitsulo, “there is not much evidence in media products—only good degree holders.” He said that most institutions have more than tripled their enrollment, making it difficult for lecturers to teach efficiently. In addition, Madise said, Malawi is small and media outlets are not able to absorb this influx of journalism graduates.

A number of journalists receive scholarships to study abroad, usually at postgraduate levels, but upon returning to Malawi, most of them find it difficult to introduce the new ideas and skills and face resistance from supervisors. Phumisa questioned the standards of a degree program offered by one of the private colleges, as she observed that its graduates are also enrolling in the University of Malawi’s degree program.

Panelists also recommended staff development for lecturers and a shift in emphasis away from textbook learning. “The quality offered by the private and public institutions seems to be dwindling. The curriculum in general is theory-based and not practice-oriented training.”

With regard to training opportunities in Malawi, some panelists argued that media companies need to invest in graduate training for their employees if journalism quality is to be improved. Currently, most training opportunities are only available to editorial staff. Other panelists emphasized the need for more collaboration between training organizers and the media industry if the training programs are to be productive.

Some panelists were against the tendency of bringing in international experts to conduct local training programs, thus neglecting local experts. They argued that the results would be much better if local media members familiar with the industry and its shortfalls are used. The Malawi Institute of Journalism, which was set up to offer short-term training, has “gone academic,” said Chibwana, as it offers only degree

programs. Panelists bemoaned the closure of the Southern African Media Training Trust (NSJ) in South Africa; most journalists from Malawi utilized NSJ to upgrade their skills.

Media companies in Malawi buy most of their raw materials, equipment, and spare parts from South Africa and other countries. With the acute scarcity of foreign currency, media outlets experience many challenges and face increased costs with importation. In one example from Chitsulo, NPL had to use a bank with a branch in neighboring Zambia to get foreign currency to pay for its new printing press bought in 2012.

The leading newspaper publishing companies own their own printing facilities. Both BNL Times Newspapers and NPL announced acquisitions of modern printing presses in 2012. “A major challenge for any private investor wishing to start up a magazine or daily paper is the prohibitive cost of purchasing a printing press,” Osman said. “The two existing daily papers... have in the past been accused by critics of operating like a cartel by keeping competitors out of business with high charges of production.”

Panelists observed that a few companies control channels of media distribution, at very high costs, and that most broadcast outlets do not own towers so media houses are forced to co-site with telecom companies. Osman noted, “Costs of up to \$8,500 for a 1-kilowatt transmitter, \$4,700 for studio-to-transmitter links, STLs, monthly co-siting charges of \$275 that are charged by mobile phone companies on top of five-yearly license fees of \$2,000, make broadcasting a challenging business. No regime has shown interest in developing the broadcast media in this area, despite radio having the highest reach in the country.” Osman also highlighted elements of bias, giving an example of a private radio station that was given a 500-kilowatt transmitter rather than the usual standard of 1 kilowatt, contravening international standards. Since the government has access to Malawi’s channels of distribution, it is able to cut transmission without exhausting all the negotiating processes, as evidenced during the national demonstrations in July 2011.

Generally, the media are becoming electronically innovative, with a number of new products such as digital broadcasting, Internet streaming of audio and video, and podcasts. Unfortunately, such products are mostly enjoyed by people abroad more than those within the country, due to low ICT capacity, some panelists observed. According to Madise, “The existing information and communications technology infrastructure in Malawi seems not able to meet the needs of the media industry, i.e. digital broadcasting, Internet streaming of audio or video, et cetera because of low ICT capacity. The national backbone is slow and lacks capacity.”

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The government announced plans for a complete migration from analog in 2013, but panelists questioned the feasibility of meeting the deadline, given that by the end August 2012, the country had no required equipment in place. The country's ICT policy is still under development.

## List of Panel Participants

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**Pilirani Tambala**, bureau chief, Zodiak Broadcasting Station, Blantyre

**Josephine Semu Phumisa**, producer, Malawi Broadcasting Corporation, Blantyre

**Sunduzwayo Madise**, law lecturer, Chancellor College, Zomba

**Peter Jegwa Kumwenda**, program coordinator, Free Expression Institute, Lilongwe

**Edward Chitsulo**, managing editor, Nation Publications Limited, Blantyre

**Suzgo Khunga**, treasurer general, Media Institute of Southern Africa-Malawi, Lilongwe

**Vincent Kumwenda**, blogger, Lilongwe

**Tikhala Chibwana**, general manager, BNL Times Newspapers, Blantyre

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