

REPORT OF THE
COMMITTEE
ON ASSOCIATIONS AND
SUPPORT GROUPS IN
THE MEDIA INDUSTRY

2019



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FOREWORD

The mandate of Media Council of Kenya (MCK) as envisaged under section 6 (m) of the Media Council Act, 2013 provides that *“The Council is to compile and maintain a register of accredited journalists, foreign journalists, media enterprises and such other related registers as it may consider necessary”*.

Accordingly, the MCK on 14th May, 2019 set up a Committee of eminent persons in the media sector to develop a register of credible media associations and support groups, as well as advise it on how to develop structures that would enable organized and focused interventions in the sector.

The seven (7) members of the Committee embarked on their task with vigour, receiving submissions both written and in person, from 27 associations and support groups, that gave us valuable insights on the media sector and how to ensure it works for all stakeholders. We were impressed by the professionalism and commitment displayed by the Committee in its deliberations, which ensured that all views were heard and incorporated in their report.

We laud all stakeholders who responded to our call for submissions and look forward to continued collaboration in transforming and building a sustainable and vibrant media sector.

It is our hope that this will be the beginning of a positive transformation and fruitful engagements in the media sector. The register remains open, and we therefore, invite media associations and support groups, that have not done so, to register and enable us to facilitate and foster partnerships that advance media freedom, plurality and viability.

This is in line with our strategic corporate objective of enhancing media development, specifically, promoting a value chain approach to capacity development in the media sector at both the national and county levels.

Finally, allow me on behalf of the Board, Management and Staff of the Media Council of Kenya, to thank the Media Associations Review Committee for its superb work, and welcome you, our stakeholders, to interact with the document and to be an active participant in the media sector.



A handwritten signature in black ink, appearing to read 'David Omwoyo Omwoyo', written in a cursive style.

David Omwoyo Omwoyo
Chief Executive Officer & Secretary Council
Media Council of Kenya

EXECUTIVE SUMMARY

The Media Council of Kenya (MCK) found it necessary to compile and register media associations and support groups operating in the country. This was following incessant inquiries from stakeholders such as government departments and embassies which needed to identify and have dealings with the associations.

The MCK subsequently appointed a Committee of eminent journalists to compile the list and make recommendations on the state of the media associations and support groups for strategic partnerships.

The Committee's methodology included getting a list of registered associations from the Registrar of Societies and the NGO's Co-ordination Board, making direct contacts with the associations' officials and developed a working tool to get a summary of their operations.

The Committee faced numerous challenges including questions as to whether MCK had the legal mandate to appoint the Committee to compile such a list of media associations; a spirited campaign in the social media against the Committee, the suspicion that the Committee was established at the behest of the government and the strict deadlines set by the MCK.

By the time the deadline set by the Committee ended, 27 associations had submitted their reports. However, the MCK is expected to continue updating the register.

Following numerous meetings between the Committee and the officials of the associations and support groups the Committee made 12 key observations regarding their operations. Among them is the fact that the sector is very dynamic despite having serious challenges of financing and capacity building particularly by community radio stations.

Many associations expressed need to partner with MCK to assist in building the capacity and profiles.

There were concerns about unregulated programming by some radio stations which didn't adhere to the government regulations.

The Committee subsequently made 12 recommendations. Key among them is the need for the MCK to embark on an awareness campaign to sensitize stakeholders on its role and mandate.

The Committee further recommended for the training of media associations and support groups for capacity building and proposal writing. It was recommended that similar associations ought to collaborate and form consortia to benefit from collective financing and training.

It was also recommended that the MCK should give special attention and support to community media associations.

Finally, the Committee recommended a list of 26 media associations and support groups to be in the register.



Mutegi Njau
Chairman
Media Associations Review Committee



1 BACKGROUND

1. The Media Council of Kenya (MCK) is a national body established under Section 5 of the Media Council Act, 2013 (Act) for purposes of media regulation and development as envisaged under Article 34(5) of the Constitution of Kenya. Specifically, MCK is mandated to among other things “promote and enhance ethical and professional standards amongst journalists and media enterprises”. In this capacity, MCK continues to receive numerous inquiries about associations and support groups operating in the media sector.
2. Pursuant to Section 6(m) of the Act, that provides the function of MCK to “compile and maintain a register of accredited journalists, foreign journalists, media enterprises and such other related registers as it may consider necessary”, the MCK on 14th May 2019 established a Committee comprising persons drawn from the journalism fraternity to spearhead the development of a MCK register of credible associations in the media sector.
3. The Committee and MCK held an inception meeting on 20th May 2019 for MCK to elucidate the reasons for establishment of the Committee and its mandate. The MCK submitted its intention to strengthen the industry and promote a vibrant media sector by supporting associations and groups. To achieve this objective, the MCK sought to identify associations and support groups to develop strategic partnerships.
4. The key responsibilities of the Committee include:
 - (a) Liaise with the Office of the Registrar of Societies and the NGO Coordination Board to determine all registered media related associations.
 - (b) Recommend to MCK a list of associations and support groups in the media sector that should be included in MCK’s Register of media associations and support groups.
 - (c) Identify media associations that engage in misrepresentation and fraudulent activities mostly through copying of funding proposals, reports and any other information.
 - (d) Prepare a comprehensive report on the state of media associations in Kenya.
5. The Committee was mandated to undertake the tasks and make recommendations to MCK for adoption and action within thirty days. The membership of the committee was as follows:
 - (a) Mr. Mutegi Njau - Independent Journalist, Chairperson
 - (b) Dr. Sam Kamau - Aga Khan University
 - (c) Ms. Njeri Rugene - Independent Journalist
 - (d) Ms. Jamila Mohamed - Royal Media Services
 - (e) Ms. Lilian Odera - Standard Group, PLC
 - (f) Ms. Rose Lukalo –Independent Journalist
 - (g) Ms. Judie Kaberia - Independent Journalist

MEMBERS OF THE COMMITTEE AFTER THE INTRODUCTORY MEETING:



FROM LEFT; Ms. Jamila Yeshe (MCK Secretariat), Jamila Mohamed Royal Media Services), Ms. Ruth Kwamboka (MCK secretariat), Ms. Rose Lukalo (Independent Journalist), Ms. Lilian Odera (Standard Group), Mr. Mutegi Njau (Independent journalist and Chairperson), David Omwoyo (MCK CEO), Ms. Judie Kaberia (Independent Journalist), Ms. Njeri Rugene (Independent Journalist) and Mr. Terence Minishi (MCK Secretariat).

MEMBERS OF THE COMMITTEE DURING A PRESS CONFERENCE:



FROM LEFT; Dr Sam Kamau , Ms. Rose Lukalo, Mr. Mutegi Njau, Ms. Judie Kaberia and Ms. Njeri Rugene.



Officials of the Kenya Correspondents Association(KCA) before the Committee.



Officials of the Digital Broadcasters Association (DBA) presenting their submissions before the Committee

2 METHODOLOGY

- 1.The Committee reached out to the Registrar of Societies and the NGO Coordination Board to get a list of associations and support groups in the media sector and their contacts. The Committee thereafter directly reached out via contacts received as well as issuing press statements to the public inviting associations and support groups to make submissions.
- 2.In addition, the Committee developed a working tool to get a summary of the associations’ details and invited both written and oral submissions.
- 3.The Committee noted that in regard to the requirement to “identify media associations that engage in misrepresentation and fraudulent activities mostly through copying of funding proposals, reports and any other information” as stipulated in the terms of reference, it did not have the capacity to address this and thus recommends that MCK collaborates with other relevant agencies in this regard.

3 CHALLENGES

In the performance of its tasks, the Committee experienced the following challenges -

- Lack of understanding of the Committee’s mandate gave rise to misinterpretation and misrepresentation of its role.
 - Initial apprehension by some industry players raised concerns that the Committee had been established with the intention of curtailing the operations of associations and media freedoms.
 - Spirited misinformation and disinformation campaigns hampered the work of the Committee and delayed the process.
 - Owing to the environment created around the process, some association did not make their submissions.
 - Given the strict timelines to execute its mandate, the Committee mainly received submissions from associations and media support groups based in Nairobi although some had representation in other counties.
 - The lists received by the Committee from the Registrar of Societies and the NGO Coordination Board did not have current contact details for some associations.
 - Some associations and support groups presented incomplete information which hindered the Committees ability to review their status.
- 4.To address these challenges, the Committee took time to explain its mandate to industry players, reached out to those who had raised concerns and rolled out public engagement initiatives to create awareness and build support for the process.
 - 5.The Committee proactively looked for contact details where they were missing and also traced organisations not captured in the lists received from the Registrar of Societies and NGO Coordination Board.
 6. Moreover, the Committee reached out to associations whose submissions were incomplete to fill the gaps and ensure inclusion.

4 RESERVATIONS

1.The Committee received written reservations from Kenya Correspondents Association (KCA) and the Kenya Editors Guild (KEG) (Annexed). Despite their reservations, KCA also made oral and written submissions.

The key reservations by KCA and KEG were: -

- The intention of the MCK to set up the Committee was as an attempt to prefect the operations of associations and muzzle media freedom.
- The formation of the Committee was at the behest of the Government and part of a wider attempt to control the media sector.
- Lack of the legal mandate for MCK to conduct the exercise.
- That the report would be used to interfere with freedom of association.

5 SUBMISSIONS

1.Owing to the timeline within which the Committee was to develop a register, the team set 5th July 2019 as a working deadline for receiving submissions. By the stated deadline, the Committee had received submissions from 27 associations.

2.It is imperative to note that the deadline only applied to the Committee receiving submissions. MCK will subsequently continue to update the register of associations and support groups.

3.In order to identify credible and legitimate associations that MCK could partner with to develop the sector, the Committee looked at the objectives of the associations in order to identify those engaged in media related activities, challenges they faced and how MCK could support them.

4.Table 1 below is a summary of the Associations and support groups that made submissions to the Committee.

No.	ASSOCIATION/SUPPORT GROUPS
1.	Political Journalists Association of Kenya (PJAK)
2.	Gender Media Network (GEMNET)
3.	Association of Grassroot Journalists
4.	Kenya Union of Journalists (KUJ)
5.	Alternative Media Network (AMNET)
6.	Photojournalists Association of Kenya
7.	Media for Environment Science Health and Agriculture Association in Kenya (MESHA)

No.	ASSOCIATION/SUPPORT GROUPS
8.	Association of Devolution Journalists (ADJ)
9.	Association of Kenya Community Media Operators (AKCMO)
10.	Kenya Parliamentary Journalists Association (KPJA)
11.	Association of Freelance Journalists
12.	Association of Media Women in Kenya (AMWIK)
13.	Digital Broadcasters Association (DBA)
14.	Entertainment & Arts Journalists Association of Kenya (EAJAK)
15.	Kenya Editors Guild (KEG)
16.	Media Policy Research Centre Trust (MPRC)
17.	Wanahabari Centre
18.	The Woman's Newsroom Foundation (WoN)
19.	Kenya Media Network on Population and Development (KEMEP)
20.	Muslim Media Practitioners of Kenya
21.	Kenya Environment and Science Journalists Association
22.	Kenya Correspondents Association (KCA)
23.	Court Reporters Association
24.	International Association of Women in Radio and Television (IAWRT)
25.	Africa Media Initiative (AMI)
26.	Science Africa
27.	Kenya Community Media Network (KCOMNET)

6 KEY OBSERVATIONS

- 1.The Committee noted that there is broad representation of diverse interests among associations all of which contribute to a dynamic media environment.
- 2.From the above submissions and reservations, the Committee made the following observations -

6.1 Limited awareness of the mandate and role of MCK.

- Through interactions with representatives of the associations it emerged that some players in the industry had scanty or limited knowledge of the mandate of MCK as a regulatory body.

6.2 Inclusion and stakeholder engagement

- Some associations felt they were not fully involved in the activities of MCK and other media sector events.
- MCK, as a statutory body supported by industry, occupies a unique position to convene and unite media sector players.

6.3 Funding, status and capacity of associations

- While most of the associations have relevant mandates they are weak due to multiple factors including lack of full time secretariat and operating space. This makes it hard for them to deliver as envisioned in their objectives.
- Lack of funding emerged as a major challenge for most of the media associations.
- The Committee noted that most associations – despite being well intentioned – only exist on paper and are inactive due to financial constraints and lack of capacity, leaving some of the associations dormant or defunct.

6.4 Letters of no objection

- There were concerns from some stakeholders on the requirement by the Registrar of Societies for MCK to issue ‘Letters of no Objection’ when seeking registration. They expressed fears that the requirement could be abused.

6.5 Diversity

- There is concentration of associations in particular thematic areas, notably politics and governance, whereas others, such as business, culture and arts, investigative journalism, new media and digital technology lack adequate representation.
- The Committee heard that some associations operating in the same thematic area and seeking funding from the same source to implement similar activities, ended up watering down the intended impact and undercutting each other.
- The Committee observed that there was duplication in the leadership of several associations operating in the same area.

6.6 Community media associations

- Community media associations in the country are important players in the industry. They occupy a unique space working with diverse communities but face a myriad internal and external challenges which include exclusion from key media events, training opportunities, funding, decision making processes and they lack infrastructure.
- Sustainability of community media associations is vital to the survival of community media stations.

6.7 Leadership and governance

- The Committee observed that a majority of associations have clear leadership structures and governance mechanisms that encourage diversity, active participation by members, regular elections and change of leadership.
- However, some associations are strongly associated with specific individuals at the risk of raising transparency and accountability concerns which may hinder the realisation of their objectives and infusion of new ideas.

6.8 Membership

- Some associations did not have updated membership rolls; lists continue to carry names of members who had left the association and those whose designation and stations had changed.
- Associations faced challenges in getting members to renew their membership and pay the annual subscription fees.
- Inactive membership owing to lack of programs and activities.

6.9 Donor funding

- The changing space of donor funding emerged as a universal challenge affecting most of the associations. In general, associations are dependent on donor funding for their programs, so when this is inconsistent and unreliable, it affects their ability to implement activities.
- Kenya's listing as a middle income country is one of the factors that has contributed to changes in the donor funding landscape with support that would have otherwise gone to Kenyan media associations being diverted to other countries.
- The Committee observed that over dependence on donor funding weakens the capacity of media associations and support organisations to craft agendas that are not influenced by externally determined priorities.

6.10 Training and mentorship

- Training emerged as the main need and motivation behind the formation of most associations.
- Most associations have unique training needs that are not addressed within the formal media training curricula.
- It emerged that most members of associations working with community media and vernacular stations have little or no professional training.

6.11 The role of MCK

Associations identified the following as possible areas of engagement with MCK;

- A significant number of associations expressed a desire to partner with MCK in order to help build their profile and advance their objectives.
- Resume recognition of the Arts and Culture category in the Annual Journalism Excellence Awards (AJEA).
- MCK can leverage its status to convene regular stakeholder forums, build linkages and facilitate networking opportunities for all associations.
- Associations requested capacity development support including providing linkage to funding and other opportunities, provision of meeting space, leadership training and grants. Community media associations were most in need of such support.
- Recognition and inclusion of small associations in sector activities, events and policy discussions.

6.12 Media monitoring and regulation

- The Digital Broadcasters Association expressed concern over unregulated programming that does not adhere to the Kenya programming code for free to air radio and television and journalistic ethics.

7 RECOMMENDATIONS

Following the above observations, the Committee makes the following recommendations;

- a. MCK should embark on a deliberate and targeted awareness campaign to sensitise stakeholders on its role and mandate to build confidence within the sector.
- b. Stakeholder engagement: Broad-based, all-inclusive efforts to engage all associations and stakeholders through regular communication and involvement in sector activities and events.
- c. Funding: There is need to help associations and media support groups secure funding through training on grant and proposal writing as well as creating linkages with potential donors.
- d. Associations and media support groups are encouraged to explore other sources of funding to ensure the sustainability of their programs and activities.
- e. Like-minded media associations would benefit by forming consortia to leverage basket funding and the expanded opportunities presented by their collective resources and expertise.
- f. More coordination and collaboration among associations with related or competing objectives could raise the probability of achieving their goals and execute their mandate efficiently as well as create more impact.
- g. Associations and support groups are encouraged to establish functional secretariats to drive their programs and activities.
- h. MCK should in collaboration with the Registrar of Societies engage the media sector on the requirement of 'Letters of no Objection' for registration of associations.
- i. There's need for associations to strengthen their structural and organizational governance to actualize their goals and objectives to encourage active participation. To this end, there is need for associations to refresh their leadership through regular and accountable elections.
- j. There is need for MCK to give special recognition and targeted support for community media associations to enable them empower journalists working in such media.
- k. MCK should engage associations and support groups not reached by the Committee to include them in the Register, particularly those in the counties.
- l. MCK should enhance its media monitoring capacity to keep pace with rapid expansion of the digital media.

8 CONCLUSION

Having completed the exercise and based on the observations and findings above, the Committee recommends the following Associations and Support groups to be included in the Media Council of Kenya Register of Associations and Support Groups in the media sector.

Register of Media Associations and Support Groups

List of committee members:

- (a) Mr. Mutegi Njau
- (b) Dr. Sam Kamau
- (c) Ms. Njeri Rugene
- (d) Ms. Jamila Mohamed
- (e) Ms. Lilian Odera
- (f) Ms. Rose Lukalo
- (g) Ms. Judie Kaberia

MCK secretariat support comprised:

- a) Mr. Terence Minishi
- b) Ms. Jamila Yeshe
- c) Ms. Stella Kaaria
- d) Ms. Ruth Kwamboka



Members of the Committee Perusing Submitted Documents from Media Associations and Support Groups



Ground Floor, Britam Centre, Mara/Ragati Road Junction, Upper Hill.
Tel: +254 (020) 272 5032 | 273 7058 | Mobile: +254 727 735 252
P.O.Box 43142 - 00100 Nairobi, Kenya
Email: info@mediacouncil.or.ke | www.mediacouncil.or.ke