ETHIOPIA

Media Reform during Ethiopia's Political Transition

October 2022

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Background of the Reform

The spring of 2018 brought a wave of optimism in Ethiopia, where sustained anti-government protests forced the 27-year authoritarian rule of the Ethiopian People's Revolutionary Democratic Front (EPRDF) to reform. In what was an unprecedented turn of events, then Prime Minister Hailemariam Desalegn resigned from the post he had held since the sudden death of long-time leader Meles Zenawi in 2012.

At the time of his resignation, the prime minister led a ruling coalition composed of four ethnically based political parties that controlled all 547 parliamentary seats. EPRDF's total dominance of Ethiopian politics and governance seemed rock solid on the surface, but street protests soon revealed the underlying discontent. Heavy-handed and sustained crackdowns and killings of anti-government protesters in the populous Oromia region exacerbated an already serious legitimacy crisis for the regime due to deep-rooted cronyism and corruption. Soon, other regions joined the street protests. Institutions of governance built for authoritarian control and repression failed to contain the upheaval and began crumbling.

INDICATOR	RANK/SCORE
2021 Reporters Without Borders Press Freedom Rank	101/180
2020 V-Dem Liberal Democracy Index Rank	136/179
2021 Freedom House Global Freedom Score	27/100 (Not Free)
2020 UN Human Development Index Rank	173/189

In April 2018, with the hope of preventing Africa's second most populous nation from slipping into further conflict and possible collapse, the ruling EPRDF chose young and charismatic Abiy Ahmed from the restive Oromia region to rule the country. Overnight, protestors lifted roadblocks and popular discontent transformed into euphoria and hope for a better future under the newly appointed leader.

Abiy Ahmed was quick to signal liberal reforms and greater freedoms to broader segments of society. The new leader inaugurated what he called "a way of accountable governance" by publicly taking responsibility and apologizing for past abuses of power, corruption, and political co-optation of the

Transition Timeline

Prime Minister Hailemariam Desalegn resigns after sustained anti-government protests.

Ruling coalition chooses Abiy Ahmed to oversee democratic reforms as new prime minister.

2018

Abiy lauded for freeing political prisoners and ending war with Eritrea.

However, several prominent opposition leaders were arrested after national elections were postponed indefinitely due to COVID-19 pandemic.

2019–20

War breaks out between federal forces and Tigrayan ethnic group.

November 2020

National elections held. Abiy and his Prosperity Party win, securing the prime minister a five-year term.

June 2021

State of emergency declared as civil war intensifies.

November 2021

justice system and democratic institutions. "Building democratic institutions is a matter of survival for us," the new prime minister assured citizens in a nationally televised inaugural address; "freedom is not a gift granted from government to its people, it is rather a basic human right."[1]

Immediate actions were taken to free thousands of political prisoners and several journalists. Exiled political leaders, including those who were leading armed struggles, were invited to return home and participate in the process of democratic reform. In late May 2018, an Ethiopian court dropped prolonged anti-government charges against two US-based satellite broadcasters—Oromia Media Network (OMN) and Ethiopian Satellite Television and Radio.[2] Charges against Jawar Mohammed, an OMN executive and prominent activist, and Berhanu Nega, of the Patriotic Ginbot 7 opposition group, were also dropped the same day. More than 260 websites that had been blocked in Ethiopia were now able to operate freely.[3] It was under these circumstances that Ethiopia embarked on an era of political transition that would initiate a series of reforms in policy, law, and institutions of democratic governance.

Yet, despite these early signs of promise, democratic reform efforts during Ethiopia's turbulent transition have been overshadowed by elements of polarized ethnic tensions, violence, displacement, and war. At the time of writing this report in November 2021, a brutal civil war had raged for one year in Tigray,

northern Ethiopia, between regional militia and federal forces assisted by neighboring Eritrea. Prime Minister Abiy Ahmed, once hailed as a champion of peace, was facing accusations of war crimes by his opponents and a probe by the international community.[4] Between June and November 2021, the Tigray Peoples' Liberation Front regained control of the Tigray region and captured different cities while advancing militarily on Addis Ababa. In November 2021, the government issued a nationwide state of emergency. As a result, Western nations downsized their embassies and many international development organizations temporarily sent their personnel out of the country. The new prime minister, whose popularity was once compared to that of a savior, now had many critics who had either been sidelined or imprisoned or were in exile.[5]

*TPLF Soldiers on the streets of Mekele City, Tigray Region, Ethiopia, July 2021.*

Independent Structure to Reform Laws, the Justice System, and Democratic Institutions

The intermediate reform agenda, which was tabled in mid-2018, focused on overhauling and amending repressive laws concerning institutions of democratic governance, the justice system, media, and civil society. This process required finding an institutional home for the legal reform effort outside of existing state structures, which suffered from a legacy of authoritarianism. An independent advisory body, the Legal and Justice Affairs Advisory Council (LJAAC), was set up by the Federal Attorney General's Office in June 2018. The council was initially composed of 13 legal experts from law schools, legal practices, and civil society, but soon grew into a network of more than 200 volunteers who formed 14 working

Ethiopia's Prime Minister Abiy Ahmed addresses the legislators inside the Parliament building, Addis Ababa, Ethiopia.

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Legal and Justice Affairs Advisory Council Structure
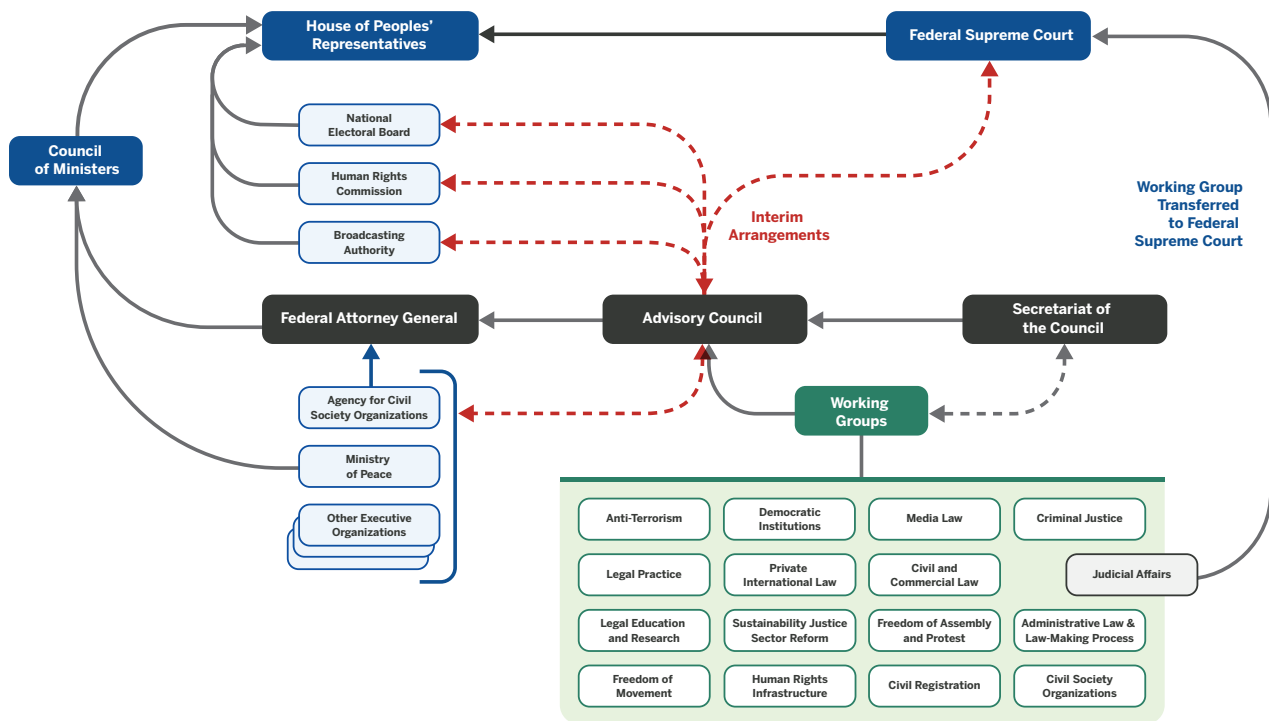
SOURCE: Legal and Justice Affairs Advisory Council of Ethiopia

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groups that contributed to the legal reform process.[6] Each working group conducted diagnostic studies to identify gaps in their subject area with the intention of proposing legislative revisions. After preparing legal drafts, the working groups held stakeholder and public hearings, incorporating feedback into the draft laws. Once a draft is approved by LJAAC, the draft bills are presented to the Council of Ministers to be presented to parliament for more hearings, debate, review, and final adoption.

Ethiopia's Legal Reform Process and Structure

In late December 2019, David Kaye, then United Nations (UN) special rapporteur on the promotion and protection of the right to freedom of opinion and expression, visited Ethiopia with the mission to understand and evaluate the reform process. "The government launched its reform agenda with an unusually inclusive process," Kaye wrote in his end-of-mission statement.[7] "I understand that approximately 160 lawyers, journalists, and academics participate on a voluntary basis in the working groups, led by a professional secretariat committed, as they and others told me, to an effort aimed at preparing drafts consistent with Ethiopia's Constitutional and international obligations."

The volunteer legal drafters were key stakeholders, experts, and academics who provided recommendations and draft legislations that they deemed essential to advancing democratic rights and institutional independence, and to creating an enabling environment for various sectors.

Another achievement of the volunteer model was its inclusivity in what was a bottom-up reform process and its independence from funders, especially the government, which could have attempted to influence the legal drafting process.

Outcomes of the Legal Reform Process

The LJAAC had a three-year mandate, starting from its establishment in 2018, to propose law reforms in three major areas:

- Laws regulating civil society, media, and freedom of information, and the controversial Anti-Terrorism Proclamation.

- Laws pertaining to the justice sector, ensuring that the sector would function as an independent and trusted arbitrator of constitutional guarantees of the rights and responsibilities of citizens and their leaders.

- Laws regulating democratic institutions such as the national electoral management body and human rights and ombudsman entities to function under new legal mandates designed to ensure independence and retain the public trust.[8]

The legal reform process led to major changes in the Ethiopian legislative framework. By mid-2021, Parliament had passed new proclamations in nine major areas of law, and another six were in progress.[9] Among the laws that have been revised are the anti-terrorism law, the civil society law, and the media law.

The Baseline during Ethiopia's Media Reform

Democratic improvement agendas introduced in the spring of 2018 were preceded by another reform opportunity that faltered. The 1992 press law's ban on administrative censorship practices[10] brought a new era of free expression and an explosion in print media content while broadcast media remained a state monopoly. In 1995, a new constitution[11] introduced by the EPRDF's transitional government granted fundamental freedoms of expression and of the media. This transition period of relative media freedom and free expression was short-lived. Licenses were issued to around 200 newspapers between 1992 and 1997, however, many of these new outlets were soon forced to shutter as a result of sustained state crackdowns on dissident and critical voices.[12] For the next two

decades, Ethiopia became one of the leading jailers of journalists as the government used defamation and anti-terrorism laws to stifle opposition and free speech.

In 2019, Ethiopia made dramatic improvements on Reporters Without Borders's (RSF's) World Press Freedom Index, jumping 40 countries to rank 110 out of 180 countries, for creating an enabling climate for freedom of speech and the press.[13] The situation improved further in 2020 (99th place), and was comparable in 2021 (101th place). In 2019, Ethiopia hosted World Press Freedom Day celebrations in Addis Ababa. Ethiopia's decision to host the celebrations was hailed by UNESCO's Assistant Director-General for Communication and Information, Moez Chakchouk, as a sign of the country's commitment to media reform.[14] More recently, the country page for Ethiopia on RSF's website has included headlines condemning a *New York Times* reporter's expulsion from Ethiopia, a Reuters journalist being held without charge, and a journalist attacked and threatened by armed intruders at her home.[15] By the end of 2021, portrayals of the press freedom situation in Ethiopia were gloomy. The state-affiliated media had returned to pro-government reporting, while many of the private media outlets were biased towards ethno-political interests.[16] The government had become highly critical of global media networks such as CNN and BBC, which they regarded as campaigners for the Tigray Peoples' Liberation Front in the Tigray conflict. In October 2021, the EMA passed a directive which forbade local FM stations from relaying foreign live radio broadcasts due to the risk of anti-Ethiopian propaganda.[17]

Media reform in the context of a typical political transition is characterized by mixed elements—hope, uncertainty, setbacks, and a process of gains and compromises. Ethiopia's reform experience is not particularly different from this. Media institutions are weak and lack independence due to the compounded effects of past policies and regulatory and legal provisions that were built for authoritarian control.

Independent commercial media outlets in Ethiopia receive the least support from local and international media development funds. There are three licensing categories for media operations in Ethiopia: commercial, public, and community. In practice,

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Ethiopian journalist inside the Oromia News Network studios in Addis Ababa, May 2021.

however, national and regional government financed and operated media are the most dominant outlets. The government provides direct budgetary support to public media institutions that are considered extensions of the state communications apparatus. Media organizations affiliated with the national government and regional governments also benefit from advertising revenue and sponsorship from government agencies. Private commercial media outlets find it difficult to compete with public media outlets that receive substantial government budgetary support and advertisements. The impact of such inequitable advertising revenue monopolies and public financial subsidies given to state-affiliated outlets is clearly manifested in the lack of media diversity and plurality in Ethiopia. Throughout most of its political history, Ethiopia's democratic experiment has failed to take root, and the absence of strong and independent media institutions is one of the reasons why.

Current Trends and Approaches to Media Reform in Ethiopia

Policy, legal, and regulatory reform processes in the context of a political transition are characterized by a brief window of opportunity to quickly identify reform priorities and take practical steps toward broader governance changes. In Ethiopia's case, the overall reform agenda was initiated by bottom-up popular demand for better governance and economic inclusion manifested in the form of street protests that ended the 27-year authoritarian rule.

The new administration of Abiy Ahmed that came to power as a result of popular demands for comprehensive change in the country's governance responded swiftly with a reform package that included the media. However, the attention and urgency given to democratic reform is fading against the backdrop of violent political contestations, ethnic strife, and civil war.

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Key Institutions and Processes in Ethiopia's Media Reform and How They Could Be Strengthened by International Media Assistance Groups

A diverse group of actors are involved in Ethiopia's media reform efforts with varying degrees of influence in the process.

State Regulatory Agencies

The most significant regulatory mandates are given to state agencies, which have national and regional institutional structures and substantial budgetary and human resources to carry out their roles. Passed in 2021, Ethiopia's new media law established the Ethiopian Media Authority, which replaced the Ethiopian Broadcast Authority as the state's media regulator. The media law gave the government agency media regulatory oversight over licensing and broadcast spectrum allocation and provided management, administrative, and legal measures to ensure media accountability.

Under the Anti-Hate Speech Proclamation, the Media Authority, in partnership with the Ethiopian Human Rights Commission and media and human rights stakeholders, must work on implementing preventive measures such as media literacy education and broad-based deliberations to help find sustainable solutions to the problems.

Moreover, the Media Authority is responsible for tracking institutional breaches of the hate speech law that fall under its administrative mandate. Serious violations that fall beyond the administrative competencies of the media regulator, which are likely to result in criminal liability, could be referred to the Office of the Attorney General (AG), the main government agency in charge of coordinating legal

and institutional reform processes in Ethiopia. This does not mean that the Media Authority's reports would be binding, but they may initiate cases to prosecute alleged violators by the AG. However, the AG does not need a report from the Media Authority to investigate and prosecute violations of the law by media institutions and practitioners.

Under Proclamation 1148/2019, the Communications Authority has the power to regulate telecommunication, postal, and broadcasting operators including by specifying technical standards for the provision of communication services. However, the law requires that the Broadcasting (now Media) Authority be involved in any decision regarding the radio frequency spectrum. This does not include the content regulation of broadcasters. In fact, even the technical competency of broadcasters is still under the power of the Media Authority according to the recently enacted Media Proclamation 1238/2021. So, one can safely argue that the provision allows shared responsibilities and oversight powers for the two state regulatory agencies.

The Media Law Working Group

The legal and regulatory reform effort was led by a working group composed of legal professionals, journalists, media actors, and gender specialists. The group, referred to as the Media Law Working Group, engaged with key actors in the sector to conduct research and provide analysis and recommendations for reform priorities. The working group organized a series of consultations with media actors to present its findings and build stakeholder consensus on key areas of media legislative improvements. Priority was given to draft three laws—the Media Proclamation, Freedom of Information Proclamation, and Computer Crimes Proclamation. **TABLE 1** provides an overview of major milestones and activities in the domain of media reforms in Ethiopia from November 2018 to April 2021.

Inclusive Media Policy, Law, and Regulatory Reform Process

New Government Media Policy

In September 2018, in an unprecedented move, Ethiopia's government called journalists, media managers, civil society groups, and government regulators for a meeting to discuss a precursor landscape study that was developed with the aim of drafting the country's first written media policy.[18] Discussions were robust, unrestricted, and immensely constructive in not only pointing out pitfalls in repressive tendencies of the past, but also identifying a way forward. Participants called for the immediate overhaul of the country's media law and a participatory reform process. Media stakeholders also stressed the need for a written media policy, one of the key recommendations of the media landscape study. Two years later, the Council of Ministers approved a media policy.[19] The tone of Ethiopia's media policy, legal, and regulatory reform was set early. Key stakeholders in the sector were to be involved in the drafting and consultation processes.

On February 2, 2021, Ethiopia's parliament enacted the Media Proclamation, which includes important provisions that decriminalize defamation, give clear mandates to an independent media regulatory organ (Ethiopian Media Authority) and public media institutions accountable to parliament, and provide a non-statutory framework for the media to self-regulate. The process engaged media stakeholders with 23 consultations in Addis Ababa and regional towns.[20] At the time of writing this report, the working group was drafting regulatory directives and facilitating stakeholder consultations. The major improvements of the media law include the following:

- Removing criminal liabilities of journalists and the media and replacing them with a minimal civil and administrative accountability regime.
- Restructuring the government media regulator by making it accountable to parliament, establishing a publicly debated appointment of its leaders, and removing broad provisions that led to misinterpretation and abuse in the past.
- Opening media ownership by foreign nationals with a 25 percent effective control cap.

Table 1. The Process of Sector-Wide Engagements in Ethiopia's Media Reform

ACTIVITY	DATE
1. DIAGNOSTIC STUDY	
■ Working group publishes study and recommendations for reform priorities, advisory council approves	November 2018
■ Working group calls journalists, media managers, and state and nonstate actors for consultations; three consultations were organized to build consensus and gather feedback on reform priorities	December 2018– March 2019
■ Advisory council reviews draft study, ensures media sector recommendations are duly included, approves study	April 2019
2. DRAFTING THE MEDIA LAW	
■ Working group drafts the media law	February–May 2019
■ Media stakeholders and experts provide inputs to the working group; deliberations organized by Addis Ababa University Center for Human Rights	March 2019
■ Advisory council reviews, gives direction to drafters, and approves draft for public and stakeholder consultations	May–June 2019
■ Working group organizes 23 public and media stakeholder consultations in Addis Ababa and major regional towns	June–July 2019
■ The draft media law is submitted to the Office of the Attorney General then to the Council of Ministers	July–August 2019
■ The draft law is tabled to parliament for review, public hearing, and final approval	January 2021
■ Parliament ratifies the media law	February 2021
3. FREEDOM OF INFORMATION PROCLAMATION	
■ Working group starts drafting proclamation	February 2019
■ Advisory council reviews draft, gives direction to working group, and approves the document for consultations	May–June 2019
■ Working group organizes expert consultations in partnership with UNESCO and International Media Support for journalists, media managers, academics, selected members of the public, and government representatives	August 2019
■ Working group in partnership with MERSA Media Institute organizes three consultations for experts and media stakeholders	August 2020– April 2021
4. COMPUTER CRIMES PROCLAMATION	
■ Working group starts drafting proclamation	February 2019
■ Advisory council reviews draft, gives direction to working group to further develop the draft	May–June 2019

SOURCE: Timeline compiled from activities of the Media Law Working Group.

The Freedom of Information Proclamation was drafted separately from the Media Proclamation with the aim of improving citizens' overall access to information, beyond but including the media sector. The draft Freedom of Information Proclamation, which was at the consultation stage when this study was written, was consistent with international best practices, in line with constitutional guarantees of freedom of information, and sufficiently adapted to the Ethiopian context. On paper, Ethiopia's existing freedom of information law ranks better than the United States', Canada's, and most of Europe's in the Centre for Law and Democracy's Global Right to Information Rating.[21] In practice, the law places enforcement of the right to access to information in the hands of a government ombudsman office that lacks the institutional capacity to administer penalties for public officials who withhold public information. The draft Freedom of Information Proclamation gives clear mandates and administrative accountability and penalty provisions to safeguard access to public information under the auspices of a new government information commission to be formed if the draft is adopted by parliament. At the time of writing this report, the Freedom of Information Proclamation remains a draft with only three consultations and is expected to be tabled to Ethiopia's new parliament for adoption in late 2021 or early 2022. No public consultations have been conducted for the draft Computer Crimes Proclamation.

Continued Political Ownership of the Media

The media are an important vehicle for vibrant and diverse public discourse in a democratic society. This role of the media is more pronounced in countries undergoing political transitions like Ethiopia, where public opinion is shaped and political discourse communicated against a political landscape characterized by ethnic strife and other elements of identity politics. The media have a significant role to play in the development and propagation of such political messages. This utilitarian use of the media has created a horse race toward political ownership of the media in Ethiopia.

A substantial proportion of Ethiopia's legacy radio and television broadcast media are owned by the federal and regional states, and are operated, directly or indirectly, by the ruling political party. The overall number of broadcasters in Ethiopia has increased immensely in recent years and, as of the beginning

of 2022 stands at 117 registered radio and television stations.[22] The largest organizations are the officially designated 'public media' institutions, of which there are 20 around the country. All of these are owned by either the federal state, notably the Ethiopian Broadcasting Corporation (EBC), or the regional states. There are also 38 commercial radio and television companies, chiefly operating out of Addis Ababa. Many of these are entertainment oriented. Some have a news and current affairs profile, a handful of which are predominantly motivated by ethno-nationalistic interests.[23] The number of local radio stations has proliferated: There are currently 56 community radio stations spread around the country. The print media market has never been strong, but privately owned outlets, such as *The Reporter* and *Addis Fortune*, have existed since the 1990s and continue to be important sources of reliable information for a relatively small newspaper-reading segment of the population. Standalone online news outlets are still few and unstable, although the *Addis Standard* deserves mention for its independent style and courageous in-depth reporting.

The Ethiopian media market is dominated by two sources of income: state subsidy and advertising. Officially, the state does not directly subsidize media outlets. This funding is therefore difficult to document, but all public media broadcasters and print outlets receive various types of incentives from regional or federal government institutions. A significant proportion of the funding comes through state institutions that sponsor broadcast productions, such as when regional states pay fees to air programs to promote the region. State-affiliated outlets also receive some revenue through advertising. Audiences are supposed to pay a mandatory annual license fee to the national broadcaster, the EBC, but the fee exists only in theory. The general public is unwilling to cover the expenses of a broadcaster which they regard as being part of the state apparatus.

The private media, officially designated "commercial media" in the media proclamation, mostly survive on advertising. Additionally, some private channels receive parts of their income from sponsorships, often from abroad. This support is typically garnered from diaspora communities in Europe and the US in

support of particular political or ethnic interests.[24] These donors tend to expect political advocacy in return of their contribution. The political economy of the Ethiopian media is therefore perceptible both in the state-affiliated media, which arguably are driven by a "PR-driven journalism model,"[25] as well as in private outlets. Several studies point to the presence of political agendas in the media content and demonstrate how different outlets end up representing only a narrow range of views based on their ownership.[26]

The new media law[27] has put in place safeguards to prevent direct or indirect political ownership of media organizations by the following:

- Political parties, movements, organizations, bodies, or alliances that are of a political nature

- Organizations for which a political organization is a shareholder with effective control, or a member of a political organization's top leadership is a shareholder with effective control

- Organizations for which any member of its management, at any level, is in the leadership of a political party

Media actors interviewed for this study believe the utilitarian use of the media to capture and sway public opinion in favor of political interests still largely remains and such interests may not relinquish existing media ownership arrangements in the near future. If the state capture of the media through various ownership structures, economic incentives, and elements of repression continues, the impact of

recent legislative and regulatory improvements may not be fully realized.

A study conducted by Global Voices in 2021 found evidence of media bias and leanings by media ownership type. There is bias in media content based on outlets' ownership structures and media content is inclined to favor the interests of the groups that financially back the media institute.[28]

Most of the media in Ethiopia, however, remains state media. Though state media institutions are officially registered as public service media, their coverage clearly favors the government. Additionally, several private companies—notably Walta and Fana Broadcasting Corporate—are controlled by party affiliates and pursue an editorial line that is virtually indistinguishable from state-owned companies such as the EBC.

About 80 percent of journalists in Ethiopia work for state media institutions.[29] These institutions own much of the broadcast media infrastructure in the country, and, if we include companies owned by the regional states, have a near monopoly on broadcasting equipment outside of the capital city. With that in mind, several donors have opted to work with state media institutions to transform them into public service media companies. Donors adopted this strategy because they also realized that state media are not the only news outlets in Ethiopia that are politically aligned.

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Media Plurality and Identity Politics

Ethiopia's politics underwent a seismic shift in the early 1990s with the creation of a federal governance structure that reconfigured this Horn of Africa nation into an ethno-linguistic federation. Although there are commentators who believe that political discourse based on identity (whether ethnic, religious, or another identity marker) has occurred since the nation was formed, the past three decades certainly saw a proliferation of identity-based politics in Ethiopia[30].

Indeed, Ethiopia is a diverse nation of 110 million people; it is a mosaic of cultures with more than 80 ethnic identities and high religious diversity. While the nation-building process in Ethiopia, like in many other places, is generally agreed to be messy and not well-recorded, identity-based politics of the day is thriving on such historical narratives and counter narratives among ethnic and religious groups. Whether ethnic or religious, identity-based political discourse has tended to become controversial and, at times, a cause for conflict[31].

This heightened political discourse has mostly played out through mainstream and social media platforms in the past three years. It has occasionally resulted in bloody and violent episodes in different parts of the country. The media sector in general, in addition to serving as a platform for political discourse, has gotten increasingly polarized along ethnic and political lines since the start of the transition. The polarization of the Ethiopian media sector has been apparent for many years,[32] but reached new heights after 2018. As freedom of expression improved and the media sector started liberalizing, societal conflicts that had previously been suppressed flooded the public sphere, further exacerbating media polarization.[33] Where before journalists and media houses mainly experienced repression at the hands of the state, they are now increasingly subject to intimidation by non-state actors, including vigilante groups and social media personalities.[34]

The Ethnification of Ethiopian Media, a study commissioned by International Media Support (IMS)/ Fojo Media Institute, highlighted the significant trend toward more polarization fueled by ethno-nationalistic

Platform Diversity, Reach, and Market Realities

The majority of Ethiopia's population rely on de facto state-operated free-to-air terrestrial broadcast media or satellite broadcasts that are operated by different political and identity groups. Print media coverage and circulation are limited to urban centers due to low literacy rates in the country and shrinking profit margins due to sharp increases in printing costs associated with high import taxes on paper. Such unfavorable economic conditions force newspapers to limit the number of copies they print to just a few thousand. For example, the largest Amharic weekly, *The Reporter*, prints fewer than 10,000 copies. Ethiopia's leading business weekly, *Addis Fortune*, prints 5,000 copies on average. Government policies that discourage private investment in the printing press have created a near monopoly situation for a state printing house—Berhanena Selam.[37]

Since Ethiopia's political transition began three years ago, the climate of relative freedom has encouraged new content producers to enter the market. In this period, 23 broadcast and 13 print media organizations have filed for registration. While new investment in the sector is encouraging, it should be noted that many of the newly registered media organizations had not become operational by the time of writing this study.

media of different origins and with different owners, vis-à-vis pan-Ethiopian channels. In their study, Terje Skjerdal and Mulatu Alemayehu concluded that ethnic belonging and identity politics are gaining significance as a central frame of reference in the current Ethiopian media discourse.[35]

Ethiopia is at a critical juncture with a highly polarized political and media environment fostering perpetual communal conflict and displacement. In light of the shift toward identity-based politics and subsequent political ownership of the media, professional journalism has abandoned its ethical and public interest responsibilities in favor of partisan interests. In order to understand the current politization of the Ethiopian media, one should take into account both the ongoing institutional reform and the peculiarities of Ethiopian newsroom culture. On the institutional level, the freer market situation after 2018 gave way to politically vocal news channels, which provoked competing channels to sharpen their rhetoric. This led to a spiral effect with growing politicization as a result. In the newsroom, Ethiopian journalists struggle with competing loyalties between their professional obligations and their support of their media outlet's political bias. Given that journalists tend to be sympathetic to the bias of their media organization,[36] in a politically tense situation, many will choose to follow their work environment and report in a partisan manner.

Challenges to Self-Regulation

Ethiopia's new media law provides a non-statutory, co-regulation mechanism that encourages the government regulator (EMA) to give way to self-regulatory mechanisms if such structures prove to be effective in addressing sectoral accountability, and ethical and professional standards. The law instructs the EMA to support the development and operation of a self-regulatory mechanism whose role is to "entertain complaints and ensure public accountability."[38] While the EMA is a statutory, government agency that oversees media legislation, the self-accountability system is defined as originating from within the media industry itself. The law does not specify whether self-regulation should be organized through a media

council, a press complaints commission, or any similar body. Rather, the legislation presumes that a guiding principle for the self-regulatory mechanism should be a media-defined code of conduct.

The existence of a sector-wide media self-regulatory structure is a recent phenomenon in Ethiopia. It was only in 2016 that 19 media organizations decided to form the Ethiopian Media Council. The council set out to establish a voluntary self-regulatory mechanism based on a code of conduct signed by its members and financed by contributions from its constituency.[39] The council managed to register under Ethiopia's new civil society organization (CSO) law[40], passed in February 2019, as a part of current reforms. At the time of writing, Ethiopia's self-regulatory body had expanded its membership base to more than 50 national and regional media organizations but had failed to become fully operational. The state regulatory apparatus, which was built for authoritarian control, requires further reform. According to findings from a media stakeholder discussion organized by MERSA Media Institute in February 2021[41], the sector-wide self-regulatory body suffers from a legitimacy crisis from failing to build stakeholder consensus and ownership due to its dysfunctional leadership and weak institutional structure and capacity.

Strengthening Journalist Associations and Media Civil Society

So far, formal media and journalist associations and civil society organizations have played limited roles in the media reform process in Ethiopia. This is due to the underdevelopment of the media civil society sector resulting from decades of political and legal repression.

According to a study conducted by MERSA Media Institute in 2019, "a number of internal governance issues, coupled with adverse government pressure, have hindered media associations from being stewards of free speech and contributing to the overall progress of the industry."[42] The study concludes that most journalist associations in Ethiopia suffer from a legitimacy crisis due to state interference, politically co-opted leadership, and serious accountability issues that alienate their constituencies. Respondents to a survey conducted for this study indicated that journalists neither trust association leaders, due to a history of co-optation, nor feel that these groups represent their interests. This lack of trust in the leadership of media civic

groups makes building consensus in the formation of a sector-wide coalition a difficult task. Facilitating discussions that foster greater understanding, trust, and collaboration is an important first step in the development of accountable, independent, and collaborative platforms for media actors.

As part of the reform process that started in 2018, Ethiopia amended its highly contested law regulating civil society, which, over the past decade, curtailed political, media, and civil rights in the country. Parliament enacted a new law drafted independently by respected members of civil society through a process of robust stakeholder participation in early 2019.

The new law enhanced foreign funding restrictions and reformed what had been stifling regulatory functions of the civil society regulatory agency. Existing journalist associations and other media civil society organizations took the opportunity to reform their bylaws and reregister to resume their operations. New associations, such as the Editors Guild of Ethiopia, also emerged. There has, for a long time, however, been a mismatch between the high number of journalist associations and the seemingly low commitment of their members. Previous studies have identified up to 13 journalist membership organizations in the country,[43] but only 16.3 percent of journalists said that they belong to an association.[44] According to the Worlds of Journalism Study, which surveyed 66 countries, only two countries—Japan and Czech Republic—were found to have lower union membership than Ethiopia.[45] Recently, a number of regional journalist associations have been set up (e.g., Amhara Journalists' Association, Tigray Journalists' Association, and so forth), demonstrating the regionalization and ethnification trends in Ethiopian journalism.

International media assistance actors such as Fojo-IMS, National Endowment for Democracy (NED), and the Embassy of France are currently supporting journalist associations and the Ethiopian Media Council with the aim of strengthening a civil society–led media reform process. Such efforts, if they take root, could help promote professionalism, freedom of expression, and independence. Since the baseline for institutionalized civic participation and leadership in Ethiopia is very low, more work needs to be done in the coming years to foster a collaborative media civic space.

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Missing the Point: Many Project-Based Interventions, No Support for Core Institutional Capacity Building

The first three years of Ethiopia's reform process have seen meaningful commitments in funding public interest media development, legislative and policy improvements, and capacity-building efforts to professionalize the sector. A significant portion of the support has been project based. In a country like Ethiopia, where past repressive regimes have systematically decimated the media civic space and curtailed institutional growth in media outlets, building core institutional capacity should be the first point of intervention. International media assistance groups and their implementing staff know too well from previous experiences and studies they commissioned in Ethiopia[46] that absorption of funds is a challenge in countries where the civil society space is just coming out of authoritarian control. Weak media institutions lack basic internal policy and organizational structures that ensure fiscal control, accounting, office space, and human resources. Some international assistance actors interviewed for this study also report that one challenge of working with

local partner organizations is that their operating fees are exceptionally high, and that "a culture of creating wild proposals"[47] has emerged.

So why does this issue surface time and again in transitional reform contexts? When the reform process began in Ethiopia in mid-2018, international media assistance programs vowed "not to repeat Tunisia," referring to the transition period in the north African nation where initial legislative gains in media independence and regulation could not be sustained due to a lack of coordination among national and international media civil society organizations in the implementation. Media barons from the old regime, which were opposed to the regulatory reforms from the beginning, undermined the implementation of progressive media laws and regulations.[48]

It is still possible to have a different trajectory and outcome in Ethiopia. At this stage in the transitional reform process, providing core institutional funding to grassroots media organizations so they can set up office space, hire staff, and pay telephone and internet bills is key. For example, the Editors Guild of Ethiopia does not have office space or staff two years after registering as an organization. Since journalists in Ethiopia earn low wages, membership contributions are meager and cannot sustain such operations.

Conducting financial due diligence and establishing a track record of financial transparency are essential accountability standards, especially in administering taxpayer-funded projects. When considering providing public funding to media outlets, the government should take into account the balancing act of responsibly administering public funds and taking small risks to help grassroots organizations take root. There are a number of examples in Ethiopia where organizations such as NED, Fojo-IMS, Deutsche Welle Akademie (DW Akademie), and Internews have provided a few thousand dollars of funding to new civil society organizations to nurture a working relationship with their local partners, and where the support has worked. The establishment of the Editors Guild of Ethiopia and the support given to Community Radio Broadcasters Association and MERSA Media Institute are good examples of the merits of early intervention and support. These cases show how limited funding upfront can help support sustainable expansion over the long term.

Addressing Gaps in Professionalization

Reform efforts initiated during the Ethiopian political transition present extraordinary opportunities to promote free expression and diversity of content facilitated by independent and vibrant media organizations. New legislative and regulatory reforms provide an opportunity to strengthen an independent media sector that is responsible, professional, and self-regulating.

However, the challenges are tremendous and sustained political will to reform and invest in the sector is needed. Formal journalism education in Ethiopia began only 25 years ago and media houses, especially those located in regional cities and towns, lack institutional knowledge, human resources capacity, and finances to facilitate in-house education and mentorship of journalists.

The first journalism degree program in Ethiopia started in 2002.[49] Since then, more than 20 higher learning institutions have established journalism schools across the country. Journalism professors in these schools tend to be theoreticians who lack practical journalism experience[50]. As a result, the quality of training that students receive tends to be theory driven, and fails to deliver the practical skills and knowledge of the craft that the job market requires. Graduates of journalism schools need practical on-the-job training, coaching, and mentorship to fulfill their duties.[51]

Raising the overall quality of and standards for journalism in Ethiopia requires revising journalism schools curricula to make them relevant to industry needs and media market trends.[52]

In the absence of local capacity and investment, international media development organizations are taking a leading role in supporting professionalization trainings in partnership with local media civil society and media organizations. The government regulator, Ethiopian Media Authority, facilitates media professionalization and capacity development under the new media law. For the most part, state capacity development activities are tailored to public media organizations with strong state affiliation.

International Assistance in Ethiopia's Media Reform

Several international media development organizations, endowments, and foreign governments are providing much needed support to Ethiopia's political transition and reform. Near the start of the reform, especially after Prime Minister Abiy Ahmed was awarded the Nobel Prize in 2019, international media assistance groups intensified their activities in Ethiopia.

The most significant and coordinated support is provided by the United Kingdom–funded four-year program PRIMED, which began in 2020. Led by BBC Media Action, the consortium has core members including International Media Support (IMS), DW Akademie, Free Press Unlimited, the Global Forum for Media Development, Global Voices, ARTICLE 19, and the Media Development Investment Fund, which advance the program's mission to support public interest journalism in Ethiopia. Out of £12 million (about $16 million) in total funding for Ethiopia, Sierra Leone, and Bangladesh, £3 million (about $4 million) goes toward developing public interest media in Ethiopia.[53]

The governments of Sweden and Denmark fund media reform in Ethiopia through projects jointly implemented by Fojo Media Institute and IMS. This support avails $4 million for three years beginning in 2020 to boost citizen access to information and community engagement in the country's governance through capacity-building efforts that produce high-quality public interest journalism inclusive of women and marginalized communities. This project supports Ethiopian media organizations in partnership with the association for editors, community broadcasters, journalism schools, and media think tanks. This project also supports the

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Ethiopian Prime Minister Abiy Ahmed Ali receives the Nobel Peace Prize in Oslo, Norway, December 2019

development of strong journalist associations and self-regulatory mechanisms that promote ethical journalism and journalist safety.[54] A previous phase of the FOJO/IMS intervention supported the media law reform process.

With funding from the German foreign ministry, DW Akademie has partnered with local and regional organizations to combat mis- and disinformation. To this end, the project works with local media and civil society to facilitate fact checking, awareness raising, and skills training for journalists and editors. The promotion of good and ethical public interest journalism and the creation of a sustainable media market that supports such content are key pillars of DW Akademie engagement in Ethiopia.[55]

The European Union and individual member countries such as France, Germany, Denmark, Sweden, and the Netherlands, through their foreign ministries and national media support institutions, have also provided significant funding for Ethiopia's media reform efforts.

The United States invests in media reform in the country using a number of assistance models, from small grants given to local media organizations by the embassy to long-term engagements implemented by the US Agency for International Development and its partners Internews, IREX, and Dexis Consulting Group. NED also provides continued program-based support to grassroots media organizations in Ethiopia.

The Open Society Initiative for Eastern Africa and the Open Society Foundations have also invested in journalism training and in capacity building for established and start-up media outlets.

UN agencies are involved in Ethiopia's media reform mainly by providing support to the Ethiopian government. The United Nations Development Programme (UNDP) gives most of the funding for institutional reform, mainly working with government agencies and democratic institutions. UNESCO has helped coordinate a platform that brings together international and local media development organizations.[56]

Lack of Coordination and Long-Term Vision

Successful international media assistance programs require coordination among actors implementing various projects. However, effective coordination cannot be achieved if national partners lack the capacity to fully participate. Even among international partners, coordination has proven to be an issue. With the exception of the PRIMED consortium, whose members have a platform for regular exchange and planning, the majority of international assistance programs lack mechanisms for coordination and joint planning.

In November 2019, UNESCO convened national and international media development organizations to create a coordination platform. The Ethiopia Media Sector Alliance (EMSA), an ad hoc coordination platform for national and international actors, was formed with the following four thematic working groups to be co-convened by UNESCO and the Ethiopian Media Council with participation from

national and international media development and human rights groups:

1. Freedom of expression, press freedom, access to information, journalist safety and welfare

2. Legislative and policy reforms

3. Human and technical capacity building of journalists, journalist associations and networks, media houses, and journalism training institutions

4. Media and information literacy

Despite these efforts, EMSA failed to gain traction due to the nature of its formation; it was not a bottom-up media sector–wide drive. In addition, Ethiopian media civil society did not have functional institutional structures, human resources, or funding to participate in and lead the alliance effectively. According to international media assistance personnel interviewed for this study, one of EMSA's weaknesses is that the platform's ambitions for media development were too broad and vaguely defined to effectively address actual needs. Several organizations therefore withdrew from the EMSA network and instead chose to proceed with individual partnership solutions.

As EMSA's ineffectiveness demonstrates, however, simply creating a platform is not enough to build effective coordination mechanisms. Local organizations, which have been weakened by decades of oppression, need capacity-building support before they can be expected to fully engage with international partners. Rather than imposing top-

down structures on under capacitated national civil society organizations, international assistance actors should support those organizations and work with them to develop coordination mechanisms that take their needs and limitations into account.

Long Inception Phase as the Reform Window Closes

The initial commitment by international media assistance groups to support Ethiopia's reform process was timely and commendable. However, their response faced a number of delays due to COVID-19 as well as legitimate and perceived security threats in the country.

International media actors tried to understand the Ethiopian media landscape by commissioning research and hiring local and international staff, followed by long inception periods that lasted up to nine months in some cases. In the meantime, the transitional reform window was closing.

Tewodros Negash, a media development worker interviewed for this study, said, "after the reform was started in 2018, a total of 19 studies and assessments were conducted, and a lot could have been done by the end of 2019 and full-fledged projects could have started by 2020. But international media assistance groups were holding back to roll out projects due to fears [related to] the security situation of the country."

That said, some organizations were quick to act. Fojo and IMS began a pre-project in Ethiopia in 2016, and started building the capacity of journalist associations as early as 2019. Despite security challenges and the impact of COVID-19, the two Scandinavian institutions helped establish and strengthen the Editors Guild of Ethiopia and Community Radio Broadcasters Association.

DW Akademie quickly acted to implement its projects in partnership with local organizations. "In terms of setting priorities, DW Akademie is very much reliant on local partners to take the lead," said Mikias Sebsibe, a project manager in DWA's Ethiopia team. The Open Society Foundations and its Eastern Africa wing took little time to provide funding to two major

private media outlets and a dozen media and human rights groups. Overall, those that engaged early on had some impact while those that took long to understand the media landscape through protracted inception phases missed the opportunity to have lasting impact in the legal and regulatory reform process. It is important to note that UNDP, the Open Society Initiative for Eastern Africa (OSIEA), IMS, and NED assisted state and nonstate actors involved in the legislative reform process and participated in the consultative process for the freedom of information and media laws. These organizations also partnered with government and civic groups to contract international and regional experts, who provided input in writing Ethiopia's media related laws and introduced drafters to internationally accepted legal frameworks.

These experiences point to the need for donors to reframe their thinking on media development. Prolonged engagement is needed, even before political openings occur. Ethiopia's media reform process has not been a straight path towards liberalization, even in the most optimistic period immediately following the political transition in 2018. There have been setbacks and uncertainties. Instead of seeing media reform as a temporary opportunity that only emerges after political liberalization, one could view successful reform as a longer transformation process, marked by periods of intensified progress, that will take years or even decades to come to fruition. By the time the political opening came about in 2018, several of the activities that make up the recent reform process were already underway. IMS and Fojo Media Institute were apparently quick to act when they became engaged in the media law reform process in mid-2018, but their commitment was the result of preparatory work that started with a feasibility study in 2016. The Centre for Law and Democracy, which was involved with the previous legal reform process in 2008, has been engaged in Ethiopia even longer and was therefore able to benefit from already established trust. In similar fashion, donors could view their current activities in Ethiopia's media reform as seeds which will only bloom several years down the line.

Conclusion and Recommendations

The media reform process in Ethiopia's political transition has made significant improvements to the policy, legal, and regulatory frameworks. If institutionalized and implemented with robust stakeholder engagement, the reform could help build a sustainable, vibrant, independent, and viable media business environment essential to democratic consolidation.

The task, however daunting, has shown the resolve of state and nonstate actors to work collaboratively in spite of staunch differences to reach compromised solutions and build consensus on important media reform issues.

That volunteer legal and media experts have spearheaded a participatory legislative and regulatory reform process will help instill a democratic culture, which would be instrumental in operationalizing a sector-wide self-regulatory mechanism and capacity-building efforts to professionalize the sector.

Ethiopia's political transition has been rather bumpy and full of crises that have threatened progress—a situation that should be expected to continue into the future. It is never easy to transition to stable democratic governance anchored in independent public institutions, a vibrant media, and a nonpartisan justice sector that effectively implements rule of law with public trust and credibility—but it is the only way to make meaningful progress in society. The mechanisms and processes to build public consensus to achieve this goal are arduous and require a culture of compromise and understanding in all sectors of society. This is how democracy works.

Ethiopia's new media law and expected revisions to its freedom of information provisions are positive steps. Consolidating stakeholder engagement in the implementation of these provisions requires

bringing much needed institutional independence and public accountability standards to the Ethiopian Media Authority and the freedom of information enforcement organ.

Such efforts should be coordinated and led by key media institutions in the public, private, and civil society sectors. International media assistance groups should strengthen grassroots movements in Ethiopia and perform their essential public role.

Priorities for Future Action

This study involved interviewing key media stakeholders and drawing from a series of stakeholder deliberations that set the following priorities for action:

1. **Media ownership and reform of public media institutions:** Ethiopia's politically owned media are propagating partisan messages. There are efforts to regulate media ownership in the new media law, which retains the 2007 broadcasting law's prohibition on political ownership of broadcast media. However, it is critical that such legislative changes be made in a manner that safeguards free expression and access to information. Initiating a reform of public media institutions to free them from state interference when performing their public functions is a critical step in this regard.

2. **Professionalization and training:** The findings of this study indicate a general lack of professionalism and insufficient practical education for media practitioners. Training opportunities specifically tailored to Ethiopian newsroom realities, editorial processes, and fragile environments are needed. However, while short-term training schemes have been conducted by numerous actors, they have been criticized for being ineffective, misfocused and uncoordinated, and for oversaturating Ethiopian media development assistance.[57] Local media experts thus recommend reducing the number of short-term training programs and channelling resources into other areas, such as degree programs. Strategic partnerships with university departments could be an investment in the next generation of media leaders in Ethiopia.

3. **Operationalizing a self-regulatory mechanism:** The fundamental task of operationalizing a functional self-regulatory mechanism for a media sector that has been systematically weakened by decades of authoritarian control remains both a challenge and opportunity for action. This effort requires the successful implementation of two parallel and complementary approaches. The first is to make the voluntary sector-wide self-regulatory body, the Ethiopian Media Council, effective and functional to take up some of the responsibilities currently held by the government regulators. The second requires building a bottom-up drive to self-regulate in the editorial processes of each media organization. When these two efforts mature and merge, a well-functioning media self-regulatory mechanism both at the media house and sector-wide level will be realized.

4. **Sustaining stakeholder engagement in media regulatory affairs:** Strengthening the consultative processes associated with implementing the media and freedom of information laws, especially in the drafting of media-related codes and directives, is another important intervention. If Ethiopia's reform agenda is left to state actors to implement, proper implementation might be jeopardized. If the reform agenda in Ethiopia is to succeed, sustained engagement of nonstate actors is crucial. Regulatory directives that are prepared with the help of the independent drafters of the media law will have a better chance of adhering to proper interpretations of the law.

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5. **Strengthening media civil society:** Progressing beyond the rudimentary stage of development of media civil society in Ethiopia due to decades of authoritarian control is a major challenge for journalist associations and media civil society organizations that have emerged following legal and regulatory improvements. Lack of institutional support to strengthen media civil society is identified as a major challenge in this study. Due to a history of repression, journalist associations suffer from the residual effects of suspicion and, as a result, lack solidarity and collaboration. Breaking this cycle of poor intuitional performance requires concerted efforts by all parties.

6. **Mitigating hate speech and misinformation:** A lack of proper monitoring and assessment mechanisms for hate speech and misinformation are major challenges in Ethiopia, similar to challenges faced around the world. The implications and impacts of this gap could be severe in conflict and post-conflict societies. Future engagements in this regard require involving media actors as a part of the solution by ensuring the dissemination of facts to the public. Building the capacity of media organizations to address this threat to public trust in information exchange platforms is essential. It is also important to build understanding among state actors implementing anti-hate speech laws and the media. While it is understood that governments have legitimate security justifications for curbing hate speech and misinformation, there is a balancing act between protecting peace and security amid deep political contestations on the one hand, and the possibility of creating a chilling effect on free expression on the other.

To address these priorities, journalists, media managers, media civil society leaders, and international media development workers interviewed for this study identified the following opportunities for intervention for local and international media assistance groups in the implementation of media-related laws and key areas of institutional independence for state actors:

- Facilitate sustained stakeholder engagement, debate, and feedback platforms to ensure the independence of government regulators from political influence.

- Help improve the capacity of government agencies to implement laws. Facilitate training and exchange programs for state regulators and law enforcement personnel who in the past served a repressive state. For example, broad definitions of hate speech, misinformation, and incitement in the Anti-hate Speech and Anti-terrorism Proclamations could leave them open to interpretation by law enforcement institutions who have a track record of curtailing free speech and civil liberties. The fact that these laws could potentially be used to impose excessive penalties on journalists and activists could have a chilling effect on the media and civil society.

- Local and international media development groups could help operationalize media self-regulatory mechanisms that advance professionalism and help lessen the impact of stringent state regulation as well as administrative and criminal liabilities on freedom of expression and of the media.

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