Assessment on Media Platforms on Their Role for the Promotion of Human Rights in Ethiopia

Association for Human Rights in Ethiopia

Association for Human Rights in Ethiopia

With funds from

Freedom House

Prepared By: FIKIRE TINSAE BIRHANE (LLB, LLM, LLM, PhD Candidate)

FEBRUARY 2023
ADDIS ABABA, ETHIOPIA

© ASSOCIATION FOR HUMAN RIGHTS IN ETHIOPIA
ADDIS ABABA, ETHIOPIA
FEBRUARY 2023

DISCLAIMER

ASSOCIATION FOR HUMAN RIGHTS IN ETHIOPIA (AHRE) AND THE FUNDER OF THIS PUBLICATION CANNOT BE RESPONSIBLE FOR ANY FACTUAL OR LEGAL ERRORS OR OMISSIONS IN THIS PUBLICATION. OPINIONS EXPRESSED HEREIN ARE THOSE OF THE AUTHOR AND DO NOT NECESSARILY REPRESENT THE VIEWS OF ASSOCIATION FOR HUMAN RIGHTS IN ETHIOPIA.

Table of Contents

Acronym 1

1. Background of the Study 2

1.1. Aim of the Study 2

1.2. Brief Background of the Selected Media Institutions 3

1.3. Limitation of the Study 5

2. Methodology of the Study 5

2.1. Study Design 5

2.2. Samples and Sampling Technique 6

2.3. Data Gathering Method 7

2.4. Data Analysis Method 7

3. Human Rights-Based Approach to Journalism 7

3.1. Human Rights-Based Approach Explained 7

3.2. Tools for Assessing Media Content on Human Rights Issues 8

3.2.1. Linkages to Human Rights 8

3.2.2. Government Accountability 9

3.2.3. Empowerment 9

3.2.4. Non-Discrimination 9

3.2.5. Participation 10

3.2.6. Responsible Journalism 10

4. Legal Framework on Media Rights and Obligations in Ethiopia 10

4.1. Rights and Obligations of the Media under Ethiopian Law 11

4.1.1. Obligations of All Broadcast Media 11

4.1.2. Obligations of Public Broadcast Media 12

4.1.3. Obligations of Commercial Broadcast Media 12

4.1.4. Obligations of the Print Media 12

4.2. Content Obligations of the Ethiopian Media 13

5. Editorial Policies and Content of News/Program Pieces Broadcasted/Published by the Selected Media vis-à-vis Human Rights 13

5.1. Reference to Human Rights in the Editorial Policies of the Selected Media 13

5.2. Content Analysis of Pieces Published/Broadcasted by the Media under study regarding Human Rights 15

5.2.1. Coverage of Human Rights 16

5.2.2. Assertiveness of Accountability of the Government 17
5.2.3. Coverage of the Rights of Vulnerable Groups..... 18
5.2.4. Professionalism in Human Rights Reporting..... 19
5.2.5. Participation and Empowerment of Rights Holders 19
5.2.6. Media Content Contributing for Violation of Rights..... 19
Conclusion..... 20
Recommendation..... 21

Acronym

ACHPR	-	African Charter on Human and Peoples' Rights
ACRWC	-	African Charter on the Rights and Welfare of the Child
CEDAW	-	Convention on the Elimination of all forms of Discrimination against Women
CRC	-	Convention on the Rights of the Child
CRPD	-	Convention on the Rights of Persons with Disabilities
ETV	-	Ethiopian Television
FDRE	-	Federal Democratic Republic of Ethiopia
GBV	-	Gender Based Violence
HRBA	-	Human Rights Based Approach
ICCPR	-	International Covenant on Civil and Political Rights
ICESCR	-	International Covenant on Economic, Social and Cultural Rights
IDP	-	Internally Displaced Persons
NGO	-	Non-governmental organization
PWD	-	Persons with Disability
TV	-	Television

1. Background of the Study

1.1. Aim of the Study

Generally speaking, people think of entities like the United Nations, governments, and NGOs when it comes to human rights. Yet, in addition to these entities, the media has a crucial role to play in promoting human rights. The media, in any format, has the potential to raise awareness about issues related to human rights, inform and educate people about certain human right policies, expose violation and abuse, publicize the challenges of victims, and serve as a watchdog for the people in that those who govern the society do not abuse the people of their rights.[1] In many cases, media coverage has been instrumental in generating public outcry and spurring action to address human rights violations. For example, media coverage of human rights violations in various conflict zones has led to international pressure on governments to address these issues and bring perpetrators to justice.

In addition to raising awareness, the media can also provide a platform for human rights advocates and activists to voice their concerns and call for action. The media can be used to amplify the voices of those who are marginalized and give them a platform to share their stories and experiences. This has been particularly important in raising awareness about the experiences of marginalized communities, such as women, persons with disabilities, and ethnic and religious minorities.

The media can also play a role in holding governments and other powerful actors accountable for human rights violations. By reporting on human rights abuses, the media can shed light on the actions of governments and other actors, and hold them accountable for their actions.[2] In some cases, media coverage has led to investigations and trials of those responsible for human rights violations. For example, media coverage of human rights abuses committed by the military junta in Myanmar has led to international pressure on the government to address these issues and hold those responsible accountable.

Conversely, the media can also have contribution in violation of human rights. One of the ways in which the media contributes for violation of human rights is through the promotion of hate speech.[3] When the media uses hate speech, it can create an environment of fear and intimidation,

[1] J Strömbäck, "In Search of a Standard: Four Models of Democracy and Their Normative Implications for Journalism" Journalism Studies 6(3), 2005, 331–345.

[2] Of course, freedom of expression and independence of the media is essential for the media to effectively play its role in promoting human rights. Governments and other actors must ensure that the media is able to operate freely and independently, and that journalists and media workers are protected from violence and other forms of harassment.

[3] There is no universally accepted definition of hate speech in international human rights law to date, reference can be made to formulations by various bodies. For the present study, definition by the Broadcasting Complaints Commission of South Africa, which considers hate speech to be "material which, judged within context sanctions, promotes or glamorizes violence based on race, national or ethnic origin, colour, religion, gender, sexual orientation,

leading to violence against those who are targeted. For example, during the Rwandan genocide, the media played a significant role in promoting hate speech against the Tutsi minority, which led to the genocide that claimed the lives of over 800,000 people.[4]

Similarly, the media can be the reason for violation of human rights by inciting violence. When the media promotes violence or encourages individuals or groups to engage in violent behaviour, it can lead to serious human rights violations. For example, during the 2007-2008 post-election violence in Kenya, the media played a significant role in inciting violence, which resulted in the deaths of over 1,000 people and the displacement of more than 600,000.[5]

The media can also violate human rights by spreading false information. In contemporary times of digital age, it is easier than ever for false information to spread quickly, and the media plays a significant role in this process. When the media spreads false information, it can have serious consequences, particularly for vulnerable populations. For example, during the COVID-19 pandemic, false information about the virus spread rapidly on social media and other digital platforms, leading to confusion and panic among the public.

This study aims to assess the role of Ethiopian media vis-à-vis human rights with the main objective of promoting media reporting that helps to enhance human rights protection in Ethiopia. At present, in Ethiopia, both the print and broadcast media institutions (licensees) air and publish programs and articles the content of which could have implications on human rights. In this study, such content of selected media outlets is assessed. The assessment is conducted by taking three Ethiopian media outlets, namely ETV News, Asham TV, and the Reporter newspaper, as case studies.

1.2. Brief Background of the Selected Media Institutions

Currently, there are numerous media outlets operating in Ethiopia, in both print and broadcast form (television and radio).[6] These include, in television format: multiple channels administered by the EBC (ETV News, ETV Languages, ETV Entertainment, ETV Afan Oromo, and ETV Yelijochalem), multiple public networks based in the different regions of Ethiopia, including in Addis Ababa (Addis TV), Fana TV, EBS TV, Asham TV, Arts TV, Walta TV, ESAT, OBS, Kana TV, Balageru TV, Ahadu TV, Nahoo TV; from the print media, the most widely circulated ones include: Addis Fortune, Addis Zemen, Capital Ethiopia, and Reporter; and in radio format

---

age, or mental or physical disability" or "propaganda for war; incitement of imminent violence; or advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm" can be taken. See Code of the Broadcasting Complaints Commission of South Africa, applicable from 7 March 2003.

[4] R Dallaire, Shake Hands with the Devil: The Failure of Humanity in Rwanda, 2004.

[5] Human Rights Watch (2008) Ballots to Bullets: Organized Political Violence and Kenya's Crisis of Governance. https://www.hrw.org/sites/default/files/reports/kenya0308web.pdf accessed 16 January 2022.

[6] The exact statistics on the number and profile of media licensees in Ethiopia cannot be found in the directory of the Media Authority. Similarly, existing literature reviewed for this study indicates inconsistency and lack of update on current context of the issue.

include: Afro FM, Ahadu FM, Bisrat FM, Debub FM, EBC FM, FM Addis, Radio Ethiopia, Fana FM, and Sheger FM. In addition to these, social media platforms have become increasingly popular in Ethiopia. According to a 2020 study on the status of social media platforms in Ethiopia, conducted by the Digital Civility and Cybersecurity Initiative (DCCI), social media use in Ethiopia has been increasing rapidly, with Facebook being the most widely used platform.[7] The study noted that social media has become a critical platform for political and social engagement, with many users expressing their opinions and engaging in public discourse on a range of issues. However, it also identified several challenges associated with social media use in Ethiopia. These include the spread of fake news, hate speech, and misinformation, which can fuel social tensions and conflicts. The study also found that social media platforms have been used by some political actors to spread propaganda and incite violence.

As noted above, for this assessment three mainstream Ethiopian media outlets, namely ETV News, Asham TV, and the Reporter newspaper, are selected as case studies. ETV News (etv ዜና) is one of several television channels administered by the Ethiopian Broadcasting Corporation (EBC), which is a government-owned public service broadcaster. It is headquartered in Addis Ababa, Ethiopia, and is the country's oldest and largest broadcaster.[8] ETV News channel is selected for the current assessment because it is the main news and programs channel of EBC with 24 hours coverage, and with content on culture, politics, documentaries, and economy.

Asham TV is a privately owned media company, based in Addis Ababa, Ethiopia, that provides news, analysis, information and other programs.[9] Licensed as a commercial television company in 2017,[10] it airs news and various programs with content on entertainment, politics, documentaries, and socio-economic issues.[11] It is selected for this assessment, among the numerous private broadcast media licensees in Ethiopia, randomly to collect data that represents private service broadcasters.

While the first two medias described above represent broadcast medias, the third media selected for this assessment, i.e. the Reporter is representative of the print media. The Reporter is one of the private print medias in Ethiopia. The Reporter newspaper is selected for this assessment because it has been one of the only few private newspapers that sustained for a long time in Ethiopia. While most private newspapers in the country fluctuate with political and economic outsets of the country, the Reporter is one of the few to survive the ups and downs of the

[7] Digital Civility and Cybersecurity Initiative (DCCI), The State of Social Media in Ethiopia, (2020). https://digitalcivility.org/wp-content/uploads/2020/06/DCCI-The-State-of-Social-Media-in-Ethiopia-2020.pdf accessed 17 February 2023.
[8] Ethiopian Broadcasting Corporation (EBC) today has five television channels namely, ETV News, ETV Languages, ETV Entertainment, ETV Afan Oromo, and ETV Yelijochalem. See Seid Muhie, Analysis of Amharic Talk Show Content and Format Reform of Ethiopian Television, 2019, Masters Thesis (Unpublished, Addis Ababa University Library), 24.
[9] https://www.youtube.com/@AshamTube/about accessed 19 January 2023.
[10] https://mirh-et.org/private-media-profiles/ accessed 19 January 2023.
[11] https://www.ashamtv.com/?page_id=1069 accessed 19 January 2023.

situation.[1213] The newspaper is in print three times a week on Wednesdays and Saturdays in Amharic and on Sundays in English. Due to its wider reach and number of publications per week, the Amharic publication is chosen for the assessment. The Reporter publishes around 35,000 copies on average for each issue, the highest in comparison with other private newspapers.[14]

1.3. Limitation of the Study

As noted above, this assessment is conducted by taking media content disseminated in the period between 1 January 2023 and 31 January 2013 by three media licensees operating in Ethiopia, which are selected as case studies for the assessment. The fact that media content is highly influenced by trending stories at a particular period of time, the data gathered for this assessment could reflect only such particularities. In addition, due to difference in editorial policies of different media licensees, which guide content of news/programs/articles disseminated by each, media content of the three case studies could also fall short of being representative of media content of all media licensees operating in Ethiopia. Consequently, the findings of this study may not necessarily enable making generalized conclusion about Ethiopian media platforms' role, *inter alia*, for promotion of human rights. Yet, the study can be taken as a preliminary endeavor to demonstrate the situation in brief, which could trigger and guide a comprehensive study on the topic.

2. Methodology of the Study

2.1. Study Design

To conduct the assessment as to whether Ethiopian media have a role in promoting human rights, this study employed a qualitative content analysis design. Despite the lack of specific guidelines for qualitative audio-visual/text analysis, research procedures for qualitative text and message analysis[15] can be drawn on to frame a study with reasonable levels of reliability and validity.[16] In

[12] Seble Teweldebirhan, The Role of Media in the Promotion of Human Rights in Ethiopia, 2011, Masters Thesis (Unpublished, Addis Ababa University Library), 50.
[13] Negesse B Gessese, The Political Reform and the Amharic Biweekly Reporter: The Editorial Contents of the Reporter Newspaper in Ethiopia from 2017 to 2019, Romanian Journal of Communication and Public Relations, vol. 22, no 1 (49) / April 2020, 7.
[14] Ibid, 50-51.
[15] Qualitative message analysis methods applicable to analysis of media content include text analysis, narrative analysis, rhetorical analysis, discourse analysis, interpretative analysis, and semiotic analysis, as well as some of the techniques used in literary studies such as critical
analysis. see E Hijams, The logic of qualitative media content analysis: a typology *Communications*, *21*, (1996), 93–109.
[16] Jim Macnamara, Media Content Analysis: Its Uses, Benefits and Best Practice Methodology, Asia Pacific Public Relations Journal, 6(1), 2005, 15.

this regard, narratology, which is one of the two main strands particularly relevant to qualitative content analysis,[17] is adapted for this study.

2.2. Samples and Sampling Technique

According to Newbold et al, sampling for media content analysis comprises three steps. These are: (1) Selection of media forms (i.e., newspapers, magazines, radio, TV, film) and genre (news, current affairs, drama, documentary, and so on); (2) Selection of issues or dates (the period); (3) Sampling of relevant content from within those media.[18] This study followed these steps to conduct sampling.

As this study is based on qualitative content analysis design driven by the question whether content of pieces broadcasted/published by Ethiopian media promotes human rights/or triggers human rights violations, this assessment employed purposive sampling technique to select relevant data from each media institution under study. Accordingly, considering their relevance for analysis of the question under study, daily news and regular program pieces of the broadcast media, and pieces (articles) published by the print media under study are selected. In this regard, daily news, and regular program/show pieces of the two broadcast media (ETV News and Asham TV), and regular editorial contents of the print media (Reporter), over a period of one month (1 January 2023 – 31 January 2023), are purposively selected considering relevance of the content to the topic under study.

The news program department of ETV News, in addition to daily news, produces three types of programs, viz. educational programs that are produced in the form of mini-documentary, talk show programs and investigative programs.[19] This study assessed all news pieces in the period under study and has taken samples from the three types of programs considering their appropriateness for the current assessment based on analysis of the theme they address.

Asham TV also airs news and various programs with diverse content. In particular, it airs news pieces, and programs in the form of documentaries, talk shows and investigative journalism.[20] In addition to all news pieces during the period under study, programs on themes relevant for the present assessment are taken as samples.

For the third media under consideration, the Reporter newspaper, except for sports column, all news pieces and columns, published on its twice per week Amharic publication are taken as samples for the present assessment.

---

[17] Ibid.
[18] C Newbold, O Boyd-Barrett, and H Van Den Bulck, The Media Book (2002), 80–81.
[19] Seid Muhie, Analysis of Amharic Talk Show Content and Format Reform of Ethiopian Television, 2019, Masters Thesis (Unpublished, Addis Ababa University Library), 38.
[20] https://www.ashamtv.com/?page_id=1069 accessed 19 January 2023.

2.3. Data Gathering Method

After due consideration of the various methods that could be employed for the collection of relevant data for this type of assessment,[21] this study used document and audio-visual analysis method to gather relevant data for analysis.

2.4. Data Analysis Method

The data collected is investigated thoroughly by employing qualitative content analysis method. In this regard, firstly, the researcher investigated each selected news/program/column piece as to whether it has coverage of (included) human rights. This is done by analyzing content of each selected piece for express reporting on a specific right or implied addressing of legally recognized rights in the FDRE Constitution and international human rights instruments ratified by Ethiopia, including the ICCPR, ICESCR, CEDAW, CRC, CRPD, ACHPR, and ACRWC. In this regard, the pieces are investigated not only for positive content regarding human rights, but also for content that could potentially contribute for violation of rights.

Next, the content of those pieces that are identified to have expressly addressed specific rights or reported on legally recognized human rights without mentioning them directly are assessed qualitatively by employing the human rights-based approach (HRBA) to journalism as a tool of assessment.[22] In addition, the selected pieces are analyzed qualitatively to assess if they observed obligations of the media as stipulated in the Media Proclamation.[23]

3. Human Rights-Based Approach to Journalism

3.1. Human Rights-Based Approach Explained

The HRBA places the inherent diversity of humans and their fundamental rights at the central focus of any sector. The HRBA aims to ensure that all plans, programs, and projects are based on international human rights standards, that they empower those that are involved, and have a strong focus on the most disadvantaged.[24] The HRBA examines all aspects of a particular human rights issue, examining local, state and national factors, government policies and the legal environment to ensure that there is a holistic understanding of why a right is not being realized.

While the idea for HRBA stems from international human rights instruments enacted since the adoption of the 1948 Universal Declaration of Human Rights, it has only recently been

[21] CR Kothari, Research Methodology: methods and techniques, 2004.
[22] What the HRBA to journalism entails, and the tools it employs to assess reporting on human rights subject matters is described in section 3 below.
[23] Stipulations of the Media Proclamation, which regulates and is applicable to all media licensees in Ethiopia, on the rights and obligations of the media in general and content obligations of the media in particular are presented in section 4 below.
[24] OHCHR, 'Human Rights in Development,' http://www.unhchr.ch/development/approaches.html.

developed and implemented in practice. Various UN agencies and international organizations (UNICEF, WHO, UNESCO, Care, Oxfam, ActionAid, and Save the Children)[25] pioneered the approach in the late 1990s and early 2000s. In 2003, the UN Development Group announced that human rights principles would play a major guiding role for all their programming.[26] Since then, HRBA has been used by different actors all over the world in a variety of sectors, including more recently in journalism.[27] Some dimensions of HRBA in media work are already being discussed and operationalized. For example, scholarly efforts studying gender and media are fairly widespread.[28] The Organization for Security and Cooperation in Europe (OSCE) has also been a long-standing supporter of minority rights in the media sector, publishing its "Guidelines on the Use of Minority Languages in Broadcast Media" in 2003,[29] which advocates a HRBA to journalism.

Using the human rights-based approach potentially has the capacity to engage, empower and promote the rights of all individuals involved. The HRBA provides a framework that emphasizes on the obligation of States and duty bearers to respect, protect and fulfill human rights. In this regard, it is worth noting that in the case of media reporting, duty holders include not only government and other responsible parties but also journalists as well.

3.2. Tools for Assessing Media Content on Human Rights Issues

To assess whether particular reporting on human rights issues promotes human rights in the given context per the HRBA standard, one needs to analyze if producers/presenters/reporters/editors of news/program pieces of the media made sure to keep the following ideas in mind:

3.2.1. Linkages to Human Rights

The audience will often be unaware about the idea of human rights and what it means; so, has the story explained the concept in a clear manner? if there is in-depth coverage of human rights that could offer definitions and explanations of the human rights framework to a general audience

[25] Nelson and Dorsey, "Who practices rights-based development? A progress report on work at the nexus of human rights and development," World Development, 104 (2018), pp 97–107

[26] "The UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming," United Nations Development Group, 2003, https://www.undg.org/document/the-human-rights-based-approach.

[27] Thomas Rose, "A Human Rights-Based Approach to Journalism: Ghana, The Journal of International Communication," 2013, 19:1, pp 85-106, https://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F13216597.2012.737347.

[28] For example, see UNESCO, "Media Diversity and Gender Equality," https://en.unesco.org/themes/media-diversity-and-gender-equality; Council of Europe, "Combating gender stereotyping and sexism in the media," https://rm.coe.int/168064379b; Scharrer, Erica "Representations of Genderin the Media," The Oxford Handbook of Media Psychology (2012).

[29] OSCE, "Guidelines on the Use of Minority Languages in the Broadcast Media," 2003, https://www.osce.org/hcnm/32310.

that lacks specialized training or education in human rights. So, what is being covered, and what does it mean?

3.2.2. Government Accountability

It is important that the media play a role in keeping governments accountable for their obligations to respect, protect and fulfill the human rights of their people. So, with regard to reporting on a certain issue reflecting that the government is not meeting its human rights commitments under the Constitution or human rights instruments ratified by the country, does the story assert this clearly?

3.2.3. Empowerment

A HRBA requires that interventions contribute to the enhancement of the capacities of rights-holders to claim and exercise their rights. Are rights holders placed at the center of the process in the report on human rights subject? Has the story production process and the reporting given voice to the marginalized, allowed them to express their concerns or their needs in a safe environment?

3.2.4. Non-Discrimination

This established human rights principle demands that particular focus be given to the issues relevant to vulnerable groups, such as children, persons with disabilities, and women, within the context of a rights-based approach. In this regard:

- Has the reporting considered disadvantaged/vulnerable groups and how they may be impacted by the issue that they are reporting on/addressing?
- If vulnerable groups are included/have participated in the story, does the story reflect consideration of power dynamics by the reporter/host? For instance:
    - Were they likely to be intimidated by the journalist? Are they just giving the answers that they think the journalist wants to hear? Has the journalist made them feel comfortable?
    - If a journalist is interviewing more than one person at a time, has the journalist considered the power dynamics between the people she/he is interviewing in terms of, like gender, socio-economic status, age …? Has the journalist created an environment where everyone participating freely expresses themselves, for example ensuring that those being interviewed are of the same gender, ethnicity, age group, socio-economic status, etc.…

3.2.5. Participation

The HRBA encourages participation and empowerment. If a story reporting human rights issue is about a particular disadvantaged/vulnerable group, are their opinions and voices heard on the issue?

3.2.6. Responsible Journalism

When reporting on human rights issues journalists must make sure that they have collected hard, indisputable facts prior to reporting. So, does the story reflect this? Is the reporting sensitive to the cultural, political, and social context? For example, when interviewing children, is the place of interview child friendly? If the interviewees are women on women's issues, is it a woman journalist undertaking the interviews? Has the story considered the safety and security of persons that are interviewed? For instance, if they are likely to be threatened or subjected to any violence as a result of the interview that exposes violations by certain actors (state or non-state), are their identities kept anonymous when reporting about the issue?

4. Legal Framework on Media Rights and Obligations in Ethiopia

The Constitution of the Federal Democratic Republic of Ethiopia (Constitution), which is the supreme law of the land, recognizes the right to freedom of expression in its article 29.[30] It stipulates that everyone has the right to hold opinions without intrusion and to freedom of expression without any interference. It also states that this right shall include freedom to receive, seek and impart information and ideas of all kinds, regardless of frontiers, either orally, in print or in writing, in the form of art, or through any media of his/her choice. In addition, it stipulates that freedom of the press and other mass media, and freedom of artistic creativity is guaranteed and sets out the specific elements it constitutes. Moreover, it stipulates that any citizen who violates any legal limitations on the exercise of these rights may be held responsible under the law.

Rights related to the media as applicable in Ethiopia are also recognized in international human rights instruments that are ratified by Ethiopia, including under article 19 of the International Covenant on Civil and Political Rights (ICCPR) and article 9 of the African Charter on Human and Peoples' Rights (ACHPR). Though the Constitution and the aforementioned instruments have not expressly provided for obligations of the media in ensuring the right to freedom of expression and access to information in Ethiopia, such can be found in other laws enacted by the parliament as implementing legislations of the right. Accordingly, the main source of legal obligations of the media, *inter alia*, in relation to their role on promotion of human rights currently is the Media Proclamation No. 1238/2021 (the Proclamation).[31] The stipulations of the

[30] Proclamation No. 1/1995, Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia, Federal Negarit Gazette, 21 August 1995 (FDRE Constitution).
[31] Media Proclamation, Proclamation No. 1238/2021, Federal Negarit Gazette, 5 April 2021 (Media Proclamation).

Proclamation have been reinforced by regulations adopted as its implementing legislations.[32] In the following subsections, a summary of relevant stipulations for the present analysis of the Proclamation are reiterated, in particular on the rights and obligations of the media, and content obligations of the media.

4.1. Rights and Obligations of the Media under Ethiopian Law

The Proclamation provides detailed list of general obligations applicable to all types of media, and certain obligations applicable to particular types of media outlets specifically.

4.1.1. Obligations of All Broadcast Media

As stipulated in the Proclamation, any broadcasting service licensee shall have the obligations to:[33]

- broadcast programs that provide information, education and entertainment that reflect and accommodate the plurality, needs and values of the different sections of the Ethiopian society;
- render a broadcast service that contributes to the country's political, social and economic development and create shared national values on constitutional issues and other matters of public interest;
- render a broadcast service that safeguards, strengthens and enriches the cultural, political, social and economic fabric of the society;
- gather and present news and information accurately and impartially;
- when controversial or contentious issues of public interest are discussed, make reasonable efforts to entertain different views on the issues, either in the same program or in other programs;
- broadcast programs with content especially adapted for persons with disabilities;
- provide a platform for participation and critical public debate in matters of good governance; and
- ensure that the general content of broadcasting services promote a society that is democratic, self-reliant, well-informed, open-minded, scientific, creative, tolerant and reflective of national priorities, experiences and aspirations.

In addition, it provides that the licensee of any broadcasting service shall ensure that the services and the personnel comply with:[34]

- the constitutional principle of equality;
- the equitable treatment of all segments of the Ethiopian population;

[32] See በየጊዜው የሚወጣ የህትመት መገናኛ ብዙሃን መመሪያ ቁጥር 903/2014; የንግድ ሬድዮ እና ቴሌቪዥን አገልግሎት መመሪያ ቁጥር 925/2014.
[33] Article 55, Media Proclamation.
[34] Article 55(2), Media Proclamation.

- a high standard of accuracy, fairness and impartiality in news and programs that deal with matters of public interest.

4.1.2. Obligations of Public Broadcast Media

With regard to public broadcast media, the Proclamation stipulates that any public service broadcasting licensee shall have the obligation to:[35]

- provide comprehensive news and programs on current affairs in line with the public interest, focusing on matters of international, national, regional and local significance by maintaining fairness, impartiality, rationality and balance required by the professional standard;
- provide news and programs that assist in ensuring good governance, strengthening the justice system, and encourage the realization of rule of law;
- provide news and programs that contribute to the promotion of human rights and strengthen democratic systems;
- provide high quality broadcasting service and distinctive media contents that inform, educate and entertain;
- provide a range of broadcasting service material that strikes a balance between programming of wide appeal and specialized programs that serve the needs of different audiences, including persons with disabilities, minority groups, children, the youth, and women;
- include significant amounts of educational programming, both curriculum-based and informal and general educational themes.

4.1.3. Obligations of Commercial Broadcast Media

Regarding commercial broadcast media, the Proclamation stipulates that the licensee of any commercial broadcasting service shall, notwithstanding its profit-making objective, have the obligation to:[36]

- broadcast news and programs that promote the public interest and in particular good governance issues based on democratic principles of accountability and transparency;
- include news and provide programs that include discussions on current affairs of local, national, regional and international significance;
- include drama, documentaries and children's programs that reflect Ethiopian themes.

4.1.4. Obligations of the Print Media

Unlike the broadcast media, obligations of the print media are not specifically provided in the Proclamation. However, Regulation No. 903/2014 fills this gap. The Regulation stipulates in general terms that any content published by the print media shall observe the Constitution, the

[35] Article 56, Media Proclamation.
[36] Article 58, Media Proclamation.

Media Proclamation, and other laws of the land.[37] From this, one can deduce that the print media licensees have the obligation to observe those stipulations required to be observed by the broadcast media licensees *mutatis mutandis*.

4.2. Content Obligations of the Ethiopian Media

In relation to content of media programs and news, the Proclamation stipulates that any program or news should be balanced and impartial in reflecting diverse viewpoints to serve the public at large.[38] On the other hand, it provides for prohibitions related to content of news and programs. In this regard, it states that the content of any program or news shall not:[39]

- violate the right to privacy of everyone subject to the requirements of the public interest;
- offend human dignity;
- cause actual harm, or encourage behavior which is harmful to health or safety;
- incite crime or disturbance of peace and security; and
- incite hatred or contempt on grounds of race, language, national or ethnic origin, colour, religion, gender, age or mental or physical disability.

5. Editorial Policies and Content of News/Program Pieces Broadcasted/Published by the Selected Media vis-à-vis Human Rights

5.1. Reference to Human Rights in the Editorial Policies of the Selected Media

Editorial policy is the main component of any media institution. It is a document that states the mission and vision of a given media and it provides guidance for the media's journalists on how and what to select as content of their coverage. A reading of an editorial policy of a certain media institution could provide an easy understanding of its positions and convictions on several issues including human rights.

Editorial policy of EBC, which administers ETV News, provides a detailed direction on how the content of the media is determined by the various media outlets it administers. Accordingly, these media outlets are required to determine their content in conformity with the provisions of the Constitution and other press and broadcast laws. According to the Policy, the ultimate goal of the content is, to create mutual understanding and national consensus of the people of Ethiopia.[40]

An assessment of the editorial policy with regard to human rights reveals that the Policy requires the content of the media to be compatible with international and national human rights law, as

[37] See Article 13, በየጊዜው የሚወጣ የህትመት መገናኛ ብዙሃን መመሪያ ቁጥር 903/2014.
[38] Article 68 (1), Media Proclamation.
[39] Article 68 (2), Media Proclamation; See also Article 24, የንግድ ሬድዮ እና ቴሌቪዥን አገልግሎት መመሪያ ቁጥር 925/2014.
[40] Ethiopia Radio and Television Agency Editorial policy, chapter two, section II (2.1), ERTA, 1999 in Seble Teweldebirhan, The Role of Media in the Promotion of Human Rights in Ethiopia, 2011, Masters Thesis (Unpublished, Addis Ababa University Library), 51.

well as respect the rule of law. The Policy notes that the Constitution bestows the people of Ethiopia with human rights and fundamental freedoms, and media has a responsibility to select its content in conformity and with the intent of promoting these guaranteed rights.[41]

In addition, the Policy recognizes the need for bringing national consensus in the country through the contents of its programs. This is relevant to the promotion of human rights since it demands the journalists to consider human rights recognized in the Constitution as a means to realize the espoused national consensus. Moreover, the Policy requires the media content to prop up popular participation on building and strengthening democratic culture, support the struggle against poverty and bringing economic development to the country. It can be argued that such requirement has relevance for promotion of human rights in the country.

One could also find the Policy's indirect incorporation of human rights considerations in its part on purposes of the media. These are:[42]

- Serving the public: the Policy provides that content of the pieces (programs) broadcasted by the media has to educate the rights and freedoms of the society, build good character and respect among the society and reveal maladministration and corruption. This purpose reveals recognition of the importance of incorporating national and international human rights in the content of the media. As a primary purpose, the Policy requires the content to be educative of the rights and freedoms of citizens, and build good character and respect, which can be interpreted as a firm position taken by the Policy on the importance of promoting human rights through the media.
- Integrity: the Policy recognizes the rights of the public to get accurate and timely information. In this regard, it states, as one of the obligations of journalists working for the media, to provide correct and evidence-based information to the society.
- Respect: according to the Policy, program pieces with content that could violate human dignity, moral, family integrity, personal liberty, group rights, women and children rights and freedom on religion, ethnicity, language are not to be broadcasted. This purpose suggests that the Policy imposes on journalists working for the media the duty not only to promote human rights, but also respecting individual and group human rights of their potential addressees/viewers while performing their journalistic activities.

Editorial policy of Asham TV also reflects the need for human rights consideration in the overall operation of the media. The Policy provides as one of the values of Asham TV that any reporting on issues concerning particular individuals would consider the right to privacy of such individuals.[43] In addition, it provides that active participation in activities related to human rights is one of the values of the media.[44] Regarding media content, the Policy states that content of news and programs of the media will be produced by giving particular attention to asserting

[41] ibid
[42] Ibid, chapter three, 20-22.
[43] Asham TV Editorial Policy, Chapter 2, 4.
[44] Ibid, 5.

accountability of the different branches of the government (legislative, executive, and judiciary organs), inter alia, regarding their duty to ensure human rights.[45] Furthermore, it stipulates that the media's news and programs content shall give particular attention for coverage of issues related to religious freedom, health, education, children, women, persons with disabilities, conflict related violations, declaration and implementation of state of emergency, and raising of public awareness regarding human rights.[46]

In this assessment, despite the researcher's efforts to access and analyze editorial policy of the Reporter, it was not possible to get access to it. Yet, from examination of previously conducted study related to the topic of this assessment in which the researcher interviewed Editors-in-Chief of Ethiopian private media institutions including the Reporter's, it was found that editorial policy of the Reporter, beyond providing that the media content it disseminates should promote democratic culture and encourage respect and tolerance among the people of Ethiopia, does not make specific reference to human rights.[47]

5.2. Content Analysis of Pieces Published/Broadcasted by the Media under study regarding Human Rights

The media landscape of Ethiopia has undergone significant changes in recent years. Historically, the media in Ethiopia has been heavily controlled by the government, with limited space for independent reporting and criticism. According to a report by the International Press Institute (IPI), Ethiopia has made significant strides in improving press freedom and expanding the media sector since 2018, including the removal of restrictions on websites, blogs, and social media platforms, and the release of imprisoned journalists. However, despite these positive developments, there are still significant challenges facing journalists and media organizations in Ethiopia. The country is ranked 101st out of 180 countries in the 2021 World Press Freedom Index, which notes that journalists are still subject to harassment, intimidation, and imprisonment for their reporting.[48] In addition, the government has been accused of using internet shutdowns and censorship to control the flow of information, particularly during times of political unrest.[49]

In the following sub-sections, content analysis of pieces published/broadcasted by the selected media outlets regarding human rights during the period under study is presented.

[45] Ibid, Chapter 3, 8-9.
[46] Ibid, 9-19.
[47] Seble Teweldebirhan, The Role of Media in the Promotion of Human Rights in Ethiopia, 2011, Masters Thesis (Unpublished, Addis Ababa University Library), 54-55.
[48] Reporters Without Borders, 2021, Ethiopia, https://rsf.org/en/country/ethiopia accessed 19 February 2023.
[49] Freedom House, Freedom in the World 2021: Ethiopia https://freedomhouse.org/country/ethiopia/freedom-world/2021 accessed 19 February 2023.

5.2.1. Coverage of Human Rights

A total of 180 editorials (pieces) of the Reporter were analyzed in this study. Among these, only two pieces have made express reporting on specific rights recognized under the Constitution and/or international human rights instruments ratified by Ethiopia. To be specific, one of the pieces presents analysis regarding alleged wrongs committed by the justice system regarding property rights of a certain individual. In this piece, in presenting arguments as to the allegation, the author expressly cited articles 37 and 40 of the Constitution on the right to access to justice and property rights respectively. The second piece presents descriptive analysis on definition of disability based on the human rights model as recognized in the CRPD and calls on the government to ensure the rights of PWDs in line with its commitment under the Convention. In this piece, the author cites the CRPD in general terms as his basis of argument.

From Asham TV, a total of 135 pieces (news and programs broadcasted) have been sampled and their content assessed. Among these, three pieces are identified to have made express reporting of particular human rights while addressing the issues covered. Specifically, for a piece reporting on relationship of the court and the police institutions with regard to implementation by the later of the decisions of the former, a lawyer was invited to reflect on the topic, who explained the rights of the accused as provided in the law and separation of power between the judiciary and the police. The second piece, which reports on current statistics of IDPs in Ethiopia and a discussion forum held in that regard, has made reference to the Kampala Convention and the rights of IDPs as recognized therein. It also included explanations by an expert on the subject from the Ethiopian Human Rights Commission. In the third piece, which is about a joint call made by 12 CSOs working on human rights in Ethiopia for accountability of government officials for human rights violations, the report aired parts of the call with emphasis on the part that cited the Constitution and international human rights instruments ratified by Ethiopia to make the case.

With regard to ETV News channel of the EBC, a total of 663 pieces (news and programs broadcasted) were sampled and assessed in this study. Since all news pieces (morning, midday, and evening) were the subject of assessment, all pieces have been counted as part of the assessment though there have been repetitions of coverage of the same topics in different news hours of the days under study. Nevertheless, express reference to specific rights as legally recognized in Ethiopia has not been identified from the pieces assessed. In this regard, it can be argued that ETV News has failed to observe its obligation under the Media Proclamation, which specifically stipulates that public broadcast media shall have the obligation to 'provide news and programs that contribute to the promotion of human rights'.[50] This is because effective contribution to the promotion of human rights would require broadcasting of content with express reference to and reporting on specific rights so as to, *inter alia*, raise awareness of the public and enable it to stand for/demand its rights.

[50] See Article 56, Media Proclamation.

As noted above, in the period under study, the findings of the assessment revealed that content of pieces published/broadcasted by the selected media have made limited express coverage or reporting on specific rights. Yet, numerous pieces have made implied coverage of human rights through addressing of issues directly related to legally recognized human rights.

Accordingly, among the 180 pieces sampled from the Reporter, 29 pieces are identified to have implied coverage of legally recognized rights. The issues addressed in these pieces relate to the right to education, electoral rights of IDPs, freedom of expression and the media, right to access to health services, right to personal security, freedom of religion, judicial independence, right to access to justice, IDP rights, gender based violence (GBV), right to liberty (freedom from arbitrary arrest), right to food, rights of persons with disabilities, labour rights, right to self-determination, and cultural rights.

From the 135 pieces sampled from Asham TV, 24 pieces have made implied coverage of human rights recognized in the Constitution/international human rights instruments ratified by Ethiopia. The issues addressed in these pieces relate to the rights of the accused, judicial independence, right to liberty (freedom from arbitrary arrest), IDPs rights, freedom of expression and the media, electoral rights (referendum), freedom of religion, labour rights (minimum wage), right to education, violation of rights in armed conflict situation in northern Ethiopia, transitional justice and accountability, disarmament, demobilization and reintegration, and peace and security of individuals.

Among the 663 pieces assessed from ETV News, implied coverage of human rights has been identified in 39 pieces. The topics covered in these pieces relate to the rights of IDPs, right to security of the person, right to health, environmental rights, right to education, right to food, freedom of thought and expression (academic freedom), freedom of religion, women's' rights, child rights, rights of the elderly (housing), prisoners' rights, electoral rights (referendum), cultural rights, human trafficking, humanitarian assistance, and peace and security of individuals.

5.2.2. Assertiveness of Accountability of the Government

Among the samples assessed, contents of considerable number of pieces assert failure of the government to observe its duties regarding human rights, viz. duty to respect, duty to protect and duty to fulfill. In this regard, the Reporter has published pieces that asserted accountability of the government for failure to ensure effective implementation of rights. These include, analysis on restriction of freedom of expression and the media in Ethiopia, which asserts government's failure to ensure effective protection of the right; editorial that asserts government officials are violating freedom of religion and judicial independence; reporting that asserts compensation for expropriation by government for development activities is fraught with crimes and irregularities; editorial that notes education is deteriorating and calls the government to salvage it by taking appropriate policy measures; reporting on EHERCO call for government to stop arbitrary arrest of human rights violation investigators; and analysis on implementation of the right to education

in Ethiopia that alleged the government is not observing its duties related to implementation of the right.

Similarly, numerous pieces broadcasted by Asham TV have reported about accountability of the government for alleged violations of human rights and call to take action to ensure protection of rights and the rule of law. These include, assertion that the Police institution is bypassing decisions of courts, thereby violate the rights of the accused detained on remand; assertion that there is arbitrary arrest of human rights violations investigators; call for the government to avoid impunity in the implementation of transitional justice mechanisms in relation to the conflict in northern Ethiopia; assertion that there are electoral irregularities being observed in relation to referendums carried out in southern Ethiopia; assertion that judicial independence is trampled upon by the executive branch; contention regarding failure of the government to adopt minimum wage law, which could serve greatly in safeguarding the rights of workers; assertion that the government is intervening in religious affairs and call to it to refrain from such interventions; and reporting on allegations that there is lack of popular participation in education policy making and implementation.

Unlike the two private media licensees addressed above, despite noting challenges of good governance and implementation, the pieces broadcasted by ETV News channel during the study period and assessed for this study do not have content directly (expressly) asserting government's failure to meet its human rights commitments under the Constitution or human rights instruments ratified by the country.

5.2.3. Coverage of the Rights of Vulnerable Groups

The principle of non-discrimination, which is an established human rights principle, demands that particular focus be given to the issues relevant to vulnerable groups, such as children, persons with disabilities, and women, within the context of a rights-based approach. This is also applicable with regard to media content.

Assessment of the selected samples found that there are instances where the rights of vulnerable groups are covered by pieces broadcasted/published by the selected media during the period under study. From the Reporter, these include pieces addressing the rights of IDPs (on electoral rights and security), women (on GBV and access to health services), persons with disabilities, and children (on education and food). On the other hand, Asham TV has broadcasted pieces that covered the rights of IDPs, and child rights related to education. Regarding pieces gathered from ETV News, the rights of IDPs (security and humanitarian assistance), women's rights (health and rehabilitation), child rights (health, education, and adoption), and the rights of the elderly (housing).

Despite such attempts, it is found that coverage of the rights of vulnerable groups has not been done to the level expected. In particular, the broadcast media have demonstrated failure to fully

observe their obligation stated in the Media Proclamation. The Proclamation stipulates that public broadcast media shall have the obligation to 'provide … specialized programs that serve the needs of different audiences, including persons with disabilities, minority groups, children, the youth, and women'.[51] As a public media, ETV News has these obligations but the assessment revealed that it has largely failed to provide such specialized programs, in particular in relation to persons with disabilities, children, and minority groups. With regard to commercial broadcast media, the Proclamation provides that they have the obligation to include children's programs.[52] In the period under study, no program broadcasted by Asham TV was identified to be a children's program.

5.2.4. Professionalism in Human Rights Reporting

The HRBA to journalism requires that, when reporting on human rights issues, journalists must make sure that they have collected hard, indisputable facts prior to reporting and the story must reflect this. In addition, it needs to show sensitivity to the cultural, political and social context that it covers. Assessment of the pieces under study has not indicated lack of professionalism in this regard. However, significant problem has been observed in relation to this with regard to linking stories to human rights. In other words, stories that needed explanations of the human rights framework applicable to the issues to a general audience that lacks specialized training or education in human rights have been avoided. Of course, there are observed attempts to invite/include professionals that explain certain issues in reference to specific rights. Nevertheless, the majority of reporting on human rights has failed to raise awareness of the public, thereby limiting the opportunity to learn legal basis and mechanisms to claim observance of rights.

5.2.5. Participation and Empowerment of Rights Holders

Content of the pieces analyzed and identified to have coverage of human rights reflected some attempt to ensure participation and empowerment of the concerned rights holders. This is mainly done by interviewing few persons to include their reflection as part of the content of pieces that addressed issues affecting them. However, the researcher asserts that, generally speaking, the rights holders have not been effectively empowered as only limited number of persons are allowed to participate and even so, they are not accorded sufficient time to reflect on the issues from their own perspective.

5.2.6. Media Content Contributing for Violation of Rights

The media, in addition to publishing/broadcasting content that promotes human rights, are required to refrain from airing or publishing content that could contribute for violation of rights. In this regard, the Ethiopian media law specifically stipulates that media content of any program

[51] See Article 56, Media Proclamation.
[52] See Article 58, Media Proclamation.

or news shall not incite hatred or contempt on grounds of race, language, national or ethnic origin, colour, religion, gender, age or mental or physical disability, incite crime or disturbance of peace and security, offend human dignity, or violate the right to privacy of everyone subject to the requirements of the public interest.[53] Analysis into the media content selected for this assessment has not reflected obvious transgressions in this regard. In other words, the stories covered in pieces published/broadcasted by the selected media in the period under study, i.e. 1 January 2023 – 31 January 2023, have not reflected incitement for violations or definite attempt to justify (cover up) violations reported in them. Consequently, no piece from any of the three media considered in this study could be presented to demonstrate Ethiopian media content that contributes for violation of rights.

Conclusion

This study assessed the role of Ethiopian media vis-à-vis human rights by employing the HRBA to journalism tools of assessment. In doing so, samples have been gathered from pieces published/broadcasted by three media outlets in Ethiopia, namely the Reporter newspaper, Asham TV and ETV News channel of the EBC, between 1 January 2023 and 31 January 2023, and their content analyzed qualitatively.

Accordingly, the study found that Ethiopian media content reflects insufficiency of express reporting on specific rights recognized in the Ethiopian Constitution or other international human rights instruments ratified by Ethiopia and made part and parcel of the law of the land. Even the pieces the content of which exhibited implied reporting on human rights fail to frame the issues in rights perspective. In this regard, training media professionals on human rights could help to assist them to identify issues that require analysis based on legally recognized rights and frame them as such. With regard to assertiveness of accountability of government for violation of rights, it is found that content of the public media fails to reflect this while there is clear attempt in that regard as observed from content of the private media. Unless there is media activism in asserting failures of the government to observe its legal duties to ensure rights and calling it to account for violation of rights, it would be difficult to say that it is playing a role in promoting human rights to the level it is expected of the media. Consequently, Ethiopian media need to scale up their efforts in this regard.

[53] Article 68 (2), Media Proclamation; See also Article 24, የንግድ ሬድዮ እና ቴሌቪዥን አገልግሎት መመሪያ ቁጥር 925/2014.

Recommendation

To the House of Peoples' Representatives

- In discharging its constitutional mandate of monitoring the executive's discharge of its responsibility, make specific inquiry as to the issue that executive agencies with responsibility to monitor the media are taking measures to ensure media licensees are observing their obligation related to human rights as stipulated in the applicable media laws.
- Make sure that the executive is not imposing unnecessary and excessive pressure on the media licensees for broadcasting on human rights related issues and respect their freedom
- Adopt a legal framework applicable to the media that comprehensively entrenches rules stipulating the requirements of a human rights-based approach to journalism.

To the Executive Branch of the Government

- Adopt implementing legislations of the Media Proclamation that provide comprehensive rules on obligations of each media licensees regarding their role in promotion of human rights.
- Take appropriate measures to ensure that all media licensees are observing their obligations under media laws, specifically those related to media content involving human rights.
- Create mechanisms for the provision of regular/on-going training on human rights laws and human rights-based approach to journalism for all media licensees and personnel.
- Ensure that public media outlets are operating with due consideration of their obligations under media laws, in particular those rules requiring coverage of content relevant for promotion of human rights in general and the rights of specific groups in particular.
- To respect press freedom of the media outlets operating the county

To Ethiopian Media Licensees

- Build capacity of professional personnel to raise awareness on various sources of law recognizing specific rights so as to enable them to link media content with human rights.
- Demonstrate activism in raising public awareness on human rights, holding the government accountable for violations that occur, and take due diligence to ensure that media content does not contribute for violation of rights.
- Ensure that their media content takes into consideration the human rights-based approach to journalism.

To Civil Society Organizations

- Provide trainings/capacity building on human rights considerations in media content production and reporting.

WITH FUNDS FROM



ስብስብ ለሰብአዊ መብቶች በኢትዮጲያ



ASSOCIATION FOR HUMAN RIGHTS IN ETHIOPIA