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Case Study From the Maldives

Toby Mendel
Executive Director
Centre for Law and Democracy

This paper focuses on the exercise of applying the Media Development Indicators (MDIs) in the Maldives. I was asked by UNESCO in May of last year to travel to conduct an MDI-based study of the media environment in the Maldives. The assessment, which I believe was the first such assessment to be completed, is available online.¹

This paper covers six topics, as follows:

1. The strength of the MDIs as a methodology for assessing media development
2. Some challenges in applying the MDIs
3. The methodology used in the Maldives to conduct the MDI assessment
4. How the recommendations were arrived at
5. How the assessment can and has been used
6. Some suggestions for future assessments

1. The MDIs as a Methodology

The MDIs as a methodology have three key strengths. First, they focus on media development as an issue. This means that they are of wide interest to journalists, media outlets, civil society, officials and legal professionals, among others. Also, media development is seen by many as being less threatening than the concept of press freedom. Work on press freedom is sometimes viewed with suspicion, especially by governments, as they are concerned about the criticism that this usually entails. Focusing on the less value-laden idea of media development means that it is easier to get wide buy-in for the assessment process including, importantly, from officials. It also means that the assessment can address on a wider range of different issues than would be possible with a press freedom focus.

Second, it is a strength that the assessment is not a rating, and that it does not generate scores which might be compared. Ratings play an important role,

¹http://portal.unesco.org/ci/en/files/28892/12459422999media_assessment_maldives.pdf/media_assessment_maldives.pdf.

especially in advocacy for greater freedom. But a non-rating approach is less threatening for many governments and so, as with the overall topic of media development, promotes greater official buy-in. The MDI assessment also points to solutions, rather than simply describing the problems. In that sense, it is a more practical and forward-looking exercise than a rating.

Third, the MDIs are extremely detailed and comprehensive. There are some 50 Key Indicators and 100s of Sub-indicators to guide those applying the methodology. This generally makes them easy to apply and promotes consistency among different assessment exercises. At the same time, there are a few gaps in the MDIs, an issue which is addressed below.

2. Challenges in Applying the MDIs

Despite their manifest strengths, applying the MDIs does pose some challenges, four of which are highlighted below. First, some of the indicators are either rather subjective/context dependent or hard to find solid data on. These may sound like very different concerns, but they are actually closely related. For example, a Key Indicator is whether the media is pluralistic and serves all groups in society. It is normally easy enough to collect data on the number of different media outlets. It is much more difficult, however, to assess what content they actually carry (perhaps beyond general self-created descriptions that you might find on their websites). And assessing whether they serve all groups in society is, without solid data, which is very rarely available, essentially a subjective exercise. Furthermore, it is not clear what might be considered to qualify as being diverse and serving all groups in a tiny island State such as the Maldives. Certainly this cannot be the same as in a much more populous country.

Another example is the Key Indicator relating to public trust in the media and the extent to which the media is responsive to public perceptions. There was simply no objective data or surveys on this in the Maldives, which is probably not unique in this respect. And without that, it is extremely difficult to collect data for this indicator, beyond informal, ad hoc questions put to those interviewed. This means that, in the end, the information on this Key Indicator is speculative.

Second, there are some gaps in the MDIs, in the sense of media development issues that are not properly covered. Most issues receive at least some general or overview treatment, but in some cases this is not specific enough to be sure that those applying the assessment will advert to the issue or cover it in the same place. For example, registration systems for the print media are not directly addressed. Commercial issues are dealt with almost exclusively from a regulatory perspective (such as what regulations exist to control undue concentration of media ownership), to the detriment of wider commercial issues such as market-based viability.

A particular area that receives only rather general treatment is the question of ICTs and the digital communications environment. The MDIs do cover the extent to which traditional media have access to ICTs and the extent of public access to the

Internet. But given the huge impact of ICTs on communications, as well as the very complex issue of regulation of digital communications, more detailed focus on this issue is warranted.

To help address this, a group of organisations have been working on a supplementary assessment for the Maldives, looking exclusively at the digital communications environment. The idea is to develop the MDIs in this area, rather than to replace them, by developing more detailed indicators for assessing the digital communications environment.

Third, as the flip side of gaps, there are a few issues which the MDIs address in more than one place. Examples include the assessment of community broadcasting, the issue of diversity and the question of independent regulation of broadcasting. The latter, for example, is addressed in three different key indicators (Key Indicators 1.6, 2.4 and 2.8). This is not necessarily a problem, but to ensure consistency across MDI assessments in different countries, guidance will need to be provided so that similar issues are dealt with under the same Key Indicators.

Fourth, to apply the MDIs as they are intended to be used requires a fairly considerable knowledge of international standards relating to freedom of expression in the different assessment areas. For example, Key Indicator 1.9 refers to the appropriate scope of defamation laws and who may sue. Under international law, public bodies should not have the power to bring defamation cases, among other things because as public bodies they do not have any reputation as such to defend. This also applies to objects such as State symbols and flags. This level of detail is not clear from the text of the MDIs and it is not clear that everyone applying them would understand this. In many countries, public bodies do have the power to sue and this may often be seen as acceptable and normal.

Another example is Key Indicator 1.8, which suggests that there should be no legal provisions dictating who may practise journalism. International law rules out any formalities which obstruct access to the profession of journalism, including mandatory membership in a particular professional association, conditions on who may be a journalist, such as having a university degree, and so on. Not everyone applying this Key Indicator will necessarily think of all of these aspects as they assess their local situation.

3. Methodology

The methodology used in the Maldives to undertake the MDI assessment was light and relatively quick. This was probably appropriate given that it is a very small country, at least in population terms, and there are relatively few players involved. This methodology was also driven by the fact that the government, which requested the assessment, wanted it as soon as possible to provide it with policy guidance.

The main methodology involved unstructured or semi-structured interviews, followed up by email as necessary. The assessment also involved a literature review.

It was generally very easy to access all stakeholders, including official actors who were very cooperative, indeed highly engaged. Although this was a relatively simply methodology, I believe that I was able to access most of the information which was relevant to the MDI assessment that was available.

4. Recommendations

The recommendations are a very important part of the process of the MDI assessment and of the document which results from it. They are likely to attract more attention than any other part of the document and, if the exercise is successful, they are likely to have a greater impact as well.

In some cases, making recommendation was easy and essentially flowed directly from the MDIs. For example, Key Indicator 1.2 calls for the right to information to be guaranteed in law. The Maldives does not have a right to information law, so an obvious recommendation was that they should adopt one. Another example is the lack of any dedicated broadcasting law in the Maldives which deprives the State of tools to achieve a number of the Key Indicators, such as promoting diversity in the media, ensuring that the media operates as a platform for democratic debate and providing independent regulation of the media. Once again, an obvious recommendation was that a broadcasting law should be adopted.

In other cases, formulating the recommendations required a bit more in-depth understanding of international standards. For example, the assessment recommends that the Media Council Act and the Penal Code should be reviewed and amended, to ensure that they do not unduly restrict freedom of expression. This was based on a specific analysis of some of the restrictions contained in these laws. It is only where those conducting the assessment are familiar with international standards that recommendations of this sort are possible.

5. Use of the Assessment

The MDI assessment for the Maldives has already been used by both officials and civil society. As a general point, it may be noted that the assessment, like any professional MDI assessment, provides a comprehensive picture of the situation and needs, in relation to international standards, for media development in the Maldives. This is a useful tool for many stakeholders. It can be used to identify priority areas for action and as a guide to the key issues facing media development in the country. It also provides important guidance to readers as to the relevant international standards.

More specifically, in the case of the Maldives, the MDI assessment was launched at an event hosted by the Maldives National Broadcasting Corporation (MNBC) in October 2009. The event was broadcast on national television, ensuring wide dissemination to the public of information about the assessment, including as to some of the key recommendations.

The government, which originally requested that the assessment be done, has

responded to it in good faith and is undertaking a number of activities to implement the recommendations. In some cases, they have been working with UNESCO to do this. For example, draft laws on the right to information, public service broadcasting and broadcast regulation are all either before the Majlis (parliament) or being prepared by government. These are all key MDI assessment recommendations. Furthermore, a training programme for journalists, which will lead to a journalism diploma, is being developed and will be provided through the Maldives College of Higher Education.

Civil society groups working on media development and freedom of expression issues have made extensive use of the assessment to guide their policy work and for advocacy purposes. The assessment has, for example, been quoted in a number of press releases and reports published by civil society organisations.

Finally, several of the key recommendations and ideas in the MDI assessment have been integrated into the most recent global development programme for the Maldives, the National Framework for Development, 2009-2013. This document was being developed at the same time as the assessment was launched in October 2009.

6. Some Suggestions

I would like to provide some suggestions for improving the MDI as an assessment tool. I do not support the idea of revising the main document. It is an excellent and well-designed toolkit which, furthermore, has been approved at a very high level within UNESCO. Most importantly, I believe that steps can be taken to address the challenges that I outlined earlier which do not require the main document to be revisited. I do, however, have four main suggestions on how to improve future MDI assessments.

First, the problem with the areas of overlap in the MDI document is that issues may not be dealt with in the same place in different assessments. To address this, guidance should be provided to assessors as to where, precisely, each issue should be covered where this is not already clear from the MDI document.

Second, although no issues are completely ignored in the MDI document, there are still gaps in the sense that it is not always entirely clear where issues fit into the framework. Once again, guidance should be provided for those issues which are not fully integrated into the current document. As noted above, this is being done for digital communications environments.

Third, to ensure that assessors are sufficiently familiar with international law, they should be given training, linked to the MDI framework. Ideally, this should be provided through a centralised channel, to ensure that it is standardised. A central training document could be developed to this end, and then it could be delivered in different locations as needed.

Finally, there is the problem of poor availability of data for some of the Key Indicators. This is more difficult to address, and it was a special challenge in the Maldives, due to the very small population and paucity of research material. Over the longer term, there is a need to promote more academic research into some of the Key Indicators for which less information is generally available.