

Remarks by Mrs. Mercy Wanjau, MBS, Acting Director General, Communications Authority of Kenya during the World Radio Day Celebrations on 12th February 2021

The Communications Authority of Kenya (CA) is delighted to join the global fraternity in marking this year's World Radio Day.

We wish to also laud the Kenya Community Media Network for convening today's event, which provides stakeholders in the media industry, especially the Community FM Radio practitioners, an opportunity to reflect on the importance of radio as a medium of communication.

Radio is one of the most popular mediums of exchange of information, entertainment and education to people worldwide, spanning from children, youths all the way to the elderly.

It also plays an important role during natural and man-made disasters in saving of lives through dissemination of relevant information.

This year's theme, *Innovating Radio to promote peaceful co-existence* is timely, as it underscores the critical role that radio plays in promoting and sustaining peaceful co-existence among communities in the country and the world over.

It is a fact that radio, if used responsibly, can unite people and communities from diverse backgrounds, foster positive dialogue for change, provide a perfect medium to counter hatred, violence and conflict.

We all know, during this COVID-19 period the phenomenal work done by our media, especially radio, in enhancing awareness on this crisis and equipping our people with the necessary information to keep us safe. No one has been left behind as this information has percolated far and wide including in vernacular languages.

The results are evident through the gains the country has made in flattening the curve and now we are hopeful for a final suppression as we anticipate the arrival of the COVID-19 vaccine.

Ladies and Gentlemen,

The local broadcasting sector, unlike other segments of the wider ICT market, has for long evolved and developed ahead of the law and regulations. As you may recall, prior to 2009, the licensing of broadcasters was undertaken by the Government, through the responsible Ministry, vide the issuance of broadcasting permits.

The mandate of the regulator in broadcasting then was confined to technical aspects of regulations, including the assignment and monitoring of frequency spectrum.

It is therefore heartening to note that despite these historical legal and regulatory gaps, the broadcast media in Kenya has over the years cut its teeth as one of the boldest, and most vibrant in the region and the continent at large.

Indeed, our democracy would not be where it is today were it not for the tremendous contribution of the local media, more so radio. The media has fostered debates and offered diverse views on various issues of national importance, holding leaders into account and enhancing transparency and accountability in our politics.

So far, we have over 190 FM radio stations broadcasting diverse content to audiences across the country.

However, the development of the broadcasting industry in the absence of a robust legal and regulatory framework has also had its own downsides.

The entry of more players in the market, for instance, resulted in audience fragmentation and cut throat competition for audience share and advertising pie.

In an attempt to adapt to the unfolding market realities, some radio broadcasters, took advantage of the legal and regulatory gaps and literally threw all caution to the wind, thus adopting unorthodox programming practices in utter disregard to the interests of the consumers, particularly children and minors.

Other stations, particularly some vernacular and region-based FM broadcasters flooded the airwaves with divisive content and hate speech, thus threatening the national fabric. Although the legal and regulatory loopholes have since been sealed through a review of the ICT sector legislation, the challenge of inappropriate programming still remains real.

Ladies and Gentlemen,

To address the challenges that I have highlighted, the Government revised the ICT sector law in 2013 to, among others things, bring the licensing and resource assignment functions under the remit of the Authority to enhance the independence of the regulator

In addition, the Authority, in exercise of responsibilities vested on it by law, developed the Programming Code and the Complaints Handling Procedure. As articulated in the Kenya Information and Communications Act 1998 (as amended) and the Broadcasting Regulations, the Code sets the time and manner of programmes to be broadcast by licensees.

On the other hand the Complaints Handling Procedure outlines the steps to be taken by broadcasters, consumers of broadcast services, the Authority and the Multimedia Appeals Tribunal with respect to making, receiving, handling and resolving of broadcast content related complaints.

These instruments will go along way in ensuring that consumers' interests are protected. In case consumers are aggrieved by content that is considered to be inappropriate or against the guidelines of the Programming Code, they have the opportunity to lodge a complaint with the station in question and if the station's resolution is not sufficient then they can escalate the concerns to the Authority for further redress.

The Programming Code embodies a number of programming standards, which if adhered to, will, among others, nurture the development of the local industry, and thus create jobs for our youth. Adherence to the Code will also go a long way in ensuring that consumers especially children are protected from inappropriate scheduling of unsuitable content.

In addition, the Code has provisions that guaranteed equitable coverage of all political parties and presidential candidates during election periods to ensure that citizens make informed choices.

Ladies and Gentlemen,

Broadcasters are also required to gather and present news and information accurately and impartially. Their platforms are to be safeguarded from being misused to propagate hate speech, or to incite people to violence by ensuring that derogatory remarks based on ethnicity, race, creed, colour and sex are not aired.

The Authority has also made it mandatory for them to put in place a seven-second broadcast delay mechanism for live broadcasts or telephone call-ins to facilitate blocking of unintended content from being aired.

All the programming standards provided for in the Code are derived from the sector law and the broadcasting regulations.

The Authority also monitors broadcasters' content to ensure compliance with sector regulations and the Programming Code.

I wish to also let you know that the Code is not cast-on stone. It is a living document that is reviewed from time to time to ensure that is responsive to the dynamics of the industry.

Given the crosscutting nature of the media industry, the Authority has also entered into collaborations with other state agencies with concurrent mandates in broadcasting content regulation with a view to harnessing synergies and avoiding duplication of efforts.

These include the Media Council of Kenya (MCK), the National Cohesion and Intergration Commission (NCIC) and the Kenya Film Commission (KFCB). These organizations have provided useful input in the development of these two instruments, for which we are very grateful. We are also grateful to note what KCOMNET is doing in this media space. Indeed, working as a team, we all can achieve more.

We intend to expand and sustain collaborations of this nature to ensure that we all consolidate our expertise to build a vibrant media industry that fosters peaceful coexistence in the country and contributes meaningfully to discourses on issues of national interest.

All of us must work hand in hand to ensure we support our local media to thrive and in turn we expect an even greater sense of responsibility from the industry.

This is work in progress.

I thank you very much for your kind attention and happy World Radio Day.