

A Comparative Study of the Ethiopian and Kenyan Media Policy

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Abstract

This study emphasizes examining the Ethiopian and Kenyan media policy regarding their benefit to the overall national development. It examines the media policy of both countries based on the issue of ownership and content that both countries tried to cover in their proclamations/regulations. The study found that both countries' media regulations/proclamations have significant differences in ownership and content. For instance, regarding ownership, the Kenyan media regulation allows foreigners to hold a media license with landing permission, but, in the Ethiopian case, a foreigner is not allowed to hold a media license in any conditions. The study also examined that the Kenyan media regulation was more detailed and specific than the Ethiopian media proclamation. The paper recommended that a national media policy be formulated following the country's development priorities, and Ethiopia should strive to share the Kenyan's and other countries' experience of developing media policy and regulation.

INTRODUCTION

1. Media Policy (Regulations)

Media policy and regulation have a significant bearing on the level of freedom and independence a media system enjoys (Evangelia, 2014). The two terms are often used interchangeably. Media regulation 'focuses on the operation of specific, often legally binding, tools deployed on the media to achieve established policy goals' (Freedman, 2008). Nevertheless, media policy covers the whole range of policy objectives, approaches, and tools employed to shape the media, resulting from formal and informal interaction of distinct factors that contribute to their definition. Besides this stage of policy definition or policy formulation, however, media policy is also about implementing the norms and tools adopted to regulate the media (Papathanassopoulos and Negrine, 2010). For instance, Ethiopia has no media policy, but different media regulations like on broadcast, freedom of the mass media, and advertising regulations and the same with the Kenyan's but the Kenyan's media council is on its way in developing media policy for the country.

Accordingly, this study has focused on the Ethiopian broadcast service proclamation number 533/2007 and Kenyan's broadcast service regulation 2009 to see how these two countries treat the issue of ownership, ethics, and content in their media regulations.

2. Rationale

Ethiopia and Kenya are East African countries that share common boundaries and societal values. Both countries have various societies that speak and practice different languages and cultures. This study's central focus is analyzing the two countries' media regulations even though both countries do not have media policy and analyzing the conditions and the nature of the policies that have shaped and are actively structuring their communication infrastructure. The two countries' media regulations were compared based on ownership and content they entertained.

3. The Ethiopian Media Regulation

The press has a short history in Ethiopia, going back to only the beginning of the 20th century. Among its pioneers was the Eritrean intellectual Blatta Gebre-Egziabher, who started circulating his views on national and international issues after escaping from an Italian prison near Aseb, where he was detained on charges of spying for Menelik. Two weeklies, *Aemiro* and *Berhanena Selam* began to appear soon after. In Ethiopia, the press has got its freedom since the downfall of the socialist military government in 1991. The FDRE constitution and subsequent press proclamation have provided recognition to freedom of expression and freedom of the press even though there were many ups and downs regarding the actual practical freedom of the media. The Ethiopian broadcast media regulation proclamation number 533/2007 is one of the fruitful works that the EPRDF has brought to enhance the overall works of the Ethiopian media. So, this study will go through this proclamation based on how ownership and content are treated under it.

4. The Ethiopian Broadcast Media Regulation

The Ethiopian broadcast service proclamation number 533/2007 came into being based on the following considerations and objectives:-

- 1- The first is by considering the role that the broadcast service plays in the country's political, economic, and social development by providing information, education, and entertainment programs to the public.
- 2- The second is the role media plays in exercising' the fundamental constitutional rights such as freedom of expression, access to information and the right to elect and be elected,
- 3- The other is to ensure proper and fair utilization of the limited radio wave wealth of the country,
- 4- To clearly define the rights and obligations of persons who undertake broadcasting service.

Additionally, the proclamation divided the broadcast service into three categories:- 1- Public 2- Commercial and 3- Community broadcast service. So, according to the proclamation:-

- 1- Public broadcast service means radio or television transmission service established to educate, inform, and entertain the public in the federal or a regional state to which government budget is allocated in full or in part and is accountable to the Federal House of Peoples Representatives to Regional Councils. Any public broadcasting service shall:

- a) Enhance the participation of the public through the presentation of government policies and strategies as well as activities related to development, democracy, and good governance;
- b) Present programs which inform, educate and entertain the public;
- c) Present programs which reflect the unity of peoples based on equality;
- d) Promote and enhance the cultures and artistic values of the public;
- e) Serve political parties operating by the Constitution and the country's electoral laws based on fair and just treatment.

2- Commercial broadcast Service means a radio or television transmission service established for profit by a legal entity to inform, educate, or entertain the public. According to the broadcast proclamation, any commercial broadcasting service shall:

- a) Provide equal treatment to any community in its license area;
- b) Transmission of its programs shall cover the whole area of its license;
- c) Include regional and national news in its programs.
- d) Submit to register the license given by the authority to the Ministry of Trade and Industry or the Regional Trade and Industry Bureau.

3- Community broadcast Service means a non-profit radio or television transmission service established by the will and interest of a community and administered and run by the community living in a specific area or who possess a common interest. Any community broadcasting service shall:

- a) Carry out its activities based on the needs of the community regarding development, education, and good governance;
- b) Promote and develop the language, culture, and artistic value of the community;
- c) Allow the participation of the members of the community in the preparation of its programs;

The proclamation also mentioned that the responsible body that follows up issues related to media ownership and content in Ethiopia is the Ethiopian broadcast authority. The authority's objectives are to ensure the expansion of a high standard, prompt and reliable broadcasting service that can contribute to the country's political, social, and economic development. The authority has the following powers and duties:-

1. ensure that the broadcasting service is conducted in such a manner that contributes to the proper social, economic, political, and cultural development of the country;
2. Issues suspend and cancel broadcasting service licenses;
3. determine the site and coverage area of the broadcasting station to avoid an overlap with any radio communication.
4. determine the type and standard of equipment used for broadcasting service and the capacity of the transmitter.
5. control illegal transmissions;
6. plan, permit and control the use of the radio wave allocated for broadcasting service by the concerned organ and lease the same
7. prescribe technical standards for different categories of broadcasting services.
8. decide on complaints arising concerning broadcasting services.

9. fix and collect license fees for broadcasting services

4.1 Ownership (Licensing) in the Ethiopian Broadcast Proclamation

The Ethiopian broadcast service proclamation has provided and treated how media ownership (licensing) could be given to anybody who wants to work on media. The proclamation categorized the broadcast licensing into different manners for people who could be interested in one of the following:-

- a/ terrestrial to air free radio broadcasting service;
- b/ terrestrial to air freetelevision broadcasting service;
- c/ satellite radio broadcasting service;
- d/ satellite service television broadcasting
- e/ Satellite broadcasting service provided to customers for a fee;
- f/ receiving and broadcasting foreign programs to customers for a fee;
- g/ cable television broadcasting service provided to customers for a fee;
- h/ other broadcasting services to be prescribed by the authority.

4.1.1 Requirement of License/ media ownership in Ethiopia

- 1.No person may undertake broadcasting service without obtaining a broadcasting service license from the authority.
2. a broadcasting service licensee may not operate more than one broadcasting station with one license.

Unacceptable application for media licensing

Any application may be rejected without going into the detailed screening, and a person might be denied to be issued with licenses if the applicant:-

1. fails to produce legal evidence to ascertain its financial capacity and source of financing;
2. fails to produce detailed project proposal; or
3. is a body that may not be entitled to a license as provided for in Article 23 of this Proclamation.
4. a body that is not conferred with a legal personality;
5. without prejudice to the provisions of other laws regarding foreign nationals of Ethiopian origin, an organization:
6. Not incorporated in Ethiopia; or
7. In which foreign nationals hold its capital or its management control;
8. an organization of a political organization or of which a political organization is a shareholder or amember of a political organization's supreme leader is a shareholder or member of its management at any level;
9. a religious organization;
10. an organization of which its owner or any of its owners or a member of its management is convicted of a serious crime or, by decision of a court" is deprived of exercising his civil or, political rights or has fully or partially lost his legal capacity;
11. an organization of which more than 50% of its capital is held by another organization which carries on the business of printed press or news agency or a person that owns more than 20% of the capital of such organization;

12. an organization applying for a television broadcasting service license while already having a license for television broadcasting service or more than one license for radio broadcasting service;

13. an organization applying for a radio broadcasting service license while having a license for radio broadcasting service in the same license area or two licenses in different license areas.

According to the proclamation, any person who asks for a media license should fulfill the following criteria which are set by the authority:

- a) The reliability and sufficiency of the applicant's financial sources to run the service
- b) The capability of equipment and technologies, listed in the applicant's project proposal, to render the service;
- c) The applicant's organizational capacity, knowledge, and experience to render the service;
- d) The contents of the program submitted by the applicant and social needs covered by the program;
- e) The transmission time allocated for the services.

4.1.2 Validity Period of Broadcast Service Licenses:-

1/ where the transmission is at the national level, eight years for radio, ten years for television;

2/ where the transmission is limited to a regional state, ten years for radio, 12 years for television;

3/ where the transmission is limited to the local level, 12 years for radio, 14 years for television;

4/ where the transmission is limited to Dire Dawa, ten years for radio, 12 years for television;

5/ where the transmission is limited to Addis Ababa and its surroundings, six years for radio and eight years for television;

6/ for community broadcasting service five years;

7/ for the short-term, community broadcasting service is not more than one year.

4.1.3 License and Annual Fee

1/ Any broadcasting service license shall pay license fee, annual fee, and license renewal fee, as reviewed and determined from time to time by the authority.

2/ Where the broadcasting service annual fee is not paid within 60 days after the end of the

Government fiscal year, a penalty of 5% shall be added for each month of delay; provided, however, that the total amount of penalty shall not exceed 50% of the license fee.

4.1.4 Cancellation of License

The authority may revoke a broadcasting service license on anyone of the following grounds:

- a) Where it is confirmed that the licensee has failed to commence transmission within one year from the date of obtaining the license;
- b) Where it is confirmed that the license is obtained by fraudulent means;

- c) Where the broadcasting stations suspends its transmission for more than one month without good cause;
- d) Where a court orders the closure of the station;
- e) where the licensee, by its initiative, stops the service;
- f) where the provisions of Article 30(4) of this Proclamation are violated;
- g) where the licensee fails to discharge its obligations under Article 27 of this Proclamation.

4.2 Issues of Content in the Broadcast Proclamation

The following points mentioned regarding the media content in the proclamation consider all parts of societies found in Ethiopia like Children, minorities, and different ethnicities.

1. Any program to be transmitted shall reflect different and balanced viewpoints to serve the public.
2. The accuracy of the content and source of any program to be transmitted shall be ascertained.
3. Every news shall be impartial, accurate, and balanced.
4. Any program intended for transmission may not:
 - a) violate the dignity and personal liberty of humankind or the rules of good behavior or undermine the belief of others;
 - b) Commit a criminal offense against the security of the State, the constitutionally established government administration, or the defense force of the country;
 - c) Maliciously accuse or defame individuals, nation/nationalities, peoples, or organizations;
 - d) cause dissension among nationalities or instigate dissension among peoples; or
 - e) incite war
 - f) radio or television transmission programs that may corrupt children's outlook or harm their feelings and thinking or encourage them to undesirable behavior shall not be transmitted at hours during which children usually watch or listen to such programs.
 - g) Children are presumed not to listen or watch radio or television transmission from 11:00 in the evenings up to 5:00 o'clock in the morning.

4.2.1 While transmitting programs:-

- a. Any national transmission program shall allocate at least 60% of its weekly transmissions to national programs.
- b. Any regional transmission program shall allocate at least 60% of its weekly transmissions to programs that relate to regional affairs.
- c. Any local transmission program shall allocate at least 60% of its weekly transmissions to programs that relate to the local affairs.
- d. The content and timetable of a sponsored program shall not fall under the influence of the sponsor. In particular, a sponsored program shall not agitate the sale or hire of the sponsor's products or services.
- e. Persons who produce or sell goods or render services whose advertisement is prohibited by law shall not be sponsors.
- f. Unless otherwise agreed between the sponsor and the station, other commercial advertisements may not be transmitted by interrupting sponsored programs.
- g. The sponsor's name shall be announced at least at the beginning and end of every sponsored program.

- h. A broadcasting service licensee shall keep the record of every transmitted program, including news, for 30 days.
- i. Where a complaint is forwarded against a program before the expiry of the time limit specified in sub-article (1) of this Article, the record shall be kept until the appropriate law decides the case.
- j. where a program is needed for inspection or to investigate a complaint lodged against it, the licensee shall, at its own expense, provide a copy of the program to the authority or to the organization authorized by law to adjudicate the case

The proclamation also talks about the contents of an advertisement that should be transmitted and not as follows:-

1. Any advertisement shall be transmitted in a manner that differentiates it from other programs. It shall not also affect the contents of other programs.
2. Commercial advertisement shall be truthful; .not misleading and publicize lawful trade activities.
3. The transmission of a malicious or undermining advertisement on the products or services of others shall be prohibited.
4. Broadcasting advertisement by interrupting any program the transmission time of which is not more than 20 minutes or children's program shall be prohibited.
5. Any advertisement that violets gender equality and that disregards the dignity and human rights of women
6. cigarette and cigarette-related advertisements;
7. advertisements related to narcotic drugs;
8. advertisements of liquors with more than 12% alcoholic contents'. '
9. advertisements that encourage users to buy medicine that cannot be administered without medical prescription;
- 10/ other advertisements prohibited by law.

4.2.2 Transmission of Election Period

1. any broadcasting service licensee shall allocate free airtime for political organizations and candidates registered according to the relevant law to publicize their objective and programs to the people or transmit statements during the election period. The implementation of this provision shall be determined by directives to be issued by the authority.
- 2/ Without prejudice to sub-article (1) of the Article, any political organization of candidate may transmit election campaign advertisement.
- 3/ The fee to be charged for election campaign advertisement may not exceed the fee charged for commercial advertisements.
- 4/ The political organization or candidates provided with air time shall be responsible for the legality of the program or statement transmitted.

5. The Kenyan's Media Regulation

Media regulation in Kenya goes back to the colonial period; it developed through the post-colonial era, and the momentum to reform the media sector is building in this 21st century. The Kenya broadcasting corporation was transformed into the voice of Kenya at independence back to its old name when the pressure to liberalize the economy was brought to bear. It was mainly a government mouthpiece, and all dissenting voices were

shut out (Nyabuga& Booker, 2013). Over the past 20 years, the media industry in Kenya has grown exponentially. This growth has also been characterized by the deployment of the latest technological innovations in communication, regional expansion in East Africa, an increased number of professional media practitioners, and the growth of citizen media.

Until 1998 the Kenya Media operated as a monopoly, and the proliferation of mass media, economic demands, and pressure from donors as well as civil society forced the government to review the laws governing the media to liberalize the airwaves, abolish restrictive media laws, and harmonization of Kenya Posts and Telecommunication Act and Kenya Broadcasting Acts (Jackline, 2014). Even though such laws and regulations are prepared and passed by the Kenyan government, the laws or regulations of the media still need much revisiting.

6.The Kenyan's Broadcast Media Regulation

The Kenyan's broadcast service regulation 2009, which the Kenyan government prepares, and the programming code for free to air radio and television services proclamation 2016 prepared by the communication authority of Kenya prepared to safeguard the following issues:

3. Broadcasting in Kenya should reflect the national values, aspirations, hopes, and dreams of Kenyans;
4. Broadcasting is regarded as a powerful medium for influencing culture, beliefs, and values as well as a tool for economic growth and development;
5. Broadcasting has an immediate and lasting impact on the public and therefore demands that its practitioners display a high sense of responsibility, morality, fairness, and honesty at all times;
6. Broadcasting services are expected to uphold the values and customs of civilized society, maintain the respect of the rights and sensitivities of all people, preserve the honor and sanctity of the families and homes, protect the sacredness of individual dignity, and promote national unity and cohesion.

The Kenyan's 2009 broadcast service regulation categorized the broadcast media into two, and those are 1- Public broadcast media and 2- Community broadcast media 3- Commercial free to air broadcasting service

4. Public Broadcast Media

According to the regulation a public media is expected to:-

- (a) Provide independent and impartial broadcasting services of information, education, and entertainment in English and Kiswahili and such other languages as the broadcaster may decide;
- (b) Conduct the broadcasting services impartially and consider the interests and susceptibilities of the different communities in Kenya;
- (c) Provide and receive from other person's material to be broadcast: Provided that in acquiring such material, the public broadcaster shall have regard to the need to maintain the distinctive character of the public broadcasting service and to cater for the expectations of audiences who are not generally catered for by other broadcasting services.

(2) The public broadcasting service shall be supported by revenues from the exchequer, grants, donations, and commercial services but shall not draw from advertising and sponsorship.

(3) The public broadcaster shall not lease or transfer the broadcast frequencies or channels assigned to it for use in public broadcasting.

(4) The Commission may grant the public broadcaster a license to provide broadcasting services on a commercial basis on application by the public broadcaster.

(5) Where the public broadcaster is granted a license to provide broadcasting services on a commercial basis, it may be required to maintain and keep separate accounts for its public and commercial broadcasting services.

(6) The public broadcaster may enter into a public-private partnership when providing its commercial services: Provided that the public-private partnership complies with the law relating to public procurement.

5. Commercial free-to-air broadcasting service

A commercial free-to-air broadcaster should be

(a) be issued with a broadcasting service license which includes the frequency or channel license for each broadcast station that utilizes a frequency or channel resource ;

(b) provide a diverse range of programming that reflects the identity, needs, and aspirations of people in its broadcasting area;

(c) where the commercial broadcaster provides national coverage, be required, without prejudice to paragraph (a) and (b) to provide programming that reflects the identity and needs of the people of Kenya;

(d) commence broadcasts within twelve months after being issued with a license; (e) not acquire exclusive rights for the non-commercial broadcast of national events identified to be of public interest as may be determined by the commission from time to time;

6. Community broadcasting services

A Community broadcaster should:-

1- (a) Reflect the needs of the people in the community, including cultural, religious, language, and demographic needs;

(b) deal specifically with community issues which are not generally dealt with by other broadcasting services covering the same area; and

(c) Be informational, educational, and entertaining; Provide a unique broadcasting service highlighting community issues.

2. Through the frequency plan, the commission shall ensure that a fair number of frequencies or channels are reserved for community broadcasting.

3. A community broadcaster shall ensure all the funds generated from the operations of a community broadcasting station are re-invested in activities benefiting the community.

4. The commission shall monitor community broadcasters to ensure that the funds generated from operations of a community broadcasting station are re-invested in activities benefiting the community.

5. The commission shall allow community broadcasting licensees to advertise, on their stations, adverts that are relevant and specific to that community within the broadcast area.

6.1 Ownership (Licensing) Issues in Kenya's Broadcast Regulation

(1) The Kenyan Communication Commission provides a broadcast license for the following broadcast services:-

- (a) satellite broadcasting services;
- (b) cable broadcasting services; and
- (c) subscription Management services.

(2) The Commission may require a licensee granted a license under paragraph (1) to:- (a) distribute broadcasting services, whether through cable or satellite within the borders of Kenya or from Kenya to other territories;

(b) provide a prescribed minimum number of Kenyan Broadcasting channels;

(c) provide diversity in programming;

2- A subscription management services provider shall not enter into contractual arrangements with a foreign multi-channel satellite provider unless the foreign multi-channel satellite provider has landing rights in Kenya.

3- A person licensed to provide subscription broadcasting service or subscription management services shall provide a subscriber with information, in writing, relating to the:-

(a) products and services offered;

(b) cost of subscription including installation and maintenance;

(c) options of programming service available;

(d) conditions under which the service is supplied;

(e) instructions regarding the usage of the service in the official languages;

(f) number and allocation of channels carried on the system and the programming available on each channel;

(g) billing and complaints procedures;

(h) address and telephone number of the licensee's business office.

(i) Notice period of at least fourteen days to be given before effecting any changes in the programming service or channel allocation in writing.

(j) submit to the commission for approval any contractual agreements entered into with other licensed broadcasters for the distribution of broadcasting services prescribed under its license;

(k) provide its services on such terms and conditions as access, tariffs, and quality of service as the commission may prescribe.

(l) Terminate the provision of services to a broadcaster within fourteen days of notification by the commission.

6.2 Issues of Content in the Kenya Broadcast Regulation

Kenya's media regulation 2009 has treated most of the issues which should be included in a specific media regulation. For instance, the regulation has touched on issues like what family programs should look like, advertisement, children protection, religious programs, election periods, news, and other issues in the regulation.

So, according to the regulation, anyone who wants the media license from the commission should make sure that their programs mustnot:- (a) contain the use of offensive language, including profanity and blasphemy;

(b) Present sexual matters explicitly and offensively;

- (c) Glorify violence or offensively depict violence;
- (d) incite, perpetuate hatred, vilify any person or section of the community, on account of the race, ethnicity, nationality, gender, sexual preference, age, disability, religion or culture of that person or section of the community;

6.2.1 Regarding the Protection of Children

The regulation also tells us how a specific licensee should consider children while transmitting a program:-

- (a) should avoid content that may disturb or be harmful to children, that has offensive language, explicitly sexual or violent material, music with sexually explicit lyrics or lyrics which depict violence;
- (b) not broadcast programs with the content specified in paragraph (a) during the watershed period;
- (c) must request permission to interview a minor from the minor's parents or guardian before interviewing with a minor.

6.2.2 While News reporting

A licensee should ensure that news and information are broadcasted and presented in a balanced manner, without prejudice or negligent departure from facts through distortion, exaggeration, misrepresentation, and material omissions, give fair reporting regardless of its context and importance. Additionally, reports or broadcasts from its station are based on fact and are not founded on opinion, rumor supposition, or allegation unless the broadcast is carried out in a manner that indicates these circumstances. The other important issue that the regulation mentioned is that it does not broadcast any report where there is sufficient reason to doubt its accuracy, and it is not possible to verify the accuracy of the report before it is broadcast.

6.2.3 Regarding sexually offensive Programs

Any licensee should:-

- (a) not disclose, in a broadcast, the identity of a victim of a sexual offense unless such victim consents in writing to the disclosure of his or her identity.
- (b) Avoid the use of unnecessary or repetitive detail when broadcasting the circumstances of a sexual offense.

6.2.4 Regarding Program sponsorship

Any licensee:-

- (a) shall not accept sponsorship of news broadcasts;
- (b) shall not accept sponsorship of weather broadcasts, financial broadcasts, or traffic reports: Provided that the licensee shall retain ultimate editorial control of the sponsored program;
- (c) shall ensure that sponsorship of an informative program does not compromise the accuracy and impartiality of the program's contents;

6.2.5 Regarding Infomercials

(1) A licensee shall not broadcast an infomercial:-

- (a) for a period exceeding three and half hours of the performance period in any day;

- (b) during prime-time; or
- (c) during any break in the transmission of a children's program.
- (2) A licensee shall ensure that the broadcast of any infomercial is distinguishable from any broadcast program material through the visual or audio form.
- (3) A licensee shall ensure that all infomercials that its station broadcasts are lawful, honest, decent, and conform to fair competition principles.
- (4) The provisions of paragraphs (1) and (2) shall not apply to stations that exclusively broadcast infomercials.

6.2.6 Regarding Advertisements

- (1) A licensee shall ensure that it only broadcasts lawful, honest, and decent advertisements and conform to the principles of fair competition.
- (2) A licensee shall ensure that advertisements broadcast by its station do not:-
 - (a) contain any descriptions, claims, or other material which may, directly or by implication, mislead members of the public in relation to the product or service advertised or about its suitability for the purpose recommended; and
 - (b) unfairly attack or discredit, directly or by implication, any other advertisers, products or advertisements.
- (3) A licensee shall, before broadcasting an advertisement, ensure that the advertiser has adequately substantiated any descriptions or claims in the advertisement.
- (4) A licensee shall not unreasonably discriminate against or favor any advertiser.
- (5) A licensee shall exercise responsible judgment when scheduling advertisements that may be unsuitable for children during periods when large numbers of children are expected to watch or listen to programs.

6.2.7 Watershed period

- (1) A licensee shall ensure that:-
 - (a) content which depicts or contains scenes that are rated by the Kenya Film Classification Board as an adult, or are of the language intended for adult audiences are not aired during the watershed period;
 - (b) all programs broadcast during the watershed period are suitable for family audiences, and the transition from family-oriented to more adult programming after the watershed period is gradual;
 - (c) consumer advice such as warnings, labeling, classification details, and other announcements are given prior to the telecast of a program or its trailers.
 - (d) All trailers and promotional material shown before the watershed time comply with paragraphs (b) and (c).

7. Comparison between the Ethiopian's and Kenyan's Media Regulation

The Kenyan broadcast regulation talks about child protection issues, ownership procedures, advertisement issues, and other issues primarily related to the content of a media program in which a specific licensee should follow up while requesting a media license. In their media regulation/proclamation, both countries categorize the media into three Commercial, Private, and Public media. In their regulation/proclamation, both countries also explained what those three media categories mean to ensure that each category does not go beyond their objectives. The Ethiopian broadcast regulation mentioned that the primary funding source for the public media is government,

sponsorship, and commercial services, whereas, the Kenyans according to their regulation the public broadcasting service should be supported by revenues from the exchequer, grants, donations, and its commercial services but shall not draw from advertising and sponsorship.

Both countries do not have a media policy that works for all types of media, but through their media council, Kenya has started developing the media policy. The other unique thing about Kenya is that the country has treated issues related to content in a very vast and deep manner better than Ethiopia, which was discussed under the areas of comparison between the two countries on media ownership and content.

7.1 Regarding ownership

On ownership, the broadcast media regulation/proclamation treated the points that a particular body should fulfill while requesting a media license, but the two countries have significant differences even though they have similarities on some points. In Ethiopia, anybody who has one of the following limitations cannot own a media company, and those are: - the first is a person whose income is not from inside the country, a foreigner cannot own, a religious organization, and a person whose income is not known. Regarding the Kenyan's, it is the opposite. In Kenya, a foreigner can own a media company if he has landing permission, agrees to produce either in Kenya's native languages or official languages of Kenya; and uses the countries' language. The other difference between the Ethiopian and Kenyan broadcast media regulation is that in Kenya, a person who wishes to provide broadcasting services in more than one station can apply. He is expected to apply for a license for every broadcasting station it wishes to operate. While in Ethiopia, it is not allowed to hold more than one license in one media category. The other is that any religious organization can own a media company based on accepting and respecting the regulation mentioned in the regulation 2009. The other difference is that the Kenyan media regulation talks a lot regarding what the media contents of a licensee should look like more than the Ethiopian's while asking for a license which will be treated under the issues of both countries media regulation/proclamation.

There are many similarities that both countries share regarding the issue of ownership in their regulation/proclamation. For instance, both countries' media regulations/proclamation does not give license to an organization of a political organization or a political organization is a shareholder or a member of a political organization's supreme leader is a shareholder or member of its management at any level.

7.2 Regarding content

The difference between countries have regarding content is that the Kenyan's has treated each issue in separation and detail better than Ethiopia. Also, sometimes what is found in the Kenyan media regulation may not be found in the Ethiopian. Regarding news and advertising, the Kenyan's regulation forbids any media company from transmitting an advertisement during a news program and forbidding any media company from being sponsored for any news program. The other difference is that the Kenyan broadcast regulation also obliges all media stations' programs broadcast between 5.00am, and

10.00pm must be suitable for family listening and viewing. Any programs or movies classified or rated by the Kenya Film Classification Board (KFCB) as General Exhibition (GE), Parental Guidance (PG), or rated 16 may be aired during this period. The regulation also obliges the media stations while transitioning from family-oriented to more adult programming to start after the watershed period of 10.00pm. The regulation also obliges the media stations to advise the consumer such as warnings, labeling, classification details, and other announcements prior to the telecast of the program of adults or its trailers. So, the Ethiopian media proclamation lacks all these issues that should be considered.

Generally, the Kenyan media regulation has treated all types of people in a detailed and broad manner how media programs should consider them during transmission. For instance, the regulation obliges any media to consider children and people with disabilities while transmitting a program. The other difference between the two media regulations is that the Kenyan regulation treated and discussed discriminations, local content, liquor, cigarettes, and Dangerous Drugs, but the Ethiopian proclamation lacks all the issues mentioned above. The other difference regarding the content is that the Ethiopian proclamation obliges the media companies to accept, apply, and take any complaints, suggestions, or complaints regarding their content, but the Kenyan's goes beyond this. The Kenyan media regulation obliges the media companies to accept and record each complaint or suggestion and report every year's complaints from different audiences or viewers to the Kenyan communication commission.

This study focused on the difference between the two countries media regulations/proclamation regarding media ownership and content because the similarities the two countries have are too much. However, one significant similarity between the two countries is that both countries' media regulations oblige all broadcasting services to provide public notice of an emergency or a public disaster announcement upon the request of a person authorized by the government.

8. Conclusion and Recommendations

The two countries Ethiopia and Kenya, from the analysis above, allow for public, community, and private ownership of the media and but the Kenyan's has treated every issue in detail. The media in both countries are free, but there is self-censorship by the practitioners. The two countries' policy also states that the media's content should be a mix of local and foreign programs, and both regulations advise the use of indigenous languages. Regarding ownership, the Kenyan's allows foreigners to hold media licenses, but the Ethiopians do not allow foreigners to hold a media license.

The regulations in both countries are formulated to meet the needs and aspirations of the country, and it is not just enough to have a media regulation. However, it should be implemented to achieve its purpose, and both countries should strive to develop a media policy that could guide each media even though the Kenyan media council started it. Therefore, the paper recommends that Ethiopia learn from the experience of other countries' development of media policy and regulation. For instance, the Kenyan broadcast regulation has a lot this country could learn, especially regarding media

content. The other primary recommendation is that the country strives to develop a media policy that could guide every type of media.

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