

AFRICAN MEDIA BAROMETER KENYA 2009

Executive Summary

The Kenya Constitution under Section 79(1) provides for the freedom of expression which includes the right to receive and communicate ideas and information without interference. However, the same section 79 (2) of the Constitution provides for exceptions where the freedom may not be applied and states inter alia, the defense of public security, public safety, public order, public morality or health. These provisos are stated without definition or interpretation.

There is no firm recognition of the media in the Constitution but in practice it does exist. The “media freedom invariably thrives on the vagaries of political developments and shifting political interests” as one of the panelists suggested.

Freedom of expression is largely practiced by individual journalists and citizens with the former voicing the latter’s concerns. However, as Kenya is emerging from years of autocracy, there is “a degree of recklessness” in sections of media practice. This is evidenced by complaints forwarded to the Media Council of Kenya, the cases before the courts and the citizens’ discussions in the mass media.

Entry into the practice of journalism is not legally restricted. However, the Media Act (2007) specifically defines a “Journalist” and makes provisions for accreditation of journalists. The Act in the preliminary part (1) gives wide definition that can hardly be said to be restrictive.

Where public information is concerned, this is restricted by the structure and procedures in the public service, where a Permanent Secretary in a ministry is the only spokesman of the ministry, and yet s/he may not be accessible, and is at liberty as to what information can be provided. The office of the Official Government Spokesman was established in 2003, “to effectively facilitate communication between the Government, its citizens and global audiences”. However, from observations of its performance, it has turned out to be a public relations machinery. Restriction of public information is further reinforced by the culture of secrecy in the public service, based on the Official Secrets Act (Chapter 187). The Act places a responsibility of non-disclosure of information on all government officials and any other person who may come across such information. Civil servants are required to take an oath of secrecy under the Act.

Civil society and lobby groups are active in advancing media causes but there is no reciprocity on the part of the media. This is partly because of media self-censorship, cautiousness in the interests of media owners and other limitations. Engagement

between civil society, media lobby groups and the media is sporadic and issue-based. The intensity of engagement varies with issues to be advanced. However, media practitioners do not engage meaningfully in law making processes. They hardly even read media laws. At best, they only “cover” events discussing media law but do not participate in consultations. In this regard, they behave like “fire extinguishers” who rush to the “scene” of the issue when it has exploded in their own face. Examples are the street protests in early 2009 over the Communications Commission of Kenya Amendment Act, which by the time journalists took action, had already reached the final stage of presidential assent.

The last two years (2007-2009) have seen improvement in the level of consultations on media legislation. Apart from the Communications Commission of Kenya, the Permanent Secretary in the Ministry of Information and Public Communication has constantly involved stakeholders in consultations/discussions on media legislation.

Where information sources are concerned, there is a wide range of information sources accessible to citizens, as more print and broadcast outlets have come up. In the broadcast media there are around 80 radio stations plus some pirate radio outfits. Of the 372 radio frequencies allocated, 233 are being utilized. The entry of internet on the media scene has increased the range of information sources and accessibility.

Broadcasting legislation has been slow on reforms. It has now defined three tiers of broadcasting, namely public, private and community, and also differentiates the roles; identifies the license conditions and obligations of each category of broadcaster. The legislation designate Kenya Broadcasting Corporation as the Public Broadcaster established by an Act of Parliament CAP 221 of the Laws of Kenya, to undertake public services, and assume the government functions of producing and broadcasting programmes by sound or television. The KBC Act provides for balance and editorial independence. The 1997 Inter-parties Parliamentary Group (IPPG) reformed the law to provide for balance in the coverage of political parties. In practice editorial independence has not been visible.

After the Kenyan 2009 Media Barometer took place, the Ministry of Information and Communication enacted the Kenya Communications (Broadcasting) Regulations 2009 whose objectives include: protecting the rights of those who cannot protect themselves, as well as discouraging the incitement of the public as witnessed in post election violence, and are in tandem with political reforms. These Regulations have caused discontent among various stakeholders, with some calling for their revocation. The Media Owners Association (MOA) feel strongly that the restriction of a media house to one frequency in a region (not defined in the regulations), and quotas for local content should be withdrawn. MOA also says that the rule on cross media ownership is not in tandem with the global best practice and would stifle returns from present investments and discourage future

investments. The Editors' Guild have recognized the need for regulation in order to safeguard the profession and promote the inalienable rights of free expression, but feel betrayed by the Ministry for "not securing full consent and participation of the media industry stakeholders" in establishing a broadcast Advisory Council. The Guild is of the opinion that the government is seeking to exercise control of the media under the guise of regulating the media.

A positive development though is that the regulations in Article 13 (2) provide for the CCK, through the frequency plan, to ensure that an equitable number of frequencies or channels are reserved for community broadcasting.

The Statute Law (Miscellaneous Amendment) Act 2009 established the Broadcasting Content Advisory Council that will be responsible for the administration of the broadcasting content, and the mechanisms for handling complaints. The Act makes provisions for appointment of *inter alia*, two members by the Media Council of Kenya, one from the Law Society of Kenya and two nominated by CCK, one of whom shall be recommended by the inter-religious forum.

Broadcasting is regulated by what is supposed to be an independent body an outlook that represents diverse interests. However, the process of selection of membership is not open as it is left to the minister to decide. The relevant legislation does not spell out the qualifications e.g. gender, media expertise and ICT competency. Given the coalition government, the tendency has been appointments based on party and political expediency.

When it comes to standards or reporting, the principles of accuracy and fairness are not always adhered to. There is bias towards political coverage and little about the grassroots. There is bias in headlines giving hint to certain perception and images. Quality of reporting also depends on the editorial policy of the media house. In other words, fair and accurate reporting conforms to editorial interests of the media house. For example, there was a time a former Minister for Finance, Amos Kimunya, made a statement about the Stock Market not being a '*fish market or a potato market*'. But the media reported only on the bit about the stock market not being a 'fish market,' which was a deliberate slant and a case of lack of accuracy and fairness.

Women are not equally or adequately represented in the media although equal opportunity policies in terms of gender are in place in most media establishments. Indeed efforts are constantly being made towards this goal. However, biases are discernable in the prominence given to stories. The issue of sexual harassment has constantly come up in media houses, in stories and discussions.

In the last two years (2007-2009), the Kenyan media environment has witnessed positive developments. These include:

- Internet development that has allowed broadcasting stations to stream their content.
- Robust debates on the role of media in the 2007/2008 post-election violence.
- Skills/training in emerging areas e.g. conflict-sensitive reporting, and trauma counseling.
- State's recognition on the role of the alternative media.
- Media have filled in the position of official opposition in parliament.
- Increase in local content.

BROADCAST RADIO
 SATELLITE NEWS
 PAPER MAGAZINES
 REPORTS THIRD
 DEGREE DOCUMENTS
 LEGISLATION
 QUESTIONS LAWS
 PUBLICATION
 FREEDOM ANSWERS
 PRESS INTERVIEWS
 MEDIA EFFICIENCY
 HONESTY ACCESS

SECTOR 1:

**Freedom of expression, including
 freedom of the media, are effectively
 protected and promoted.**

PUBLICATION
 FREEDOM ANSWERS
 PRESS INTERVIEWS
 MEDIA EFFICIENCY
 HONESTY ACCESS
 BOOKS TRANSLA-
 TION TRUTH POINT
 OF VIEWS INFOR-
 MATION COMMUNI-
 CATION CONSTITU-
 TION TELEVISION
 BROADCAST RADIO
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 MEDIA EFFICIENCY

Freedom of expression, including freedom of the media, are effectively protected and promoted.

1.1 Freedom of expression, including freedom of the media, is guaranteed in the constitution and supported by other pieces of legislation.

Analysis

The Kenya Constitution under Section 79(1) provides for the freedom of expression which includes the right to receive and communicate ideas and information without interference. It states: "Except with his own consent, no person shall be hindered in enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether communication be to the public generally or to any person or class of persons) and freedom from interference with his correspondence".

However, the same section 79 (2) of the constitution provides for exceptions where the freedom may not be applied and states *inter alia*, the defense, public security, public safety, public order, and public morality or health. These provisos are stated without definition or interpretation. In addition the freedom is restricted by other pieces of legislation such as Official Secrets Act (Chapter 187), which is concerned with concealing information in the possession of the government. In practice this Act closes the very window the Constitution opens. Other Acts include the Defamation Act (Chapter 36), the Penal Code (Chapter 63), and the Public Order Act (Chapter 57).

"media freedom invariably thrives on the vagaries of political developments"

While there is no firm recognition of the media in the Constitution, in practice there is recognition. The "media freedom invariably thrives on the vagaries of political developments" and shifting political interests. This in the past has led to the formation of the Press Law Task Force, the establishment of the Media Council of Kenya, and more recently, the efforts that culminated in the Freedom of Information draft Bill. Latest developments in this sector include the enactment of the Media Act (2007), the Kenya Communications Amendment Act 2008, and the ICT Policy 2006.

Future development towards constitutional guarantees of freedom of expression including freedom of the media should take cognizance of relevant regional and international benchmarks.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score:

2.8 (2005=1.8; 2007=2.2)

1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear.

Analysis

There is visible expanding freedom space, with less government controls. With the Coalition Government, ministerial directives and pronouncements are often contradictory and they are at times influenced by different party interests. This often leads to confusion in the media as to which is the proper official position on given issues. In this connection it should be noted that even the politicians “are now telling off their bosses,” including the President and the Prime Minister.

*...even the
politicians “are
now telling off
their bosses”...*

Freedom of expression is largely practiced by individual journalists and citizens with the former voicing the latter's concerns. However, it is noted that both operate with fear.

While journalists attempt to practice freedom of expression, they are limited by professional hazards, official threats and media controllers' interests that lead to self-censorship by the media house gatekeepers. Therefore, while media space is

expanding, there is media control not necessarily because of the law, but because of ownership and commercial interests³.

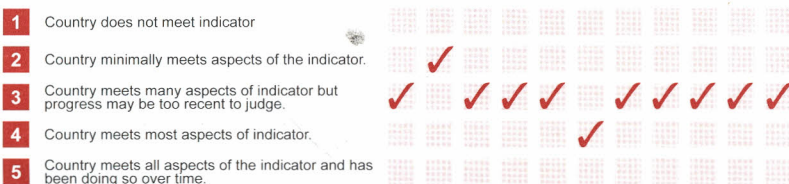
Kenyan citizens have been vocal on call-in shows on FM radio stations, and continue to express themselves freely on topical issues in the country. Television news programmes also provide a daily question where audiences are asked to text or vote or state their position(s). On this, citizens have been critical and have demonstrated a boldness that shows they are asserting their freedom of expression without fear.

...there is "a degree of recklessness" in sections of media practice.

It is noted that as Kenya is emerging from years of autocracy, there is "a degree of recklessness" in sections of media practice. This is evidenced by complaints forwarded to the Media Council of Kenya, and the cases before the courts and the citizens' discussions in the mass media.

Scores:

Individual scores:



Average score:

3.0 (2005=3.0; 2007=3.7)

1.3 There are no laws restricting freedom of expression such as excessive official secret or libel acts, or laws that unreasonably interfere with the responsibilities of media.

Analysis

There are various laws that affect the media adversely, including the Official Secrets Act, the Law of Seditious which defines seditious acts as the intention to, among others, "bring into hatred or contempt or to excite disaffection amongst the inhabitants of Kenya", the Defamation Act, and Section 77 of the Penal Code,

³ Sitting members of parliament have also acquired broadcast licenses and set up media outlets.

which prohibits acts exciting disaffection against any public officer. The Penal Code further provides for prohibition of publications by the 'Minister' without clearly stating the grounds and procedures for a ban.

Political reforms have hardly ameliorated the situation⁴. The Books and Newspaper Act (Chapter 111) was revised in the run-up to the 2002 general elections but it introduced harsher conditions for the registration of newspapers, including raising the security bond to be deposited from kshs. 10,000 to kshs. 1 million (US \$ 125 to 12,500) to be deposited with a bank, stipulating elaborate security and administrative processing and the bonding of vendors.

The biggest threat faced by journalists is libel suits. The Defamation Act remains rigid and leaves wide interpretation, for example, on "Public figure", "injured reputation" and provides for limitless penalties. Thus hefty fines have been witnessed that are higher than the share capital of some of the affected media establishments. An example is that of Martha Karua Vs Mburu Muchoki of the *Independent* (alternative media) newspaper. In February 2007, Muchoki was jailed for criminal libel in a case that raised the question of the independence of the judiciary and the rule of law where the powerful are concerned. The Muchoki case set out a different precedent: It was a result of a private criminal prosecution filed by the then Justice and Constitutional Affairs minister Martha Karua in 2004⁵. It arose from an article published on the front page of the *Independent* on 28 June 2004 under a bold headline: "Karua's Father in abortion scandal". Initially the minister had filed for libel against Muchoki and company. She was awarded Ksh 25 million in damages in a case that was not defended. However, the matter went back to court when issues regarding service of papers and execution of the award were raised.

The mainstream newspapers ...usually attempt to "settle out of court".

The mainstream newspapers particularly *The Nation* and *The Standard* usually attempt to "settle cases out of court". The Media Council of Kenya has over 70 cases pending arbitration.

The libel and defamation laws are rooted in colonial history, where they were designed to suppress individuals and nationalist papers. According to the Defamation Act, the burden of proof is on the accused. In Britain the burden of proof is on the complainant.

4 Africa Media Barometer, 2005 (indicator 1.1.)

5 "Independent editor's case reeks of revenge" *Expression Today* April 2007.

The challenge is for journalists to be more professional and avoid mediocrity. For example, they make mistakes of captioning using colloquial language which is subject to varied interpretations. Journalists also need to be proactive in the on-going sectoral reforms/regulations being spearheaded by the Communication Commission of Kenya (CCK), the Constitutional debate and the various relevant acts. They should engage lawyers through research and briefings for the necessary reforms.

Scores:

Individual scores:



Average score:

1.9 (2005=1.4; 2007=2.3)

1.4 Government makes every effort to honour regional and international instruments on freedom of expression and the media.

Analysis

Kenya has ratified the relevant continental and regional legal instruments relating to freedom of expression and media. It has ratified the International Convention on Civil and Political Rights (ICCPR) 1972, from which the article 19 framework is drawn ⁶.

However, Kenya is still not bound by these legal instruments because it has a ‘dualistic legal system’— the international law and domestic law are treated as separate legal orders, existing independently of one another. As such regional and International instruments on freedom of expression are not automatically implemented. They may have been ratified but they have to be “domesticated” in the local legal regime and practice.

Regional and international instruments have largely been used by the civil society for reference and benchmarking the local practice.






6 Study by AfriMap on *Public Broadcasting in Kenya* (yet to be published).

Kenya is party to a number of international agreements including:

- UN Universal Declaration of Human Rights,
- International Conference on the Great Lakes Region, Protocol on Management of Information and Communication (2006), whose objectives include the promotion of freedom of opinion and expression; freedom of media to receive and impart information and ideas, foster the emergence of independent and responsible media by promoting media regulation and self regulation bodies etc.
- African (Banjul) Charter on Human and People's Rights (1981)
- Declaration of Principles on Freedom of Expression in Africa (2002)
- African Charter on Democracy, Elections and Governance (2007)
- Declaration on Information and Communication Technology (ICT) 2001.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score:

1.5 (2005=n/a; 2007=n/a)

1.5 Print publications are not required to obtain permission to publish from state authorities.

Analysis

Print publications require permission to publish by way of registration. Under the Books and Newspaper Act (chapter 111), a publisher is supposed to sign a bond of Kshs. 1 million.

Part 111 No. 10 of the Act reads:

“No person shall print any newspaper in Kenya, and no person shall publish any newspaper printed in Kenya, unless there is in force, executed, registered and delivered by him to the Registrar as herein provided, a bond in the prescribed form in the sum of one million shillings, with one or more sureties as may be required and approved by the Registrar, as security for or towards

the payment of any monetary penalty or damages which may at any time be imposed upon or adjudged against him upon his conviction for any offence ... relating to the printing and publication of that newspaper or any other therein..."

This amounts to "anticipation of offence and the ensuing conviction and penalties". This law is under review.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score:

1.4 (2005=n/a; 2007=n/a)

1.6 Entry into and practice of the journalistic profession is legally unrestricted.

Analysis

Legally, the ability to practice as a journalist in Kenya remains unrestricted. However, the Media Act (2007) specifically defines a "Journalist" and makes provisions for accreditation of journalists.

The Act in the preliminary part (1) gives wide definition that can hardly be said to be restrictive.

"Journalist" means any person who holds a diploma or a degree in mass communication from a recognized institution of higher learning and is recognized as such by the Council, or any other person who was practicing as a journalist immediately before the commencement of this Act, or who holds such other qualifications as are recognized by the Council, and earns a living from the practice of journalism, or any person who habitually engages in the practice of journalism and is recognized as such by the Council".

Article 36 of the Act gives the Media Council of Kenya the authority to accredit both foreign and local journalists to practice in Kenya.

Also many media establishments have their in-house systems of accreditation.

It should be noted that given the above flexibility of entry and practice, some artistes and comedians have taken liberties to masquerade as journalists. While the “spirit” of the law gives initiative to the Media Council, those who “habitually” engage in the practice should be introduced to greater levels of professionalism.

While there is control of channels of communication through licensing there is little control over individual journalists. Media establishments exercise this role internally through ethics and codes of practice.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score:

3.8 (2005=5.0; 2007=5.0)

1.7 Confidential sources of information are protected by law and/or the courts.

Analysis

Confidential sources of information are not protected by the law, as evidenced by a recent case. Evelyn Kwamboka, a journalist with *The Standard* was ordered by the court to reveal her source of information on the story of (UK-based Kenyan preacher, Gilbert) “Deya miracle babies”. She invoked the Media Council of Kenya Code of Conduct and Practice, which provides for the journalists’ professional obligation to protect confidential sources of information. However, the court ruled that the code was not law and as such was not applicable in the case.

Scores:

Individual scores:

1	Country does not meet indicator	✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score:

1.0 (2005=1.0; 2007=1.7)

1.8 Public information is easily accessible, guaranteed by law, to all citizens.

Analysis

In practice public information (i.e. information in possession of the state to which the public should have access as it is in the public interest) is difficult to access by journalists and the general public. Public information is restricted by the structure and procedures in the public service, where a Permanent Secretary in a ministry is the only spokesman of the ministry, and yet s/he is not accessible, and is at liberty as to what information can be provided. The office of the Official Government Spokesman was established in 2003, “to effectively facilitate communication between the Government, its citizens and global audiences”. However, from observations of its performance, it has turned out to be a public relations machinery, a virtual “Government spin-doctor for official disinformation”. Restriction of public information is reinforced by the culture of secrecy in the public service, based on Official Secrets Act (Chapter 187). The Act places a responsibility of non-disclosure of information on all government officials and any other person who may come across such information. Civil servants are required to take an oath of secrecy under the Act.

[Official Government Spokesperson]... turned out to be “Government spin-doctor for official disinformation”

The Freedom of Information Draft Bill 2008 seeks to respond and address such concerns.

Scores:

Individual scores:



Average score:

1.5 (2005=1.5; 2007=1.5)

1.9 Websites and blogs are not required to register with, or obtain permission, from state authorities.

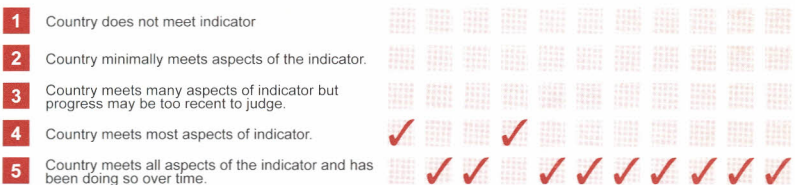
Analysis

Internet content is not regulated in Kenya and there are no restrictions or conditions in regard to registration of websites and blogs.

The market is open. However, there are concerns within government and the general public regarding unregulated internet content which gives access to pornographic sites, especially to the youth who constitute the majority of the more than 500,000 people in Kenya and who browse the internet daily. The government believes the internet needs to be “filtered” especially to schools, but find the technology for doing so- as used in China, expensive.

Scores:

Individual scores:



Average score:

4.8 (2005=n/a; 2007=n/a)

1.10 The state does not seek to block or filter internet content unless laws provide for restrictions that serve a legitimate interest and are necessary in a democratic society.

Analysis

... "the government seems to be itching" to act and gain control [over the internet]

There is no law or interference. However, concern has been expressed over issues such as pornography and sensational coverage of events.

It is noted that the internet is relatively new and a nascent sector where "the government seems to be itching" to act and gain some control, in the same way it has controlled the traditional media.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score:

4.7 (2005=n/a; 2007=n/a)

1.11 Civil society in general and media lobby groups actively advance the cause of media freedom.

Analysis

Civil society and lobby groups are active in advancing media causes but there is no reciprocity on the part of the media. This is partly because of media self-censorship, cautiousness in the interests of media owners, and other limitations.

Engagement between civil society, media lobby groups and the media is sporadic and issue-based. The intensity of engagement varies with issues to be advanced. Early in 2009 civil society joined journalists in street protests over the Kenya

Communications Amendment Act 2008, to forestall the Presidential assent to the Act that was seen to be gagging the press.

Media give platforms to civil society to highlight issues of the day and articulate certain causes.

Some of the media lobby groups are: Association of Media Women in Kenya (AMWIK), Media Council of Kenya (MCK), Media Owners Association (MOA), Kenya Correspondents' Association (KCA), Kenya Union of Journalists (KUJ), Kenya Community Media Network (KCOMNET), Alternative Media Network (AMNET), Kenya ICT Network (Kictanet), African Women and Child Feature Service (AWC), and Kenya Editors' Guild.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score:

3.5 (2005=4.4; 2007=3.8)

1.12 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups.

Analysis

Civil society and interest groups (see sector 1.11) are actively involved in advancing the cause of media freedom and media legislation processes. However, media practitioners do not engage meaningfully. They hardly even read media laws. At best, they only “cover” events discussing media law but do not participate in the events. In this regard, they behave like “fire extinguishers” who rush to the “scene” of the issue when it has exploded in their own face. A good example is the street protests early in 2009 over the Kenya Communication Amendment Act of 2008, which by the time journalists took action, had already reached the final stage of

presidential assent. This identifies acute need for civic education to practitioners to stand for their rights.

The Communication Commission of Kenya (CCK) has in the last four years or so invited stakeholders to discussions on draft policies and legislation, for example, on broadcast legislation. Here it has been noted that media stakeholders make only "technical appearance" with little commitment and professional input.

There is a fallacy that law making is for lawyers, and media practitioners take a backseat. There is lack of inter-sectoral/inter-professional interaction for focused attention to issues.

The last two years have seen improvement in the level of consultations on media legislation. Apart from the Communications Commission of Kenya, the Permanent Secretary in the Ministry of Information and Public Communication has constantly involved stakeholders in consultations/discussions on media legislation even though the end result has not been at times what stakeholders have proposed.

Citizens participate from disadvantaged position of lack of information on the relevant issues. Journalists hardly try to raise the citizens' awareness to enlist greater involvement. There is a disproportionate attention given to politicians at the expense of the citizens.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country minimally meets aspects of the indicator.	
3	Country meets many aspects of indicator but progress may be too recent to judge.	
4	Country meets most aspects of indicator.	
5	Country meets all aspects of the indicator and has been doing so over time.	

Average score: 2.7 (2005=n/a; 2007=n/a)

Average score for sector 1: 2.7

* For 2009 the indicators were reviewed, amended and some new indicators such as those addressing Information Communication Technology (ICT) were added. Consequently, the comparison of some indicators of the 2005 and 2007 report is not applicable (n/a) in some instances in which the indicator is new or has been amended. Evidently, this has to be taken into account too, when the overall sector scores are compared.