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PRESS RELEASE

**Kenya: ARTICLE 19 Recommends Changes to
New Broadcasting Regulation of Kenya**

ARTICLE 19 today releases its analysis of the Kenya Communications (Broadcasting) Regulations, which came into force in January 2010, and recommends several changes to bring the Law in line with international standards.

The Broadcasting Regulations were adopted in December 2009 by the Minister of Information and Communications as a part of the effort to implement the Kenya Communications Act, 1998, as amended in 2009.

ARTICLE 19 recognises a number of positive features in the Broadcasting Regulations and welcomes the fact that the Ministry adopted some of ARTICLE 19's previous recommendations.

Overall, the Broadcasting Regulations represent a good attempt to address the high degree of media concentration that currently prevails in the broadcasting market in Kenya, and they seek to put in place a progressive co-regulatory framework in relation to broadcasting content.

At the same time, areas for improvement remain, including:

- Integration of the frequency plan into the licensing system so as to give proper effect to it
- Clearer rules on processing of licence applications, including as to the duration of licences and applicable fees
- More developed and fairer rules to address the situation of concentration of ownership among current broadcasters, as well as the need to promote a broadcasting system which reflects wider public interests
- Fundamental revision of the rules on content, as well as the system for developing programme codes and complaints systems
- Securing the independence of the Commission, and in particular the Board of Directors, provided by the Communications Act, in order to prevent political control over, and interference in, broadcasting.

ARTICLE 19 calls on the Kenyan government to address these concerns and to ensure that the policy and regulatory environment in the country is fully in line with international standards, particularly in relation to freedom of expression.

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- The text of the Comment is available at: <http://www.article19.org/pdfs/analysis/kenya-statement-on-the-communications-regulations.pdf>
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