THE MEDIA CHARTER OF
THE AFRICAN NATIONAL CONGRESS

1. At the core of democracy lies the recognition of the right of all citizens to take part in society’s decision-making process. This requires that individuals are armed with the necessary information and have access to contesting options to make informed choices. An ignorant society cannot be democratic.

2. South Africa has been a closed society, with a myriad of restrictions on the flow of information. In addition to legislation, the structure of ownership of media resources, skills, language policy and social deprivation has undermined access to information for the majority of the population.

3. Democracy cannot emerge and flourish without a democratic media. However declaration of media freedoms on its own is not enough. It has to be underpinned by an equitable distribution of media resources development programmes and a deliberate effort to engender the culture of open debate. In our society, this also implies a measure of affirmative action to redress the injustices of apartheid. We therefore declare the following:

   I. Basic rights and freedoms
   1. All the people shall have the right to freely publish, broadcast and otherwise disseminate information and opinion, and shall have the right of free access to information and opinion.
   2. All institutional and legislative measures which restrict the free flow of information or which impose censorship over the media and other information agencies shall be prohibited.
   3. All people shall have the right of access to information held or collected by the state or other social institutions subject to any limitations provided for in the Constitution and Bill of Rights.

   II. Democratisation of the media
   1. The forms and methods of the media shall take account of the diversity of communities in respect of geography, language and interests.
   2. Measures shall be taken to ensure that all communities have access to the technical means for the receipt and dissemination of information including electricity, telecommunications and other facilities.
   3. All communities shall have access to the skills required to receive and disseminate information, including the skills of reading and writing.
   4. Diversity of ownership of media production and distribution facilities shall be ensured.
   5. Affirmative action shall be implemented to provide financial, technical and other resources to those sectors of society deprived of such means.

   III. Public media
   1. Media resources in the hands of the state shall be used to promote and strengthen democracy.
   2. The state shall maintain a public broadcasting service which shall serve society as a whole and give a voice to all sectors of the population.
   3. Such a public broadcasting service shall be independent of the ruling party and shall be governed by structures representative of all sectors of society.

   IV. Media-workers and society
   1. Society and the state shall strive to create the necessary environment in which the gathering, processing and dissemination of information can be conducted without restrictions.
   2. Media-workers shall be protected against intimidation and other forms of pressure which inhibit their work.
   3. Media-workers shall be protected by law from disclosing their sources of information.
   4. Media-workers shall have the right to form or join trade union, political and other organisations of their choice, and they shall enjoy the rights accorded to all other workers.
   5. The media shall strive to interact with society as a whole; and organisations, institutions and citizens shall have the right
   6. The citizen’s right to privacy and any other freedoms entrenched in the Bill of Rights shall not be violated on account of free flow of information.
V. Education and training
1. The state and media institutions shall provide facilities for the training and upgrading of media-workers.
2. In the provision of skills, account shall be taken of the need for affirmative action in favour of those who, because of racial, gender and other discriminatory practices, are disadvantaged.
3. Training programmes shall include mechanisms aimed at empowering communities in their endeavours to publish and broadcast.
4. As part of civic education programmes, the state and media institutions shall strive to inform citizens about their media rights and those of media-workers.

VI. Promotional mechanisms
1. In order to promote and monitor the realisation of these freedoms independent structures shall be set up for defined sectors of the media.
2. These structures shall be representative of media-workers, workers, political parties, civil society, relevant experts and others.
3. Where codes of conduct are necessary to ensure the implementation of the above principles, these shall be drawn up in a democratic process involving the various media role players.
4. An ombudsperson shall be appointed to receive and act on complaints relating to the infringement of the above principles; and such an appointment shall also take place through a democratic process.
5. Society shall have the right to challenge decisions of all these structures and persons in a court of law.

Recognising the centrality of these media principles to a democratic process and recognising the need for a democratic environment for these principles to be fully realised, we pledge to join hands in the effort to create a society in which the free flow of information and open debate are guaranteed, a society which is at peace with itself.