

# National Media Council (NMC)



**Operational Framework**  
**Approved November 18, 2016**

**Part I. ESTABLISHMENT**

Considering the demand for quality and professional journalism in Liberia that best serves the public interest;

Aware of the need to maintain the independence of the media, the protection of journalists and the defense of free expression;

And convinced that media self-regulation is the best possible means through which media professionals set up and abide by voluntary editorial guidelines in a peer learning process openly;

The National Media Council is hereby established for the purpose of self-regulating media accountability and professional conduct in Liberia, pursuant to the journalism Code of Ethics for Liberian journalists and internationally accepted media ethical standards.

**Part II. OBJECTIVES AND FUNCTION OF THE COUNCIL**

**A.** To guarantee compliance with the Code of Ethics for Liberian journalists through contents on multiple media platforms; respect the right to freedom of expression and information and only adopt those measures that are proportionate and necessary in order to redress violation of the Code.

**B.** To undertake appropriate and proactive measures to ensure adherence to the highest journalistic standards, including the investigation, mediation and settlement of complaints made against or by the press, in so far as their work enhances the safety of journalists and preserve the public good;

**C.** To Keep under review, and where appropriate, comment on political, legislative, commercial or other developments which may adversely affect the dissemination of information of public interest and threaten the public's right to know;

**D.** To speak and make public inquiries and presentations at forums as appropriate on matters concerning freedom of expression and access to information; and

**E.** To create awareness of the objectives, principles and workings of the NMC, especially among journalists and owners of media institutions, journalism schools, government and private institutions through forums and consultations, as well as encouraging feedback.

**Part III. MEMBERSHIP AND TENURE**

**A.** The NMC shall consist of nine members, each nominated from the below listed constituent bodies:

<b>Constituent body</b>	<b>Representative(s)</b>
1. Media	3
2. Religious Groups	2
3. Legislature	1
4. Civil society	1
5. Academia	1

**B.** All members of the Council must have at least a first degree in any field of studies, must be a respected professional in his/her discipline, with a fair appreciation of freedom of expression and press freedom concepts.

**C.** The Council shall elect one chairperson and vice chairperson from its members. The chairperson shall preside at every meeting. In his/her absence, the vice shall act. There shall also be a Secretariat headed by a coordinator.

**D.** Members of the Council shall hold office for a two-year term and shall be eligible for re-appointment or re-nomination. Member of the Council shall not serve for more than two successive terms.

**E.** A member of the Council may at any time resign his/her office by giving one month's notice in writing addressed to the Chairperson; however in the case of the Chair, the letter of resignation shall be addressed to the Coordinator.

**F.** Any member who fails to attend three consecutive regular meetings of the Council without valid excuse shall be removed and replaced by the nominating authority with similar vetting exercise.

**G.** The Press Union of Liberia shall oversee the setting up of the Council, including coordinating the nomination of various representatives and facilitating its operations.

**H.** All members of the Council shall serve on a voluntary basis.

#### **Part IV. POWERS & ENFORCEMENT**

**A.** The Council is empowered by this operational Framework to do such things and to take such action(s) for the furtherance and attainment of its objectives.

**B.** The enforcement of the Code of Ethics for Liberian Journalists shall be guaranteed by the Media Council, which is charged with the responsibility of investigating all matters arising from the violation of the Code, either upon a complaint or observation, and adopting the most adequate measures and remedies. When performing its activities, the Media Council shall always respect the right to freedom of expression and information.

**C.** The Media Council shall also engage in activities aimed at promoting adherence to the Code and activities of the Council, including engagements with the government, professional bodies, schools and the public at large.

**D.** Measures intended to reprimand shall include: appropriate retraction, the obligation to publish with due prominence the decision of the Council and issuance of an apology. In serious cases determined by the Council, fines shall also be levied. However, in cases where fines will be levied, the principles of necessity and proportionality shall always be respected. All fines shall be paid into a dedicated PUL account.

**E.** Any appeal against the decision of the Council shall be made to the Executive Committee of the Press Union of Liberia in writing through the Secretary General. Decisions from appeals are final.

## **Part V. RULES & PROCEDURES**

- A.** The Council shall meet for the discharge of business and regulate its meetings as deemed necessary.
- B.** All members of the Council shall be nominated by such institutions as indicated in this operational framework. They shall perform their tasks in a completely independent manner and not be subject to any instruction or directive, even from the nominating entities;
- C. Any member** of the Council can be dismissed by the majority of the members in cases of serious negligence, incompetence or lack of dedication in the discharge of their assignments;
- D.** The Council shall from time to time make rules as it may deem necessary for the proper conduct of its functions and activities. Such rules **MUST** be in conformity with the spirit and intent of the Code;
- E.** The Council shall also adopt rules for the conduct of its members, the Council's secretariat and all other matters relating to its operations;
- F.** The decision adopted by the Council should be communicated to the parties before being made public;
- G.** All decisions, minutes, statements of the Council shall be signed by the Coordinator and approved by the Chairperson.

## **Part VI. MEETINGS**

- A.** Regular meetings shall be held once a month on the last Friday of the month. However the Council shall decide on a meeting in case of a complaint or an emergency. Meetings called for the passing of a special resolution shall be done in writing. Such meetings shall be called by the Coordinator with the approval of the Chair. The notice shall specify the location, time and date of the meeting;
- B.** The quorum for any meeting of the Council shall be five members;
- C.** Subject to the provision of this operational framework, decisions of the Council shall be based on vote cast, by simple majority;
- D.** The Council shall ordinarily meet at such times and at such places as necessary, with the advice of the Chairman and the Secretariat.

## **Part VII. COMPLAINTS**

- A.** The Council shall mediate, arbitrate, conciliate and resolve or settle complaints and concerns from the public by reference to the Code and or other internationally accepted media ethical standards.

**B. Any** individual (including a journalist), private and public entity in Liberia can file a complaint vis-à-vis a possible violation of the journalism Code of Ethics by a journalist or a media institution. Complaints can be filed in writing or through oral presentation.

**C.** Complaints shall be referred to the Council and received by the Coordinator. The accused (journalist/media institution/individual) shall be immediately informed of the complaint and citation for hearing issued within 48 hours upon receipt of the complaint. Hearing shall be scheduled no more than five days of receipt and decision immediately announced;

## **Part VIII. SECRETARIAT**

- A. The Secretariat shall provide professional support to the National Media Council in the speedy execution of its mandate, as well as document and report complaints and/or decisions on cases of ethical transgression and all other activities of the Council.
- B. The Secretariat shall also monitor professional trends, research freedom of expression and press issues in other jurisdictions with best practices in order to guide Council members in the performance of their duties.
- C. The Secretariat shall be headed by a Coordinator **and an Office Assistant**, hired by the Council with the support of the PUL leadership. The Council may however, recruit additional staffs or volunteers if and when necessary.
- D. The secretariat shall ensure adequate communications with the council and stakeholders, including notices for meetings;
- E. The Coordinator shall not be a voting member of the Council. He/she shall be appointed by the Council for such term, remuneration and conditions as the Council may deem fit; He/she may be removed by the Council.
- F. The Coordinator must have the ability to write well, including the production of reports, and capable of articulating the mandate and issues relating to free expression and press freedom.
- G. The Press Union of Liberia shall be responsible to pay members of the Secretariat.

## **Part IX AMENDMENT**

The Council shall propose amendments or change to any provision of this document to the Press Union of Liberia Executive Committee for consideration.

## **Part X Appendix: Definition**

In this Operational Framework, unless otherwise indicated the following shall mean:

1. "The Council" or "NMC" shall mean the Media Council

2. “Constituent bodies” mean media, legislature, civil society and other sectors who are empowered to nominate persons as member under the NMC.
3. “Member” means those nominated by the various sectors.
4. “Commissioning officer” shall mean the body that is entrusted with the authority to set-up the NMC – the Press Union of Liberia.
5. The “Code” shall mean the Code of Ethics for Liberian Journalists

***With the coming into force of the National Media Council, the Grievance and Ethics Committee and/or the Media Complaints Committee of the Press Union of Liberia shall cease to exist.***

***Done this 18<sup>th</sup> DAY of November 2016, in the City of Ganta, Nimba County***