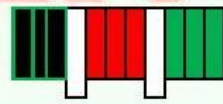




# KENYAN LEGAL



real Kenya, real Issues

**PROSTITUTION IN KENYA:**

**NEED FOR  
HUMAN  
RIGHTS  
NOT  
LEGAL  
WRONGS**



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## **Digital Migration Nightmare**

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**B**lurred images and distorted sounds has for a long time characterized Television viewing in Kenya but this is bound to change once all the local television migrate to the digital platform. Under the digital platform there is clear images and sound. The platform also provides a variety of channels available on the digital platform world over. Similarly, the digital gives an opportunity to local content developers to grow and also creates thousands of job opportunities among other advantages associated with it. As exciting as the news sounds to many, it comes at a higher cost.

The fast approaching digital migration deadline set for 2<sup>nd</sup> February (for Major towns) and March (for the rest of the country) has left broke Kenyans scrambling for the few highly-priced set-off boxes so that they can continue watching their favorite presenters and programmes. As the adage goes one man's poison is another man's meat. The set-off boxes vendors have ceased the opportunity and made a kill out of the whole situation. This begs the big questions, was digital migration a plot to render the tax overburdened pen-less? Whose interest is the digital migration meant to serve? Why were the local television left out in the digital migration signal distribution frequency?

It is sad that despite the digital migration deadline fast-approaching only a small percentage of radio and television users have knowledge on the demerits of migrating to the digital platform. This then brings to fore the hard

question on whose role it is to educate Kenyans on the digital migration platform and the associated benefits.

According to the research carried out by Steadman Group in the year revealed that, about 10.7 million own Television sets or Radios in Kenya. Of these 7.5 million homes possess radios while the remaining 3.2 million people have television sets. The research by the Steadman Group further revealed that of the homes with radios 5.6 million are in rural areas while 1.9 million are in towns. On the other hand, of the 3.2 million people who own TV sets 1.8 million are in the rural areas while the remaining are found in urban centers.

The above statistics show a grim picture of the level of access to information that the public has in Kenya but there is something more from the statistics worth noting and that is; that a majority of people who own TV sets and Radios are found in rural areas. It is therefore defeats logic when sensitization campaigns are centered in major towns forgetting the majority rural population. This serves to reinforce the position that the digital migration process could have been handled well than it was done.

It is important to recognize the tremendous growth that has been witnessed in the media fraternity over the years since the liberalization of the media industry in 1989 when there was only one state-owned (TV) station in Kenya in the name of Voice of Kenya (VOK) that later re-

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branded to Kenya Broadcasting Corporation (KBC). However, since 1989 the media industry has made numerous strides that have not gone unnoticed as Kenyan journalists have continued to bag prestigious awards both regionally and internationally. Similarly, the number of licensed television and radio stations has also experienced growth as the government set out to regulate this previously self-regulating sector.

Communication Commission of Kenya (CCK), in its quarterly report revealed that it has licensed ten more digital stations as the country edges closer to the digital migration deadline. This brings the number of entities issued with temporary authorization to 84. This is wonderful news to the ears as the digital migration not only increase content for the viewers but also improve on signal quality.

However, as much as I believe that digital migration is a brilliant idea and which should be embraced by all and sundry, it should not whatsoever be used by [a]nybody as an avenue to reduce fair competition and discourage new entrants but be an incentive for more people to venture into the lucrative media industry which will in turn create more job opportunities for the millions of Kenyans.

The media plays a very critical role in the growth of democracy and therefore should be left to function independently under minimal regulatory framework or the gains that the

country has made in the last 50 years will be eroded in a day. Similarly, National interests should always be the fundamental factor to consider in the issuance of the digital signal and frequency and that should never change.

The role that the media plays in any society should never be under-estimated because doing so will be disastrous. Therefore, the recently passed draconian Security Amendment Act should never be allowed to even see the light of the day. This is because, the law is not only an infringement on the right of the public to information but also an infringement on the freedom of the media to operate independently. The role of the government should only be reduced to that of facilitation and not a stumbling block to the growth of the media industry in Kenya.

As I pen- off I would like to emphasize that there is need for the CCK to maintain its independency in its functionality and operations as this is but the minimum of what is required of them. The media on the other, should always strive to report verified and unbiased news to the Public as the media as the ability to shape the opinion of the citizenry. Lastly, the government should respect other arms of government by always upholding the rule of law and protecting the interests of Kenyans first before those of investors because they are the ones who gives them legitimacy to rule.

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