

MEMORANDUM OF UNDERSTANDING BETWEEN MEMBERS OF THE PRESIDENTIAL PRESS CORPS AND GOVERNMENT

April 2003

BACKGROUND AND RATIONALE

The idea of the Presidential Press Corps was born out of engagements between the South African National Editors' Forum and the government during 2001. It is recognised that while, as in any democracy, there is a necessary tension between the government and the media, this need not be characterised by animosity as all sides are working towards the same goal of building a vibrant democracy that faces up to the challenge of reversing poverty and underdevelopment.

It is agreed that the country's most senior political writers should form into a corps which would, in a systematic way, be able to access information and gain a greater understanding of the work of government.

MEMBERSHIP

Membership of the Presidential Press Corps will be open to all bona fide South African journalists or journalists working for South African media institutions who have been nominated by their respective editors. While editors will have full discretion on their nominations, nominations will have to take into account the limitation of facilities.

SECURITY CLEARANCE

As mutually agreed between Sanef and the government, potential members of the PPC will have to pass a minimum level of security clearance, equivalent to the Parliamentary Gallery Association (known as "confidential access"). Should a nominee fail to secure clearance, this will be communicated to the nominee first, and if need be, his/her editor by the relevant government institution. Such a nominee will have the right to appeal.

During the process of security clearance, the rights of the nominee to privacy shall be respected and the Constitutional principles of Freedom of Expression shall be adhered to. At the same time the responsibility of the organs of the state to ensure the security of elected leaders shall be recognized.

The process shall be conducted within the spirit of the Union Buildings engagement and the Sun City "Way Forward" document: to "facilitate access to information".

OPERATION

The pivot of the PPC will be weekly briefings by senior members of government including the President, Deputy President, Ministers and Directors-General. These briefings, to be conducted at a centralised venue at a stipulated regular time, will be deemed to be on the record unless indicated otherwise. When the need arises for off-the-record briefings or information, the necessity and nature of these will be negotiated with the relevant government official(s).

The off the record briefings will take two forms:

Off the record and not for attribution: Information may be used but not attributed to a particular individual. Precise sourcing to be agreed by both sides.

Off the record and not for use: Information is purely for background and may not be used until further notice. This would not preclude individuals from securing information through other avenues, as long as this does not constitute follow up deriving from the off-the-record (not for use) briefing. Both sides will strive to minimize the latter option as it is not ideal for flow of information.

Those PPC members who may feel they have principled objections to the latter Option in any particular instance, will be obliged to respect the negotiated arrangement. Failure to abide by the negotiated arrangements could result in sanction after due discussion and reflection by members of the PPC.

The spirit underlying the briefings will be the need to facilitate the flow of information to the public.

LOGISTICS

Media companies shall be responsible for the financial and logistical arrangements of running the PPC. The government will however be expected to provide certain facilities such as a briefing room and a limited but reasonable range of working and filing facilities. The extent of these facilities will be the subject of an ongoing negotiation between the government and a representative structure of the PPC and a recognized structure of the industry. At all times it will be understood that government will bear minimal financial burden for the functioning of the PPC.

It is mutually understood that media houses shall be responsible for returning PPC passes to government upon the resignation of their PPC representative from their company. Such a journalist could be re-admitted to the PPC upon the recommendation of his or her new media house.

TRAVEL

As the primary rationale for the PPC is improved access to information, there will be occasion for members to travel with the President, Deputy President and Ministers both domestically and internationally. Government will endeavour to provide an annual calendar of important international engagements by the President, the Deputy President and Ministers. This will be regularly updated. Members of the PPC will recognize and respect that there will be times when - for security reasons - the travel arrangements are not to be made public information. The government will be encouraged to provide full consular facilities for members of the PPC traveling with a government delegation.

It is understood that confidential access does not guarantee traveling with the President personally.

PPC members will liaise with the relevant government office as to the optimal travel and accommodation arrangements as well as transport logistics at a said destination. Members of the PPC traveling with the President and/or a government delegation will receive one or more briefings per day from government representatives where practicable. The President will also attempt to provide at least one comprehensive briefing during a said foreign visit. The nature of these briefings will be conducted along the guidelines detailed under Operations.

Media houses will at all times bear the costs of travel and there will be no obligation on government to facilitate travel for any member/ members of the PPC unless otherwise negotiated with representatives of the PPC or a recognized structure of the industry. The relevant modus operandi with regard to financial arrangements will be negotiated with GCIS.

At all times interaction between members of government ministers/officials and members of the PPC on foreign travel will be guided by the principle of improving access to accurate information.

FUNCTIONING

The PPC will elect an Executive Committee, which will serve as a link between government and the broader corps.

CODE OF CONDUCT

PPC member will adopt a Code of Conduct, elements of which will include:

- (a) Normal adherence to journalistic principles and ethics
- (b) Observance of on/off record, embargo agreements

- (c) Protocol in briefing room (cell phone interruption, rowdiness, etc)
- (d) Broadly accepted protocols and standards of behaviour in relation to state functions.

Sanction for those who violate the code could range from a mere reprimand, exclusion from one or more briefings or suspension from the PPC. The entire process will be conducted transparently and the said individual's editor will be kept abreast at every stage of the process so as to avoid victimization or suspicion thereof. In the event of a severe sanction, there will be appeal mechanisms the nature of which should be deliberated upon by the PPC, media houses and recognized structures of the industry.

It should however be borne in mind that the primary enforcers of acceptable and professional behaviour remain the media institutions who employ members of the PPC and a code of conduct will therefore have to secure the support of the media houses.

In addition to the above, government reserves the right to adopt its own sanctions against any PPC member who is deemed by his/her peers to have violated the Code of Conduct.

CONCLUSION

The existence of the PPC does not in any way render the normal engagement between the media and the government obsolete. Normal arrangements between the media and the government, which have hitherto existed, will remain in place.

Individual journalists will still continue to have their individual engagements with government officials and departments.

Government Communications (GCIS)