

Key Note Address

Africa Center- Dublin, Conference on Images and Messages

Date: 14th -15th July 2010, Dublin Castle

Distinguished Guests, Ladies and Gentlemen, I feel humbled to stand before you to discuss this critical area that directly affects us as individuals especially from Africa and as practitioners working on development issues, I thank the Africa Center for organizing this conference and inviting us.

I wish to observe that this conference coincides with this years Mandela Day to be held on the 18th July 2010 whose theme is “for people everywhere to take responsibility for making the world a better place, one small step at a time, just as Nelson Mandela did”.

I feel honoured to speak about the use of images and messages, especially in their fundraising activities for projects in the Developing Countries. I have been a practitioner in development and human rights issues for the last ten years and I will state categorically that resource mobilization is not for the fainthearted and over the years the competition for resources including funds has been cut throat with funding sources reducing, traditional donors developing fatigue which will ultimately be seen on the strategies adopted by fundraisers under difficult circumstances.

I come from the school of thought, that there is a strong correlation between deprivation(s), disease, poor governance, poverty and lack of development and that all of them are interrelated and hence human rights issues. So for example a charity here, intervening on behalf of orphans in Kenya is working on a human rights issue that is developmental in nature wherein, poverty or disease might be the main drivers of a large number of orphans.

So when I was approached to speak on this issue I started by critically thinking, if most organizations have signed the Dochas code of conduct on the use of images and messaging where does the problem lie. Is the code enforced? What frame work for monitoring and enforcement exists? How are ethical issues enforced?

I also considered the unlawful use of images and messages in contravention to Dochas code as opposed to outright illegal contravention of laws like copyrights and intellectual property which might be enforceable by law and which would entail one of the parties failing to obtain informed consent before use of images for fundraising or all together using this images without consent. My premise is based on a research by Jessica Wishart entitled “Images and the ‘Other’: Motivations behind NGO Fundraising Imagery and their Impact on Public Perception”.¹ Which revealed the advanced levels of awareness of fundraisers not to infringe the law when fundraising but also reveal the continued use of “Pornography of poverty; the starving baby syndrome” as a fundraising strategy.

Now considering that most of the agencies raising funds adopt the pornography of poverty; the starving baby syndrome as a strategy while involved in its fundraising for development and bearing in mind internationally acceptable standards of underpinning development work to human rights by creation of the Rights Based Framework, which created a paradigm shift from a need based approach within the United Nations system as early as 1994 and the same may be said of most charities in development work. This highlights a disconnect by charities on one hand presenting themselves using the Right based approach in its work while on the other adopting a needs based approach of the ‘Saviour and savages’ while raising funds.

The rights based approach has been adopted by the UN as a best practice and thus mainstreamed, while observing that”.

Some of the following core standards exist in this regards;

1. Articles 1 and 55 of the Charter of the United Nations (1945)².

¹ Jessica Wishart , ‘Images and the ‘Other’: Motivations behind NGO Fundraising Imagery and their Impact on Public Perception.’(April 2008) Dalhousie University Halifax

² **Art. 1: 3)** *To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion;*

Art. 55: *With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: a. higher standards of living, full employment, and conditions of economic and social progress and development; b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.*

2. Articles 22 and 25 of the Universal Declaration on Human Rights (1948)³.
3. Articles 9, 11, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights (1966)⁴.

³ **Art. 22:** *Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.*

Art. 25: *1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. 2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.*

⁴ **Art. 9:** *The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.*

Art. 11: *1) The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent. 2) The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed: (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources; (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.*

Art. 12: *1) The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. 2) The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for: (a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child; (b) The improvement of all aspects of environmental and industrial hygiene; (c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases; (d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.*

Art. 13: *1) The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace. 2) The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right: (a) Primary education shall be compulsory and available free to all; (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education; (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education; (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education; (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved. 3) The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities,*

The last aspect I shall consider the effects of wrongful use of images and messaging and what can be done by all of us and as individuals.

Pornography of poverty, also known as development porn or even famine porn, is any type of media, be it written, photographed or filmed, which exploits the poor's condition in order to generate the necessary sympathy for selling newspapers or increasing charitable donations or support for a given cause. Poverty porn is typically associated with black, poverty-stricken Africans, but can be found elsewhere. The subjects are overwhelming children, with the material usually characterized by images or descriptions of suffering, malnourished or otherwise helpless persons. The stereotype of poverty porn is the African child with a swollen belly, staring blankly into the camera, waiting for salvation.

Disempowering images create a commoditization of poverty, as these pornographic photos allow the viewer to commoditize the suffering apparent in the photo.

Unfortunately the global poverty and adversity existing on a daily basis is not sufficient to make the news, and selection of which disasters are covered seems arbitrary at best. "Conditions which are endemic, widespread and supposedly intractable-hunger, disease, poverty, famine, infant mortality and discrimination-are not newsworthy in themselves" with exception of the just concluded World Cup and attendant publicity, Media coverage on Africa from the developed world informs public perceptions and has always depicted Africa as a wretched earth.

The question is how do images of suffering women and children in the developing world? define Northern conceptions of ourselves and others? A study performed by Oxfam determined unequivocally that images used in NGO fundraising campaigns and by the media reinforced stereotypes of the Global South ⁵. In fact, a survey by VSO found that "80% of the British public strongly associate the developing world with doom-laden images of famine, disaster and Western aid, [and] 74% of the British

which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions. 4) No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

⁵ Fox, D. J. (1998). *An ethnography of four non-governmental development organizations : Oxfam america, grassroots international, ACCION international, and cultural survival, inc.* Lewiston, N.Y.: Edwin Mellen Press.

public believe that these countries “depend on the money and knowledge of the West to progress”⁶. Furthermore, when reflecting on the developing world, key words suggested by respondents were war, famine, debt, starving people, natural disaster, poverty and corruption. Clearly images reinforce concepts of superiority/inferiority, or giver/receiver relationships. Seeing the developing world as part of a one-way relationship rather than two ways limits our ability to learn and grow from other regions and cultures⁷.

Owing to the fact that charities are informed by perceptions when fundraising and that perceptions are created by the media which end up creating a vicious cycle I will be inclined to argue that the root lies on how Africa and other developing areas in the world are depicted and reported.

For example a few weeks ago BBC two featured a documentary ‘Welcome to Lagos’ by David Harewood, was according to Professor Wole Soyinka; *“the most tendentious and lopsided programme” he had ever seen. There was no sense of Lagos as what it is – a modern African state. What we had was jaundiced and extremely patronising. It was saying ‘Oh, look at these people who can make a living from the pit of degradation. One could do a similar programme about London in which you go to a poor council estate and speaking of poverty and knifings. Or you could follow a hobo selling iron on the streets of London. But you wouldn’t call it Welcome to London because that would give the viewer the impression that that is all London is about.’*”.

To thus address the wrongful use of Images and messages in a sustainable manner, a lot of work needs to be done on media coverage that inform perception but I shall not dwell on changing public perceptions but will concentrate on the ethical code of conduct by Dochas and how the same can be utilised to inform the conduct of fundraisers.

The development and adoption of the Dochas code of conduct on images and messages in 2008 was a milestone for Irish charities and one of very few instances where proactive action by actors seek to regulate and redress the situation. However a cursory look reveals that the code lacks a monitoring and enforcement mechanism that may ensure adherence by members. Strengthening of the code is critical and crucial in ensuring the code is a live instrument that members are proud of.

⁶ VSO Britain. (2002) “The Live Aid legacy: images of poverty through British eyes” www.vso.org.uk/Images/liveaid_legacy_tcm8-784.pdf

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I believe participants here in are adequately equipped to make proposals that may enrich the code and create a framework suggestions may include creation of a monitoring committee that may equally be seized of the responsibility of entertaining communications and complaints and upon consideration of complaints effecting defined sanctions.

I know participants here might wonder what about the law? And as i had observed earlier i have largely dwelt on only wrongful use of images and messages that is purely ethical in nature. Illegal use of images and messaging attracts civil law sanctions but may require fulfilments of certain basic ingredients; firstly enforcement shall entail a complaint by an aggrieved person “locus standi” any one moving court may have to satisfy the court that he or she or it is sufficiently aggrieved by the actions complained of. This means where images are used without consent then the owner of the image may be the appropriate litigant. Secondly civil law entails limitation of action such that any aggrieved party shall be expected to move court within a particular timeframe of the occurrence. And finally the tribunal approached should have jurisdiction to entertain this complaint. That is, either the breach was committed in its territorial jurisdiction or one of the parties are physically domiciled in its jurisdiction.

Ladies and gentlemen it is my humble submission that legal enforcement is not the path to pursue as it is antagonistic in nature, it tends to de-rail charities from their core mandates and unless the infringement committed is so drastic ethical enforcement may be more impacting.

Ladies and Gentlemen this being the second time this issue is being considered by the Africa centre is indicative of the importance attached and knowing very well the tasks ahead i will sum up by staying that every journey starts with one step and it is our responsibility to continue this journey a “small step at a time” I hope this seminar may formulate a general contextual framework for the enforcement of the code of ethics.

Thank you
Samwel Mohochi