MEDIA COUNCIL OF KENYA

MEDIA GUIDE ON THE USE OF **ARTIFICIAL INTELLIGENCE IN KENYA**

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CEO'S FOREWORD

The Kenyan media landscape is undergoing a transformative shift driven by Artificial Intelligence (AI). This powerful technology offers exciting possibilities for content creation, distribution and audience engagement.

However, alongside these benefits lie significant challenges that demand responsible use. This comprehensive guide equips media enterprises and journalists with the knowledge and tools to leverage AI's potential while managing its risks. We explore the current legal landscape surrounding AI in Kenya, ensuring compliance with national regulations.

The guide delves into various applications of AI within media practices, from personalised content to automated tasks and AI-generated media. The Council has established key principles for ethical use, drawing on the Kenyan constitution, human rights frameworks and global best practices like the UNESCO Recommendations on the Ethics of AI.

This guide acknowledges and addresses the challenges that come with AI adoption in media, such as opacity, bias, misuse, deepfakes and intellectual property rights. The guide offers a roadmap for media enterprises and practitioners to integrate AI responsibly and effectively. This includes encouraging thought leadership, strategic implementation, integration across functions, talent and skills development, performance measurement, and investing in people.

By embracing AI responsibly and ethically, media enterprises and journalists can continue to serve their vital role of informing and engaging the public while upholding the highest standards of journalism. The Media Council of Kenya remains committed to supporting the responsible use of AI in media. We encourage you to explore this guide, ask questions, and engage in open dialogue. Together, we can harness the power of AI for a thriving and ethical Kenyan media landscape.

Mr David Omwoyo Omwoyo, MBS
Chief Executive Officer & Secretary to the Council

ACKNOWLEDGEMENT

As Artificial Intelligence (AI) becomes a cornerstone of media innovation, the Media Council of Kenya (MCK) assembled a task force in October 2023 to create the *Media Guide on the Use of Artificial Intelligence in Kenya*.

This guide provides Kenyan journalists with the ethical considerations necessary to harness AI's potential responsibly, focusing on its benefits, associated risks, and critical issues such as transparency, data protection, and bias mitigation. Through the expertise of media, technology, and academic stakeholders, this guide equips Kenyan media with a responsible roadmap for AI integration.

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ABBREVIATIONS

AI - Artificial Intelligence

AGI - Artificial General Intelligence

CMS - Content Management System

CTR - Click-Through Rate

DLT - Distributed Ledger Technology

DPA - Data Protection Act No. 24 of 2019

HITL- Human-in-the-Loop

LLM - Large Language Models

MCK - Media Council of Kenya

OCR - Optical Character Recognition

ODPC - Office of Data Protection Commissioner

SEO - Search Engine Optimisation

UNESCO - United Nations Educational, Scientific and Cultural Organisation

DEFINITION OF KEY TERMS

The following expressions have the following meanings:

Artificial General Intelligence (AGI)

An advanced form of AI capable of performing a range of diverse tasks (as opposed to a single task) in a broad replication of human levels of intelligence.

Algorithm

A process or set of rules to be followed in calculations or other problem-solving operations, especially by a computer.

Algorithm bias

The presence of systematic and unfair discrimination in the outcomes produced by an algorithm.

Artificial Intelligence (AI)

A field of study within computer science concerned with developing computer systems that perform specific functions or tasks that would normally require human intelligence.

Artificial Intelligence expert

An individual or organisation that develops (including research, design, or provision of data for), deploys (including implements), or uses AI systems, excluding those who use AI systems in the capacity of end-user or consumer.

AI System

A system with the capacity to process data and information with intelligent behaviour (reasoning, learning, perception, prediction, planning, or control).

Automated processing

This is any tech-enabled process of both personal and non-personal information without ongoing human involvement.

Big Data

These are data sets with volumes so huge that they are beyond the ability of traditional, typical relational database management systems to capture, store, and analyse, data, either unstructured or semi-structured.

Blackbox

Refers to a system that is opaque, particularly in the context of AI models. Such models make decisions without offering any explanations about their decision-making process, making it challenging for users to inquire and understand the rationale behind these decisions.

Chatbot

An AI system which responds in real time to human-generated text prompts in a text interface and simulates human language responses and which are mostly used in customer service applications to provide automated responses to frequently asked questions.

Data Controller

Refers to a person as defined in section 2 of the Data Protection Act

Data Governance

The overall management of the availability, usability, integrity, confidentiality and security of data used in an organisation.

Data Mining

The process of uncovering patterns and other valuable information from large data sets.

Data processor

Refers to a person as defined in section 2 of the Data Protection Act.

Data subject

As defined in the Data Protection Act No. 24 of 2019, a data subject is a natural person who is the subject of personal data. The natural person can be identified directly or indirectly, by name, identification number, location data, online identifier or by one or more specific factors such as physical, physiological, genetic, mental, economic, cultural, or social identity.

Deepfake

Refers to a video of a person in which their face or body has been digitally altered so that they appear to be someone else, typically used maliciously or to spread fake information. A deepfake is, therefore a fake or manipulated piece of media, like a video or audio recording, created using artificial intelligence.

Deep Learning (DL)

A type of Machine Learning that tries to mimic the human brain's structure. It uses artificial neural networks with multiple layers (deep neural networks) to learn and make decisions.

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A type of Machine Learning that tries to mimic the human brain's structure. It uses artificial neural networks with multiple layers (deep neural networks) to learn and make decisions.

Echo chambers

An environment or ecosystem in which participants encounter beliefs that amplify or reinforce their preexisting beliefs by communication and repetition inside a closed system and insulated from rebuttal.

Generative AI

A type of artificial intelligence technology that can produce various forms of content through user prompts, including text, imagery, audio, and synthetic content

Hallucination

A feature of large language models used to describe an output which may initially appear to be believable, but is factually or grammatically incorrect or in which words are jumbled or don't make sense.

Human-in-the-Loop (HITL)

A system or process where human intervention or oversight is integrated into the workflow, often in conjunction with automated or machine-based decision-making.

Intellectual Property Rights (IPR)

These are legal rights that protect creations and/or inventions resulting from intellectual activity in the industrial, scientific, literary or artistic fields. The most common IPRs include patents, copyrights, marks and trade secrets.

Machine Learning (ML)

A branch of artificial intelligence and computer science that focuses on using data and algorithms to imitate the way that humans learn, gradually improving its accuracy.

Machine Learning Model

A file that has been trained to recognise certain types of patterns. You train a model over a set of data, providing it with an algorithm that it can use to reason over and learn from that data. A model is sometimes also referred to as a "pre-trained" model.

Natural Language Processing (NLP)

NLP focuses on the interaction between computers and human language. It enables machines to understand, interpret, and generate human language, which is crucial for applications like chatbots and language translation.

Open Data

Data published under a license with express permission to re-use, share, and modify.

Personal data

As defined in the Data Protection Act 2019, it means any information relating to an identified or identifiable natural person.

Processing

As defined in the Data Protection Act 2019, it means any operation or sets of operations which are performed on personal data or on sets of personal data whether or not by automated means, such as

(a) Collection, recording, organisation, structuring;
(b) Storage, adaptation or alteration;
(c) Retrieval, consultation or use;
(d) Disclosure by transmission, dissemination, or otherwise making available; or
(e) Alignment or combination, restriction, erasure or destruction.

Synthetic content

This is content prepared using artificial intelligence.

Introduction

Artificial Intelligence (AI) has come a long way over the years. From the first expert systems to chatbots, AI has been transforming the world and is poised to become an even more integral part of our lives. AI, with its capability to replicate human intelligence, offers promising benefits such as personalised content, automated tasks, and AI-generated media.

AI is expected to continue its growth trajectory, with increasing adoption in the media. If properly harnessed, it is poised to revolutionise the media industry with exciting benefits. However, the impact it will have across industries and society remains a major point of concern. Alongside opportunities, significant risks loom. Misuse, misinformation and disinformation, societal disruption, privacy intrusion, data breaches, and bias are pressing challenges that must be acknowledged and navigated responsibly.

Navigating this double-edged sword requires a thoughtful and responsible approach that leverages AI's potential while mitigating its dangers, ensuring the future of media is both innovative and ethical. As such, media enterprises and industry policymakers need to navigate the evolving landscape by harnessing its potential while addressing safety, security and ethical concerns. Media enterprises must identify the specific business problems that AI can solve and set realistic goals and expectations, and put in place effective strategies for its adoption.

An effective legal and regulatory framework will ensure that safe and secure AI systems are developed and used responsibly, ethically, and with the interests of society in mind. Issues such as privacy, security, bias, accountability, algorithmic amplification and echo chambers, skill shifts, and misinformation must also be integral to legal and regulatory frameworks.

This guide aims to assist media enterprises and media practitioners to understand and manage these risks as they integrate AI into their operations. The guide is crucial as it recognises the dynamic nature of AI, its risks and challenges associated with its application within the media industry. By addressing these concerns, media enterprises, media practitioners and journalists can make informed decisions that balance innovation with ethical use.

2. Purpose and Scope

This is a guide for the media industry in their use of AI in the execution of their roles and functions.
It aims to facilitate the responsible use of appropriate AI applications in media work.

The objective is to facilitate the adoption of AI technology in the media sector in a way that follows legal requirements and best international practices. This guide recognises the need for the media sector to balance and reinforce the right and need to innovate while promoting responsible and ethical journalism.

The primary objective of this guide is to ensure responsible and effective management and use of AI by media enterprises, journalists and media practitioners while:

i. Promoting compliance and regulatory alignment;

ii. Promoting quality assurance;

iii. Ensuring security and privacy;

iv. Providing for continuous improvement; and

v. Ensuring Adequate Risk Management.

The guide is divided into five (5) sections that include: Legal Framework, Application of AI in the Media Sector, Principles for Ethical Use of AI, Challenges when using AI, and Guidelines on how to approach and use AI.

3. Application

The guide applies to media enterprises, journalists and media practitioners as provided under the Media Council Act No. 46 of 2013.

4. Legal Framework

The legal framework regulating AI in the media sector in Kenya includes the Constitution of Kenya 2010, the Media Council Act No. 46 of 2013, the Data Protection Act No. 24 of 2019, the Computer Misuse and Cybercrimes Act No. 5 of 2018, the Copyright Act No 12 of 2001, the Trademarks Act Cap 506, and the Defamation Act Cap 36.

4.1 The Constitution of Kenya

The following constitutional provisions are key to the use and deployment of AI:

Article 10 provides for the national values that include human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised, good governance, integrity, transparency, and accountability. These are values media enterprises should aspire to abide by.

Article 19 embeds the Bill of Rights as an integral part of Kenya's democratic state and as the framework for social, economic, and cultural policies. The Article explains that the purpose of recognising and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realisation of the potential of all human beings.

Article 20 of the Constitution applies the Bill of Rights to all law and binds all persons. It provides that every person shall enjoy the rights and fundamental freedoms in the Bill of Rights to the greatest extent consistent with the nature of the right or fundamental freedom.

Article 21 commands the State and every State organ to observe, respect, protect, promote and fulfil the rights and fundamental freedoms in the Bill of Rights.

Article 27 provides for equality and freedom from discrimination. Use and deployment of AI should not result in discrimination directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language, or birth.

Article 28 provides for the right of human dignity. Human dignity refers to the inherent value and worth of every individual, acknowledging their rights, autonomy, and the recognition of their humanity. When integrating AI technologies into various aspects of society, it is essential to ensure that these technologies respect and uphold human dignity.

Article 31 provides for the right to privacy. The right to privacy is a fundamental human right that encompasses an individual's right to control their personal data and be free from unwarranted intrusion.

Article 33 sets out parameters for the right to freedom of expression. Freedom of expression includes the freedom to seek, receive, and impart information and ideas.

Article 34 sets out the right to freedom of the media. AI technologies can enhance the efficiency of media production, distribution, and consumption, but they also pose challenges related to misinformation, content manipulation, and potential threats to journalistic autonomy.

Article 40 provides the right of every person to acquire and own property of any description within Kenya, and that the State shall support, promote and protect the intellectual property rights of the people of Kenya.

4.2 Media Council Act No. 46 of 2013

The Media Council Act No. 46 of 2013 gives effect to the right of freedom of the media. Section 45 of the Act provides for a Code of Conduct that outlines the ethical principles of journalism in Kenya. The use of AI should not violate the Code.

4.3 Data Protection Act No 24 of 2019

Large Language Models (LLMs) are trained on vast amounts of data available publicly and sometimes input prompts supplied by the user as per their disclaimer. This data may include sensitive personal information. They could reveal personal information about specific individuals, including sensitive personal information, whether accurate or fabricated, which could compromise privacy and reputation.

Data Protection Act No. 24 of 2019 (**DPA**) sets out rules and standards for processing personal data about identifiable individuals. This is based on principles, rights, and accountability obligations. Enterprise Sections 51 and 52 of the DPA exempt journalists from certain rigours of the act imposed upon data processors and controllers, particularly when handling personal information in the public interest. Under the DPA, the ODPC is mandated to develop guidelines on data protection for journalists. Nevertheless, media enterprises, media practitioners and journalists must comply with data protection principles and rigours of being data processors or controllers as per the DPA.

AI tools used by media enterprises have the potential to aggregate data that may be more harmful in terms of the right to privacy and personal information of data subjects. Section 31 of the DPA requires situations where a processing operation is likely to present a high risk, to be subjected to Data Protection Impact Assessments that the ODPC must approve.

Further, Section 35 of DPA bars automated decision-making that happens without human input to reduce cases of biased decision-making that have a significant negative impact, the exception being in a situation where informed consent is given for the performance of a contract or when authorised by law.

4.4 Kenya Information and Communications Act

Provides the framework for regulating the communications sector in Kenya, including frequencies for broadcast media. It establishes the Communication Authority, which is the regulator of the sector.

4.5 Computer Misuse and Cybercrimes Act No. 5 of 2018

The offences outlined under the Cybercrimes Act such as Sections 22 and 23 of the Computer and Cybercrimes Act which criminalise 'publishing false, misleading, or fictitious data with the intent that the data be regarded or acted upon as authentic' and 'publishing false information in print, broadcast, data, or over a computer system, causing panic, chaos, or violence among citizens of the Republic, or likely to discredit the reputation of others' respectively. Other provisions in the Act criminalise subversion and cyber-harassment.

AI tools, without proper oversight, may inadvertently publish content that may violate the Computer Misuse and Cybercrimes Act, which imposes stiff fines and custodial sentences or both. When a journalist, media practitioner or media enterprise uses AI to create or distribute content that violates the cybercrime laws and other laws relating to incitement, they will likely face legal action. They may be found liable and may be subject to criminal sanctions.

4.6 Copyright Act Cap No 12 of 2001

The Act makes provision for copyright in literary, musical and artistic works, audio-visual works, sound recordings, and broadcasts. Use and deployment of AI by media enterprises should take into consideration authorship and ownership of generated content, works created using AI, originality, creativity, fair use, copyright infringement, public domain and open access, liability, and responsibility. Each of these aspects should be in compliance with the Copyright Act.

4.7 Trademarks Act Cap 506

The Act regulates the registration of trademarks. Media enterprises should pay attention to infringement of their trademarks, brand recognition, and reputation protection while using and executing AI.

4.8 Defamation Act Cap 36

The Defamation Act Cap 36 deals with libel, other than criminal libel, slander and other malicious falsehoods. Media enterprises should ensure that their use or deployment of AI does not amount to defamation. In the event AI-generated content is alleged to be defamatory, a media enterprise should be in a position to show that the content is truthful, it is privileged content, it is fair comment, there was consent in the publication, it is satire, it is a parody, or the complainant does not have a reputation to protect.

4.9 UNESCO Recommendations on the Ethics of AI

In November 2021, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) adopted its recommendation for the ethics of AI, which pays attention to the ethical implications of using AI in culture, education, science, information and communication. It aims to guide policymakers and stakeholders in developing and using AI ethically. Despite 193 members endorsing the principles, they are not legally binding. Despite this, they are viewed as a positive step toward a global consensus on AI ethics.

The principles outlined are transparency and explainability, non-discrimination, equity, respect for human autonomy, harm prevention, responsibility, privacy, accountability, and social benefit. A human supervisor and decision-maker are stressed in the document, meaning that the system cannot replace the ultimate responsibility of the operator or whoever gives the order and their responsibility to be accountable for their actions, which is why some decisions shouldn't be left to machines.

5. Principles for Ethical Use of AI

5.1 Do no harm

As a general principle, journalists, media practitioners, and media enterprises must respect all professional ethics as provided for in the code of conduct for the practice of journalism in Kenya.

The specifics and special sensitivities of using AI require media practitioners, journalists and media enterprises to consider the following norms and guidelines.

i. AI systems will respect people's decisions, protecting them from harm, and ensuring their well-being.

ii. AI systems will respect human dignity, unless public interest in media coverage limits this principle as prescribed by law.

iii. Significantly, an AI system should not be used in ways that cause or exacerbate harm or in any way violate or contravene the rights and fundamental freedoms of an individual under the Bill of Rights in the Constitution.

5.2 Accountability

Media enterprises will establish appropriate oversight, impact assessment, audit, and due diligence mechanisms for the utilisation of AI.

Media enterprises should deploy corrective measures in the event that AI systems deviate from their intended purpose or pose threats.

Journalists, media practitioners and media enterprises should be committed to upholding accountability while using AI systems.

Media enterprises, media practitioners and journalists will be responsible for any AI-generated content. Media enterprises should have in place appropriate oversight, audit and due diligence mechanisms to ensure accountability for the impacts of the use of AI systems

Appropriate governance structures should be established or enhanced which attribute ethical and legal responsibility and accountability for AI-based decisions to humans or legal entities.

Harms caused by AI systems should be investigated and appropriate action taken in response.

Accountability mechanisms should be communicated broadly throughout the organisation in order to build shared knowledge resources and capacities.

5.3 Transparency

Media enterprises should promptly and adequately inform users when a product, service or content is delivered directly or with the assistance of AI.

Media enterprises should have internal policies and processes governing disclosure when a product, service or content is from third parties.

Full disclosure is essential, ensuring individuals are informed whenever a decision is influenced by or made based on AI processes.

Media enterprises should ensure AI systems are designed to be understandable to users and audiences, promoting transparency in their operation.

5.4 Fairness

Media enterprises and journalists should ensure use of AI provides fair access to information by users.

They will not create filter bubbles through AI features such as personalisation of media content, in a manner that limits the information that individual users access.

Application or deployment of AI systems should uphold fundamental rights and freedoms in the Bill of Rights, limited without justification.

Media enterprises, media practitioners and journalists' use of AI systems should be appropriate in the context and proportionate to achieve the legitimate aims of journalism.

5.5 Diversity and Accessibility

Media enterprises will ensure that AI systems treat users equally and are available to diverse people.

They should ensure that training data in AI models is all-inclusive and objective.

5.6 Intrusion on Privacy

Media enterprises, Media practitioners and journalists will ensure AI systems avoid unsolicited observation of a person's activities, properties, or location or any activities of data mining without the subject's consent, except as provided for in the Code of Conduct for the Practice of Journalism in Kenya.

Media enterprises, media practitioners and journalists will ensure their AI systems do not violate anyone's privacy, and any user data is protected against any attacks and breaches.

The use of AI systems should comply with Article 31 of the Constitution, which guarantees every person's right to privacy.

Media enterprises, journalists and media practitioners should obtain consent from users before collecting or processing their data for AI applications, ensuring compliance with data protection regulations.

Confidential, sensitive, or proprietary employer, employee or third-party customer, supplier, or employee-related data is not entered into AI-Systems without the appropriate consent.

5.7 Data Protection and Governance

Media enterprises and media practitioners will ensure that data collected for AI use or generated will be collected per the law and governed effectively.

5.8 Human-in-the-Loop

Media enterprises and media practitioners will ensure that data collected for AI use or generated will be collected per the law and governed effectively.

Through a Human-in-the-Loop approach, Media enterprises will ensure:

i. AI systems will be considered as tools for supporting human experts.

ii. AI-generated content should be subjected to robust human editorial oversight and verification processes.

iii. AI-generated content meets all journalistic standards.

5.9 Safety and Security of AI Systems

Media enterprises and journalists have a duty to:

i. Ensure AI systems and products are safe and secure before using them or releasing the final product to the public;

ii. Put in place clearly defined governance criteria to prevent attack, misuse and other forms of harm by AI systems;

iii. Conceive and implement a protocol to secure the safety of humans against rogue or erratic AI alongside every use case;

iv. Ensure the AI system deployed is reliable and stable; and

v. Test the safety of their systems internally and externally to assess cybersecurity and societal risks.

5.10 Human Dignity, Autonomy, and Psychological Impact

Media enterprises and journalists will:

Ensure that AI systems and products uphold human dignity; identify how human dignity is impacted and how the psychological effects of the loss of autonomy can be mitigated when using AI systems.

6. How to Approach and Use AI

6.1 Thought Leadership

Media enterprises, journalists and media practitioners will apply thought leadership to help in understanding and navigating changes. "Test, Iterate, Repeat" – take time to test, iterate, and repeat. Identify what's working for your media enterprise and newsroom. Introduce AI into their workflow, business processes, and output based on the tests and re-tests.

6.2 Align AI use with the Organisation's Values

Media enterprises will:

i. Align media enterprises' use of AI with the overall existing strategy and values.
ii. Consider media enterprises' values and how AI can support, enhance, and help the media enterprise live up to these values.
iii. Use the media enterprises' values to decide which opportunities to pursue and which risks to mitigate against.

6.3 Intentionality

Media enterprises should:

i. Design business model around AI capability as opposed to just applying AI to existing processes.
ii. Develop a business model and strategy that is AI-centred.
iii. Have a strategy that addresses not just how AI will be used presently, but also in future in the media enterprise.

6.4 Integration

Media enterprises should:

i. Have a strategy that is not separate from operations in the media enterprise.
ii. Integrate AI across all functions of the media enterprise, with horizontal communication and AI as the enabling layer, getting rid of silos.

iii. Have a strategy that is integrated into ways your content is created, tested, marketed.

6.5 Implementation

Media enterprises should:

i. Have talent that is skilled with AI capabilities and know how best to utilise them.
ii. Create opportunity for learning and training for developing talent literacies.
iii. Work on the best process for combining the best people and the best technology.

6.6 Performance Measurement

Media enterprises should:

i. Develop novel metrics tied directly to purposeful intentionality of your business model using AI.
ii. Redefine what to measure, how to measure, and improve performance of AI systems.
iii. Conduct an internal Artificial Intelligence Needs Assessment Survey.

6.7 Research and Mapping of Opportunity

Media enterprises will:

i. Map opportunity areas and their impact across the media enterprise.
ii. Identify areas of AI impact on the media enterprise.
iii. Develop a set of opportunities and threats for the media enterprise.
iv. Select areas for immediate pilot projects, putting into consideration basic integration, timeline for experiments, scaling and cost benefit, review of projects and way forward.

6.8 Invest in People

Media enterprises should:

i. Consider having trained personnel tasked with identifying and acting on AI trends and leading in AI adoption and transformation.
ii. Invest in a team of AI experts; their role will be to develop, deploy and/or implement AI tools for content automation, fact-checking, bias mitigation, audience analysis, data security while ensuring ethical and responsible journalism, extraction of data, cleaning, relevancy, and generation.
iii. Consider the impact that AI will have on the media enterprise.

6.9 Trainings

Media enterprises should:

Prioritise training on AI applications in the media and their ethical use.

6.10 Detecting AI-Generated Content

Media practitioners, media enterprises Journalists can effectively discern AI-generated content by looking out for the following:

I. Uniform Writing Style

Identifying uniform writing patterns or repetitive phrases.

II. Lack of Context

AI content is often generic and does not focus on a specific audience. This generic approach results in content that may not deeply engage any particular group. Without audience focus, content may fail to resonate or generate meaningful interactions. Missed opportunities arise as generic content overlooks personalisation and connection with specific audiences.

III. AI Detection Tools

These are tools that help distinguish human-generated from AI- AI-generated content. Media enterprises should ensure that AI systems used for content generation or curation are designed to facilitate fact-checking processes. This may include integrating **layered verification methods** that flag potentially false or misleading information through **AI** and human **oversight**.

IV. Textured Backgrounds

AI images either have a rough or extremely smooth texture. You can identify them by blurred background objects or pixelated reflections.

V. Airbrushed Images

AI-generated images appear too smooth or blurred and have random brush strokes across the image.

VI. Distorted Human Features

Unnatural or poorly drawn human features, especially webbed hands or legs, smiles, and eye gazes.

VII. Watermarks

Most AI image-generating tools add invisible watermarks and cryptographically signed metadata that provide details about the content's creation, involvement of humans and AI, and distribution.

VIII. Overcoming Algorithm Bias

- Prior to adopting and using any Artificial Intelligence (AI) systems, media enterprises should conduct a comprehensive Algorithmic Impact Assessment (AIA) to evaluate the potential impacts, risks, and ethical implications associated with deploying such systems.
- Avoid the procurement and use of biased, inaccurate, or otherwise non-representative AI training data.
- Consider possible ways AI systems could fail for different subsets of your users.
- Acknowledge the diversity of the audience.
- Where the AI model depends on training data, the experts will curate and document the data that was used in model development.
- Apply critical thought to all outputs of authorised AI applications. They must always be verified before publication.

6.11 Procurement of AI systems

Media enterprises will scrutinise the safety and effectiveness of AI models before procuring them. A procurement checklist should ensure that the models are safe for use and free from bias. To achieve this, they should seek to find out:

i. Which data did the provider use to train the model?

ii. Did the provider check whether the training data is secure and unbiased?

iii. Are there legal risks in the ownership of the training data?

iv. Who will have access to the procured system?

v. Where will the data be stored?

vi. What guarantee is offered for compliance with legal requirements such as data protection?

vii. Who is liable for possible risks such as security threats, copyright infringement or data breach?

viii. What skills are needed to oversee the system, and what kind of support can the provider offer?

ix. Has the system been defined for specific human needs?

x. What infrastructure does the AI solution depend on?

6.12 Vendor Risk Assessment

In conducting vendor risk assessment, media enterprises and practitioners will:

i. Evaluate to identify potential obstacles and risks that might be caused by AI systems and how to solve them.

ii. Evaluate how AI might impact editorial policies and general practices in your media enterprise.

iii. Assess the risks in borrowing, buying or building AI systems.

6.13 Internal Policies

Media enterprises will develop internal AI policies and strategies before they start using AI systems. For a media enterprise to have a policy:

i. They will assign responsibilities in using/adopting AI models and explore collaboration opportunities.

ii. Journalists and their managers will be well versed with the internal policies on the use and application of AI in their work.

iii. It will constantly review the policy to achieve relevance with the ever-changing AI technologies

6.14 Confidential Data

A media enterprise should ensure that:

Personal data and sensitive personal data are not entered into an AI System in breach of the Data Protection Act.

6.15 Intellectual property rights and licensing

A media enterprise and or a journalist should be aware of any intellectual property rights owned by third parties, such as copyright, database rights, or trademark rights and should abide by any relevant licensing conditions regarding intellectual property rights in the authorised AI application's terms of use and ensure that third party proprietary data or material is not entered into the application without the third party's permission.

6.16 Ethical and responsible use

Journalists, media practitioners and media enterprises should always use authorised AI applications ethically and responsibly. A journalist should not generate content to impersonate, bully, or harass another person, or to generate explicit or offensive content.

7. Application of AI in Media Practice

7.1 Content Gathering

Content gathering entails generating or acquiring content that will be presented on multiple media platforms. Areas where AI has been used in content gathering include;

i. Generation of ideas

ii. Research;

iii. Marketing;

iv. Social listening;

v. Translation;

vi. Optical character recognition (OCR);

vii. Speech recording and transcription;

viii. Structuring of data after gathering;

ix. Fact-checking and verification; and/or

x. Content filtering.

7.2 Content Production

Use of AI in content production includes but is not limited to;

i. Production of article summaries for different platforms;

ii. Transformation of content to different formats and languages;

iii. Writing headlines;

iv. Audiovisual storytelling;

v. Producing targeted newsletters;

vi. Assessing different data sources;

vii. Video and audio editing;

viii. Fact-checking; and/or

ix. Content Management System (CMS).

7.3 Content Distribution

Content distribution is the process of publishing and promoting content through various channels and media formats. Ways in which AI has been used in content distribution include;

i. Achieving higher audience reach and better engagement;

ii. Comments moderation;

iii. Personalisation and recommendation systems – "Read More" "Related" "Recommendation for you";

iv. Optimisation of social media content sharing;

v. Chatbots;

vi. Search Engine Optimisation (SEO); and

vii. Workflow automation.

7.4 Audience Engagement & Measurement

Engagement involves the use of AI technologies to interact with an audience. Examples of use of AI in audience engagement include;

i. Virtual assistants and chatbots;

ii. Personalisation of content and recommendations;

iii. Sentiment analysis; and/or

iv. Social media interactions.

In audience measurement, AI algorithms collect, process, and analyse data related to the audience. Ways in which AI has been used in audience measurement include ;

i. Data analysis;
ii. Collection of website traffic;
iii. Tracking Click-Through Rate (CTR);
iv. Identifying and quantifying churn;
v. Audience segmentation; and
vi. Analysing audience demographic.

8. Challenges when using AI

8.1 Opaqueness/Blackbox

AI systems are prone to opaqueness, this opacity can make it difficult to examine the decision-making process that led to AI-generated content, which makes it harder to determine issues around bias and discrimination.

8.2 Bias

Bias occurs when algorithms produce systemically prejudiced results due to unconscious associations from data collection, labelling, model training and deployment during the machine learning process. Bias can also be introduced by human beings during development, deployment and use through unconscious assumptions or subjective interpretation.

AI systems have the potential to cause or amplify discrimination, especially if they're not designed and developed with fairness and ethical considerations in mind.

AI can exhibit preconceived notions, prejudices or stereotypes, primarily stemming from the data it is trained on, the algorithms it employs, and the contexts in which it operates.

Journalists and media enterprises should be aware of the likely bias that is based on quality, objectivity and the size of training data used to teach AI models.

8.3 Lack of Emotion

AI lacks emotional intelligence, thus making it possible that some of the decisions/information it generates may be perceived negatively and not acceptable by human standards.

8.4 Misuse of AI systems

AI systems that demonstrate realistic human behaviour can be designed to impersonate or emulate human characteristics and behaviours, such as handwriting, voice, and spoken or textual conversations. These technologies can be used to deceive individuals if used with ill intent.

8.5 Deepfakes

A key part of content gathering while using AI is the ability to discern factual content from deepfakes. Deepfakes can be notorious for spreading mis/disinformation, and journalists should be able to identify AI-enabled manipulation.

Detection skills and tools need to be made readily available to journalists as their first line of defence. Media enterprises and journalists should therefore exhaust multiple methods of verification, setting up a threshold to which they can measure manipulation of content using AI and focus on improving the accuracy and accessibility of the tools.

However, AI-generated deepfakes serve useful purposes in the media, such as disseminating information, facilitating accessibility, and enhancing creativity.

Fostering partnerships with AI experts and researchers can provide valuable insights into emerging trends and potential threats in the realm of AI-generated media. Regular training for journalists in recognising and verifying AI-generated content is also crucial.

8.6 Misinformation and disinformation

AI tools and systems used in media can generate content that misinforms or disinforms. AI can be used to malign information and create deep-fake content, hence computational propaganda meant for political manipulation, polarisation or creating conspiracy theories.

Media enterprise, media practitioners and journalists should be aware that AI tools can be used to customise news, which raises concerns about targeted disinformation. Research suggests disinformation often reinforces existing beliefs. Confirmation bias and motivated reasoning contribute to this phenomenon and which the media exploits these biases, making disinformation more appealing to those who already believe it. People tend to engage with and share content that aligns with their views, widening ideological gaps. This could lead to the embedding of "alternative facts" and spur anti-democratic actions.

Media practitioners should be aware that AI-driven algorithms used in content recommendation systems can amplify certain narratives disproportionately, often prioritising engagement over accuracy. This algorithmic amplification can create echo chambers, where individuals are exposed predominantly to content that aligns with their

existing beliefs, reinforcing biases and deepening ideological divisions. Such environments can contribute to the polarisation of public discourse, undermine social cohesion, and hinder democratic dialogue. Journalists, Media enterprises and Media practitioners must take steps to understand and mitigate these risks by promoting diverse and balanced content while remaining vigilant about the ethical implications of algorithmic content curation.

8.7 Hallucination

AI tools and systems used in the media can hallucinate or convincingly state inaccurate facts. Hallucination happens because AI systems are not capable of determining truthfulness or accuracy. Journalists may therefore erroneously rely on a system because the AI tool's responses may appear accurate and authoritative.

8.8 Consistency

There is no guarantee that an AI system will produce the same output for the same question asked multiple times, even if a journalist's questions are identical. This lack of consistency can limit use cases that require duplicability.

8.9 Job displacement

With AI automating tasks like news summaries and content creation, some journalists fear it could lead to job losses, particularly for entry-level positions.

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