

# CJFE

## reporter

2001 – Issue 2



CAROLINE HAYEUR

## CJFE steps up press freedom advocacy in Canada

By David Cozac

The Canadian media are not immune to violations of their freedoms, so CJFE, which often has its eyes on promoting press freedom in other countries, has set its sights on enhancing protection of that right here at home.

To this end, late last year, the organization began to develop policy positions and advocacy strategies on issues it identified as being crucial to a free and independent media in Canada.

Among these are access to information, defamation and libel, and Internet censorship.

The process continued in early March, when staff, members of the board of directors and guest experts met in an all-day workshop to discuss three issues that were held to be especially contentious: hate speech, protection of sources/search and seizure, and media concentration.

The latter two topics generated the most debate. When it comes to protection of sources

— continues on page 2

**Journalists felt the sting of teargas during April protests at the Summit of the Americas meeting in Quebec City. Agence Stock/KLIX photographer Louise Bilodeau (left) was arrested despite wearing a large yellow press pass. A police rubber bullet hit her colleague Caroline Hayeur. Several journalists said their passes did not protect them from police violence, and at least four journalists were arrested during the weekend, *Le Soleil* reported. CJFE's Marianna Tzabiras joined a committee spearheaded by the Fédération professionnelle des journalistes du Québec (FPJQ) to monitor press freedom during the summit. (Emily Pohl-Weary)**

## Indians cherish freedom of expression; journalists refuse to be intimidated

By Kokila Jacob

Members of the international media attending the International Press Institute (IPI) World Congress and 50<sup>th</sup> General Assembly in India in January were surprised that the Indian media did not raise the issue of suppression of free expression in that country.

Certainly, CJFE received alerts over alleged violations such as when the government-owned Internet service provider VSNL,

citing national security, blocked access to Pakistani sites during the recent India-Pakistan border crisis.

Indians truly believe they have an unfettered and free press, and the country's media outlets know they enjoy a level of freedom of expression that has prevailed over occasional intimidation attempts by the government, politicians and an increasingly powerful underworld.

If members of the Indian press were concerned about the issue,

it is highly unlikely they would choose an international forum to express their concerns.

They also tend to agree with Indian Prime Minister Atal Bihari Vajpayee's observation that international media coverage of India is almost always negative. Such perceptions are not conducive to building trust.

CJFE executive director Sharmine Peries, who attended the IPI congress, recalled that, in his inaugural speech, Vajpayee criticized the international me-

dia's preoccupation with poverty, corruption and India-Pakistan relations, overlooking the country's positive aspects.

She noted that Vajpayee and almost all other politicians were quick to conclude that there was really no problem with freedom of expression, given the diversity of Indian media. Since media licences are easy to obtain, the politicians basically discount any claims of state oppression or censorship.

— continues on page 6

**Independent voices** stifled in Gulf region

p 4-5

**Risking one's life** to report the news in Somalia

p 6

**Maroc et Tunisie:** grave croissance de la répression

p 7

**Mexico:** press freedom still challenged under Fox

p 8

# BOOK REVIEW

## The case for banning hate speech

By Kokila Jacob

Winnipeg author David Matas has just released a book that argues for greater limits on hate speech. A human rights activist and a refugee lawyer, Matas is the author of several other books, including *Justice Delayed: Nazi War Criminals in Canada* and *No More: The Battle Against Human Rights Violations*.

In his most recent book, Matas forces us to reconsider the issue by drawing clear distinctions between free speech and hate speech, while at the same time calling for greater support of legislation that bans the latter.

Matas refutes the concerns raised by people who see hate speech bans as infringements of freedom of expression, by citing Canadian and international examples of how it has victimized entire communities and resulted in genocide. He writes:

"We do not have to look hard to find a direct link between incitement to hatred and the worst violations of human rights ... The Holocaust did not begin with censorship. It began with hate speech. Auschwitz was built with words. The killing fields of Cambodia were sowed with slogans. The genocide of Rwanda was spread by radio. Bosnia was ethnically cleansed by television. It is a strange logic that leads human rights."

He asserts that a balance between the right to free expression and to be free from incitement to hatred must be found. He states: "Both are essential for the preservation of humanity ... For the inherent dignity of the individual to be respected, all rights must be respected ... If there is one human rights lesson that has to be learned, and only one, from the grave violations of human rights of this century, it is the need to ban hate speech."

Yet, it is a lesson that has not been learned."

The author leaves no stone unturned in his crusade. The coordinator of Amnesty International-Canada's legal network and senior honorary counsel to B'nai Brith-Canada examines judicial decisions in prosecution cases such as those against anti-Semitic teachers Jim Keegstra and

Malcolm Ross. He builds a strong argument in favour of the bans imposed in a wide range of environments, especially those where free speech is considered sacrosanct, such as universities, schools, libraries and the Internet.

Despite Matas's efforts, will his book change the deep convictions of people who believe that these bans serve only to limit free expression? That's hard to tell. However, his insightful arguments in defence of the right to live free from incitement to hatred could sway many new supporters to the cause.

*Bloody Words* offers food for thought at a time when the world is suffering from the effects of genocide and ethnic cleansing. This is an important book, no matter what your stand on the issue of hate speech.

(David Matas's *Bloody Words: Hate and Free Speech* is published by Bain & Cox, Winnipeg. Price: \$25, US\$22.)



## CJFE developing stance on Canadian issues

— continued from page 1

and efforts to seize journalists' materials, judicial proceedings can severely compromise the independence of the reporter.

As media lawyer and CJFE board member Brian McLeod Rogers pointed out, serious problems are raised when journalists are compelled to be witnesses.

When a media organization is targeted, not only is there one less person in the newsroom, but the cost of hiring legal counsel for the case can be considerable. The media outlet also runs the risk of being perceived by the public as part of the state if one of its reporters is required to turn over material to the police.

Rogers argued that investigative work would be hampered if potential sources got the idea that anything they say might end up in court. That could mean reporters avoid investigating sensitive stories – a form of self-censorship.

Since journalists publish what they find – or at least some of it – virtually every lawyer and police officer knows what journalistic evidence is available. Therefore, it is easier to draft a search warrant and seize material from journalists – who dig it up as part of their jobs – than from people who do not divulge the information they have.

A case in point occurred last year, when *Kingston Whig-Standard* investigative reporter Rob Tripp, while working on a major investigation of a woman who

mysteriously disappeared, established contact with a man who said he knew the alleged murderer. The defence lawyer for the accused subpoenaed Tripp's notes and tapes. The judge eventually ruled that Tripp had to surrender that material, although he imposed some restrictions on questioning.

Press freedom activists have grappled with the issue of media concentration for several years. In Canada, the number of independently owned newspapers has fallen dramatically, along with the

number of media owners.

But how does one prove a causal relationship between a concentration of media ownership and reduced free expression? "Framing arguments that are substantively proven is difficult," said CJFE president Arnold Amber.

The solution may not lie in arguing against a reduced number of media owners, but rather in accepting the reality of increased integration and instead working to promote diversity in the existing media. CJFE could seek to ensure that unique and varied social and political voices not be silenced as media outlets merge and fall into the hands of an ever-smaller group.

CJFE founder Nick Fillmore warned against what he perceived to be the corporatization of the media. Although some newspapers thrive on and aim for mass profits, he said, "owning a newspaper should have a sense of social responsibility to it."

### CJFE wants to hear from you

Four issues have been identified as particularly timely and important for the organization to pursue and advocate:

- access to information
- Internet censorship
- media concentration
- protection of sources/search and seizure

Members and interested individuals are invited to contact CJFE with comments or suggestions on how to tackle those issues, which concern all working journalists in Canada.

2

### CJFE reporter

2001, Issue #2 (20)

Newsletter of  
Canadian Journalists  
for Free Expression

489 College St. #403  
Toronto, Ontario M6G 1A5

tel: +1 416 515 9622  
fax: +1 416 515 7879

e-mail: [cjfe@cjfe.org](mailto:cjfe@cjfe.org)  
<http://www.cjfe.org>

#### Executive Director

Sharmini Peries

#### CJFE Program Manager

David Cozac

#### IFEX Alerts Coordinators

Michaël Elbaz, Marianna Tzabiras

#### IFEX Development /

#### Outreach Coordinator

Rebecca Nelems

#### IFEX Communique Editor

Anders Hayden

#### Communications Coordinator

Emily Pohl-Weary

#### Office Manager

Kristen Downey

#### Founding Director

Nick Fillmore

#### Board of Directors

Arnold Amber (president), Marlene

Benmergui, Kim Bolan, Bob Carty,

Phinjo Gombu, Richard Gwyn,

Bob Hepburn, Gordana Knezevic,

Paul Knox, Brian McLeod Rogers,

Sean Silcoff, Jeff Silverstein,

John Stackhouse

#### Advisory Board

Peter Desbarats, Parker Barss Donham,

John Honderich, John Macfarlane,

Joe Matyas, Ann Medina, Rick Moffat,

Linda Powless, Lloyd Robertson,

Robert Scully, Julian Sher, Keith

Spicer, Norman Webster



#### Editorial Board

David Cozac, Kokila Jacob,

Eric Mills, Emily Pohl-Weary,

Marianna Tzabiras

#### Contributors

Genieve Abdo, Mohamoud M. Afrah,

Doug Caplan, David Cozac, Michaël

Elbaz, Adrian Fish, Sacha Guney,

Christopher Harbord, Anders Hayden,

Kokila Jacob, George Loka, Jane

McElhone, Eric Mills, Emily Pohl-

Weary, Chantal Sundaram

#### Design / Production

Eric Mills

Map by Atlapedia Online

#### Canadian Journalists for Free Expression

(formerly the Canadian Committee to Protect Journalists) is an independent, non-profit association of journalists, writers, producers, editors and publishers promoting freedom of expression.

CJFE membership costs \$25. For a tax-creditable donation of \$50 or more, the membership fee is waived.

CJFE administers a Clearing House for the International Freedom of Expression Exchange (IFEX), which operates an Action Alert Network and globally disseminates information to organizations and individuals.

# Indonesian activists use Internet to disseminate critical information

By Jane McElhone

When journalist and human rights activist Tedjabayu was released from prison after 14 years, he was astonished to find his mother waiting.

"She did not embrace me as you would expect a mother to do when she meets her lost son," remarks Bayu. "She shook my hand. Then she said, 'C'est la vie.'"

Bayu is not shocked at his mother's words. She, too, had been a political prisoner; in her case, for 11 years. He says, "My relationship with her is more like that of a comrade than a mother and son."

He was thrown in jail in October 1965. His arrest came in the wake of a military coup d'état done under the pretext of stemming alleged 'Communist penetration.' Bayu's crime was membership in a leftist student group.

Bayu was moved from prison to prison, ending up on Buru Island, which he calls the "infamous punishment island for leftist activists." At first he did hard labour, then was given the task of mapping the island because of his background in geography.

When Bayu was released in 1979, he began working for the Indonesian Legal Aid Foundation, in the country's first human rights

library, and then as the organization's information secretary. Because of his job, he began to understand the importance of the Internet in the struggle for democracy and human rights.

In 1996, he joined the Institute for the Studies on Free Flow of Information (ISAI).

"ISAI attracted me because it used the Internet to promote subversive, alternative media in the struggle for free expression and press freedom," he says. Bayu is now the head of ISAI's training department.

Throughout the last years of Indonesian dictator General Suharto's repressive regime, Bayu worked with his colleagues to produce and circulate uncensored journalism over the Internet.

"White-collar workers would print it off for us and smuggle it out of their offices. Then the little kids who were selling newspapers on street corners would sell it.

"One day, a very funny thing happened. Army officers confiscated the Internet printouts, and to the surprise of the children, gave them to their buddies. How surprising that the fascist soldiers also needed alternative information!"

According to Bayu, newspapers and radio stations suffered the greatest censorship, so they



NITA MANDOLANG

(From left) Solahudin and Aangtip Daorueng of the Southeast Asia Press Alliance lunch at the ISAI office with Tedjabayu and Jane McElhone.

too turned to alternative means of expressing their views.

"There was no chance to get together to discuss democracy or anti-militarism or human rights," he notes. "Then we realized the government wasn't watching the arts as closely as the media, so we started doing theatre and exhibiting artwork in our little gallery. It was our way of being subversive."

ISAI's small community, which consists of a theatre, a bookstore, a café and the organization's offices, still exists. There is also Radio 68H, an independent radio station and news agency.

According to Bayu, when Suharto's long reign came to an end more than two years ago, a euphoric period of press freedom began. "Yet press freedom is not anarchy," he stresses. "It is skillful, independent journalism with ethics, and we still have to struggle for that."

He also warns of the recent

phenomenon of vigilante groups or militias that are threatening free expression. He points to the *Java Post*, a small regional newspaper in Surabaya, which was attacked by militia allegedly linked to the current government.

"In the current era of so-called free expression in Indonesia, it has become common for journalists and other people to receive threats from these kinds of militia. This is unfortunate because I think our current president, Abdurrahman Wahid, is at heart a strong believer in free expression and press freedom. We support him for that, but are disheartened to witness these kinds of incidents."

However, Bayu remains an optimist. "We have chosen the right road. But we must continue to struggle. You know the expression: it's a long road to Tipperary."

Jane McElhone is a Montreal-based journalist who has worked as a trainer for CJFE in Indonesia.

## CJFE's radio training in Indonesia wraps up

In January 2001, the last component of CJFE's training program for Indonesian radio journalists came to an end. The successful courses in program development and training-the-trainers marked the end of a particularly fruitful overseas media training endeavour.

CJFE first began working with the Jakarta-based Institute for the Studies on Free Flow of Infor-

mation (ISAI) in 1998. Since then, several Canadian trainers were hired to work directly with dozens of journalists in various regions of the 3,000-island archipelago-state.

The program is expected to have an indirect impact that extends to hundreds of other radio journalists, who will benefit from the knowledge that their colleagues gained.

## CJFE Press Freedom Awards

Preparations for the fourth annual CJFE Press Freedom Awards have begun. Governor-General Adrienne Clarkson will be the keynote speaker at the event, which will take place at the Westin Harbour Castle on November 8.

Presentation of two interna-

tional awards and the Tara Singh Hayer Memorial Award for Canadian Press Freedom will be featured at the gala banquet.

CJFE is now soliciting nominations for the awards. For information, please contact the office or visit [www.cjfe.org](http://www.cjfe.org).



This drawing by Ottawa-based editorial cartoonist Frederick Sebastian was the winning entry in the National Press Club of Canada's first-ever international press freedom cartoon competition. Sebastian was awarded \$1,000 and a plaque at the National Press Club's annual World Press Freedom Day Luncheon on 3 May, in Ottawa.

# ARABIAN GULF:

## Suppression of independent voices a routine practice

### Correspondent recounts forced departure from Iran

By Geneive Abdo

It was an interview with a journalist imprisoned for speaking his mind that precipitated my departure. Akbar Ganji sees himself as Iran's leading practitioner of free expression, and is accordingly forthright. But when my interview with him was published recently, his allies in and around the government of President Mohammad Khatami apparently decided that Western-style press freedom was a step too far.

In the interview Ganji warned of a possible social explosion in Iran in reaction to the theological "fascism" being exercised there, a reference to the conservative clerical establishment's tenets.

Ganji was confirmed as a reformist hero when a hard-line court sentenced him in January 2001 to 10 years for dissent. After the interview he could not be

discredited, so I had to be.

First, his friends and family accused me of deliberately distorting his views, though they had approved for publication the translation of the statements he had written in response to questions smuggled to him in Evin prison in Tehran. They also threatened legal action under the harsh press laws already used to such effect against pro-reform journalists such as Ganji and his three cellmates.

#### Interview illegal

Next, I was told by the director-general for foreign press in the ministry of culture and Islamic guidance in Tehran – the most influential institution still run by the reformers – that it was illegal to interview a political prisoner. If this is a crime in Iranian law, no one has been able to identify it to me on the statute books.

My husband, Jonathan Lyons, the Reuters bureau chief in Tehran, had taken part in the interview process with me. His agency was informed by letter that the matter was under investigation and that Reuters should prepare itself for the consequences.

Doubtful that we could rely on any official protection against being prosecuted by the authorities as criminals, we took the official warnings seriously. Telling almost no one and fearful of arrest at the airport's three guard posts, we slipped out of Tehran in early February.

#### Harshly condemned

The morning after we arrived in London I realized just how close our close call was. I was harshly condemned in the official *Iran Daily*, the newspaper of the state news agency Irna. The paper is run by allies of President Khatami.

"Expulsion in this case is not an option," it stated. "The lady has breached Iranian law in publishing fabrications and distor-

tions. She is not a diplomat and does not enjoy immunity from prosecution."

The strongly implied threat of jail for an accredited foreign correspondent sounded more like the rhetoric of the conservative press than that of an organ of a reformist government whose movement purports to be built on a platform of free expression and overseen by a philosopher-president.

More than any single event during my years in Iran, this experience brought home to me the autocratic tendencies of the reform movement that claims a democratic mantle.

"I am so sorry this has happened to you," said an Iranian intermediary in the affair. "This shows that, once in power, the reformers would behave just like the conservatives."

Too often the reformers have proved to be more interested in preserving the revolutionary political system and their own limited power than in implementing their stated goals of religious and political diversity, of social justice and freedom of expression. Dissenting voices threatened their status quo.

Khatami's landslide election nearly four years ago gave many Iranians promise and hope. To them he had swiftly become the smiling mullah who would shape an Islamic democracy.

Expectations raised by Western governments and Iranians knew few limits. He would oversee the rule of law and social justice. He would end repression against political dissenters. He would back the budding free press. In turn, the argument went, his policies would make it easier for Western nations to engage in a full detente with Iran, ending 20 years of hostility.

But, proving ineffectual at governing, he has ended up preserving more elements of the system than many a conservative might have been able to do. Sev-



eral crusaders for reform who were once his staunch supporters are now in prison under harsh sentences. At least 30 progressive newspapers and journals have been shut. Student demonstrators for democracy are serving long prison sentences.

#### 'No more scoops'

My *Guardian* reports on these developments – and several interviews I did with prominent conservatives – set in motion a campaign against me by the reformers. In January, I had a phone call from a senior Iranian official who monitors the foreign press, angry at one of my stories. "We told you, no more scoops," he said. Within a month I was gone.

Geneive Abdo was the Iran correspondent for *The Guardian* newspaper from 1998 until February 2001. Article reprinted with permission from *The Guardian*.

In May, a Tehran appeals court reduced Akbar Ganji's sentence from 10 years to six months. The court also overturned the further five years of internal exile that Ganji had been ordered to serve in addition to his prison sentence. It is expected that Ganji, a CJFE Press Freedom Award winner in 2000, will be freed soon.



Mohammed Khatami greets supporters after voting in 1997 presidential elections.

# Press freedom in Iraq: empire of lies and violence

By George Loka

In order to assess the state of free expression in Iraq, one must first acknowledge that it will be a brief undertaking. While glimmers of freedom appeared in prior years, a free press is virtually non-existent today.

My assessment is based on personal experience. I first began

working as a journalist in Iraq in the early 1950s. Over the course of the next 20 or so years, many former colleagues were arrested, imprisoned and tortured for reporting on events through newspapers or other media and political channels. I also found myself the target of persecution, and was arrested and tortured on several occasions for my work.

In 1968, when the ruling

Baath Party took power through a military coup, limited free expression existed. However, when Saddam Hussein came to power in 1979, an increasing number of independent voices were silenced through various, often deadly, means. Such leading writers and journalists as Muhammed Mahdi Al-Jawahiri and Abid Al-Wahab Al-Bayati were forced to flee or risk being killed by Hussein's security operatives.

## Hagiography

What exists in contemporary Iraq is an empire of lies and violence. Nowhere is this more evident than in the manufactured hagiography cultivated around an idealized figure of Hussein. He is presented to Iraqis as the leader of all Arabs, a descendent of the prophet Mohammed. He has been built up as a leader in all fields: the first doctor, the first artist, the brilliant and brave ruler who has defeated all imperialists, including the United States of America.

Anyone – journalist or otherwise – who fails to portray Hussein in this light puts his life on the line. Absolutely no criticism of the regime is tolerated. And the price paid by anyone who speaks can be vicious. In a particularly grisly incident last February, two Iraqis in the city of Hilla, about 100km from Baghdad, reportedly had their tongues cut out pub-



FALEH KHEIBER / REUTERS

Iraqi president Saddam Hussein fires into the air at a military parade in Baghdad, December 2000.

licly after they criticised the regime's decision to donate 100 million euros (CDN\$ 141 million) to poor Americans.

On the flip side, journalists who lavish Hussein with sufficient praise are rewarded well. Money, land, housing, cars and other luxuries are doled out to those who are particularly effusive.

## Family media control

Iraq has no independent media outlets to speak of. All journalists are forced to join the ruling Baath Party, if they aren't already members. Everything is controlled by the regime.

More specifically, it is controlled by one individual: Hussein's notorious eldest son, Uday. His media empire includes Iraqi Youth Television and Radio, the Babel Press and Information Company, the Babel daily newspaper and scores of Baghdad newspapers and magazines, which he either fully or partially owns.

Uday is also the chair of the Iraqi Union of Journalists, which is essentially an organizational instrument to control journalists further. The union recently named Uday "journalist of the century," in part for "his defence of honest and committed speech."

The government also controls online information, since it is the sole Internet service provider. Private Internet access is prohibited, modems are banned and fax machines remain essentially out of reach to most Iraqis, including journalists – unless they have influential contacts in the regime.

## Travel curtailed

Iraqi journalists who want to travel outside Iraq require special permission from Uday, which is almost never granted. It seems the only way to leave Iraq is to flee, and as long as Hussein stays in power, that journey will be one-way only.

*Iraqi journalist George Loka, who holds a Ph.D in Political Science, has lived in Canada since 1999.*



© AT LAPEDIA ONLINE

## Media tightly controlled in Gulf States

While press freedom in Iran and Iraq is constantly under threat, media in the countries of the Gulf region have fared no better. In Saudi Arabia, Bahrain, Kuwait, Oman, Qatar and the United Arab Emirates, conservative, monarchical regimes keep a tight reign on the press.

Although privately run media operations in those countries often benefit from large investments of money and modern technology, their freedom to report on news is severely limited. The threat of offending the government and being the target of censorship has caused most newspapers to refrain from engaging in critical journalism.

In the largest Gulf country, **Saudi Arabia**, dissent is not tolerated, including in the media. The Ministry of Informa-

tion approves the hiring of editors and can fire them at will. Government authorities monitor foreign publications entering the country. While there are Internet cafes, the government filters all Web content through a proxy server that can remove information deemed socially or politically undesirable.

Neighbouring **Kuwait** has a certain degree of press freedom, as newspapers often aggressively cover local political affairs and the government. Nevertheless, the media are prevented from reporting on matters concerning the emir and high-ranking members of the royal family. The country has also witnessed the criminal prosecution and imprisonment of several journalists, as well as the shooting death in March of Hidayat Sultan al-Salem, owner and editor of the

magazine *Al-Majales*.

In the **United Arab Emirates**, authorities continue to muzzle the media. The UAE government also uses filtering technology to prevent politically sensitive Internet content from entering the country. News of local affairs also remains closely monitored.

One positive development in the region is the growing presence of satellite technologies, which have allowed citizens access to alternative news and information. In **Qatar**, the popular satellite channel *Al-Jazeera*, created in 1996, has become a beacon of independent reporting in the Gulf. Viewers are attracted to the station's intrepid, uncensored reporting, which has allowed *Al-Jazeera*, in its short life span, to become the premier news channel in the Arab world.

— David Cozac

# Somalian journalists risk lives to report news

By Mohamoud M. Afrah

It was early June 1995, and I was standing with a group of foreign journalists at a wind-swept airstrip north of Mogadishu, Somalia, waiting for a United Nations-chartered Tupolov aircraft to take us to Nairobi.

The twin-engine airplane was beginning to appear in the horizon when an 85mm mortar shell exploded in the middle of the

dirt runway, about 100 metres from where we were standing. Either the pilot would refuse to land and instead return to Nairobi, we all thought, or another mortar shell would land – on us, this time – because everyone knew that these things came in twos.

However, as we kept looking up at the sky, afraid that the next round would bring what we called a “farewell” mortar, the plane succeeded in landing over a huge

bomb crater. We rushed aboard, to be greeted by the Russian pilot – an Aghan war veteran – and his crew.

The plane took off in the middle of heavy artillery exchanges between forces loyal to the two opposing Mogadishu warlords at that time, Ali Mahdi Mohamed and Mohamed Farah Aideded. We looked around at each other, shook our heads and laughed out loud. For a moment, I thought I had gone insane because of everything I witnessed during six long years of civil war and famine in Somalia. But then I realized I was finally airborne, leaving behind a country I called home in happier days.

Journalists in Somalia have risked their lives to get the story out. During the height of the civil war, which began in 1991 after political rivals ousted President Mohammed Siad Barre, reporters often worried about how or when they would be killed or kidnapped. During my years working as a reporter in the country, I received more than 20 different death threats from warlords and clan elders, and once I was kidnapped and held for several days.

Today, the country’s media



Mohamoud M. Afrah

consist largely of small newsletters and faction-run television and radio stations. Independent-minded journalists are few and under constant threat of arrest, detention or worse.

In a country that has had no judiciary or functioning court system since 1991, the warring factions have created Islamic Shari’a courts, which loom heavily over any journalists who dare to report on events that may offend faction leaders. It is well known that these leaders are highly sensitive to any form of media criticism.

Last year, the Council of Clerics in northern Mogadishu announced that journalists in their geographic sphere of influence who published or broadcast “unholy propaganda and falsehoods” would be persecuted, or have their hands cut off in public.

The edict was repeated in January 2001. A day later, the daily *Qaran* (The Nation) was banned by a Shari’a court for publishing an editorial that suggested fasting during Ramadhan be temporarily set aside due to the prevailing famine. The editorial stated that most people had nothing to look forward to when they broke their fast at sundown.

Before local, heavily armed militias could arrest them, the daily’s editorial staff crossed Mogadishu’s Green Line, which divides the various factions in the capital city, to get to safety, where they remain.

In August 2000, during the Intergovernmental Authority-backed national reconciliation conference, a peace plan put forward by Djibouti’s president, Ismael Omar Guelleh, was discussed. Following the conference, a new transitional government headed by Abdiqasim Salad Hassan was put in power in Somalia. Preparations for that government resulted in the drafting of a constitution that included provisions for press freedom.

Although the United Nations supports the transitional government, the warlords, who remain the real powerbrokers in Somalia, oppose it. And as long as they run the show, any hope for immediate political stability will be dashed.

Mohamoud M. Afrah was a Reuters and BBC correspondent in Somalia for more than 20 years. He has lived in Canada since 1995.



A statue commemorating Somalia’s uprising against the British administration after World War Two overlooks Mogadishu’s shore.

MICROSOFT ENCARTA

## India turns to Internet for free media

— continued from page 1

“This alone is a curious stand for me, considering the Canadian filmmaker Deepa Mehta faced a lot of trouble filming in India,” said Peries. “And then there is the case of the state stopping, without apology, Indians from accessing Pakistani sites on the Internet during the India-Pakistan crisis.”

In his opening remarks at the IFEX South Asia Regional Round Table, which followed the IPI congress, UN Special Rapporteur on Free Expression Abid Hussein noted that freedom of expression violations manifest themselves under the guise of “national security” issues.

Indians are aware that the right to free expression can easily be revoked, as in 1977 during a state of emergency declared by the Indian government of then Prime Minister Indira Gandhi. However, her actions resulted in such severe public backlash that she and her political party suffered an ignominious defeat in the next election.

While the strength of India’s democratic traditions have helped preserve its people’s freedom of expression until now, Indian media outlets recognize they have to remain vigilant at all times.

There are no indications that

Indian media organizations feel their rights are seriously threatened at the moment. Journalists continue to write fearlessly. For example, the VSNL incident was criticized by the Indian press as a typical knee-jerk reaction by a bungling government.

Recently a New Delhi newspaper, *Tehelka*, brazenly lured senior defence ministry officials into taking bribes, and then published their pictures on the Internet, with reports detailing the ease with which the officials fell for the ruse. The newspaper’s investigative reports rocked the fragile coalition government so in-

tensely that it led to the defence minister’s resignation.

Private Internet providers in India have to use the government-owned VSNL as a carrier, which means that their content can be controlled. But the sector is expected to be privatized. The boom in Internet services offers Indians a source of information that will be difficult for the government to stop effectively.

Many believe that the *Tehelka* incident portends the shape of things to come, as the Internet will be the ultimate preserver of free choice and free expression in India.



(From left) IPI director Johann Fritz, the Dalai Lama of Tibet, IPI board member Philip Mathew and Shobana Bhartia of India.

SHARMINI PERIES / C/JIFE

# Médias marocains et tunisiens : toujours traqués

Par Chantal Sundaram

En 2000 et début 2001 ont été marqués par une montée des violations à la liberté de la presse au Maroc et en Tunisie.

Ces développements sont particulièrement décevants au Maroc, où l'avènement de Mohammed VI en 1999 avait suscité l'espoir d'un climat plus libéral.

Mais en décembre dernier, le gouvernement marocain a interdit la parution de trois hebdomadaires, *Demain*, *Le Journal* et *Assahifa*, accusés d'avoir "porté atteinte à la stabilité de l'Etat", suite à la mise en cause de l'actuel premier ministre, Abderrahmane Youssoufi, dans la tentative de coup d'Etat contre le roi Hassan II en 1972.

Par ailleurs, la diffusion d'au

moins huit journaux, dont trois français, a été interdite au Maroc en 2000. Trois journalistes ont été assignés à résidence et l'accréditation du chef du bureau de l'Agence France-Presse à Rabat a été retirée.

A la mi-janvier 2001, trois nouveaux journaux ont été lancés au Maroc, remplaçant ceux qui ont été interdits. Cependant, le 1er mars, les responsables du nouveau *Journal Hebdomadaire* ont été déclarés coupables de diffamation envers le ministre des Affaires étrangères, Muhammed Ben Aissa. Ils ont été condamnés à des peines de prison de deux et trois mois respectivement, et à payer des amendes de 200 000 \$US. Les plaintes sont basées sur des articles publiés l'an dernier dans *Le Journal*, allégeant la corruption du ministre.

En Tunisie, la récente croissance de répressions touche non seulement les médias et les journalistes mais aussi des avocats, des défenseurs des droits de la personne et des opposants politiques. Les journaux tunisiens offrent une information essentiellement consacrée aux activités et discours du Président, et aucune critique du régime n'est tolérée.

Récemment, les répressions les plus importantes en Tunisie ont été dirigées contre le journaliste Jalel Zoghlami. Ce dernier avait lancé un nouveau journal mensuel fin janvier 2001, *Kaws el*



Le Roi Mohammed VI salue la foule lors d'une visite à Fez en 1999.

*Karama* (L'Arc de la Dignité), dont la "une" du premier numéro était titré: "Ben Ali, treize ans, basta!".

Le 26 janvier, plusieurs dizaines de policiers en civil se sont postés devant le domicile de Taoufik Ben Brik, frère de Zoghlami et lui-même journaliste, à l'occasion d'une conférence de presse pour le lancement du journal *Kaws el Karama*, qui n'a pas reçu l'autorisation de paraître. Les policiers ont empêché toute personne d'entrer dans son domicile et ont poursuivi certains participants qui sortaient.

Le 3 février, Zoghlami a été agressé en pleine rue à Tunis par des hommes armés de barres de fer et de poignards. Trois jours plus tard, il a été agressé de nouveau, ainsi que sept de ses proches, cette fois-ci par des poli-

ciers en civil. Le 21 février, quatre représentants de Reporters sans frontières (RSF) ont été brutalisés par une vingtaine de policiers en civil à Tunis, au cours d'une mission dont l'objectif était de distribuer des exemplaires de *Kaws el Karama*. Le secrétaire général de RSF, Robert Ménard, ainsi qu'un autre membre qui filmait les événements, ont été interpellés et expulsés vers la France.

Un groupe de députés européens, dont Les Verts Hélène Flautre et Daniel Cohn-Bendit, et le socialiste Harlem Désir, ont dénoncé "cette escalade meurtrière". Ces derniers ont demandé "la réunion d'urgence du Conseil d'association UE-Tunisie pour faire respecter les droits de la personne".

Chantal Sundaram travaille à CJFE.

## Press freedom in Eastern Europe: reluctant progress

By Christopher Harbord

Russian President Vladimir Putin departed from his normally secretive attitude toward the press by participating in a live Internet conference in March. Internet users around the world were free to question Putin on any issue, without censorship or other repercussions.

While that event represented a small attempt by Russia to improve its press freedom record, both it and other countries in the region still lack the political will to make the necessary wide-reaching changes.

The Russian press conference was a breakthrough in terms of public access to the president, but does not begin to reverse the country's poor press freedom record or to address problematic media laws. For example, the government recently seized total control of ORT, the television station with the largest national audience, which had previously been

only partially government owned. They also announced plans to take over the country's only entirely independent national television and radio station, Media Most.

In response to those manoeuvres, a coalition of press freedom organizations, called the Russian Press Freedom Support Group, is currently lobbying the government to cease interfering in the business of Russia's independent broadcasters.

Elsewhere in Eastern Europe, legislation on information security introduced in **Belarus** earlier this year places severe limitations on press freedom. Specifically, the wide-reaching law gives the president and the government's Security Council direct authority to suppress information that they deem not to be "publicly relevant."

The law has appeared in two drafts, the second of which, according to London-based free expression organization ARTICLE 19, contains some improvements.

However, ARTICLE 19 believes it still has the potential to "[wipe] out any remaining independent media" in the country.

**Azerbaijan**, despite its newly approved membership in the Council of Europe – which claims to be committed to freedom of expression – has made no move toward greater media freedom. In an assessment of the free expression situation there, ARTICLE 19 reported that many key institutions working to protect press freedom have come under the control of the president and his close associates, while the legal framework still allows for abuse of basic rights, such as freedom of expression.

**Armenia**, which has also recently been accepted into the Council of Europe, has taken a positive first step in addressing free expression in its legal system by instituting new legislation that regulates television and radio broadcasting. The law allows media to select and broad-

cast programs independently, and provides for the establishment of an independent regulatory organization. Nevertheless, the law still gives the president power to appoint members of an independent council to public service broadcasting's regulatory body.

Positive developments for freedom of expression have also taken place in **Georgia**. The government drafted new freedom of speech legislation that adopts internationally accepted guidelines encouraging increased media freedom.

For example, the law includes tough "burden of proof" standards for public officials in all libel cases, and allows for increased scrutiny of public officials by the press. The new law is seen as an important step on the road to press freedom, which has the potential to influence other countries in the region.

Christopher Harbord is a student at the University of King's College in Halifax.



**IDEALISM REPRESSED:** Hours after a mural painted by a rural community in the southern state of Chiapas was officially unveiled, the Mexican army painted it over. But the mural came back (see below; above, detail from Toronto recreation).

## Tight grip on Mexican press remains despite hopeful expectations

By David Cozac

When Vicente Fox won Mexico's presidential election last July in spectacular fashion, he brought an end to more than seven consecutive decades of rule by the Institutional Revolutionary Party (PRI). Fox's landslide victory also created huge expectations that he would lead the country out of economic instability and foster political transparency.

Journalists set their eyes on the incoming National Action Party (PAN) administration to see whether Mexico's mediocre press freedom record might improve.

In February, observers got a taste of what to expect from Fox, when he met with a delegation from the Miami-based Inter American Press Association (IAPA) in Mexico City. He emphasized that "the state must not meddle" in matters that concern the practice of journalism.

"I am fully convinced of the need for there to be total transparency and broad press freedom without any kind of regulation or intervention on the part of the state," Fox said.

However, recent events would suggest otherwise. According to Gerardo de Alba of the newsmag-

azine *Proceso*, in late February the president convened a meeting of several broadcast and print media directors at his official residence in Los Pinos, specifically to request that extensive coverage not be given to the caravan of the rebel Zapatista National Liberation Army (EZLN) as it arrived in Mexico City from the southern state of Chiapas. Fox was concerned that he was losing the media war with Zapatista leader Subcomandante Marcos.

De Alba said that, judging by the stories broadcast on major radio and television stations such as TV Azteca and Televisa, which gave scant coverage of the EZLN's presence in the Mexican capital, the backroom arm-twisting worked.

A bad omen, but one in line with the history of state respect for press freedom in Mexico. Decades of corruption in Mexican politics have challenged the media's independence. While it was in power, the PRI used its omnipotence in social, economic and

political affairs to subordinate many media outlets to its power. Favourable coverage was ensured through concessions, credits, preferences and exemptions, as well as through state advertising and subsidies distributed to individual outlets.

Virgilio Caballero of the Mexican Committee in Defence of the Right to Information said that government advertising revenues and funding are still important for many newspapers and broadcasters. "Nowhere in the world is there a more beautifully crafted convergence of interests between the media and the government than in Mexico," he commented.



President Vicente Fox

Fox's election last July did not bring about a total reduction in media censorship. The iron grip established by the PRI on certain media outlets remains strong. For example, journalists from publications like *La Jornada* have experienced stifling work conditions. Indeed, many feel that it will take more than a PAN administration for the PRI's

established control over much of Mexico's media to dissipate.

Mexican journalists have pressed the Fox administration for action in the area of access to information. Speaking at a January conference of journalism educators in Mexico City, *Reforma* owner Alejandro Junco de la Vega said the goal of contemporary Mexican journalism is to compel the country's new democracy to make information available the way it is in richer nations.

"Every day our reporters go out onto the streets to pry basic public information loose without the benefit of access laws," he said. "And every day, they run into barriers and tangle with people who are only too aware that knowledge is power."

Press freedom advocates have also urged the PAN government to step up investigations into violence against the media and to punish those found responsible for the attacks. Judicial and physical attacks against Mexican journalists are still reported regularly. IAPA reports that 34 have been murdered since 1988, including two since Fox took office in December 2000. In almost every case, the perpetrators have been neither identified nor convicted and punished.

## Censored mural reborn around the world

8



DOUG CAPLAN AND ADRIAN FISH

In April 1998, Mayan communities in Chiapas created a new municipality independent of the central government. Doing so asserted indigenous rights recognized in the 1995 San Andrés Accords between the Zapatista National Liberation Army and the administration of then-president Ernesto Zedillo.

To inaugurate the autonomous Ricardo Flores Magón municipality (named after a 19th-century anti-dictatorship leader), a mural painted mainly by peasants was unveiled at a party in the village of Taniperla.

The "Life and Dreams of the Perla Valley" included images of a radio tower broadcast-

ing the Accords' promise of a law "that allows indigenous peoples to acquire, operate and administer their own means of communications," according to the Canadian educational guide, *Greeting to Taniperla*.

One day after the ceremony, the Mexican army occupied Taniperla and painted over the mural. Mural painters and community leaders were imprisoned for up to 18 months, after which time charges were dropped.

But the mural wasn't forgotten. In Argentina, then in Spain, France, Italy, Ireland, California and elsewhere in Mexico, artists have recreated it as a signal of support for

the Chiapan community's artistic expression.

In Toronto last spring, assisted by two Mexicans who worked on the original mural, the Red Tree artists' collective painted "Greeting to Taniperla" (pictured above) on a wall provided by the Scarborough Foreign Missions. The work also incorporates reflections on justice issues by six Canadian artists and two school groups.

(The "Greeting to Taniperla" educational guide and colour poster are available for \$5 from: Red Tree, 872 Palmerston Ave., Toronto M6G 2S2. For bulk orders, email [lynn\\_hutchinson@tvo.org](mailto:lynn_hutchinson@tvo.org).)

— Eric Mills