

CJFE

reporter

2002 – Issue 2



MEDIA INSTITUTE OF SOUTHERN AFRICA

AFRICAN CONTRASTS: Namibian members of the Media Institute of Southern Africa marched for press freedom in Zimbabwe earlier this year. President Robert Mugabe's re-election made prospects for free media grim, but in Sierra Leone, CJFE's newspaper training project is deemed a success. See pages 4-5.

Mushrooming anti-terror laws imperil free expression

By Geoffrey Chan

Covering the U.S.-led war on terrorism has proven dangerous for journalists. Eight were killed in the span of 17 days last fall covering the war in Afghanistan. In February, the murder of American journalist Daniel Pearl by Pakistani fundamentalists grabbed international headlines.

While coverage of attacks against the press since September 11 has mostly focused on such conspicuous incidents, little attention has been paid to what press freedom groups say is a far more insidious threat to free expression and other civil liberties: anti-terrorism laws.

A growing number of governments, bolstered by the United States' "war on terror" campaign, have enacted legislation aimed ostensibly at clamping down on terrorist organizations. The problem,

— continues on page 6

Perilous journey: claustrophobia covering Afghanistan

By Mitch Potter

This story belongs to my colleague, Kathleen Kenna.

As is widely known, Kenna, The Toronto Star's South Asia correspondent, lived every journalist's worst nightmare in March while travelling deep within Paktia province of embattled Afghanistan, close, but not too close, to the firefight outside Gardez.

An unknown assailant hurled an explosive device through an open window of a car in which she rode, causing severe injury to her right leg. Kenna's husband, Hadi Dadashian, Toronto Star photographer Bernard Weil and a young Afghan driver escaped injury.

Within hours, Kenna and Dadashian fell under the protection of U.S. Special Forces, who

broke their rules of conduct by airlifting the two to the comparative safety of the U.S.-led Coalition field hospital at Bagram. In the following days, they were evacuated to military hospitals in Uzbekistan, Turkey and Germany, where Kenna was stabilized after several operations.

As my tour of duty – the better part of a month with photographer Weil in and around Kandahar – was ending, Kathleen's was beginning.

The foreign media in Afghanistan suffer from the claustrophobia of covering the conflict beneath the umbrella of Coalition forces versus the sobering dangers of the alternative.

At Kandahar Airbase, for ex-
— continues on page 3



BERNARD WEIL / TORONTO STAR

Toronto Star reporter Mitch Potter leaves his tent at Kandahar air base in Afghanistan in February. U.S.-led forces expelled him for allegedly breaking media rules.

Afghan media
try to re-build
from ruins

p 3

Liberté d'expression
en Tchad: changer
les mentalités

p 4

Egypt muzzles
human rights
activists

p 6

Nepal: free
expression under
war threat

p 7

B.C. backtracks on excluding journalist as it tightens access to information

By Kim Bolan

When Moe Sihota was a cabinet minister in the government of British Columbia, no love was lost between him and the province's press corps. The colourful New Democrat was frequently at odds



B.C. kept ex-NDP cabinet minister Moe Sihota out of budget lock-ups.

with journalists over their handling of his often controversial career.

But many of those same journalists were among the 150 or so who signed a petition earlier this year on behalf of Sihota, now a commentator and host with VI television – the new CHUM station in Victoria.

In February, B.C.'s new Liberal government arbitrarily decided to deny Sihota access to government media briefings and lock-ups because it did not consider him "a real journalist."

Finance Minister Gary Collins, married to Canadian Press reporter Wendy Cox, said as far as he was concerned Sihota was not a legitimate journalist.

"For 15 years, Moe Sihota has shown an incredible propensity to use his public position for self promotion," Collins said. "He is not a professional journalist but wants to have all the credentials and privileges of a journalist."

The reality is that Sihota is working as a professional journalist. He did not run for re-election last May and took up his post at the new station in the fall. He has also let his NDP membership lapse. As Sihota put it when denied his credentials: "I have been a journalist longer than most of those MLAs have been MLAs."

B.C. tradition

Collins must have been surprised by the controversy generated by his move. Scott Sutherland, president of the B.C. Legislative Press Gallery, wrote Collins expressing "dismay at the barring of an accredited media representative by your government

from a major government announcement." Sihota's boss at the station, news director Clint Nickerson, wrote Premier Gordon Campbell, as did CJFE.

Commentators and columnists pointed to B.C.'s long tradition of ex-politicians taking media jobs. Broadcaster Rafe Mair is a former Social Credit cabinet minister. Former NDP premier Dave Barrett briefly hosted a radio talk show. And Norman Spector, now a columnist, was a top aide to former premier Bill Bennett and to former prime minister Brian Mulroney.

Collins finally buckled and granted Sihota the same access as other journalists, though the government continues to refuse him interviews with party MLAs and cabinet ministers. But while the government backtracked on Sihota, new Liberal policy threatens media freedom.

The government has cut the \$2.4-million annual budget for Freedom of Information by more than a third over the next three years. Privacy and Information Commissioner David Loukidelis said the cuts will interfere with the public's ability to access government information.

"The ability of British Columbians to hold government accountable will be irreparably harmed if the government follows through," Loukidelis said.

Aside from the cuts to his office, Freedom of Information officers within various government ministers will also be cut as part of ministerial budget reductions, Loukidelis said in an interview.

The cuts come as information appeals and privacy complaints, both legal obligations of Loukidelis's commission, rose about 15 per cent last year and are expected to continue to increase. Further cuts will make it impossible to provide the legally required services, he says.

Switched sides

Ironically, the Liberals were one of the commission's biggest clients in their Opposition days. They launched an average of 35 requests a month under the Act, seeking information they thought the public deserved to know.

"The Liberal party when it was in opposition made extensive and I would argue good use of the act," Loukidelis said. Media requests make up four per cent of the commission's clients; the vast majority are individuals trying to access their own government files.

In addition to the budget cuts, the B.C. government introduced changes to the act in March to give it more time to respond to requests. The government used to have 30 days; the bill would exclude weekends and holidays from the definition of a day. The bill would also double the time any ministry has to decide if another ministry or agency could better handle the request.

The new deadlines may be more realistic, Loukidelis said. Deadlines under the old law were rarely met, he admitted.

Loukidelis said he doesn't know how it will all play out. Nor does his office have the ability or staffing to monitor the anticipated increase in response times. He suggested journalists should try to do that. And he said reporters should always say in a story when the information they are using came from Freedom of Information.

"That really helps educate the public," he said.

Kim Bolan serves as a director on the CJFE board.

CJFE publishes report on CanWest controversy

In April, CJFE released an exhaustive look at the controversy over CanWest Global Communications Corp. and its handling of editorial disputes with its employees and with outside critics.

Not in the Newsroom: CanWest Global, Chain Editorials and Freedom of Expression in Canada, a 32-page report, says, "Freedom of expression includes the right of proprietors of news organizations to publish what they want in the media they own, without government interference or regu-

lation and without intimidation from any quarter."

Nevertheless, CJFE adds, "CanWest Global has failed to show equal respect for the free-expression rights of its own employees" and in fact has "sought to muzzle its employees."

The report concludes that CanWest Global should cancel all disciplinary action against its employees imposed over this issue, invite columnists no longer writing for its newspapers as a result of the dispute to return to

their regular spots, and state publicly that its reporters and editors are encouraged to cover journalistic disputes, including internal ones.

CJFE also calls on the federal government to create an independent inquiry, headed by an eminent Canadian and with input from senior Canadian journalists, to look into the potential impact on free expression of concentration of media ownership.

The report is available on-line at www.cjfe.org.

2

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Canadian Journalists for Free Expression is a Canadian non-governmental organization supported by Canadian journalists and advocates of free expression. The purpose of the organization is to defend the rights of journalists and contribute to the development of media freedom throughout the world. CJFE recognizes these rights are not confined to journalists and strongly supports and defends the broader objective of freedom of expression in Canada and around the world.

CJFE membership costs \$25 per calendar year. For any donation beyond that amount, a charitable tax receipt will be issued.

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.



IVAN SIGAL / WWW.EURASIANET.ORG

Kabul TV films a performance at the Kabul Theatre, destroyed during factional fighting for Afghanistan's capital city. A small group of artists have begun weekly performances to promote restoration of the theatre.

Afghan media face major rebuilding challenges

By Kokila Jacob

There is a time and a place Maryam Mahboob often visits in her memories and her dreams – a liberal Afghanistan of the 1970s where she was educated and enjoyed a career as a journalist. A beloved country she fled in 1980 with her husband Zalmai Babaqui and four other Afghan journalists, first to Pakistan and then on to India, as oppressive regimes gained control and began casting a long and cruel shadow over that land.

"We had a happy and healthy media, with many women working as journalists, during the time of King Zahir Shah," she says. "When you compare all the rights and freedoms we enjoyed both as women and journalists then to the state of our country is now in...we lost so much."

Maryam and Zalmai moved to Toronto in 1987. Seven years later,

they launched *Zarnegar*, a bi-weekly community newspaper in Dari and Pashto languages.

Afghanistan's new government and the promising signs of Afghan media activity have rekindled Maryam's hopes, and those of other exiled Afghan journalists such as Ahmed Shah Hotaki, who are now living in Canada. Ahmed launched *The Afghan Post*, a monthly newspaper in English, Dari and Pashto, after he moved to Toronto a year ago.

Both exiles point out that the interim government of Hameed Karzai has assured there will be no restrictions on newspapers, radio and television, and that people can publish and write freely. Cautious optimism is laced with pragmatism, however.

"The media and journalists in Afghanistan face many challenges to regain the freedom they once enjoyed," Maryam says.

"The most serious threat

comes from the armed warlords, followed by a society which is still fearful and conservative. People are scared," she adds. "It is not a secure society yet. Freedom does not show. It will take time for Afghan society to become the liberal society it once was."

Ahmed agrees. "Warlords are a threat to the freedom of media. There are reports that they are threatening journalists and of an attempted abduction of a businessman who had been interviewed by BBC.

"Even here if I write about these things, I get calls asking me why I am doing so," he says.

He believes the callers belong to opposition groups or support the warlords.

Then there is the economic

hardship. "People have no money and also no education. Many of the educated class are living in exile abroad, especially journalists. But there are hopeful signs. A few brave journalists are activating the media against all odds," says Maryam.

In a *EurasiaNet* report published following his visit to the country early this year, Ivan Sigal notes serious limits to the reach and the effect of Afghanistan's new media, both in Kabul and throughout the country.

"Lack of access to technology, knowledge and power sources all limit access to media," he writes. "At present existing radio and TV stations in Kabul, Jalalabad, Herat, Mazar-e-Sharif, Taloqan, Kunduz and elsewhere have no practical mechanism to share information or even to talk to one another. They cover local issues for a local audience.

"Even if Kabul does re-establish national reach, feedback loops to get information from the regions to the centre are not likely to exist in the near future."

Meanwhile, a French fashion magazine has reportedly offered to fund a women's magazine in

Kabul to be managed and run by Afghan women.

"Whatever the problems, there is hope. We see a future – maybe we too can return home one day," says Maryam.

Adds Ahmed, "There is a lot of rebuilding to do and lot of assistance needed to renovate

and modernize the printing presses. People want to live in peace, to rebuild their country, their lives and society."



Maryam Mahboob

Foreign media captive in Kandahar

— continued from page 1

ample, Weil and I spent two frustrating weeks sleeping with the friendlies, filing daily stories on the gradual deployment of the 750-strong Canadian Battle Group under the watchful eye of the military's public affairs handlers.

The Kandahar base was then the epicentre of military operations in Afghanistan, the staging point for almost nightly missions involving special forces from eight countries, including Canada's secretive Joint Task Force 2.

But what the army wanted from us, not surprisingly, was puff: feature stories about the boys enjoying satellite beams of the Super Bowl and Olympic hockey. At a daily news briefing, any questions related to the previous day's missions were met with a terse "No comment." Later, the details would leak from the Pentagon, often to reporters predisposed to a favourable spin.

As the days unfolded, one



BERNARD WEIL / TORONTO STAR

Mitch Potter talks to Canadian soldiers after being ordered out of Kandahar air base.

writer from *USA Today* sized up the annoyances very nicely, carving into a wooden bench: "The Kandahar media: So close, yet so clueless."

My stay with the military came to an abrupt halt when I wrote of these frustrations in a diary-style piece for the *Star*. Too frank by half, I was quietly informed, as

my military minder expelled me from the gates of Kandahar.

Though it was a shock, the expulsion made me the envy of Kandahar's captive fourth estate.

Off the base, we rejoined the realm of journalists without shackle, working freely through the seemingly limitless range of stories confronting the dissolute Pashtuns of southern Afghanistan.

Without shackle, but not without danger. Most journalists working the bottom half of Afghanistan have come to accept the rather ham-fisted need for armed protection to help navigate the delicate sensitivities of tribal rivalries, warlords and outright banditry. The only thing Afghanistan has a surplus of is gunmen – most of them ex-Mujihadeen, most of them with the scars to prove it.

Even with protection, the volatility of present-day Afghanistan is not to be taken lightly. Unlike, say, the West Bank or Gaza, the

zones of safety along the Pashtun borderlands never sit still long enough to be mapped. A road considered secure one night may prove otherwise the following morning.

Such fragility screams out for the standby rules of war zone reporting: travel in packs with two or more journalists, always with two or more satellite phones; let others know of your comings and goings; let the biggest chicken among you win any discussion on safety; find safe harbour well before nightfall.

One final rule, distinct to the conflict in Afghanistan, is that journalists injured in the field are on their own. Time and again, it was made clear that the U.S. Coalition's Special Forces would have nothing to do with reporters, injured or otherwise.

Yet the same military that ousted me from Kandahar, quite astonishingly, went on to save Kathleen Kenna from Gardez.

Mugabe's re-election casts huge shadow on Zimbabwean media

By Petty Bozonelos

The re-election of Robert Mugabe as president of Zimbabwe has many journalists, media observers and human rights organizations apprehensive about the future safety of journalists and citizens alike.

Kaitira Kandjii, regional information coordinator of the Media Institute of Southern Africa (MISA), predicts that "the media situation in Zimbabwe after the election will be worse."

"The reason is to force journalists not to write the truth and expose government corruption and bad governance."

As soon as Mugabe declared himself victorious and was inaugurated as president in March, he signed the Freedom of Information and Protection of Privacy Bill into law.

Harassment legalized

The new legislation legalizes government harassment of journalists, leaving media professionals little recourse for appeal. It blocks any possibility of challenging the constitutionality of media-related issues to the Supreme Court. And it grants the government the right to bar or expel foreign correspondents.

Yves Sorokobi, Africa program coordinator of the Committee to Protect Journalists, expects that "some outspoken and fearless re-

porters will try [to] voice strong opinions.

"But the government now is fully empowered to treat them as they will ... with charges [of] 'undermining the authority of the president' and other murky accusations leading to prison sentences and huge fines."

During the election campaign, journalists faced intimidation and violence by state officials and police.

Despite the Registrar General's statement that election polling stations were open to journalists, many faced police harassment and were barred. Such obvious obstacles to reporting likely influenced the election outcome.

"It clearly made election-rigging easier," Sorokobi said. "Given the general atmosphere during the elections, we can safely assume that barring the press from polling stations stood in the line with Mugabe's grand scheme to be both candidate and judge of the vote."

Few foreign correspondents were permitted to cover the election, and the domestic press failed to provide balanced, well-informed coverage.

The Media Monitoring Project in Zimbabwe said the public press's "glaring weakness" was its failure to inform the public about the voting process. Its reports of campaign rallies catered to Mugabe's ruling party and fueled



Zimbabwean President Robert Mugabe cracked down on media independence during this year's election, and then signed tough new media laws.

CANADIAN PRESS

intolerance toward opposing views, the group charged.

In print media, dailies under the control of the state-run Zimbabwe Newspaper (Zimpapers) chain favoured Mugabe's ZANU-PF party, often treating its rhetoric as fact. They briefly mentioned alleged ZANU-PF vote-buying, but without further comment or investigation.

As for broadcasting, the absence of an independent television station was obvious. Airtime on the Zimbabwe Broadcasting Corporation (ZBC) was vastly unequal between ZANU-PF and opposition candidates, with extensive reporting on all the ruling party's rallies.

In the post-election period,

the conflict of interest between the state and the media remains apparent. Although the government granted a broadcasting licence to a private television station, Joy TV, Mugabe's nephew Leo Mugabe reportedly has financial ties to Joy TV, and the ZBC reportedly exercises some editorial control over its programming. Moreover, Joy TV is not permitted to broadcast local news or current affairs programming.

It appears that Mugabe's regime will continue to use legislation and other mechanisms to contravene the right to freedom of expression. The government has limited the availability of communication equipment needed by journalists.

Tchad : liberté d'expression, changer les mentalités

Par Hassan Chérif Kala

La presse tchadienne existe et joue un grand rôle dans le processus de démocratisation délibérément torpillé. Ce pays au cœur de l'Afrique ne pouvait se soustraire ou faire l'exception au moment où soufflait le vent de la perestroïka africaine. A la faveur de ce courant, très vite les rebelles d'hier changèrent de ton pour s'adapter à la nouvelle donne. Depuis le début des années 90 se libérant donc d'une dictature des plus macabres, les médias tchadiens tentent de sortir la tête et arracher une place au nom de la liberté d'expression.

Dans la mise en place de sa stratégie de verrouillage et profitant d'une absence réelle de contre-poids sur le terrain, le régime a cru devoir octroyer à la presse sa liberté. Le président promettant de ne pas poursuivre sa presse, et un texte juridique stipulait : 'la presse est libre au Tchad'. Ce fut le déclic pour tous ceux qui savaient manier la plume

et le verbe. Des mots et des phrases se révélant très tôt comme une allusion, un leurre pour les hommes des médias qui ont eu le courage de créer des publications. Ce ne sont en fait que des illusions.

De 1990 à 2002, plus de dix ans ont démontré aux yeux de l'opinion que le Tchad est loin de tenir à ses engagements non pour des dérapages de parcours inévitables mais pour asseoir une nouvelle forme de politique ambiguë des pays de démocratie naissante au sud du Sahara. Celle qui consiste à brider la presse par le pouvoir de l'argent, le pouvoir des institutions issues à la vas vite des forums ou conférences nationales, le pouvoir des procès et de poursuites en diffamation. Pour bon nombre des confrères qui ont poussé l'audace, ils l'ont pris à leurs dépens.

Violations des droits de la personne, harcèlements, arrestations, traitements humiliants, censures sous les yeux des observateurs de la bonne gouvernance. Les quelques journaux privés qui

résistent appuyés par trois à quatre radios FM semblent emportés par la confusion des textes trop restrictifs et un Haut conseil de la communication dont les membres n'obéissent qu'à une seule logique: celle du ventre et des cérémonies protocolaires.

On est loin des principes sacrés des droits et libertés de la presse au Tchad. Tout est taillé sur mesure. Un pouvoir exclusif stagnant empêchant toute alternance politique et évolution des mentalités.

Dans cette optique bien focalisée, l'expression libre est du domaine seul des gouvernants. Gare aux réfractaires des médias privés. Sinon, comment accepter que durant toutes les périodes électorales dans ce pays, les radios privées soient tenues menton dans la gorge à s'écarter du jeu. Pour illustrer notre constat, une alerte de Reporter sans frontières (RSF) en avril relative à l'interdiction des émissions politiques sur les radios privées à l'approche des élections législatives.

Dans une lettre adressée à Emmanuel Touadé, président du Haut Conseil de la Communication (HCC), RSF a protesté contre

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CJFE's media rebuilding project wins praise at Sierra Leonean papers

By David Cozac

CJFE's media rebuilding effort in war-torn Sierra Leone, which began in early 2001, is beginning to bear fruit.

The project, which has included purchasing a printing press, drafting a code of ethics for papers and extensive training of print journalists, has produced a sea change in quality for the five newspapers involved, observers say.

Mike Butscher, a Sierra Leonean media consultant and trainer, said "CJFE and all the brains behind [the project] need to hold their heads up high because of the major transformations five of our papers have gone through within a short time."

The papers – *The Salone Times*, *Awoko*, *Concord Times*, *The Independent Observer* and *The Standard Times* – "have made a big jump," he commented. "Editorial content, fairness and the use of pictures have all improved" on the papers' pages.

In late April, the radio station of the United Nations Mission in Sierra Leone broadcast a review of the Sierra Leonean print media in which the staff of *Awoko* was praised for its middle-of-the-road approach.

Sierra Leone's media were devastated by 10 years of war. Newspaper offices and radio stations were looted and burned. Some journalists were murdered, while others fled the country.

CJFE launched its project with

funding from the Canadian International Development Agency, the Swedish International Development Agency, the World Press Freedom Committee and UNESCO. CJFE's main goal is to help rebuild the best newspapers so they can play a leading role in reporting on key issues of peace-building.

CJFE personnel and consultants were recently in the country to conduct further in-house training. Former CBC Radio journalist Dale Ratcliffe, now a freelance media consultant and CJFE's Sierra Leone project manager, coordinated the work. Sierra Leonean journalist Foday Fofanah coordinates the project from Freetown.

South African trainer Karen William, who focused on editorial improvements, noticed a "marked difference" in the quality of published journalism, compared to her visit in late 2001. Among other changes, she noted that newspaper stories are based on fact and no longer sensationalistic, and that reporters get multiple sources on their stories. She



ROGER HOLMES

Alhassan Spear Kamara of Sierra Leone's *Concord Times* learns about digital cameras from trainer Roger Holmes.

helped the newspapers set up mechanisms to cover national elections fairly and thoroughly.

Roger Holmes, publisher of the *Star Chronicle* of Wainwright, Alta., made his second visit to Sierra Leone, this time instructing photographers on using digital cameras. Holmes believes the cameras, the first the papers have

had in several years, will have an important impact on newspaper readership, and will also be used by ad sales staff.

Earlier, Barry Hibbert, publisher of the *Sylvan Lake News*, also of Alberta, visited Sierra Leone to provide in-house training in advertising sales and circulation development.

BOOK REVIEW: Dangers of reporting in Africa

By Sacha Guney

Ian Stewart's memoir, *Freetown Ambush – A Reporter's Year in Africa*, might be the most compelling and important book by and about a journalist in a long time.

Although never painfully near to many Canadians, war and its trappings are very much familiar to a nation that has often put its soldiers in the middle of chaos far from home, to fight or with the hope they will sort out countless years of ethnic, political and social messes.

Ian Stewart sought out such conflict and called it his job. Working as a correspondent in Southeast Asia for United Press International, and later the Associated Press, Stewart wrote for readers around the world.

Instability, conflict and violence are part of our daily information diet. It's good copy, it sells, and reporters compulsively seek it out. Stewart admits that he relished reporting from such places as Kashmir, Cambodia and Afghanistan.

This taste for danger drew him to Sierra Leone. At the time, a guerrilla army called the Revolutionary United Front (RUF) was laying waste to the country. When a position as AP bureau chief for West Africa opened up, Stewart jumped at the chance. By early



Ian Stewart

1998, he was living in Abidjan, the Ivory Coast, and reporting from all over western and southern Africa.

Freetown Ambush is essentially an autobiography, his life providing the prologue to the title incident. That episode revolves around a split second on a Sunday afternoon in January 1999, when a rebel gunman opened fire on a car in which Stewart and colleagues were travelling.

Cameraman Myles Tierney was killed instantly. Stewart was shot in the head, the bullet travelling down the middle of his brain and lodging at the back of his skull.

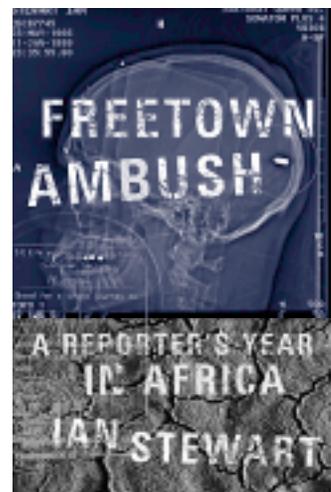
Freetown Ambush is a story of survival and recovery. However, the book offers much more. The correspondent's memoir reads like a debriefing, as if the events described had transpired in the recent past. It recollects extraordinary events that make compelling reading, not only as newsworthy but also for the moments behind newsgathering that comprise the correspondent's daily life.

Intensely personal, the narrative shares the author's motivations, hopes, fears and

deepest thoughts; nothing is held back. The book was therapy for Stewart. Writing helped him deal with incredible stress and trauma.

Stewart was the link between our society and those he covered in his travels. His battles to report the news become statements on our times and the human condition in the face of war, conflict and suffering.

His greatest fear: why risk so much to report on seemingly forgotten and forsaken peoples? Reporting from such countries is clearly dangerous, and its value is questioned. Does reporting the news help positive change in broken states? Is it worth risking reporters' lives? While no clear answer emerges, *Freetown Ambush* is a step in the right direction.



IFEX COMMUNITY NEWS

Outreach program visits Latin America

In March, IFEX Alerts coordinator Rachael Morton-Gittens visited Mexico, Guatemala and El Salvador to meet prospective members, touch base with partners in the region and further Latin American networking. Morton-Gittens visited two IFEX member organizations: the National Centre for Social Communication in Mexico and the Press Freedom Committee of the Guatemalan Association of Journalists. In El Salvador, she met with Journalists against Corruption. These groups are fighting against abuse of freedom of expression – manifested in advertising pressures, information laws and government corruption – that tends to be invisible.

Action Alerts

The aftermath of the September 11 attacks on the United States and its implications for freedom of expression around the world dominated activities of IFEX's Action Alerts Network in recent months. During this period, the network observed four "hot spots" of infringements on freedom of expression:

1. War in Afghanistan

The war was highly dangerous for journalists. Eight were killed between October and December 2001 – the highest number for a single country since 1999, when

10 journalists died in Sierra Leone. The AAN issued close to 50 alerts on attacks and threats against journalists covering the war.

2. Anti-terrorism laws

Following the September 11 attacks, the number of alerts related to new anti-terrorism laws increased noticeably. IFEX members focused on the United States, Canada, France and the United Kingdom, which were among the first to act. Their new anti-ter-

rorism laws, many of them far more threatening to free expression than those in the United States.

3. Zimbabwe

IFEX members generated a high number of alerts on Zimbabwe during the run-up to the March 2002 elections. President Mugabe's government labelled foreign journalists "terrorists," and journalists from independent media were regularly attacked and

4. Nepal

The state of emergency imposed November 26 drew a flood of alerts on freedom of expression that provided valuable in-country reportage. Imposed in response to new attacks by Maoist guerrillas, the ongoing state of emergency has suspended all constitutional guarantees of free expression and press freedom. Since its imposition, more than 40 journalists have been detained or interrogated, and some media workers have been tortured.



Yurij Ochakovski of Israel won the National Press Club of Canada's prize for cartoons on press freedom/free expression. See www.pressclub.on.ca

rorism laws give authorities greater powers to detain suspects and conduct electronic surveillance and telephone wiretaps. Other countries, including Belarus, India and Uganda, have also drafted and in some cases passed

arrested. Utilizing the network, IFEX members were at the forefront of international efforts to draw attention to government attacks on freedom of expression, producing in-depth analyses and daily alerts.

IFEX to hold annual meeting in Senegal

IFEX's annual general meeting will be in Dakar, Senegal in September, marking the first time it has been held in West Africa. IFEX's 54 member organizations and other free expression groups will gather from September 10-13. Two days of workshops for fledgling free-expression groups from the South will precede the conference.

The meeting, hosted by the West African Journalists' Association, hopes to turn the international spotlight on governments in the region that violate press rights. Falling on the anniversary of September 11th, the conference will also address limits on free expression imposed in the past year around the globe, including new anti-terrorism laws.

For information about the conference, e-mail ifex@ifex.org.

Legislation exploiting 9/11 'opportunism in the face of tragedy'

— continued from page 1

says Human Rights Watch (HRW), is that some repressive regimes now embraced as allies by the U.S. are using this opportunity to further restrict freedom of expression.

Calling it "opportunism in the face of tragedy," HRW has tracked at least 15 governments, including those of Russia, Uzbekistan and Egypt, which have used the war on terror to justify activities such as abusive military campaigns or crackdowns on domestic political opponents.

The government of Belarus, which HRW says has one of the worst human rights records in Eastern Europe, passed a new anti-terrorism law giving security officials greater powers to raid media outlets, arrest demonstrators and prevent journalists from reporting on matters of public interest. The law also gives security officials powers to monitor telephone and e-mail communications, and to enter houses without prior consent from a court.

India's Prevention of Terrorism Ordinance criminalizes those

who fail to provide authorities with "information relating to any terrorist activity." Anyone who possesses "information of material assistance" in preventing a "terrorist act" and does not turn that information over to authorities risks up to three years' imprisonment, says HRW.

Journalists argue that this pressures them to disclose any information gathered in the course of their work, a serious

vast powers to suppress both the media and political opponents.

HRW says countries like these are taking their cue from the United States, whose own Patriot Act gives the Federal Bureau of Investigation extensive powers to wiretap anyone suspected of working with terrorists, read and monitor mail and e-mail, and detain citizens for indefinite periods. Signed into law on October 26, 2001, the act also enables the

tion of the European Convention on Human Rights, according to the International Federation of Human Rights Leagues.

In response to this alarming trend, international bodies such as the United Nations High Commission for Human Rights (UNHCR) and the Organization for Security and Co-operation in Europe (OSCE) have begun to take a stronger stand in urging governments to balance human rights with security concerns.

Freimut Duve, the OSCE's representative on media freedom, has declared that "the new media conflict situation should not be used as a justification and an excuse for repressive steps against opposition media."

UNHCR Commissioner Mary Robinson, speaking in February at the commission's annual session, expressed concern that excessive measures in several countries were suppressing rights including freedom of expression. "The only long-term guarantor of security is through ensuring respect for human rights and humanitarian law," she said.

Canada, Australia and the United Kingdom are providing models of legislation.

threat to press freedom.

Worse yet, Uganda recently passed a law under which journalists can be put to death if found guilty of distributing information that "promotes, trains or mobilizes any institution for the purposes of terrorism." According to the International Press Institute, the law's definition of what kind of information promotes terrorism is so wide that it effectively gives the government

Central Intelligence Agency to obtain federal grand jury information – including phone records, wiretap transcripts and testimony – without a court order.

Countries such as Canada, Australia and the United Kingdom are also providing models of anti-terrorism legislation. The U.K. law, passed in December 2001, lets security officials extend the detention of suspects even when no charges have been laid – a viola-

Free expression in Nepal under constant threat

By Bhagirath Yogi

On March 16, the editor of the leftist monthly *Mulyankan*, Shyam Shrestha, and two other human rights activists arrived at Kathmandu's Tribhuvan International Airport to fly to a seminar in New Delhi organized by the Nepal Concern Group on Maoist Insurgency.

But Shrestha, Dr. Mahesh Maskey and Pramod Kafley were arrested by security forces and taken to an unknown destination. They were detained for 11 days and released more than a week after making statements denying any links to Nepal's Maoist rebels.

Shrestha's arrest is not the only such incident. According to various international press freedom groups, Nepal has one of the highest rates of detention of journalists and other media workers.

Vincent Brossel of the Paris-based *Reporters sans frontières*, who was recently in Kathmandu, said that more than 100 media workers had been interrogated or detained since the Nepalese govern-

ment declared a state of emergency last November. Nearly 30 of them – more than in such notorious countries as Burma and Iran – remain in detention.

Ramkala Budhathoki, wife of Gopal Budhathoki, the editor and publisher of the leftist weekly *Saanghu*, said she had no information about the whereabouts of her husband since his arrest in early March. She urged the national and international media to campaign for the release of her husband.

After six years of a violent "people's war" launched by Maoist insurgents, King Gyanendra declared a nationwide "state of emergency" on November 26, 2001, on the recommendation of Nepal's Council of Ministers. Parliament has voted by an overwhelming majority to extend the three-month state of emergency for another three months – to June 2002.

In the four months since the proclamation, 1,000 people have reportedly been killed, including security forces, rebels and inno-

cent civilians. Media and human rights bodies have been denied access to independently verify the numbers.

The state of emergency has suspended fundamental human rights including rights to privacy, information, freedom of opinion and expression; press and publication rights; and freedom from preventive detention, as well as the right to Constitutional remedy, except habeas corpus.

Even after four months of the state of emergency, the kingdom's people still find themselves in the crossfire between the rebels and security forces. According to INSEC, a Kathmandu-based human rights group, since November security operations around the country have killed more than 800 people, while the rebels have killed over 200 people (pushing the total to over 3,000 since hostilities broke out six years ago).

"Not only does the general public have to live under terror fearing excesses from both the government forces and rebels, but human rights defenders and me-



Nepali journalist Shyam Shrestha

dia workers are also not safe and are not allowed to engage in impartial reporting by visiting the places of conflict," said Krishna Gautam, editor of INSEC's *Human Rights Yearbook*.

Already an underdeveloped country with an annual per capita income of about US\$ 220, Nepal has been hit hard by the on-going conflict, and the number of tourists has dropped dramatically. As the conflict intensifies, the Nepalese people are bracing themselves for more difficult days.

Bhagirath Yogi is a Kathmandu-based journalist and an associate with the Centre for Human Rights and Democratic Studies, which monitors press freedom and free expression in Nepal.

Egypt continues legal attempts to silence human rights activists

By Tariq Hassan-Gordon

After an Egyptian appeal court scathingly criticized a trial against human rights activist Saad Eddin Ibrahim and 27 co-defendants, the prosecution has announced a re-trial date of April 27.

Ibrahim, 63, was sentenced in May 2001 to seven years in prison for "smearing the image of Egypt abroad" and receiving unauthorized funds from the European Union. Other workers at the Ibn Khaldun Centre received sentences of varying lengths.

The Centre was established in 1988 as the first private, non-profit research organization in the Arab world. Its mandate was to promote democracy and the role of civil society groups. The Centre's most prominent work was in Egypt's 1995 parliamentary elections, during which it found irregularities in 80 polling stations of the 88 it monitored.

Courts across the country used its observations and other evidence to annul the election results of more than half the candidates. Ibrahim believes the legal case against him was brought forward to disrupt his plans to monitor the 2000 parliamentary elections.

The new trial will continue an on-going legal battle with the Egyptian government that began

on June 30, 2000, when state security officers raided the Centre's offices, arrested its staff and seized its computers. The Centre has been closed since then.

After six weeks in prison, Ibrahim was released in August without charge. But on September 24, shortly before the fall elections, Ibrahim and his co-

court of appeal overturned the court's ruling.

The retrial of Ibrahim and his colleagues means that civil society groups must continue to curtail their activities or risk the government's anger.

Ibrahim, a U.S. citizen and professor at the American University in Cairo, gained interna-

accusing the government of targeting Ibrahim and others associated with the Centre because of their peaceful exercise of freedom of expression.

Throughout the 1990s, the report noted, the Egyptian government relentlessly pressured those exercising their rights to freedom of expression and of association, as well as academic freedom. The government "hampered the work of NGOs, professional associations, the media, trade unions and political parties through the promulgation of a series of restrictive laws, effectively weakening civil society and increasing its control over any activities critical of the government," HRW wrote.

Since the September 11, 2001, attacks on the United States, Egyptian President Hosni Mubarak has cracked down on peaceful Islamic activists and political opponents, cloaking it as part of the war on terrorism. Without a free and active human rights movement, torture, deaths in custody, mass detention, horrible prison conditions and arbitrary military trials may continue with impunity.

Tariq Hassan-Gordon is the Cairo correspondent for the Middle East Times, a regional weekly newspaper published out of Athens, Greece. Its articles that Egypt censored are online at metimes.com



Egyptian-U.S. human rights activist Saad Eddin Ibrahim during his May 2001 trial on charges of spreading false information.

defendants were charged. The charge stems from donations of 200,000 euros from the European Union to further the Centre's human rights work.

Following a lengthy trial they were sentenced last May, but on February 6, 2002, Egypt's highest

tional recognition after a worldwide campaign was launched to support him.

In its December 2001 report, *The State of Egypt vs. Free Expression: the Ibn Khaldun Trial*, Human Rights Watch (HRW) said the trial was politically motivated,

HASAN MROUE / AGENCE FRANCE-PRESSE

Ukrainian president resisting downfall after murder of critical journalist

By Sacha Guney

On the night of November 2, 2000, a farmer discovered a headless corpse outside the town of Tarashcha near Kiev in the Ukraine. Immediately, local journalists suspected the body might be that of journalist Georgy Gongadze.

Gongadze was the editor of *Ukrainska Pravda*, an online news site that reported regularly on alleged high-level corruption within the government. He had disappeared September 16 while on his way home.

Three weeks after the discovery of the body, Socialist Party leader Oleksandr Moroz, a long-time rival of President Leonid Kuchma, released an audiotape on which Kuchma could supposedly be heard discussing with his chief of staff and interior minister ways to get rid of Gongadze. The authenticity of the tapes was immediately challenged by the authorities, and despite domestic and international public reaction, authorities have impeded the search for truth.

The conversations implicating

the president, his chief of staff and the interior minister in a plot to kidnap and murder the journalist were clandestinely recorded in the president's office by a guard over several months. They capture hundreds of hours of discussion of "matters of state" by the president and his entourage.

Ukraine's own political and judicial institutions are such that it took a Parliamentary commission just to have Gongadze's body positively identified with DNA tests. The coroner's office played hide-and-seek with the body and the state prosecutor's office gave family and friends so much run-around that, despite forced into performing their own official DNA tests, three months after Gongadze's disappearance the state prosecutor still made public statements about "unconfirmed testimonies" alleging that he was seen alive in the town of Lviv.

President Kuchma has everything to lose and is holding nothing back in his fight for political survival.

Outside the Ukraine, corrupt officials no longer enjoy immunity. Pavel Lazarenko, prime minister from May 1996 to July 1997, has been in U.S. federal custody for almost a year. Last summer, the United States Attorney's Office for the Northern District of California announced a federal grand jury indictment against Lazarenko, charging him with 53 counts of conspiracy to commit money laundering, money laundering, wire fraud and receipt of stolen property. His trial is scheduled for this fall.

Lazarenko's alleged crimes while in office are just the type of thing about which Gongadze wrote. Lazarenko is far from an anomaly; his crimes were made possible by a corrupt environment that reaches the very top levels

Poster for a public meeting in London, England, hosted by the National Union of Journalists.



Georgy Gongadze

of government, according to reports from such organizations as the Carnegie Endowment for Peace and Transparency International.

The international community has demonstrated that it is willing to fight official misconduct, but this degree of corruption is difficult to deal with. The Council of Europe recently decided not to create an international commission of inquiry into Gongadze's murder despite appeals by the journalist's family, friends, colleagues and many international organizations.

It is unclear if President Kuchma will ever face criminal charges for Gongadze's disappearance and murder, either in the Ukraine or elsewhere. In the Lazarenko case, prosecutors are proceeding with plenty of evidence, but nothing as damning as a recorded conversation.

President Kuchma may yet have his words come back to haunt him, and Georgy Gongadze may yet offer his country, in death, what he strove for while still alive: justice and accountability for a nation.

Honourable mentions in cartoon contest

Runners-up in the National Press Club of Canada's 2002 international editorial cartoon competition: entries by Marc Haddad of France (left) and Oleg Dergatchov of Ukraine (right). Israeli Yuriy Ochakovski's winning cartoon can be seen on page 6.

